

TITLE VI PROGRAM

October 2024

THE HOUSTON-GALVESTON METROPOLITAN PLANNING AREA





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 (DOT) and the Federal Transit Administration (FTA) 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 Access 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 15th day of October, 2024, at a regularly scheduled meeting of the Board of Directors of the Houston-Galveston Area Council.

APPROVED:

Sallie Alcorn

[Sallie Alcorn \(Oct 23, 2024 14:41 CDT\)](#)

The Honorable Sallie Alcorn
Councilmember, City of Houston
H-GAC Chair

ATTEST:

Joe Garcia

[Joe Garcia \(Oct 30, 2024 12:45 CDT\)](#)

The Honorable Joe Garcia
Mayor, City of Pattison
H-GAC Vice Chair

TITLE VI PROGRAM UPDATE

Background

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity conducted by recipients of Federal financial assistance. Discrimination includes the denial of meaningful access for persons with limited English language communication skills. In order to receive federal transit or highway funds, H-GAC must formally adopt a Title VI program that complies with the U.S. Department of Transportation's Title VI regulations every three years. H-GAC fully complies with Federal Title VI Nondiscrimination requirements.

Current Situation

Following Federal guidance, H-GAC's 2024 Triennial Title VI Program update includes:

- A nondiscrimination policy statement
- Certifications and Assurances of Title VI compliance
- Notice to the public of their rights under the Title VI statute
- A Public Participation Plan
- A description of Environmental Justice provisions
- A plan to accommodate persons with limited English communication skills
- An updated demographic profile of the metropolitan planning region
- Measures to assess regional equity in the impact of transportation
- Procedures for the submission and resolution of Title VI complaints, and
- Strategies for furthering Title VI and Environmental Justice

A public comment process was conducted from August 13, 2024 through September 12, 2024, and a virtual public meeting was held on September 10, 2024. The updated Title VI Program can be found on the H-GAC website at: <http://www.h-gac.com/title-vi-program>.

Funding Source

N/A

Budgeted

N/A

Action Requested

Request Approval of the Title VI Program (Staff Contact: Ayo Jibowu)

ATTACHMENTS:



AGENDA
HOUSTON-GALVESTON AREA COUNCIL
BOARD OF DIRECTORS MEETING
October 15, 2024 | 10:00 AM
3555 Timmons Lane,
Conference Room B. 2nd Floor
Houston, TX 77027

1. INVOCATION
2. PLEDGE OF ALLEGIANCE
3. PUBLIC COMMENT
4. DECLARE CONFLICTS OF INTEREST
5. SAFETY BRIEFING

ACTION

6. 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 MEETING MINUTES – SEPTEMBER 17, 2024
Request approval of the minutes of the September 17, 2024, H-GAC Board Meeting. (Staff Contact: Vanessa McKeehan)
- b. FUNDING INCREASE FOR TRAFFIC INCIDENT MANAGEMENT Request approval to enter into an agreement with The Texas Department of Transportation to amend the advanced funding agreements by increasing the values for projects MPO ID 11917 for an amount not to exceed \$1,800,000 and MPO ID 17020 for an amount not to exceed \$3,100,000. (Staff Contact: Jamila Owens)
- c. CITY OF FRIENDSWOOD MASTER TRAILS PLAN
Request authorization to contract with firms in the order presented for a contract term of one year, in an amount not to exceed \$250,000. (Staff Contact: Allie Isbell)
- d. COORDINATED HUMAN SERVICE AND PUBLIC TRANSPORTATION PLANNING ASSISTANCE GRANT 2024
Request authorization to enter into a project agreement with the Texas Department of Transportation to support coordinated human service and public transportation planning, in an amount not to exceed \$255,000. (Staff Contact: Jamila Owens)
- e. INTERLOCAL AGREEMENTS FOR REGIONAL STRATEGIC TRANSPORTATION FUND
Request authorization to execute Interlocal Agreement with the sponsors identified in the attached table to receive a minimum of \$5,550,000 into the Regional Strategic Transportation Fund. (Staff Contact: Callie Barnes)
- f. TITLE VI PROGRAM UPDATE
Request approval of H-GAC's updated Title VI Program. (Staff Contact: Ayo Jibowu)

- g. HGACBUY SOLAR LIGHTING EQUIPMENT AND RELATED SERVICES
Request authorization to negotiate contracts with respondents listed in the Award Recommendation Table for SL12-24 Solar Lighting Equipment and Related Services. (Staff Contact: Ronnie Barnes)
- h. HOMEOWNER WASTEWATER ASSISTANCE PROGRAM SERVICE PROVIDER CONTRACTS
Request authorization to conduct work with prequalified Septic System Contractors for the Homeowner Wastewater Assistance Program for the term of one year and extend the work for up to two additional one-year terms. Total amount not to exceed \$300,000. (Staff Contact: Todd Running)
- i. QUARTERLY INVESTMENT REPORT - THIRD QUARTER 2024 Request approval of the Third Quarter 2024 Investment Report. (Staff Contact, Christina Ordonez-Campos, CPA)

DISCUSSION

7. FINANCE AND BUDGET COMMITTEE

Report on activities and Committee recommendations.

- a. MONTHLY FINANCIAL REPORT - SEPTEMBER 2024
Request approval of the monthly financial report ending September 30, 2024. (Staff Contact: Christina Ordonez-Campos)
- b. RECOMMENDED 2025 SALARY PROGRAM
Request approval of the recommended employee salary ranges for 2025. (Staff Contact: Teri Ramsey)
- c. INTEREST REINVESTMENT FUND
Request approval to implement the interest reinvestment fund and the related designation and utilization strategy. (Staff Contact: Christina Ordonez-Campos, CPA)

8. BUDGET AND SERVICE PLAN

- a. ORIENTATION TO BUDGET & SERVICE PLAN
For information only. No action required. (Staff Contact: Chuck Wemple)
- b. PRESENTATION OF PROPOSED H-GAC 2025 BUDGET & SERVICE PLAN
Presentation and discussion of proposed H-GAC 2025 Budget & Service Plan. For information only, no action requested. (Staff Contact: Chuck Wemple)

9. H-GAC ADVISORY COMMITTEE APPOINTMENTS

- a. OCTOBER 2024 ADVISORY COMMITTEE AND AFFILIATE GROUP APPOINTMENTS
Request approval of appointments to H-GAC advisory committees. (Staff Contact: William Matthews)

10. REPORTS

a. H-GAC SPOTLIGHT - CYBER SECURITY

For information only. No action requested. (Staff Contact: John Tran)

b. OUTREACH AND GOVERNMENT AFFAIRS REPORT

Update on important current and upcoming public affairs activities. No action requested. (Staff Contact: Rick Guerrero)

c. EXECUTIVE DIRECTOR'S REPORT

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

11. 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.

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

October 2024

TABLE OF CONTENTS

	PAGE
TITLE VI POLICY STATEMENT	2
1.0. BACKGROUND AND PURPOSE	3
1.1 Introduction	3
1.2 Background.....	3
1.3 Non-Discrimination Laws and Regulations.....	8
1.4 Purpose.....	12
2.0 GENERAL REQUIREMENTS	13
2.1 Title VI Certifications and Assurances	13
2.2 Administration of the Title VI Program	45
2.3 Title VI Notice to the Public.....	49
2.4 Filing a Title VI Complaint	50
2.5 Title VI Investigations, Complaints, and Lawsuits.....	50
2.6 The Need for Public Involvement.....	58
2.7 The Public Participation Plan.....	58
2.8 Communication Channels and Strategies	59
2.9 Summary of Outreach Efforts	62
2.10 Serving the Population with Limited English Proficiency.....	71
2.11 Minority Representation on Planning and Advisory Bodies	83
2.12 Efforts to Encourage Minority Participation.....	85
2.13 Subrecipients Compliance Procedures	86
3.0 REQUIREMENTS SPECIFIC TO THE MPO	87
3.1 Demographic Profile of the Metropolitan Planning Region	87
3.2 Environmental Justice Analysis.....	99
3.3 Identifying the Mobility Needs of the Minority Population	115
3.4 Transportation Equity Analysis	120
3.5 Assessing Potential Impacts to Communities.....	156
3.6 Furthering Title VI in the Planning Process.....	162

LIST OF ATTACHMENTS

Attachment 1 – H-GAC Title VI Notice to the Public..... 166
Attachment 2 – H-GAC Title VI Complaints Procedure 168
Attachment 3 – H-GAC Public Participation Plan 174
Attachment 4 – Language and Engagement Survey 203
Attachment 5 – Bylaws of the H-GAC Board and Transportation Policy Council..... 213
Attachment 6 – Calculating Concentration Thresholds for Environmental Justice Indicators..... 234

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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

The Houston-Galveston Area Council (H-GAC) as a recipient of federal financial assistance assures that, in keeping with Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987, no person shall, on the grounds of their race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity conducted by the agency, whether the programs and activities are federally funded or not.

Chuck Wemple

Chuck Wemple (Sep 12, 2024 17:16 CDT)

H-GAC Executive Director

09/12/2024

Date

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 H-GAC Council of Governments serves as a Regional Planning Commission and provides a forum for cooperation and coordinated action by member governments, to address regional concerns, maintain orderly development, foster economic growth, and improve the welfare and quality of life of the residents of its thirteen-county service area (Map 1). H-GAC has also been designated the Metropolitan Planning Organization (MPO) for eight of these counties: Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller. The H-GAC MPO is in charge of programming federal transportation funds, and coordinates the transportation planning activities within these eight-counties (the "eight-county region").

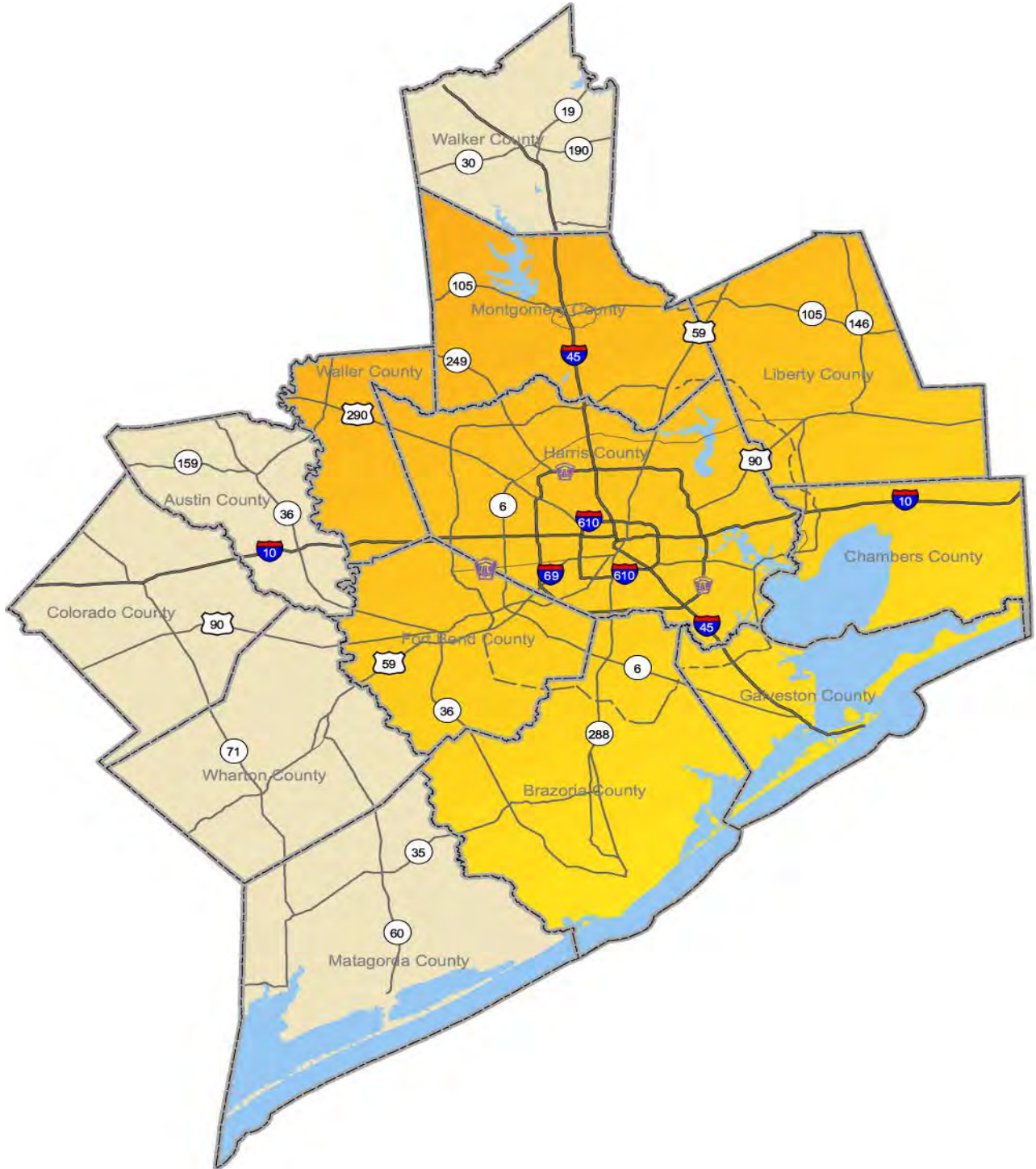
In fulfilling its role as MPO, H-GAC works collaboratively with both public and private partners in a continuing, cooperative, and comprehensive process aimed at improving mobility, promoting transportation safety, protecting the environment, and enhancing the economic competitiveness of the Houston-Galveston Metropolitan Planning Area. These goals are reflected in the agency's multi-modal transportation plans, programs, and activities which guide the near and long-term actions of the organization that shape and impact the regional community.

1.2 BACKGROUND

THE CIVIL RIGHTS ACT OF 1964

Title VI of the Civil Rights Act of 1964 (42 U.S.C § 2000d et seq.) is a foundation to many of the federal statutes and regulations that govern non-discrimination in federal activities. The law requires all recipients of federal financial assistance to ensure that their programs and activities are conducted free of discrimination based on race, color, or national origin. Section 601 of Title VI 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." The purpose of the act is to ensure that federal funds are not being used for discriminatory purposes.

Map 1
Map of the H-GAC Region highlighting the Eight-County Metropolitan Planning Area



The Title VI Statute is bolstered by Presidential Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency."¹ This executive order directs federal agencies and their recipients to take reasonable steps to ensure that individuals with limited English proficiency have meaningful access to their programs and services. The order also requires federal agencies to develop a written plan that outlines their policies and procedures for implementing a language assistance program.

EXECUTIVE ORDER 12898 – 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 establishes a fundamental right to be free from institutional discrimination. Years after the enactment of Title VI, President Bill Clinton signed Executive Order 12898, titled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"² in response to pervasive discriminatory practices by governmental entities that disproportionately burdened human health and environmental quality within minority and low-income communities. Executive Order 12898 expands the non-discrimination focus of the Title VI statute by requiring federal agencies to make achieving environmental justice a part of their core mission.

The U.S. Department of Transportation (USDOT) 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."³ Within this framework, "fair treatment" means that no population should be forced to bear a disproportionate share of adverse human health and environmental impacts that may result from transportation decisions, programs and policies, while "meaningful involvement" maintains that all people, including the traditionally underserved and under-represented, should have

¹ Exec. Order No. 13166, "Improving Access to Services for Persons with Limited English Proficiency," Aug. 11, 2000, 65 FR 159 (Aug. 16, 2000).

² Exec. Order No. 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," Feb. 11, 1994, 59 FR 7269 (February 16, 1994).

³ U.S. Department of Transportation (2016, November 15). Environmental Justice Strategy. Retrieved July 24, 2024, from <https://www.transportation.gov/transportation-policy/environmental-justice/environmental-justice-strategy>.

a reasonable opportunity to participate and influence the transportation planning decisions that affect their lives and environment. ⁴

Environmental justice is inextricably linked with broader issues of social justice and racial equity. The USDOT declared three guiding principles that articulate procedural and substantive guidelines for achieving environmental justice:

- a. Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process;
- b. 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; and
- c. Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

These three guiding principles are the most often cited expressions of the fundamental tenets of environmental justice, and provide a clear roadmap for carrying out the objectives of Executive Order 12898.

RELATIONSHIP BETWEEN TITLE VI AND ENVIRONMENTAL JUSTICE

Although the non-discrimination directives of the Title VI Statute and Executive Order 12898 stem from the same constitutional source requiring equal protection under the law,⁵ they are separate mandates with different powers. Title VI imposes statutory and regulatory requirements that are broader in scope than the Environmental Justice order. Key differences between the two laws include:

- Title VI is a federal statute that applies to recipients and subrecipients of federal financial assistance, while the Environmental Justice executive order applies to federal agencies actions, and the actions of organizations they regulate.

⁴ U.S. Department of Transportation (2016, November 15). Environmental Justice Strategy. Retrieved July 24, 2024, from <https://www.transportation.gov/transportation-policy/environmental-justice/environmental-justice-strategy>.

⁵ U.S. Const. amend. XIV, § 1.

- While minority populations are a protected class under both laws, only environmental justice specifies the low-income as a protected class – recognizing that social class is also a basis for disparate treatment (Figure 1).
- Title VI is aimed at preventing federal funds from being used to support discrimination, while the goal of environmental justice is to improve the internal management of the executive branch and ensure that vulnerable populations do not bear an unfairly disproportionate amount of the adverse effects of federal agency actions.
- Title VI allows persons alleging discrimination based on race, color, or national origin to file administrative complaints with the federal departments and agencies that provide financial assistance. Title VI also creates a private right of action for claims of intentional discrimination on the basis of one’s race, color, or national origin.
- The Environmental Justice Executive Order (E.O. 12898) does not create any rights of action enforceable against the United States, but may be addressed through administrative complaints. Title VI is one of the tools used by federal agencies to implement this directive.

H-GAC’s Title VI *Program* is distinct from, and broader than the Title VI *Statute*. The Title VI Program encompasses the Title VI Statute as well as other non-discrimination laws and authorities, including Executive Order 12898 and Executive Order 13166. The broad coverage of H-GAC’s Title VI Program is portrayed in Figure 2.

Figure 1
Overlap in Populations Protected under the Title VI Statute and the Environmental Justice Order

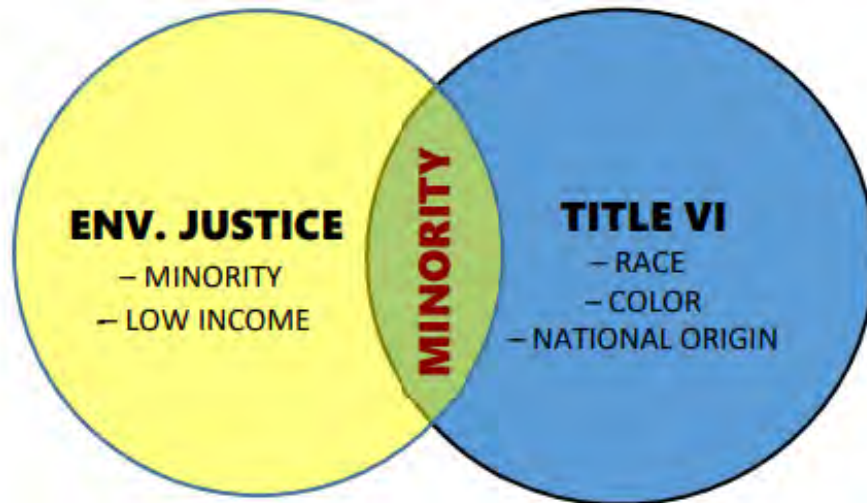
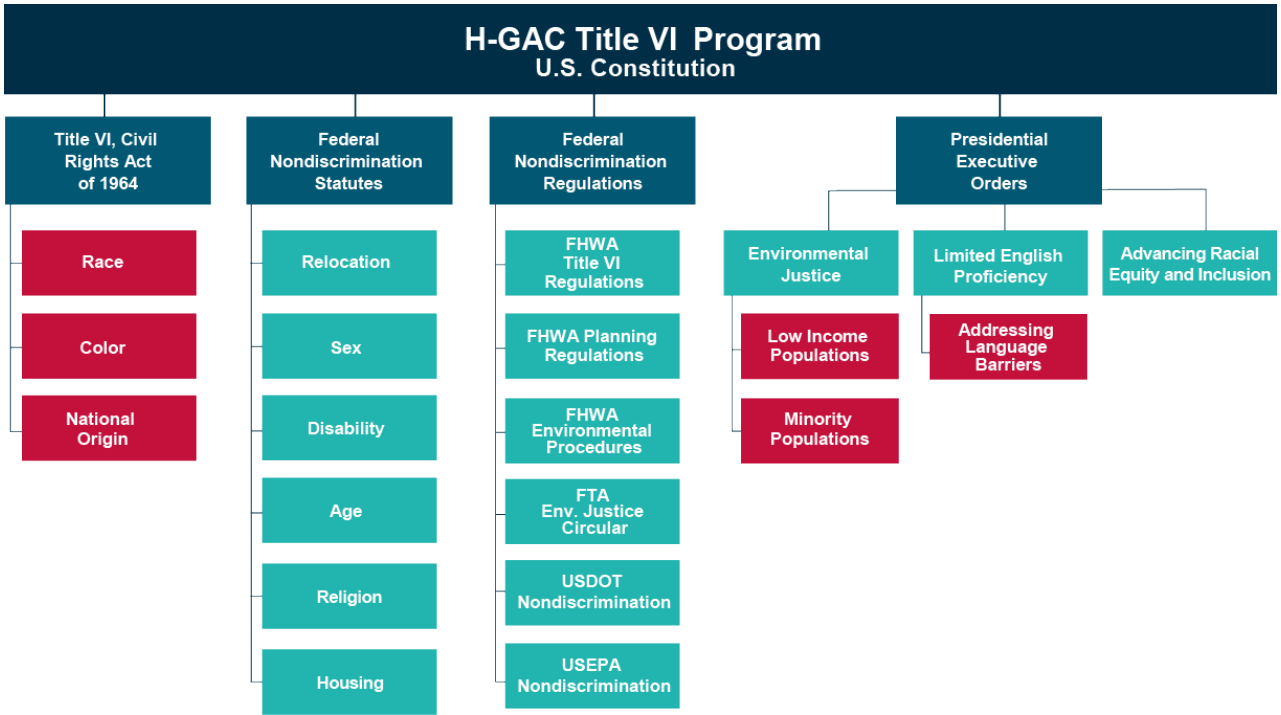


Figure 2
The H-GAC Title VI Program



1.3 NON-DISCRIMINATION LAWS AND REGULATIONS

In carrying out the mission and directives of Title VI and Environmental Justice, the U.S. Department of Transportation (USDOT), Federal Transit Administration (FTA), and the Federal Highway Administration (FHWA) have each issued policy statements and guidance for their agency and subrecipients. The Title VI Program is defined by a number of interconnected federal statutes and implementing regulations. Some of the prominent non-discrimination authorities include:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. § 2000d *et seq.*)

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin and forbids the unequal treatment of protected persons in opportunities to participate or receive benefits through activities and programs that receive federal financial assistance.

- **Uniform Relocation Act of 1970** (42 U.S.C. § 4601)

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.

- **Federal-Aid Highway Act of 1973** (23 U.S.C. § 324 *et seq.*)

The Federal-Aid Highway Act of 1973 prohibits discrimination on the basis of sex in programs receiving federal financial assistance.

- **Section 504 of the Rehabilitation Act of 1973** (29 U.S.C. § 794 *et seq.*)

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** (42 U.S.C. § 6101 *et seq.*)

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** (PL 100 – 209)

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.

- **Titles II and III Americans with Disabilities Act of 1990** (42 U.S.C. §§ 12131 -12189)

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** (20 U.S.C. 1681 et seq.)

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

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

Signed by President Bill Clinton on February 11, 1994, this order calls for non-discrimination against minority populations and low-income populations by discouraging federally-conducted programs, policies, and activities with disproportionately high and adverse human health and/or environmental effects from targeting these protected communities.

- **Executive Order 13166:** Improving Access to Services for Persons with Limited English Proficiency

Signed by President Bill Clinton on August 11, 2000, this executive order requires federal agencies to develop reasonable accommodations through which persons who are limited in their ability to communicate in the English language have meaningful access to agency programs and can participate in opportunities for public involvement.

- **Executive Order 13985:** Advancing Racial Equity and Support for Underserved Communities Through the Federal Government

Signed by President Biden on January 20, 2021, this order articulates a goal by the federal government to promote equity for the traditionally underserved populations in the access to economic opportunities and benefits, and to ensure that the programs and activities of federal agencies are open and inclusive to groups of persons who may be distinguished by their race, color, religion, disability, geographical locations, social class, and lifestyle choices. Among other things, the executive order calls attention to the needs of the rural areas.

- **Executive Order 14035:** Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce

Signed by President Biden on June 25, 2021, this order established an initiative to advance diversity, equity, inclusion, and accessibility in all parts of the federal workforce, furthering a whole-of-government approach to tackling the effects of past discrimination. The order directs the agencies to identify and eliminate the policies and practices that have constituted barriers to advancement for members of the underserved communities.

- **Executive Order 14091:** Further Advancing Racial Equity and Support, Equity, Inclusion, and Accessibility in the Federal Workforce

Signed by President Biden on February 16, 2023, this order builds on previous equity-related Executive Orders and continues the objective to create a robust, just, and inclusive federal labor force and economy by investing in rural and urban areas that have historically been underserved by federal investment.

- **Executive Order 14096:** Revitalizing Our Nation’s Commitment to Environmental Justice for All

Signed by President Biden on April 21, 2023, the order declares that the federal government has a fundamental duty to protect and restore a healthy environment for all people, regardless of where they live or work. The order aims to protect overburdened communities from pollution, strengthen engagement with communities, promote science and research, increase transparency and accountability, and expand inter agency coordination.

- **49 CFR Part 21:** Nondiscrimination in Federally Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964

Expressing the USDOT’s program to achieve non-discrimination pursuant to Title VI of the Civil Rights Act of 1964.

- **23 CFR Part 200:** Title VI Program and Related Statutes – Implementation and Review Procedures

FHWA’s Title VI/Nondiscrimination Regulation.

- **23 CFR Part 450:** Planning Assistance and Standards

- **28 CFR Part 50.3:** Guidelines for the Enforcement of Title VI, Civil Rights Act of 1864

U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964
Title VI/Nondiscrimination Regulation.

- **Texas Administrative Code § 9.4:** Texas Department of Transportation’s Civil Rights – Title VI compliance

1.4 PURPOSE

TITLE VI AND THE TRANSPORTATION PLANNING PROGRAM

This 2024 Title VI Program update follows the guidelines and requirements for documenting the agency’s compliance with the USDOT’s Title VI regulations outlined in FTA Circular 4702.1B.⁶ The Title VI Program update also meets the requirements for self-certification of Title VI compliance set by the Texas Department of Transportation (TXDOT) and the Federal Highway Administration (FHWA). The triennial Title VI Program update demonstrates the continuous effort by H-GAC to be inclusive in its transportation planning programs and activities, and responsive to needs of all residents of the regional community, including the minority and other underserved populations. The chapters that follow describe how H-GAC, in its role as MPO, administers Title VI regulations to ensure that no individual or groups of individuals are discriminated against on the basis of their race, color, or national origin.



⁶ FTA Circular 4702.1B, “Title VI Requirements and Guidelines for Federal Transit Administration Recipients”

CHAPTER 2 GENERAL REQUIREMENTS

2.1 TITLE VI CERTIFICATIONS AND ASSURANCES

Organizations seeking financial assistance from the federal government are periodically required to sign a series of Certifications and Assurances, stating that they will comply with Title VI and other federal non-discrimination regulations. The Certifications and Assurances are meant to remind the non-federal recipients that federal funds should not be spent in a way that encourages, entrenches, subsidizes, or results in discrimination.

H-GAC executes the FTA's annual Certifications and Assurances for every year that H-GAC has an active application for federal financial assistance through that agency. The signed annual FTA Certifications and Assurances are filed electronically on the TrAMS grant making system. In addition to the FTA Certifications and Assurances, H-GAC also executes the USDOT's Standard Title VI/Non-Discrimination Assurances every three years, to satisfy the requirement for the Federal Highway Administration. The Title VI Certifications and Assurances most recently executed at the time of this publication are included below.

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FEDERAL FISCAL YEAR 2024 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS

(Signature pages alternate to providing Certifications and Assurances in TrAMS.) Name of Applicant: Houston-Galveston Area Council

The Applicant certifies to the applicable provisions of all categories: *(check here)* X.

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category	Certification
01 Certifications and Assurances Required of Every Applicant	_____
02 Public Transportation Agency Safety Plans	_____
03 Tax Liability and Felony Convictions	_____
04 Lobbying	_____
05 Private Sector Protections	_____
06 Transit Asset Management Plan	_____
07 Rolling Stock Buy America Reviews and Bus Testing	_____
08 Urbanized Area Formula Grants Program	_____
09 Formula Grants for Rural Areas	_____
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

Certifications and Assurances

Fiscal Year 2024

- 12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs
- 13 State of Good Repair Grants
- 14 Infrastructure Finance Programs
- 15 Alcohol and Controlled Substances Testing
- 16 Rail Safety Training and Oversight
- 17 Demand Responsive Service
- 18 Interest and Financing Costs
- 19 Cybersecurity Certification for Rail Rolling Stock and Operations
- 20 Tribal Transit Programs
- 21 Emergency Relief Program

CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

AFFIRMATION OF APPLICANT

Name of the Applicant: Houston-Galveston Area Council

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 the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

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

Certifications and Assurances

Fiscal Year 2024

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: 08/13/2024


Name Charles Wemple Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): Houston-Galveston Area Council

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: 8/13/24

Name Kathleen Ellison 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.

Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision.

Text in italic is guidance to the public. It does not have the force and effect of law, and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.

All applicants must make the certifications in this category.

1.1. Standard Assurances.

The certifications in this subcategory appear as part of the applicant’s registration or annual registration renewal in the System for Award Management (SAM.gov) and on the Office of Management and Budget’s standard form 424B “Assurances—Non-Construction Programs”. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- (b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- (d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- (e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM’s Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

- (f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
- (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 CFR Part 21;
 - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 CFR Part 25;
 - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
 - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 CFR Part 27;
 - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
 - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
 - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
 - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
 - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- (g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”) (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 CFR Part 24.

- (h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (i) Will comply, as applicable, with the provisions of the Davis–Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.
- (j) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (k) Will comply with environmental standards which may be prescribed pursuant to the following:
 - (1) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - (2) Notification of violating facilities pursuant to EO 11738;
 - (3) Protection of wetlands pursuant to EO 11990;
 - (4) Evaluation of flood hazards in floodplains in accordance with EO 11988;
 - (5) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
 - (6) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
 - (7) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and
 - (8) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93–205).
- (l) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- (m) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
- (n) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
- (o) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded

animals held for research, teaching, or other activities supported by this award of assistance.

- (p) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
- (q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200, Subpart F, “Audit Requirements”, as adopted and implemented by U.S. DOT at 2 CFR Part 1201.
- (r) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program under which it is applying for assistance.
- (s) Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from:
 - (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procuring a commercial sex act during the period of time that the award is in effect; or
 - (3) Using forced labor in the performance of the award or subawards under the award.

1.2. Standard Assurances: Additional Assurances for Construction Projects.

This certification appears on the Office of Management and Budget’s standard form 424D “Assurances—Construction Programs” and applies specifically to federally assisted projects for construction. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
- (b) Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
- (c) Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications, and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

1.3. Procurement.

The Uniform Administrative Requirements, 2 CFR § 200.325, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.

The applicant certifies that its procurement system complies with:

- (a) U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, particularly 2 CFR §§ 200.317–200.327 “Procurement Standards;
- (b) Federal laws, regulations, and requirements applicable to FTA procurements; and
- (c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

1.4. Suspension and Debarment.

Pursuant to Executive Order 12549, as implemented at 2 CFR Parts 180 and 1200, prior to entering into a covered transaction with an applicant, FTA must determine whether the applicant is excluded from participating in covered non-procurement transactions. For this purpose, FTA is authorized to collect a certification from each applicant regarding the applicant’s exclusion status. 2 CFR § 180.300. Additionally, each applicant must disclose any information required by 2 CFR § 180.335 about the applicant and the applicant’s principals prior to entering into an award agreement with FTA. This certification serves both purposes.

The applicant certifies, to the best of its knowledge and belief, that the applicant and each of its principals:

- (a) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily or involuntarily excluded from covered transactions by any Federal department or agency;
- (b) Has not, within the preceding three years, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty;

- (c) Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any offense described in paragraph (b) of this certification;
- (d) Has not, within the preceding three years, had one or more public transactions (Federal, State, or local) terminated for cause or default.

1.5. Coronavirus Response and Relief Supplemental Appropriations Act, 2021, and CARES Act Funding.

The applicant certifies:

- (a) To the maximum extent possible, funds made available under title IV of division M of the Consolidated Appropriations Act, 2021 (Public Law 116–260), and in title XII of division B of the CARES Act (Public Law 116–136; 134 Stat. 599) shall be directed to payroll and operations of public transit (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

1.6. American Rescue Plan Act Funding.

The applicant certifies:

- (a) Funds made available by Section 3401(a)(2)(A) of the American Rescue Plan Act of 2021 (Public Law 117-2) shall be directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

This certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA’s state safety oversight programs, and each State that is required to draft and certify a Public Transportation Agency Safety Plan on behalf of a Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) pursuant to 49 CFR § 673.11(d).

This certification is required by 49 U.S.C. § 5307(c)(1)(L), 49 U.S.C. § 5329(d)(1), and 49 CFR § 673.13. This certification is a condition of receipt of Urbanized Area Formula Grants Program (49 U.S.C. § 5307) funding.

This certification does not apply to any applicant that only receives financial assistance from FTA under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C.

§ 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs, unless it operates a rail fixed guideway public transportation system.

If the applicant is an operator, the applicant certifies that it has established a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673; including, specifically, that the board of directors (or equivalent entity) of the applicant has approved, or, in the case of an applicant that will apply for assistance under 49 U.S.C. § 5307 that is serving an urbanized area with a population of 200,000 or more, the safety committee of the entity established under 49 U.S.C. § 5329(d)(5), followed by the board of directors (or equivalent entity) of the applicant has approved, the Public Transportation Agency Safety Plan or any updates thereto; and, for each recipient serving an urbanized area with a population of fewer than 200,000, that the Public Transportation Agency Safety Plan has been developed in cooperation with frontline employee representatives.

If the applicant is a State that drafts and certifies a Public Transportation Agency Safety Plan on behalf of a public transportation operator, the applicant certifies that:

- (a) It has drafted and certified a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673 for each Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) in the State, unless the Small Public Transportation Provider provided notification to the State that it was opting out of the State-drafted plan and drafting its own Public Transportation Agency Safety Plan; and
- (b) Each Small Public Transportation Provider within the State that opts to use a State-drafted Public Transportation Agency Safety Plan has a plan that has been approved by the provider’s Accountable Executive (as that term is defined at 49 CFR § 673.5), Board of Directors or Equivalent Authority (as that term is defined at 49 CFR § 673.5), and, if the Small Public Transportation Provider serves an urbanized area with a population of 200,000 or more, the safety committee of the Small Public Transportation Provider established under 49 U.S.C. § 5329(d)(5).

CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.

If the applicant is a business association (regardless of for-profit, not for-profit, or tax exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Consolidated Appropriations Act, 2023, Pub. L. 117-328, div. E, tit. VII, §§ 744–745. U.S. DOT Order 4200.6 defines a “corporation” as “any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association”, and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT

Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.

If the applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, the applicant certifies that:

- (a) It has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (b) It has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

CATEGORY 4. LOBBYING.

If the applicant will apply for a grant or cooperative agreement exceeding \$100,000, or a loan, line of credit, loan guarantee, or loan insurance exceeding \$150,000, it must make the following certification and, if applicable, make a disclosure regarding the applicant's lobbying activities. This certification is required by 49 CFR § 20.110 and app. A to that part.

This certification does not apply to an applicant that is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 49 CFR Part 20.

4.1. Certification for Contracts, Grants, Loans, and Cooperative Agreements.

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

- (a) 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 an 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.
- (b) 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, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) 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.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the 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.

4.2. Statement for Loan Guarantees and Loan Insurance.

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

If any 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 commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CATEGORY 5. PRIVATE SECTOR PROTECTIONS.

If the applicant will apply for funds that it will use to acquire or operate public transportation facilities or equipment, the applicant must make the following certification regarding protections for the private sector.

5.1. Charter Service Agreement.

To enforce the provisions of 49 U.S.C. § 5323(d), FTA's charter service regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following Charter Service Agreement. 49 CFR § 604.4.

The applicant agrees that it, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with Federal assistance authorized under the Federal Transit Laws only in compliance with the regulations set out in 49 CFR Part 604, the terms and conditions of which are incorporated herein by reference.

5.2. School Bus Agreement.

To enforce the provisions of 49 U.S.C. § 5323(f), FTA’s school bus regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following agreement regarding the provision of school bus services. 49 CFR § 605.15.

- (a) If the applicant is not authorized by the FTA Administrator under 49 CFR § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:
 - (1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.
 - (2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 CFR § 605.11, the applicant agrees as follows:
 - (1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.
 - (2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.
 - (3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
 - (4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

CATEGORY 6. TRANSIT ASSET MANAGEMENT PLAN.

If the applicant owns, operates, or manages capital assets used to provide public transportation, the following certification is required by 49 U.S.C. § 5326(a).

The applicant certifies that it is in compliance with 49 CFR Part 625.

CATEGORY 7. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.

7.1. Rolling Stock Buy America Reviews.

If the applicant will apply for an award to acquire rolling stock for use in revenue service, it must make this certification. This certification is required by 49 CFR § 663.7.

The applicant certifies that it will conduct or cause to be conducted the pre-award and post-delivery audits prescribed by 49 CFR Part 663 and will maintain on file the certifications required by Subparts B, C, and D of 49 CFR Part 663.

7.2. Bus Testing.

If the applicant will apply for funds for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components, the applicant must make this certification. This certification is required by 49 CFR § 665.7.

The applicant certifies that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required by 49 CFR Part 665. The applicant has received or will receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

CATEGORY 8. URBANIZED AREA FORMULA GRANTS PROGRAM.

If the applicant will apply for an award under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), or any other program or award that is subject to the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310); “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)); projects that will receive an award authorized by the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) (23 U.S.C. §§ 601–609) or State Infrastructure Bank Program (23 U.S.C. § 610) (see 49 U.S.C. § 5323(o)); formula awards or competitive awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(a) and (b)); or low or no emission awards to any area under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(c)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5307(c)(1).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities;

- (c) Will maintain equipment and facilities in accordance with the applicant’s transit asset management plan;
- (d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—
 - (1) Senior;
 - (2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and
 - (3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);
- (e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);
- (f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);
- (g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);
- (h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);
- (i) Has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;
- (j) Either—
 - (1) Will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least 1 percent of the amount the recipient receives for each fiscal year under 49 U.S.C. § 5336; or
 - (2) Has decided that the expenditure for security projects is not necessary;
- (k) In the case of an applicant for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, will submit an annual report listing projects carried out in the preceding fiscal year under 49 U.S.C. § 5307 for associated transit improvements as defined in 49 U.S.C. § 5302; and
- (l) Will comply with 49 U.S.C. § 5329(d) (public transportation agency safety plan).

CATEGORY 9. FORMULA GRANTS FOR RURAL AREAS.

If the applicant will apply for funds made available to it under the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), it must make this certification. Paragraph (a) of this certification helps FTA make the determinations required by 49 U.S.C. § 5310(b)(2)(C). Paragraph (b) of this certification is required by 49 U.S.C. § 5311(f)(2). Paragraph (c) of this certification, which applies to funds apportioned for the Appalachian Development Public Transportation Assistance Program, is necessary to enforce the conditions of 49 U.S.C. § 5311(c)(2)(D).

- (a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
 - (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
 - (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and
- (b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected intercity bus service providers, and the intercity bus service needs of the State are being met adequately.
- (c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
 - (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
 - (2) It has determined that otherwise eligible local transit needs are being addressed.

CATEGORY 10. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.

If the applicant will apply for an award under any subsection of the Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), including an award made pursuant to the FAST Act’s Expedited Project Delivery for Capital Investment Grants Pilot Program (Pub. L. 114-94, div. A, title III, § 3005(b)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5309(c)(2) and Pub. L. 114-94, div. A, title III, § 3005(b)(3)(B).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
- (c) Will maintain equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan; and
- (d) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning).

CATEGORY 11. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.

If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants), subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants), subsection (b) (bus and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 9 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

Making this certification will incorporate by reference the applicable certifications in Category 8 or Category 9.

If the applicant will receive a competitive award under subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) related to zero emissions vehicles or related infrastructure, it must make the following certification. This certification is required by 49 U.S.C. § 5339(d).

The applicant will use 5 percent of grants related to zero emissions vehicles (as defined in subsection (c)(1)) or related infrastructure under subsection (b) or (c) to fund workforce development training as described in section 49 U.S.C. § 5314(b)(2) (including registered apprenticeships and other labor-management training programs) under the recipient’s plan to address the impact of the transition to zero emission vehicles on the applicant’s current workforce; or the applicant certifies a smaller percentage is necessary to carry out that plan.

CATEGORY 12. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.

If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 8, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 8 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.

In addition to the certification in Category 8, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).

The applicant certifies that:

- (a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;
- (b) The plan described in clause (a) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public;
- (c) To the maximum extent feasible, the services funded under 49 U.S.C. § 5310 will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services; and
- (d) If the applicant will allocate funds received under 49 U.S.C. § 5310 to subrecipients, it will do so on a fair and equitable basis.

CATEGORY 13. STATE OF GOOD REPAIR GRANTS.

If the applicant will apply for an award under FTA’s State of Good Repair Grants Program (49 U.S.C. § 5337), it must make the following certification. Because FTA generally does not review the transit asset management plans of public transportation providers, the asset management certification is necessary to enforce the provisions of 49 U.S.C. § 5337(a)(4). The certification with regard to acquiring restricted rail rolling stock is required by 49 U.S.C. § 5323(u)(4). Note that this certification is not limited to the use of Federal funds.

The applicant certifies that the projects it will carry out using assistance authorized by the State of Good Repair Grants Program, 49 U.S.C. § 5337, are aligned with the applicant’s most recent transit asset management plan and are identified in the investment and prioritization section of such plan, consistent with the requirements of 49 CFR Part 625.

If the applicant operates a rail fixed guideway service, the applicant certifies that, in the fiscal year for which an award is available to the applicant under the State of Good Repair Grants Program, 49 U.S.C. § 5337, the applicant will not award any contract or subcontract for the procurement of rail rolling stock for use in public transportation with a rail rolling stock manufacturer described in 49 U.S.C. § 5323(u)(1).

CATEGORY 14. INFRASTRUCTURE FINANCE PROGRAMS.

If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks (“SIB”) Program (23 U.S.C. § 610), it must make the certifications in Category 8 for the Urbanized Area Formula Grants Program, Category 10 for the Fixed Guideway Capital Investment Grants program, and Category 13 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).

Making this certification will incorporate the certifications in Categories 8, 10, and 13 by reference.

CATEGORY 15. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

If the applicant will apply for an award under FTA’s Urbanized Area Formula Grants Program (49 U.S.C. § 5307), Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) programs, the applicant must make the following certification. The applicant must make this certification on its own behalf and on behalf of its subrecipients and contractors. This certification is required by 49 CFR § 655.83.

The applicant certifies that it, its subrecipients, and its contractors are compliant with FTA’s regulation for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations, 49 CFR Part 655.

CATEGORY 16. RAIL SAFETY TRAINING AND OVERSIGHT.

If the applicant is a State with at least one rail fixed guideway system, or is a State Safety Oversight Agency, or operates a rail fixed guideway system, it must make the following certification. The elements of this certification are required by 49 CFR §§ 672.31 and 674.39.

The applicant certifies that the rail fixed guideway public transportation system and the State Safety Oversight Agency for the State are:

- (a) Compliant with the requirements of 49 CFR Part 672, “Public Transportation Safety Certification Training Program”; and
- (b) Compliant with the requirements of 49 CFR Part 674, “State Safety Oversight”.

CATEGORY 17. DEMAND RESPONSIVE SERVICE.

If the applicant operates demand responsive service and will apply for an award to purchase a non-rail vehicle that is not accessible within the meaning of 49 CFR Part 37, it must make the following certification. This certification is required by 49 CFR § 37.77.

The applicant certifies that the service it provides to individuals with disabilities is equivalent to that provided to other persons. A demand responsive system, when viewed in its entirety, is deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) Response time;
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Restrictions or priorities based on trip purpose;
- (f) Availability of information and reservation capability; and
- (g) Any constraints on capacity or service availability.

CATEGORY 18. INTEREST AND FINANCING COSTS.

If the applicant will pay for interest or other financing costs of a project using assistance awarded under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), the Fixed Guideway Capital Investment Grants Program (49 U.S.C. § 5309), or any program that must comply with the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)), or awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the following certification. This certification is required by 49 U.S.C. §§ 5307(e)(3) and 5309(k)(2)(D).

The applicant certifies that:

- (a) Its application includes the cost of interest earned and payable on bonds issued by the applicant only to the extent proceeds of the bonds were or will be expended in carrying out the project identified in its application; and
- (b) The applicant has shown or will show reasonable diligence in seeking the most favorable financing terms available to the project at the time of borrowing.

CATEGORY 19. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.

If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v). For information about standards or practices that may apply to a rail fixed guideway public transportation system, visit <https://www.nist.gov/cyberframework> and <https://www.cisa.gov/>.

The applicant certifies that it has established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks that complies with the requirements of 49 U.S.C. § 5323(v)(2).

CATEGORY 20. PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS FORMULA AND DISCRETIONARY PROGRAM (TRIBAL TRANSIT PROGRAMS).

Before FTA may provide Federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), the applicant must select the Certifications in Category 21, except as FTA determines otherwise in writing. Tribal Transit Program applicants may certify to this Category and Category 1 (Certifications and Assurances Required of Every Applicant) and need not make any other certification, to meet Tribal Transit Program certification requirements. If an applicant will apply for any program in addition to the Tribal Transit Program, additional certifications may be required.

FTA has established terms and conditions for Tribal Transit Program grants financed with Federal assistance appropriated or made available under 49 U.S.C. § 5311(c)(1). The applicant certifies that:

- (a) It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
- (b) It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
- (c) It will maintain its equipment and facilities acquired or improved under its Award, in accordance with its transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR Part 625. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
- (d) With respect to its procurement system:
 - (1) It will have a procurement system that complies with U.S. DOT regulations, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, "Uniform Administrative Requirements, Cost

- Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, for Awards made on or after December 26, 2014,
- (2) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR Part 18, specifically former 49 CFR § 18.36, for Awards made before December 26, 2014, or
 - (3) It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.
- (e) It will comply with the Certifications, Assurances, and Agreements in:
- (1) Category 05.1 and 05.2 (Charter Service Agreement and School Bus Agreement),
 - (2) Category 06 (Transit Asset Management Plan),
 - (3) Category 07.1 and 07.2 (Rolling Stock Buy America Reviews and Bus Testing),
 - (4) Category 09 (Formula Grants for Rural Areas),
 - (5) Category 15 (Alcohol and Controlled Substances Testing), and
 - (6) Category 17 (Demand Responsive Service).

CATEGORY 21. EMERGENCY RELIEF PROGRAM.

An applicant to the Public Transportation Emergency Relief Program, 49 U.S.C. § 5324, must make the following certification. The certification is required by 49 U.S.C. § 5324(f) and must be made before the applicant can receive a grant under the Emergency Relief program.

The applicant certifies that the applicant has insurance required under State law for all structures related to the emergency relief program grant application.

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**The United States Department of Transportation (USDOT)
Standard Title VI/Non-Discrimination Assurances
DOT Order No. 1050.2A**

The Houston-Galveston Area Council (hereinafter referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the United States Department of Transportation through the Federal Highway Administration and the Texas Department of Transportation, it is subject to, and will comply with the following:

Statutory and Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (78 stat. 252; 42 U.S.C. § 2000d et seq.), (Prohibits discrimination on the basis of race, color, national origin);
- 49 CFR Part 21 (Entitled Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of The Civil Rights Act of 1964); and
- 28 CFR, section 50.3 (United States Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

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

General Assurances

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

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

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

Specific Assurances

More specifically, and without limiting the above General Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted programs:

1. The Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of 49 CFR § 21 will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient shall insert the following notification in all Solicitations for Bids and Requests for Proposals for work or material subject to the Acts and the Regulations and made in connection with Department of Transportation programs administered by the Recipient; and in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Houston-Galveston Area Council, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."
3. The Recipient shall include the clauses of Appendix A of these Assurances in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient shall insert the clauses of Appendix B of these Assurances, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the Assurance shall extend to rights to space on, over, or under such property.
7. That the Recipient shall insert the clauses set forth in Appendix C of this Assurance as a covenant running with the land in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under programs administered by the Recipient, and
 - b. for the construction or use of, or access to space on, over, or under real property acquired or improved under programs administered the Recipient.

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

THIS ASSURANCE is given in consideration of, and for obtaining any Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the Recipient by the United States Department of Transportation, through the Federal Highway Administration and the Texas Department of Transportation, under all Programs administered by the Recipient. This ASSURANCE is binding on the Recipient, other recipients, subrecipients, subgrantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in Recipient's Programs. The person whose signature appears below is authorized to sign this ASSURANCE on behalf of the Recipient.

Chuck Wemple
Chuck Wemple (Sep 12, 2024 17:26 CDT)
Chuck Wemple, Executive Director
Houston-Galveston Area Council

09/12/2024
Date

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor shall comply with the Acts and the Regulations relative to nondiscrimination in Federally assisted programs of the U.S. Department of Transportation and Federal Highway Administration as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor shall so certify to the Recipient or Texas Department of Transportation as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient shall impose such contract sanctions as it or the Texas Department of Transportation may determine to be appropriate, including, but not limited to:
 - (a). withholding payments to the contractor under the contract until the contractor complies; and/or
 - (b). cancelling, terminating, or suspending the contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor shall take action with respect to any subcontract or procurement as the Recipient or Texas

Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may also request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses shall be inserted in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States:

[GRANTING CLAUSE]

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Recipient will accept title to the lands and maintain the project constructed thereon in accordance with all applicable federal statutes, the Regulations for the Administration of all Department of Transportation programs, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Recipient all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

[HABENDUM CLAUSE]

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

The Recipient, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that:

- (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed, and
- (2) that Recipient shall use the lands and interests in lands so conveyed in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, and
- (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above-described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction.

APPENDIX
C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED
UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses shall be inserted in deeds, licenses, leases, permits, or similar instruments entered into by the Recipient pursuant to the provisions of Assurance 7(a):

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

The following shall be inserted in all deeds, licenses, leases, permits, or similar agreements entered into by the Recipient pursuant to the provisions of Assurance 7(b).

- A. The (grantee, licensee, lessee, permittee, etc., as appropriate) themselves, their heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that
 - (1) no person on the ground of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

- (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination,
- (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964), and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]

- B. That in the event of breach of any of the above nondiscrimination covenants, the Recipient shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds.]

- C. That in the event of breach of any of the above nondiscrimination covenants, the Recipient shall have the right to re-enter said land and facilities thereon, and the above-described lands and facilities shall thereupon revert to and vest in and become the absolute property of the Recipient and its assigns.

2.2 ADMINISTRATION OF THE TITLE VI PROGRAM

H-GAC's Title VI Program is conducted under the oversight of the Title VI Coordinator with assistance from staff liaisons. This section describes the program's supporting framework and outlines the different roles staff members play to accomplish the non-discrimination mandates of the Title VI Statute, its implementing regulations, and related statutes, orders, and non-discrimination regulations.

COORDINATION AND ADMINISTRATION

The Chief Operating Officer (COO) of the Houston-Galveston Area Council is the designated Title VI Coordinator and a respondent for legal process in claims related to Title VI discrimination. The Title VI Coordinator works to ensure there is demonstrated commitment on the part of the administration to promote and enforce Title VI compliance. The Title VI Coordinator has the authority and responsibility to implement the Title VI program by:

- Ascertaining that agency operations comply with Title VI requirements;
- Recommending, developing, disseminating, and pursuing policies and guidelines on the implementation of Title VI agency-wide;
- Ensuring that all complaints of discrimination or complaints alleging non-compliance with Title VI are processed, investigated, and resolved in a fair and timely manner;
- Discussing and resolving significant Title VI implementation issues and challenges with the Executive Director and staff liaisons, as necessary;
- Periodically assessing Title VI progress and offering suggestions on how the agency can better assist the communities of concern; and
- Integrating best practices and constructive feedback from staff liaisons into the Title VI program.

Figure 3 shows the relative position of the Title VI Coordinator in the organizational structure of the agency.

COMMUNICATION SERVICES AND PUBLIC OUTREACH

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

- 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.

DATA COLLECTION AND MAPPING ANALYSES

The data collection and mapping analyses needed for compliance reporting is performed by an interdisciplinary team of H-GAC staff members from several departments that include Transportation, Data Services, Community and Environmental Planning, Data Analytics & Research, and Outreach & Government Affairs. The Title VI Administrator manages the data collection and mapping analyses effort and facilitates Title VI compliance by:

- Collecting and analyzing demographic data that highlights the demographic trends related to the population, including communities of concern;
- Developing and updating demographic maps for the region to identify the presence and locations of communities of concern;
- Obtaining and analyzing data related to transportation projects and proposed investments as defined by the Long-Range Transportation Plan and the Transportation Improvement Plan with regards to their community impact;
- Ensuring that the Title VI Notice to the Public is posted in appropriate public spaces within the agency and on the agency website;
- Helping to maintain and implement the Public Participation Plan (PPP) and the Language Access Plan (LAP), to ensure that members of the underserved population, including the English learners, are meaningfully involved in the transportation planning process;
- Assessing potential impacts of transportation investments on the protected population, including transportation equity evaluations;
- Keeping record of Title VI complaints, and
- Periodically updating the Title VI Program in accord with federal requirements.

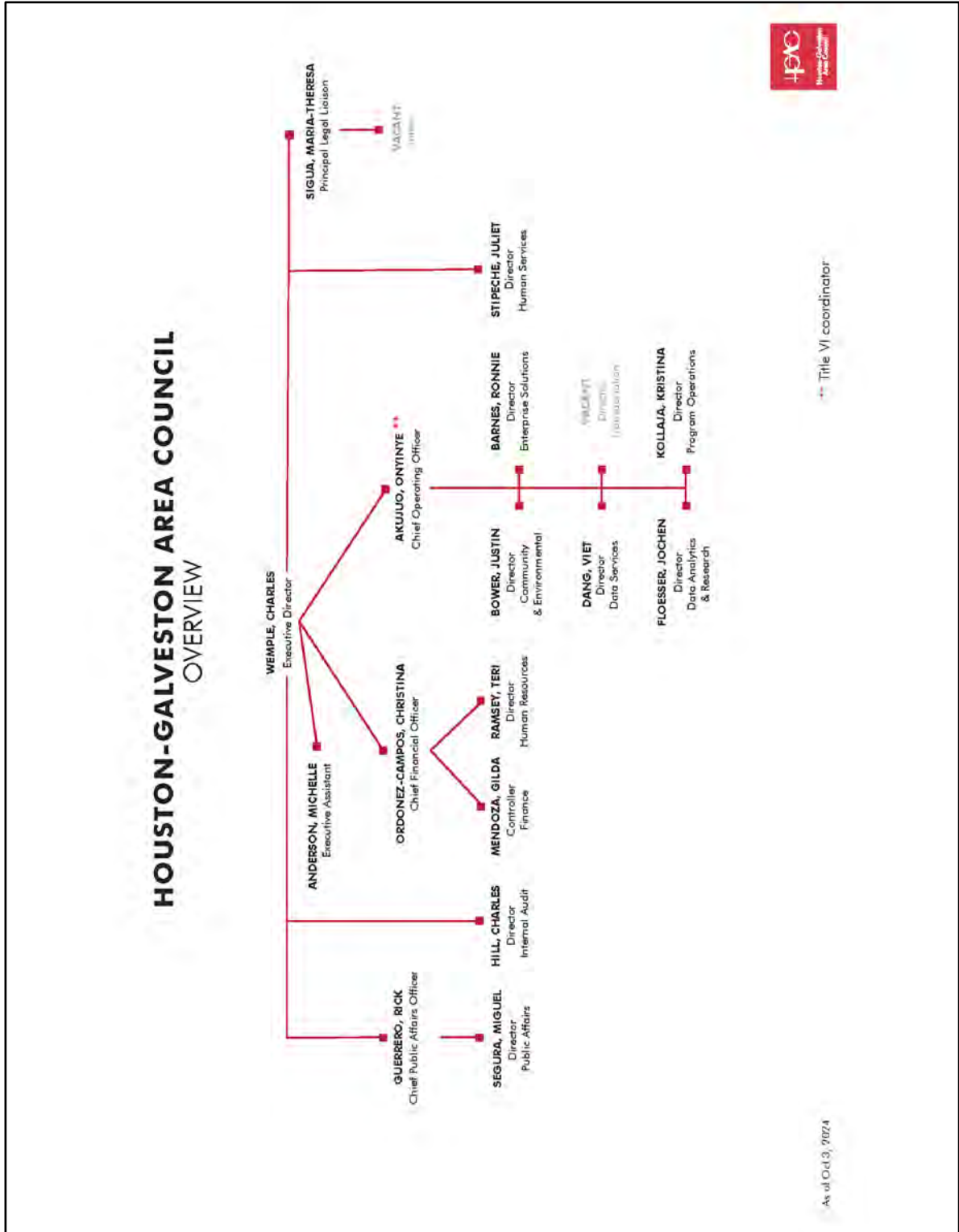
PROCUREMENT CONTROL AND CONTRACT ADMINISTRATION

The procurement and financial staff ensure that prospective contractors, subrecipients, and respondents to Requests for Proposal (RFPs) and Requests for Quotation (RFQ) notices, collectively referred to as "third party participants," are made aware of the requirement to abide by federal non-discrimination laws in order to be awarded a contract with H-GAC. Compliance monitoring is a part of the contract administration that H-GAC project managers handle. Title VI compliance through contract administration and procurement control entails the following:

- 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 (DBE) 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.

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Figure 3
Organizational Chart of the H-GAC Administration Identifying the Title VI Coordinator



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 USDOT's Title VI regulations. The notice must outline the protections against discrimination provided the public by Title VI and indicate 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 publicly accessible notice boards within the H-GAC main office building;
- On the H-GAC website at: <https://www.h-gac.com/title-vi-program>

The Title VI notice to the public is provided in English and in the three safe harbor languages most widely spoken by the area residents - Spanish, Vietnamese, and Mandarin Chinese. A copy of the multi-lingual notice is provided in this document as Attachment 1. The English text of the Title VI notice is provided in Figure 4 below.

Figure 4
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 individuals may file a complaint with the H-GAC Title VI Coordinator, alleging they have suffered from discrimination because of their race, color, or national origin in a program or activity conducted by H-GAC. A person who files a Title VI complaint with H-GAC does not forfeit the right to file a complaint with a State or Federal funding agency, or to seek redress through the legal process, where appropriate. A copy of the agency's Title VI complaint procedure along with a complaint form is provided in the section below, and is also available on the H-GAC website at: <https://www.h-gac.com/title-vi-program>. Furthermore, H-GAC has translated the Title VI complaint procedures into Spanish, Vietnamese, and Mandarin Chinese, which are the agency's "Safe Harbor" languages. These documents may be downloaded from H-GAC's website via the link provided above. The Spanish translation of the Title VI complaint procedure is included in this document as Attachment 2.

2.5 TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

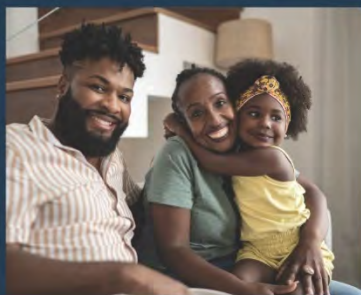
The Houston-Galveston Area Council has not received any Title VI complaints, neither have there been any investigations or lawsuits filed against the agency alleging discrimination based on the complainant's race, color, or national origin since the 2021 triennial report was submitted.



TITLE VI COMPLAINT PROCEDURE

September 2021

THE HOUSTON-GALVESTON METROPOLITAN PLANNING AREA



h-gac.com/title-vi-program

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 complaint form is available at the end of this document or can be downloaded from www.h-gac.com/title-vi-program. 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 H-GAC 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.)

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 transportation planning process and is considered a panacea for achieving the non-discrimination mandates of Title VI and Executive Order 12898. This term of art has several connotations. First, it involves informing the public about proposed actions, projects, and plan contents, and secondly, it entails obtaining feedback from the public regarding their opinions on plans and project proposals, their priorities, and preferred alternatives. The USDOT requirement for continuous and meaningful public involvement in the transportation planning process is calculated to bring the range of community needs and interests to the table when important planning decisions are being made, and to ensure that the contributions made by the public have a reasonable chance of shaping the final decision. An effective public involvement 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 involvement activities.

2.7 THE PUBLIC PARTICIPATION PLAN

Federal law requires MPO’s to document their public engagement process in a written public participation plan.⁷ Federal law also requires MPO’s to conduct periodic evaluations of the effectiveness of their public participation process, to ensure it provides “full and open” access to all interested stakeholders. 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;

⁷ 23 C.F.R. § 450.316 (2024).

- 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.

Engaging the public in the transportation planning process entails a conscious and continuous effort by the H-GAC MPO. The agency developed a Public Participation Plan in 2007. The plan was revised in 2012, 2017, and more recently, in 2021, in response to changes in transportation regulations. Strategies for holding virtual meetings were also added as an option for public engagement events in response to the Covid-19 public health emergency.

The public participation plan recognizes ongoing changes in the demography of the H-GAC metropolitan planning region, including the size and characteristics of the minority and non-English speaking population. Furthermore, the public participation process adjusts to innovations in communication technology, particularly in the way people obtain news and share information. The continuous effort to update the public participation plan demonstrates the MPO's commitment to encouraging broad-based participation and keeping the public informed about key matters in the transportation planning process. The Public Participation Plan is included in this document as Attachment 3. The plan is also available on the H-GAC website at: <https://www.h-gac.com/transportation-public-outreach>.

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 Transportation Policy Council and Advisory Committee meetings, public outreach events, transportation planning studies, the development or amendment of the vital documents like the Long-Range Transportation Plan, Transportation Improvement Plan, and Uniform Planning Work Program, 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 such as: hurricane evacuation routes, disaster recovery resources, air and water quality concerns, cooperative purchasing opportunities, commuter and regional transit solutions, transportation safety, regional housing coordination, procurement requests, senior assistance services, and workforce solutions. H-GAC's website further 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 interactive mapping applications, demographic and other 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 regarding ongoing projects. H-GAC's "Engage" online tool is a centralized platform that allows simultaneous engagement by members of the public on multiple projects being conducted by the agency.

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 includes accounts on Facebook and Twitter.

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 involve Title VI stakeholders such as non-profit agencies, community based organizations, faith-based groups, advocates, and interested individuals. 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 and/or invitations to 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/minority population, especially residents with limited English communication 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 print services, depending on the market community of the publication.

Community Partnerships

Community partnerships have been found to be a particularly successful strategy for boosting participation from among the minority and LEP communities. H-GAC partners with elected officials, community centers, the faith community, chambers of commerce, management districts, transportation management organizations/agencies, local law enforcement, advocacy organizations, neighborhood groups, municipal leaders, and other recognized community representatives who can use their influence, 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.

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2.9 SUMMARY OF OUTREACH EFFORTS

This section provides a summary of some of the public outreach efforts that have been carried out since H-GAC's last Title VI Program was submitted, and demonstrates the variety of approaches employed by the agency to involve the public in the transportation decision-making process.

A. THE 2025 – 2028 TRANSPORTATION IMPROVEMENT PROGRAM

Status: Complete

The 2025 through 2028 Transportation Improvement Program (TIP) is a compilation of fiscally constrained surface transportation projects and service improvements approved to receive federal funding, along with a list of regionally significant projects that will be implemented with non-federal funds over the four-year period. Projects selected for the TIP are priorities for the H-GAC metropolitan planning region and include a multimodal selection for transit, roadways and highways, bicycle and pedestrian, preventative maintenance, rehabilitation, and transportation operations. The TIP is updated every two years and must be consistent with the Regional Transportation Plan (RTP). Federal regulations require that the TIP development process be accompanied by meaningful public involvement.

Project Development Workshop

H-GAC hosted a workshop for local project sponsors as part of the 2025 – 2028 TIP development process. The in-person event was held at the meeting rooms in the agency's main office, but was also broadcast live for those who preferred to participate electronically. The workshop was entitled "Carry Over/Spend Down Projects – Next Steps," and provided an overview of the process for dealing with carryover projects that were recently programmed in the Transportation Improvement Program. Other topics covered included TxDOT's Advance Funding Agreement (AFA) process, "Flex Funding" for projects which were initially processed with Federal Highway Administration funding but later converted to Federal Transit Administration funding, a step by step guide to becoming a new recipient of Federal Transit Administration funds, and an overview of H-GAC's Regional Strategic Transportation Fund (RSTF) program.

Public Involvement

The public comment period for the draft 2025–2028 Transportation Improvement Program (TIP) was scheduled from March 25 – May 24, 2024. The comment period was extended by 30 days after staff received requests from the public for more time to weigh in on the projects. Overall, 601 comments

were received on the draft list of projects. The comments on specific projects were sent to the project their respective sponsors to provide a response that would be posted online.

On April 3, 2024, there were two public meetings to discuss the draft TIP. One meeting was held in-person at the 3555 Timmons Lane head office of the agency but was also broadcast on a live video stream to enable online viewing and facilitate virtual participation by members of the public. The second meeting was held entirely virtually on the Zoom platform. During the public meetings, HGAC staff described the process for developing the TIP, discussed the contents of the program, and answered questions raised by meeting participants.

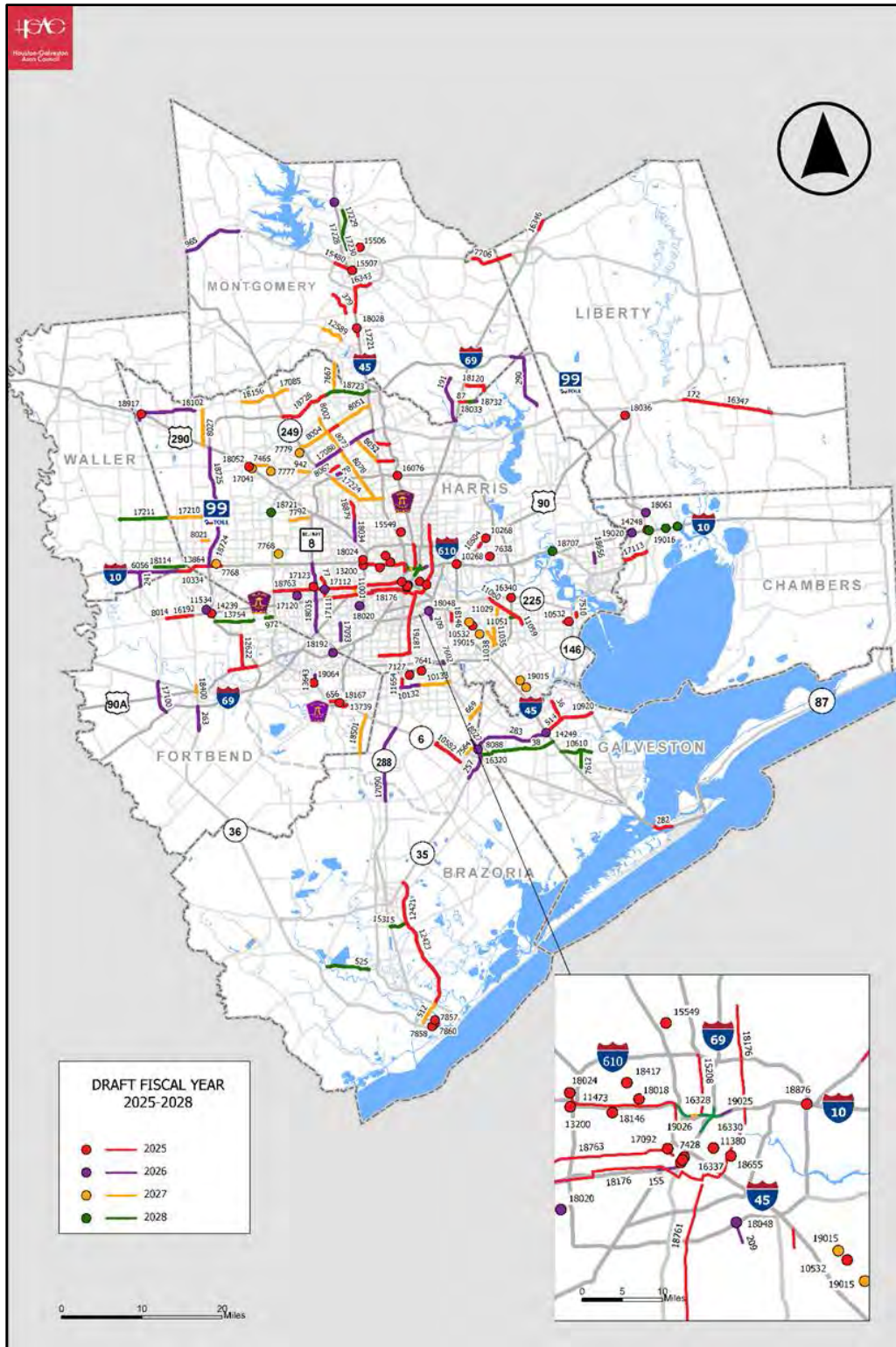
Communication Strategies

In addition to the public meetings, legal notices, email contacts, social media outreach efforts, flyers, freeway dynamic message signs, and the H-GAC TIP website were used to communicate with the public and provide updated information on the 2025-2028 TIP development process.

The H-GAC TIP website was the primary source for information on the TIP development process and was used to provide announcements and report updates. The TIP website also contains record of the ongoing development and administration of the 2025-2028 TIP program, including amendments and updates. Map 2 contains the proposed draft TIP projects. The H-GAC TIP website is accessible at: <https://www.h-gac.com/transportation-improvement-program>.

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Map 2
Map of the Draft Projects Included in the 2025 – 2028 TIP



B. PEARLAND TRANSIT NEEDS ASSESSMENT AND FEASIBILITY STUDY

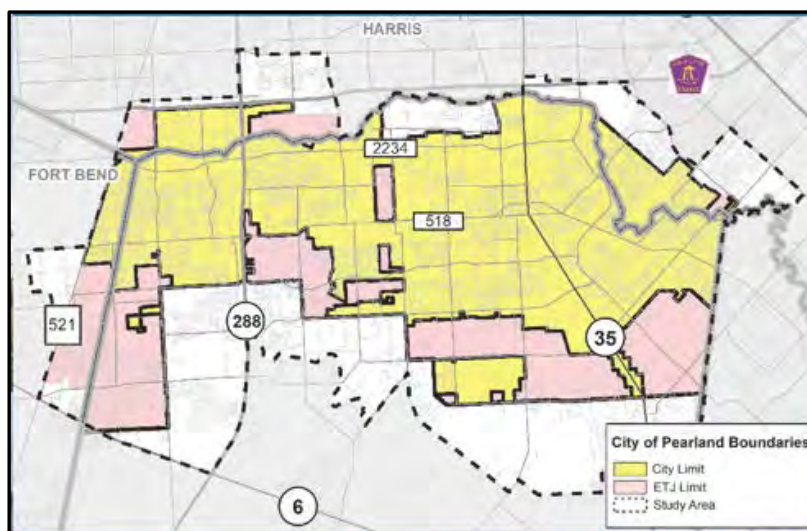
Status: Complete

H-GAC conducted the "Pearland Transit Needs Assessment and Feasibility Study" in partnership with the City of Pearland. The goal of the study was to assess the mobility needs of Pearland residents and determine the feasibility of transit service within the city. The main questions were whether the community would benefit from a public transport system, and whether the community would support transit as a travel mode. The study consisted of the analysis of Pearland's population, employment base, travel patterns, potential transit solutions, and a review of associated costs and funding sources. This information formed the basis for recommendations on initiating public transportation in Pearland.

Project Location

The City of Pearland is a suburban community located in Brazoria County, just south of and adjacent to the Harris County boundary (Map 3). The study area is roughly bounded by Beltway 8 to the north, FM 521 to the west, the Galveston County border to the east, and SH 6, SH 288, and several smaller streets to the south. SH 288, SH 35, and FM 521 are major thoroughfares that connect the City of Pearland with its northern neighbor, the City of Houston. The major roads FM 518 and FM 2234 provide access for east to west traffic within the city, while the Beltway 8 tollway provides a direct route to the eastside and westside of the Houston metropolitan region, and to the major freeways – IH 45 and the US 59/69.

Map 3
Map of the Pearland Transit Needs Study Area



Between 2010 – 2020, Pearland was ranked as the eighth fastest growing city in the United States. Over the years, the municipality has transformed from a quiet agricultural community of about 23,000 residents to a city of almost 125,000 residents. Pearland’s population is diverse. White residents make up 37.1% of the population, Black/African American residents 18.2%, Hispanic residents 26.4%, and Asian residents 15.7%. The city also boasts of a population with a high level of educational attainment. About 47% of Pearland residents aged twenty five years and over possess a bachelor’s, graduate, or professional degree. Median household income in Pearland is one of the highest in the Houston metropolitan region and nearly 52% higher than the national average. A majority of the city’s labor force commutes daily to employment centers in the Houston region, particularly to the Houston Downtown District and the Texas Medical Center. These attributes were background to the transit needs study.

Project Organization

The two-year study was conducted in two phases. The first phase involved the inventory of existing conditions and trends, conducting a literature review of transportation studies on the city, a technical review of transportation needs, and an online survey to gather feedback on people’s opinions about the state of transportation in the city. Phase I ended with a public meeting to give stakeholders a report of study findings. Phase II of the study involved the analysis of proposed alternatives and a second public meeting to share the transit options considered and receive public feedback. The final report is scheduled to be released in late 2024.


Public Involvement

The Pearland study utilized H-GAC’s “Engage” tool to execute its public involvement effort. Citizen participation came through an online survey, two public meetings, and a comment . Program materials were produced in English and Spanish, recognizing the large presence of a Hispanic/Latino population in the city. Over 900 comments were received. The online survey received 2,300 responses and included questions like:

- “Would you support the City of Pearland in implementing a public transit service within the city?”
- “Does Pearland need a special transit service for seniors or persons with disabilities?”



The two public meetings were held at the Pearland City Hall. The May 2023 event had 67 participants, while the February 2024 event had 32 participants. Spanish and American Sign Language (ASL) interpreters were provided at each meeting. Factsheets related to the study were produced in English and Spanish (Figures 5 and 6).

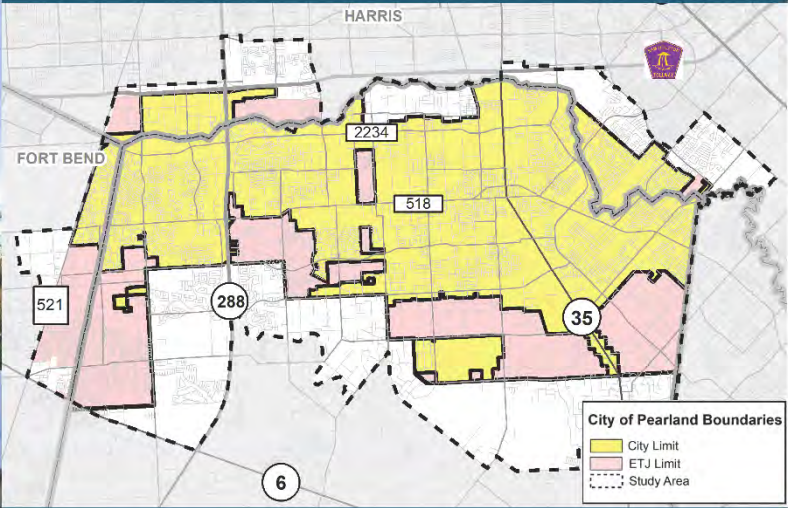
Figure 5
 Pearland Transit Needs Assessment Study Factsheet



Pearland Transit Needs Assessment & Feasibility Study

The Houston-Galveston Area Council (H-GAC) is conducting a Transit Needs Assessment & Feasibility Study in partnership with the City of Pearland. The goal of the study is to determine and assess the need for public transportation, or transit, in the Pearland community and to provide recommendations for what types of transit services, if any, may be appropriate for the community to consider in the future.



Extrateritorial Jurisdiction (ETJ) is a designated buffer area just outside a city's limits allowing the city to exercise its authority beyond its normal boundaries.

The Pearland Transit Study will include:

- Reviewing existing demographic and travel conditions
- Assessing the level of transit need based on the H-GAC regional needs index
- Compiling a detailed analysis of transit alternatives, which may include a 'no additional transit' possibility, based on public feedback and what may work best for the community and its residents
- Learning and understanding Pearland community opinions and needs related to transit by incorporating robust public and stakeholder engagement using surveys, interactive public meetings, online media, and other communication methods – all to help in preparing final study recommendations

Potential transit alternatives to consider may include:

- Maintaining the existing, limited transit service provided by Harris County Rides
- Developing park-and-ride services to help Pearland residents access jobs outside of Pearland
- Creating a general transit service that could supply mobility within the City of Pearland
- Expanding paratransit service for seniors and persons with disabilities

In 2022, 2,300 Pearland residents completed our transit survey and provided us with more than 900 comments. Online and in-person public meetings will offer more opportunities for your voice to be heard as the study moves forward.

Figure 6
 Pearland Transit Needs Assessment Study Factsheet (Spanish)



Necesidades de tránsito de Pearland

Evaluación y estudio de viabilidad





Calendario:

<u>Fase</u>	<u>Estado</u>
Inicio del estudio	Finalización, primavera de 2022
Encuesta pública en línea	Finalización, otoño de 2022
Evaluación de las condiciones existentes	Finalización, invierno de 2022
Memorándum técnico sobre las necesidades de tránsito	Finalización, primavera de 2023
Reuniones públicas: Fase I <i>(para presentar el estudio al público)</i>	Primavera de 2023
Análisis de las alternativas	Verano de 2023
Reuniones públicas: Fase II <i>(compartir opciones de tránsito y recibir opiniones del público)</i>	Otoño de 2023
Informe final	Otoño de 2023
Presentar un informe a los funcionarios públicos, Ponerse a disposición de la comunidad	Invierno de 2023



¡Su voz cuenta!

H-GAC desea que los residentes de la comunidad participen a lo largo de todo el estudio para ayudarnos a crear recomendaciones de tránsito personalizadas basadas en las necesidades, los deseos y las opiniones de la comunidad.

Es por ello que usted tendrá la oportunidad de:

- Darnos su opinión
- Expresar sus opiniones y deseos sobre las opciones de tránsito
- Compartir sus historias de transporte para que podamos entender mejor sus necesidades y problemas

Visite nuestro sitio web, síganos en las redes sociales o suscríbase a nuestro boletín mensual para obtener más información sobre el estudio y mantenerse informado a medida que publicamos documentos y organizamos más reuniones públicas.

Visite: engage.h-gac.com/pearlandtransitneeds
Siga a: @HouGalvAreaCog
Regístrese en: h-gac.com/news-and-media/regional-focus

Para más información sobre la evaluación de tránsito y el estudio de viabilidad de Pearland:
 Alan Rodenstein, Project Manager | 713.993.2407 | alan.rodenstein@h-gac.com

C. THE LANGUAGE ACCESS PLAN (LAP) UPDATE

Status: Complete

Background

The H-GAC eight-county metropolitan planning region is home to a rapidly growing and culturally diverse population of over 7 million residents. More than a million of these residents are identified as having "Limited English Proficiency" (LEP), which means they speak a language other than English as their primary or "home" language and have difficulty reading, writing, speaking, or understanding communication in English. Being limited in English proficiency can restrict access to important benefits and services and prevent understanding of vital information meant for the public. Language barriers are also a deterrent to participation in the transportation planning process.

Federal regulations require organizations that receive financial assistance from the federal government to provide language accommodations that ensure that individuals with limited English proficiency can have meaningful access to the programs, activities, and services offered by the organization. This mandate is implemented through the Language Access Plan (LAP).

Project Organization

The LAP details H-GAC's obligation to provide accommodations that help the non-English speaking public participate effectively in the MPO's programs and activities, and defines a procedure for delivering language assistance services to individuals attending H-GAC's public events. Significant changes in the population since the last update made it necessary to update the plan. The update effort involved assessing the need for language assistance services within the planning region, identifying reasonable strategies for meeting this need, and adopting a policy that ensured that non-English speaking individuals could participate effectively in H-GAC's transportation planning process.

Public Involvement

The LAP update effort involved a robust public involvement process that was implemented under H-GAC's "Connecting Communities" initiative. H-GAC sought input from stakeholders that included community leaders, advocates, local elected officials, and members of different ethnic minority communities within the H-GAC eight-county planning region. The primary task was to introduce H-GAC to the community and to initiate a dialogue that would help H-GAC understand the community and its needs and cultural undertones. This was implemented through "Community Roundtable" meeting events, held at the respective community centers. The objective of the "Connecting

Communities” initiative is to increase awareness about Title VI and Environmental Justice privileges, encompassing language justice, public participation, and protection from disparate treatment.

Another public involvement strategy that was employed in support the effort to update the LAP was the "Language and Engagement Survey." The survey asked participants about their primary language and asked them to provide feedback on how to encourage their involvement in H-GAC's public engagement initiatives. The survey was produced in English, Spanish, Vietnamese, Chinese, and Korean, and was accessible online and available in hardcopy format. The English and Spanish translation of the survey are included in this document as Attachment 4.

In other outreach efforts in support the Language Access Plan update effort, H-GAC staff attended neighborhood meetings, community festivals and fairs, national night out events, and local neighborhood service establishments, to engage with members of the ethnic minority communities and to understand and assist their cause of “Language Justice” by promoting language access for the English learner population.



2.10 SERVING THE POPULATION WITH LIMITED ENGLISH PROFICIENCY

The Houston-Galveston Area Council is committed to advancing Title VI and environmental justice non-discrimination principles in the agency's public participation process, and to ensuring that all communities, including those with limited English proficiency (LEP), have meaningful access to the agency's programs, activities, and services. Section 601 of Title VI of the Civil Rights Act of 1964 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."

Under this law, individuals who, as a result of their national origin, does not speak English as their primary language and have limited ability to read, write, speak, or understand communication in English may be entitled to language assistance, to help them obtain a federally assisted service or benefit or exercise their right to public participation. Failure to provide accommodations that enable meaningful participation by the LEP may constitute national origin discrimination.⁸

Amplifying the Title VI Statute, Presidential Executive Order 13166, titled "Improving Access to Service for Persons with Limited English Proficiency," requires federal agencies and recipients of federal aid funds to implement policies that make their programs and activities accessible to people with limited English proficiency. An individual with limited English proficiency is described as one who does not speak English as their primary (or home) language, and has limited ability to read, write, speak, or understand communication in the English language.⁹

H-GAC updated its Language Access Plan (LAP) in 2024 to keep up with the demographic shifts taking place within the Houston-Galveston metropolitan area and to adjust to the innovations in communication technology, and reflect the diverse ways by which the public obtains news and shares information. The Language Access Plan evaluates the level of need for language assistance for individuals with limited English proficiency, and describes the language support services the agency will offer to those who require them. The Language Access Plan's objective is to safeguard the rights of individuals who do not communicate effectively in English and ensure that language barriers do not

⁸ Lau v. Nichols, 414 U.S. 563, 568 (1974).

⁹ U.S. Department of Transportation (USDOT): "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons." Federal Register Volume 70, Number 239, December 14, 2005.

prevent them from participating in H-GAC's programs and activities, or from accessing benefits and services available to the public.

THE FOUR FACTOR ANALYSIS

USDOT guidance on providing services to persons with limited English proficiency directs federal funding recipients to use the "four-factor analysis" propounded by the US Department of Justice for determining the type and level of language services they should offer the LEP population.¹⁰ The four factors to evaluate are:

- **Demography:** The size of the LEP population served or that will likely 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 region residents' lives;
- **Resources:** The resources available to the agency balanced against the cost of providing language accommodations to the LEP population.

The four-factor analysis for the H-GAC Metropolitan Planning Region is described below.



¹⁰ U.S. Department of Transportation (USDOT): "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons." Federal Register Volume 70, Number 239, December 14, 2005.
Houston-Galveston Area Council
Title VI Program

■ **FACTOR 1 – DEMOGRAPHY:**

Demographic data for the eight counties that comprise the H-GAC metropolitan planning region was obtained from the U.S. Census Bureau’s 2018-2022 American Community Survey (ACS). Out of a regional population of about 6,627,915 persons who are five years and over, approximately 1,073,650 or 16.2% are identified as LEP individuals (Table 1).

Growth of the LEP Population

Between the years 2000 and 2022, the total population of the H-GAC Metropolitan Planning Region grew by about 34.3%. Within the same time period, however, the number of persons aged five years and older grew by about 35.2%, while the LEP population grew by up to 38.0%.

The size and proportion of the LEP population in the H-GAC Metropolitan Planning Region varies by county. Table 2 shows the number of people five years and older as well as the number and percentage of people identified as limited in English proficiency in each MPO county. At 4,393,352, Harris County, (which encompasses most of the City of Houston), has the highest population of individuals aged five years and above. Additionally, the percentage of LEP residents in Harris County (19.6%), far exceeds the regional average of 16.2%.

TABLE 1
Growth of LEP Population in the H-GAC 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%
2006 - 2010 ACS	5,665,671	5,197,325	906,790	17.4%
2011 - 2015 ACS	6,317,767	5,839,411	993,243	17.0%
2015 - 2019 ACS	6,854,374	6,351,951	1,002,038	15.8%
2018 - 2022 ACS	7,112,197	6,627,915	1,073,650	16.2%
% Change 2000 – 2022	+34.3%	+35.2%	+38.0%	

Source: US Census Bureau 2000 Decennial Census; American Community Survey 5 Year Estimates: Summary for the years 2006 – 2010, 2011 – 2015, 2015 – 2019, and 2018 - 2022. (Beginning 2010, questions about language were no longer asked on the decennial census).

TABLE 2:
LEP Population for the Eight-County H-GAC Metropolitan Planning Region

H-GAC MPO County	Population 5 Years and Over	Total LEP Population	Percentage of Residents who are LEP
Brazoria County	350,384	29,377	8.4%
Chambers County	43,929	2,1685	4.9%
Fort Bend County	779,814	100,127	12.8%
Galveston County	330,121	20,415	6.2%
Harris County	4,393,352	862,500	19.6%
Liberty County	86,674	9,597	11.1%
Montgomery County	589,724	44,707	7.6%
Waller County	53,917	4,762	8.8%
MPO Region Total	6,627,915	1,073,650	16.2%

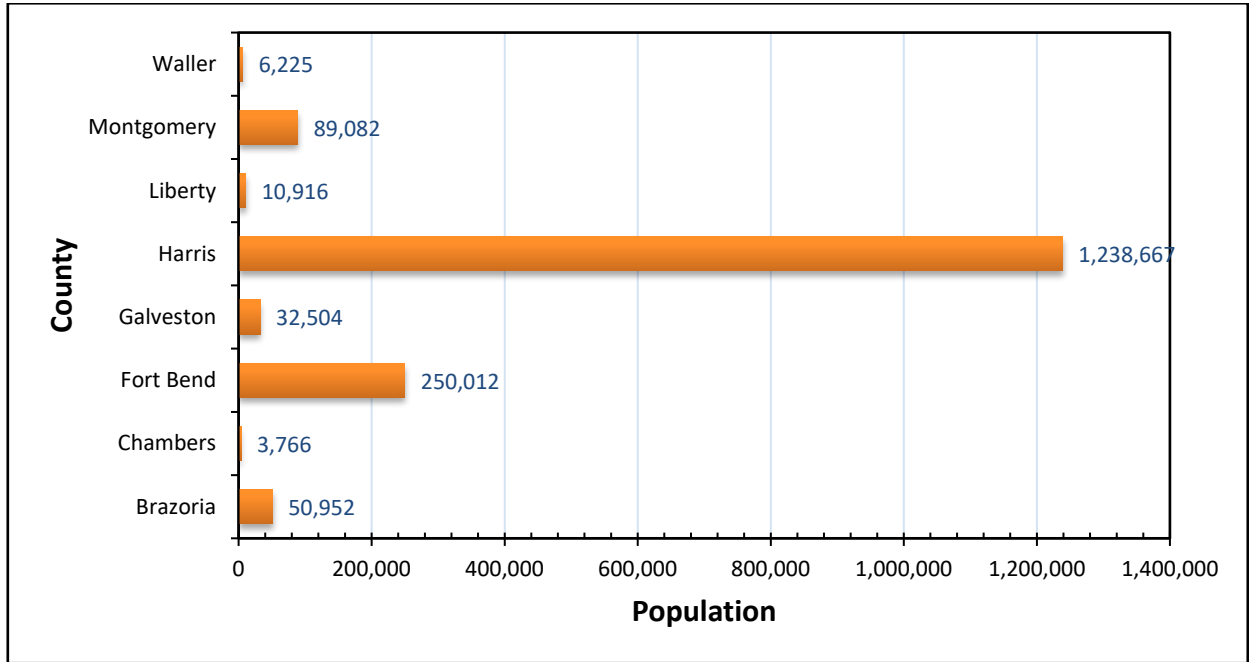
Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimate.

The Foreign-Born Population

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on national origin. Examples of national origin discrimination include, but is not limited to, treating people unfavorably because they are from a specific part of the world or are a particular ethnicity, speak a foreign language but only know a limited amount of English; have unusual names, adopt customs from another culture, or dress and look differently from the general public.

While not all foreign-born individuals are LEP, most persons identified as LEP will likely be foreign-born. Figure 7 shows the size of the foreign-born population in the H-GAC Metropolitan Planning Region. There are over 1.6 million foreign-born people living in the area. With roughly 1.2 million foreign-born residents, Harris County (which encompasses most of the City of Houston) appears to be a preferred destination for immigrants as compared to the other counties in the planning region. With slightly over a quarter of a million foreign-born residents, Fort-Bend County comes in second, and Montgomery County comes in third with slightly over 89,000. Brazoria County (50,952) and Galveston County (32,504) complete the top five counties in the MPO region where a sizable portion of the population was born outside of the United States.

Figure 7
Foreign-Born Population in Counties of the H-GAC Metropolitan Planning Region



Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimate

Primary (“Home”) Languages

Table 3 lists the home Languages spoken by the LEP population within the H-GAC metropolitan planning region. Spanish is by far the most prevalent home language among the LEP, with 846,598 people or 78.9% of the LEP population speaking it as their first language. The proportion of LEP residents with Spanish as their primary language is even higher in individual counties such as Harris (82.4%), Montgomery (86.8%) Chambers (90.2%), Waller (95.2%), and Liberty Counties (97.8%). This illustrates how widely individuals with Hispanic/Latino ancestry are distributed in the region.

Asian and Pacific Island languages¹¹ are spoken by approximately 140,507 LEP persons or 13.7% of the total LEP population, and make up the second largest group of foreign languages spoken in the area. Approximately 55,263 individuals or 5.1% of the LEP population speak Indo-European languages.¹²

¹¹ Include Mandarin Chinese, Hindi, Malay, Indonesian, Thai, Burmese, Filipino, Japanese, and Vietnamese.

¹² Include Dutch, Norwegian, Swedish, Portuguese, Polish, Czech, Russian, Hindustani, Bengali, Urdu, French, Italian, and German.

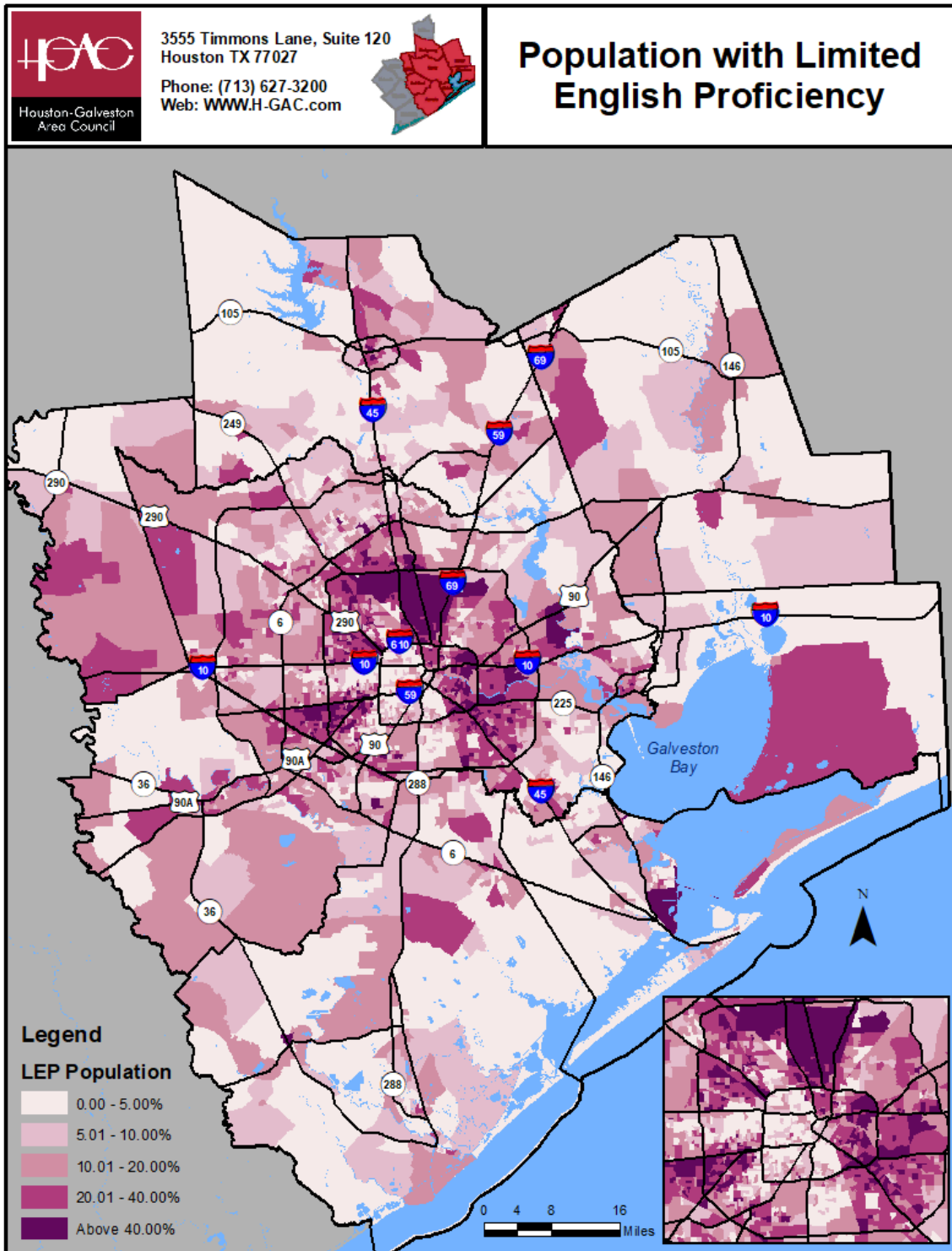
TABLE 3
Home Languages Spoken by LEP Residents in the Eight-County Houston Metropolitan Region

Home Language of the Population – Five Years and Over						
	Spanish	Indo-European	Asian & Pacific Is.	Other	Total	% of MPO by County
Brazoria County	20,384	1,407	7,280	306	29,377	2.7%
<i>% of County LEP</i>	<i>69.4%</i>	<i>4.8%</i>	<i>24.8%</i>	<i>1.0%</i>	<i>100%</i>	
Chambers County	1,953	4	208	0	2,165	0.2%
<i>% of County LEP</i>	<i>90.2%</i>	<i>0.2%</i>	<i>9.6%</i>	<i>0.0%</i>	<i>100%</i>	
Fort Bend County	44,236	15,755	35,792	4,504	92,774	9.3%
<i>% of County LEP</i>	<i>44.2%</i>	<i>15.7%</i>	<i>35.7%</i>	<i>4.3%</i>	<i>100%</i>	
Galveston County	16,306	1,349	2,611	149	20,415	1.9%
<i>% of County LEP</i>	<i>79.9%</i>	<i>6.6%</i>	<i>12.8%</i>	<i>0.7%</i>	<i>100%</i>	
Harris County	710,982	34,273	98,286	18,959	862,500	80.3%
<i>% of County LEP</i>	<i>82.4%</i>	<i>4.0%</i>	<i>11.4%</i>	<i>2.2%</i>	<i>100%</i>	
Liberty County	9,383	67	140	7	9,597	0.9%
<i>% of County LEP</i>	<i>97.8%</i>	<i>0.7%</i>	<i>1.5%</i>	<i>0.1%</i>	<i>100%</i>	
Montgomery County	38,821	2,279	3,103	504	44,707	4.2%
<i>% of County LEP</i>	<i>86.8%</i>	<i>5.1%</i>	<i>6.9%</i>	<i>1.1%</i>	<i>100%</i>	
Waller County	4,533	129	87	13	4,762	0.4%
<i>% of County LEP</i>	<i>95.2%</i>	<i>2.7%</i>	<i>1.8%</i>	<i>0.3%</i>	<i>100%</i>	
MPO Total	846,598	55,263	140,507	24,282	1,073,650	
% of MPO LEP by Language	78.9%	5.1%	13.7%	2.3%	100%	

Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimate

Map 4

Distribution of the Population with Limited English Proficiency by Census Block-Group



Source: US Census Bureau, 2015 – 2019 American Community Survey 5-Year Estimates

■ FACTOR 2 – FREQUENCY OF CONTACT

H-GAC interacts continuously with members of the public, including those who are LEP, in the development and administration of its programs, services, and activities. The public is invited to participate at all open meetings of the H-GAC policy council and board, where an opportunity is given to members of the public to comment on any relevant subject of interest. Some of these encounters involve persons who need language assistance services.

Federal regulations require the MPOs to conduct public engagement events throughout the transportation planning process. The effort to obtain diverse perspectives on the MPO's projects, policies, and plans invariably involves encounters with residents who have limited English Language communication skills. Facilitating meaningful participation by these people requires providing the accommodation of appropriate language assistance services. Public comments are received in the comment maker's preferred language of communication.

More specifically, several MPO programs and initiatives involve direct contact with individuals who are limited in their English language communication skills. These include programs to reduce the number of polluting trucks on area roadways through diesel truck replacement grants; traffic counts and travel surveys that inform travel models and support planning decisions; roadway emergency response services such as the "Tow and Go" program; safety information and evacuation services related to hurricane season and other weather related emergencies; community safety programs that target families from underserved populations; services that assist public transportation/transit passengers; the administration of services to disadvantaged business enterprises; and programs directed towards providing public transportation services in the underserved areas. Multi-modal travel and roadway use occur daily. With over one million LEP residents in the H-GAC planning region, the frequency of actual and potential encounters with the LEP population can be reasonably described as substantial.

■ FACTOR 3 – IMPORTANCE OF THE INTERACTION

USDOT guidance specifies that "[t]he more important the activity, information, service, or program, or the greater the possible consequences of the contact to the LEP individuals, the more likely language services are needed."¹³ The ability to travel safely and efficiently is indispensable to the lives of all area residents and essential for the economic growth and development of the region. The transportation

¹³ U.S. Department of Transportation (USDOT): "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons." Federal Register Volume 70, Number 239, December 14, 2005.

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, healthcare, education, and recreation. In addition to safety, the several programs of the agency alluded to in the “frequency of contact” discussion above add to the overall quality of life of all the residents of the planning region – including the LEP population.

Furthermore, inclusive community engagement is a requirement for recipients of federal financial assistance and a critical priority in the development of MPO plans, subregional studies, and programs, to ultimately ensure that the transportation planning is responsive to the needs of all residents. Denying access to these services, programs, and opportunities for public engagement would have severe consequences on the life and wellbeing of the LEP population

■ **FACTOR 4 – RESOURCES AND COSTS**

According to USDOT guidance, in deciding what level of language support services to provide, an MPO should balance their financial resources against the cost of providing the language services. Being a relatively large organization, H-GAC has access to personnel and budgetary resources that are beyond the means of other much smaller MPOs and public agencies. These resources are however not infinite and must be applied judiciously towards the most cost-effective means of delivering competent, accurate, and timely language assistance services.

The four-factor analysis suggests that a considerable need for language assistance services exists within the H-GAC Metropolitan Planning Region. Agencies that receive federal funds are, however, not obligated to offer language assistance services to every language group that may be represented in their jurisdiction as this could be excessively costly and burdensome for the organization. The scope and appropriate mix of language assistance measures an agency should offer are ultimately dictated by the evaluated need for language assistance, weighed against the organization’s available budget and the relative cost of implementing those measures.

Best practices of cost saving/cost effective strategies for providing LEP services include training bilingual staff to act as interpreters and translators; the use of telephonic and video conferencing interpretation services; posting translated documents on the web to reduce the need for printing; the formal use of qualified community volunteers; and sharing information and services among industry groups. H-GAC applies a mix of these strategies as the projects and the target communities dictate, in order to optimize the resources devoted to providing language assistance to the region’s residents.

THE SAFE HARBOR ANALYSIS

The "Safe Harbor" analysis was propounded by the U.S. Department of Justice (DOJ), to establish an objective standard to guide recipients of federal financial assistance in developing a policy for translating vital documents appropriate for their organization. The safe harbor doctrine stipulates that it is strong evidence of compliance with document translation obligations if an organization either translates vital written materials:

- (1) for each language group encountered that constitutes five percent (5%) of the total population of persons eligible to be served, or
- (2) for each language group encountered that has at least 1,000 native speakers who are LEP;
whichever is less.

Table 4 is derived from the American Community Survey (ACS) 2011 - 2015 Five Year Estimates. Although a legacy table, it provides detailed information about the languages spoken in the Houston region and is informative for the safe harbor analysis. Table 4 reveals that over twenty (20) language groups in the region have over 1,000 native speakers who are LEP. Only Spanish and Vietnamese language speakers meet the 5% of the population threshold, closely followed by Chinese. The 5% threshold results in fewer languages to be translated than the 1,000 native speaker threshold and represents a more practical safe harbor basis for defining a vital document translation policy, than using the absolute measure of 1,000 persons.

The Safe Harbor languages identified for the translation of H-GAC's vital documents are Spanish, Vietnamese, and Mandarin Chinese. Together, they constitute languages spoken by 90% of population in the H-GAC metropolitan planning area classified as having limited proficiency in the English language.

TABLE 4
Population of Non-English Languages Speakers in the H-GAC Planning Region

Dominant Home Language of LEP Residents Five Years and Above	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

PROVIDING LANGUAGE ASSISTANCE TO THE LEP

H-GAC's Language assistance services to the LEP population is provided in two ways:

- (1) Oral interpretation (which includes American Sign Language), and
- (2) Translation of vital written documents, notices, and other important information.

It is the policy of the Houston-Galveston Area Council that no one is excluded from participation or denied program benefits, or is otherwise subject to discrimination in any H-GAC program or activity because of their race, color, or national origin. This includes individuals who, because of their national origin, are unable to communicate proficiently in English, commonly referred to as individuals with limited English proficiency (LEP). H-GAC recognizes the fact that to effectively serve LEP residents within its planning region, it is often necessary to communicate with them in the primary language in which they are proficient. Accommodations to the non-English speaking community provided by the agency include:

- Translation of event notices and flyers into non-English languages depending on the needs of the program;
- Translation of important documents, reports, marketing and outreach material, and targeted web pages into languages other than English;
- Provision of American Sign Language translators at public meeting events;
- Provision of language interpreters at public meetings – with at least 48 hours prior notice;
- Identification and assignment of bilingual staff who can perform document translations and provide real-time oral translations when needed;
- Periodically update census database and mapping records of the location of the LEP to effectively support outreach efforts and the distribution of vital program 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 public participation plan to assess whether it has been successful in creating opportunities for meaningful involvement for the LEP population.

The H-GAC Language Access Plan may be viewed at: . <https://www.h-gac.com/Language-Access-Plan>

2.11 MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES

A practical way to ensure that the needs and priorities of minority and other underserved communities are heard and will receive meaningful consideration in the transportation planning decision-making process is to appoint representatives of these communities to the planning or advisory boards of the planning organization. The Houston-Galveston Area Council recognizes and embraces the goals of the federal regulation Title 49 CFR 21.5(b)(1)(vii), which prohibits a recipient of federal financial assistance from denying a person the opportunity to serve on a planning, advisory, or similar body integral to a program, on the grounds of their race, color, or national origin.

FTA's Title VI guidelines require subrecipients of federal funds that have "transit-related, non-elected planning boards, advisory councils, or committees, the membership of which is *selected by the subrecipient*" (emphasis added) to submit a table showing the racial makeup of those bodies, and to provide a description of the efforts to encourage participation by individuals from ethnic/racial minority groups. There are, however, no transit-related, non-elected planning boards, advisory councils, or committees for which H-GAC selects the membership.

H-GAC PLANNING BOARDS

Two planning boards provide guidance and general oversight, and are responsible for approving the programs, policies, and the expenditures of the Houston-Galveston Area Council:

- (1) The Houston-Galveston Area Council Board of Directors ("Board"), and
- (2) The Transportation Policy Council ("TPC").

Each of these decision-making bodies have bylaws that outline who is eligible to serve as a member. One common requirement of both bodies is that the primary representative must be an elected official of a local government entity, or a high-ranking official of a participating public agency. The bylaws for the H-GAC Board of Directors and the Transportation Policy Council are included in this document as Attachment 5. A description of the responsibilities and the basic requirements for membership on each of the two bodies is outlined in the section that follows.

● THE BOARD OF DIRECTORS

The Houston-Galveston Area Council is one of the largest regional planning commissions in the United States, with a service area that spans 13 counties and includes 177 cities and 84 Independent School Districts. The Council is governed by a Board of Directors which is responsible for the general policies and programs of the H-GAC Council of Governments, and controls its funds. The Board meets monthly,

in its capacity as regional planning commission, to deliberate on and resolve issues that concern regional growth and development; identify and prioritize funding opportunities; provide direct services to member entities, while fostering the safety and welfare of the people that call the thirteen-county Houston-Galveston Area Council region home.

Membership

Membership of this 37-member body is restricted to elected officials of the County Commissioner's Courts, elected City Council members, and trustees of the Independent School Districts that are part of the Council of Governments.¹⁴

● **THE TRANSPORTATION POLICY COUNCIL**

The Transportation Policy Council is the policy board for the eight-county H-GAC Metropolitan Planning Organization (MPO). The TPC provides policy guidance and coordinates the multimodal transportation planning efforts of the Texas Department of Transportation (TxDOT) and H-GAC as they work collaboratively with the city and county governments, the Metropolitan Transit Authority of Harris County (METRO), special purpose governmental organizations, and other regional partners. The TPC is the forum for public discussion relating to transportation planning and selects the highway and transit projects to be approved for federal funding. In addition, the TPC approves the region-wide long and short-range transportations plans, and the unified planning work program for the MPO. The H-GAC Board serves as the fiscal agent for the TPC.

Membership

The TPC is comprised of 29 voting members who must either be local elected officials, ranking officials of public agencies that administer or operate a major transportation service in the Houston-Galveston Transportation Management Area, and ranking officials of TxDOT.¹⁵ For the cities and counties who can be represented by only one member, the member must either be the chief elected official, the chief administrative officer, or other such ranking official. For cities or counties that can present more than one member, the additional voting members must be ranking officials of the administration.

Each of the 29 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,

¹⁴ H-GAC Board of Directors By-Laws.

¹⁵ H-GAC Transportation Policy Council By-Laws

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.

2.12 EFFORTS TO ENCOURAGE MINORITY PARTICIPATION

H-GAC SUB-COMMITTEES

The policy boards of the H-GAC have standing subcommittees and occasionally create ad hoc panels that serve an advisory role to help the policy-making bodies fulfill their responsibilities. The subcommittees and ad hoc panels advise the parent body on technical issues and planning matters, as assigned. Members of the policy boards determine who are represented on these subcommittees and, as a group, approve every nomination. H-GAC joins with other voices in urging the policy board to consider candidates that would add to the diversity of the subcommittees when making their nominations.



2.13 SUBRECIPIENTS COMPLIANCE PROCEDURES

H-GAC takes proactive steps to ensure that its subrecipients and consultants are aware of Title VI regulations, and that they are required to comply with federal non-discrimination laws throughout their engagement. Compliance is facilitated by direct consultation and through the policies and actions described below:

- All contracts, requests for proposals (RFP), and requests for qualifications (RFQ) contain Title VI non-discrimination language.
- All subrecipients and consultants are informed of H-GAC's DBE goal concerning small and minority owned, and women owned business enterprises.
- Subsequent to the execution of a contract agreement, subrecipients and contractors submit a Title VI Non-discrimination certification and assurance statement indicating that they will conduct fair and open third-party contracting practices that include utilizing DBE enterprises.
- Subrecipients and consultants execute a certificate indicating that they are following all the requirements imposed under 49 CFR Part 21.
- Information regarding subrecipient performance is collected through monthly progress reports, desk reviews, site visits, and financial audits by the project manager and contract administrators.
- Any complaint of a violation of Title VI by a subrecipient or contractor will be investigated and adjudicated by the Title VI Coordinator.
- Subrecipients or consultants whose programs are found to contain deficiencies or are otherwise out of compliance with Title VI shall be given notice to voluntarily correct the deficiency within 90 days of receipt of the notice. H-GAC's Intervention may include providing information, technical assistance, and/or practical guidance on how to attain compliance.
- If a subrecipient or consultant fails to correct any deficiency in their program within the time allotted, H-GAC may implement appropriate remedies as provided in their contract agreements.
- H-GAC provides information to small, disadvantaged, minority, women, and disabled veteran-owned businesses with information about how to compete for consulting contracts.

CHAPTER 3

REQUIREMENTS SPECIFIC TO THE MPO

FTA guidelines require MPOs to provide a demographic profile of their metropolitan area that includes the location of members of minority groups, a description of how the mobility needs of these vulnerable residents are identified and considered in the planning process, a discussion of the analytical process by which the MPO identifies and responds to disparate benefits and burdens of transportation investments on the different socio-economic groups, and the strategies employed to integrate Title VI and Environmental Justice in the programs, plans, and activities of the planning agency.

3.1 DEMOGRAPHIC PROFILE OF THE METROPOLITAN PLANNING REGION

The H-GAC metropolitan planning region is comprised of eight counties – Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller County. This region consistently ranks among the fastest growing regions in the nation, fueled by a high net migration (both domestic and international), and a positive rate of natural increase. The population of the region grew from approximately 3.1 million residents in 1980 to just over 7.1 million residents in 2022 – an increase of about 129%. This population change averages out to the addition of almost one million new residents per decade. The trend in population growth in the H-GAC metropolitan planning area is expected to continue well into the future. H-GAC’s demographic forecasts suggest that the region’s population could reach as high as 13.7 million residents by the year 2050.¹⁶

POPULATION PROFILE

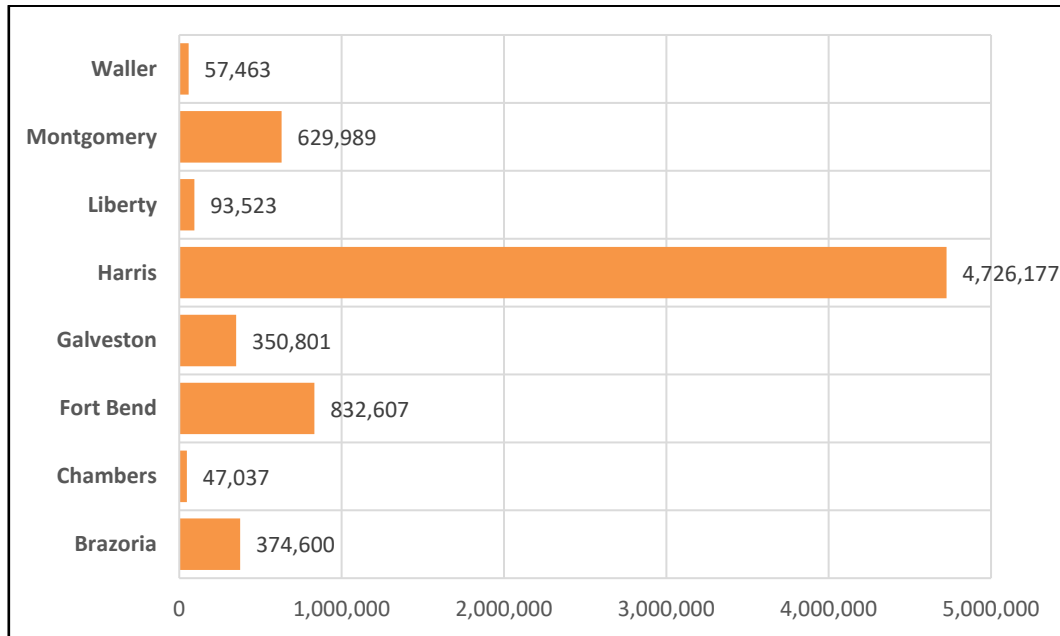
Harris County is the most populous county in the State of Texas and the third most populous county in the United States. Its county seat is the City of Houston, which is the largest city in Texas and fourth largest city in the United States. With a total of about 4,726,177 residents,¹⁷ Harris County contains 66.4% of the population of the entire H-GAC metropolitan planning region (Figure 8). Additionally, the population of Harris County is almost six (6) times the size of the second most populous county, Fort Bend County, which has 832,607 residents. Furthermore, the population of

¹⁶ Houston-Galveston Area Council Regional Growth Forecast, 2020.

¹⁷ U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimate.

Harris County is over a hundred (100) times the size of the population of Chambers County which, with only 47,037 residents, is the least populated county in the H-GAC metropolitan planning region.

Figure 8
Population Distribution in the Houston Metropolitan Planning Area – By County



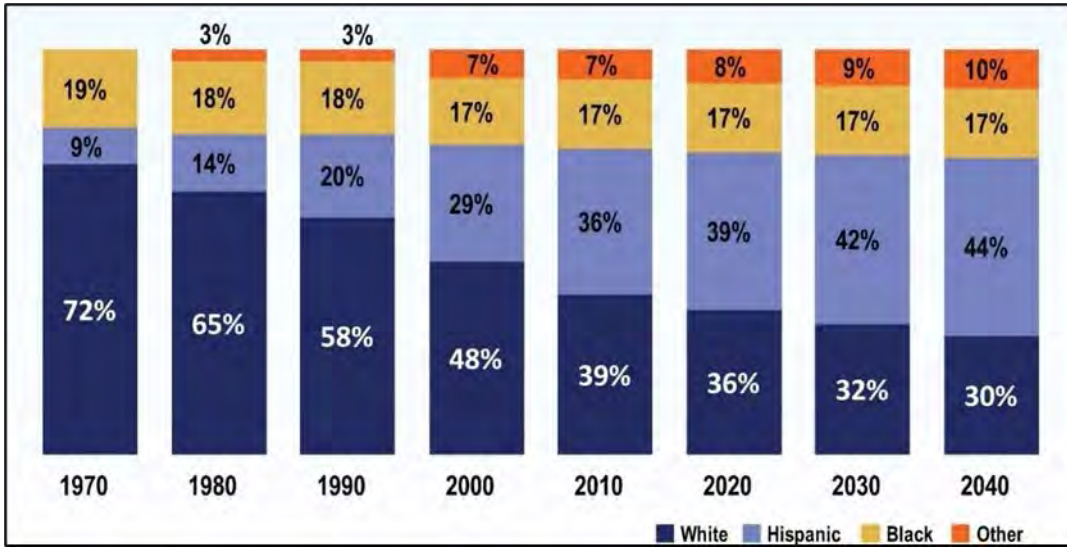
Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimate

Race and Ethnic Diversity

The Houston metropolitan planning region has over time become more diverse, and is now a minority majority region. Although white, non-Hispanic residents were historically in the majority, their proportion within the region has gradually declined and is projected to continue this trend into the future (Figure 9). The proportion of Black residents has remained relatively steady, but the proportion of the Hispanic/Latino residents continues to expand considerably. The urban counties - Harris and Fort bend County - have the highest minority population and White residents remain the majority racial group in the smaller metro areas and in the region’s rural counties (Table 5).

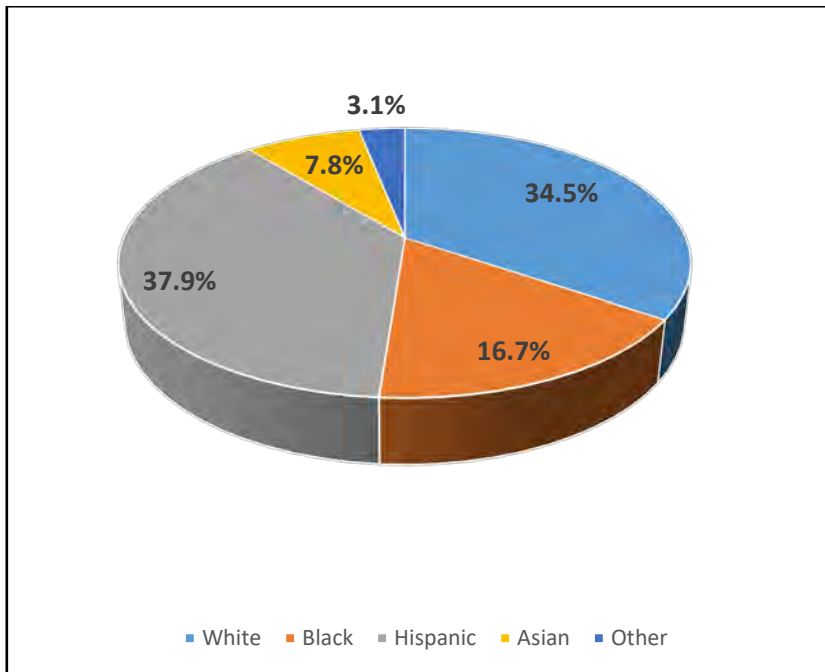
In aggregate, the population in the Houston metropolitan planning region may be described as a minority-majority region. The racial/ethnic mix is 34.5% White, 37.9% Hispanic, 16.7% Black or African American, 7.8% Asian, and 3.1% Other (Figure 10). Table 6 shows the race/ethnic population breakdown at a more granular level.

Figure 9
 Projected Changes in Race/Ethnic Composition in the Houston Metropolitan Planning Area



Source: U.S. Census Bureau and H-GAC Regional Growth Forecast, 2020.

Figure 10
 Race/Ethnic Composition of the H-GAC Metropolitan Planning Region



Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimate

Table 6
Racial/Ethnic Composition of the Population in the H-GAC Planning Area

Population by Race/Ethnicity	Brazoria County		Chambers County		Fort Bend County		Galveston County	
	Population	% of County	Population	% of County	Population	% of County	Population	% of County
White Alone	163,226	43.6%	29,946	63.7%	251,890	30.3%	193,351	55.1%
Black/African American Alone	56,112	15.0%	3,322	7.1%	166,340	20.0%	42,169	12.0%
Am. Ind./Alaska Native Alone	766	0.2%	46	0.1%	885	0.1%	457	0.1%
Asian Alone	26,256	7.0%	649	1.4%	175,751	21.1%	11,706	3.3%
Hawaiian/Pacific Islander Alone	46	0.0%	0	0.0%	374	0.0%	628	0.2%
Others	685	0.2%	0	0.0%	2,634	0.3%	1,458	0.4%
Two or More Races	7,956	2.1%	1,214	2.6%	25,623	3.1%	10,123	2.9%
Hispanic	119,553	31.9%	11,860	25.2%	209,110	25.1%	90,909	25.9%
Total Population	374,600	100%	47,037	100%	832,607	100%	350,801	100%

Population by Race/Ethnicity	Harris County		Liberty County		Montgomery County		Waller County	
	Population	% of County	Population	% of County	Population	% of County	Population	% of County
White Alone	1,306,481	27.6%	52,962	56.6%	392,546	62.3%	23,290	40.5%
Black/African American Alone	872,237	18.5%	7,821	8.4%	33,413	5.3%	14,102	24.5%
Indian or Alaska Native Alone	5,624	0.1%	175	0.2%	627	0.1%	54	0.1%
Asian Alone	330,740	7.0%	415	0.4%	20,033	3.2%	877	1.5%
Hawaiian/Pacific Islander Alone	2,357	0.0%	21	0.0%	277	0.0%	9	0.0%
Others	17,904	0.4%	71	0.1%	1,627	0.3%	194	0.3%
Two or More Races	114,731	2.4%	2,349	2.5%	18,683	3.0%	1,205	2.1%
Hispanic	2,076,630	43.9%	29,709	31.8%	162,783	25.8%	15,581	30.9%
Total Population	4,726,177	100%	93,523	100%	629,989	100%	57,463	100%

Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates.

Table 7
Race/Ethnic Profile of the Population in the H-GAC Metropolitan Planning Region

Population by Race/Ethnicity	H-GAC MPO	
	Population	% of MPO
White Alone	2,413,692	33.9%
Hispanic	2,717,759	38.2%
Black/African American Alone	1,195,516	16.8%
Am. Indian or Alaska Native Alone	8,634	0.1%
Asian Alone	566,427	8.0%
Hawaiian/Pacific Islander Alone	3,712	0.1%
Others	24,573	0.3%
Two or More Races	181,884	2.6%
Total Population:	7,112,197	100%

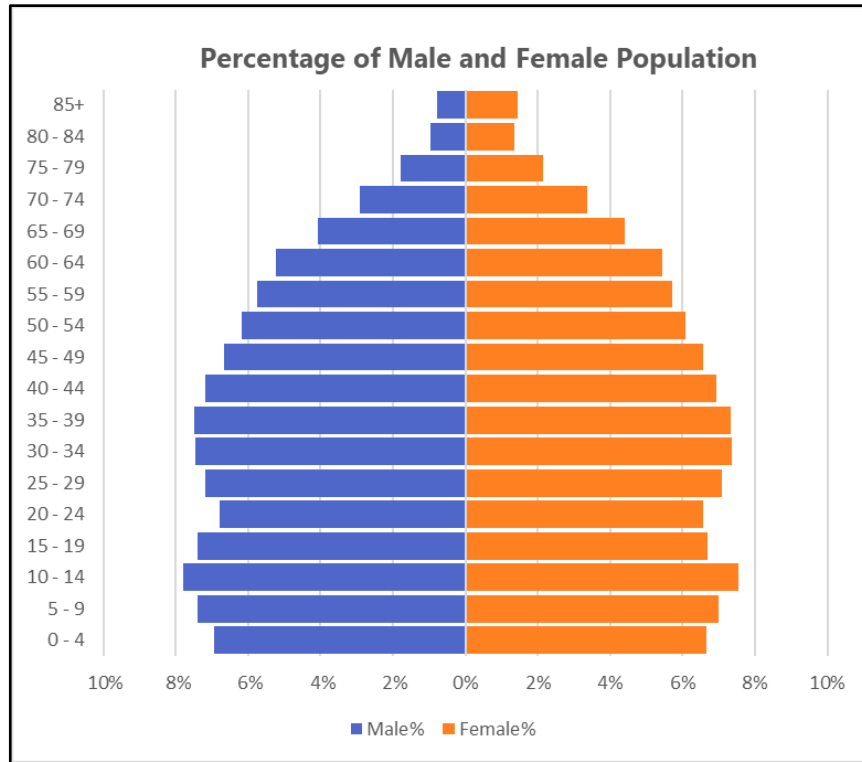
Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

Age and Sex Composition

Based on the sex and age pyramid for the Houston-Galveston metropolitan planning area shown below, the population can be characterized as “expansive,” which means there are considerably more individuals in the younger age groups than in the older age groups (Figure 11). There is a noticeable decrease in the population of both sexes in the age groups 15 through 29. Although the exact cause of this population contraction is unknown, migration may be a factor. Overall, the proportion of female residents in the region is slightly higher than that of the male residents, at 50.11% to 49.89%.

Furthermore, there are variations in the ratios of male and female residents within each of the various age cohort groups. The size of the male population exceeds the female population in both the very young age groups and the economically active years. However, an inflection occurs at the age group 60 – 64, at which point the size of the female population starts to exceed that of the male population. The difference in the population of both sexes becomes apparent in the older age groups, suggesting that women in the region may have longer lifespans than do the men.

Figure 11
Sex and Age Composition of the Population in the H-GAC Metropolitan Planning Region



Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

Spatial Distribution of Population in the Metropolitan Area

H-GAC updated its demographic maps utilizing data from the U.S. Census Bureau 2018-2022 American Community Survey 5-Year Estimates. The demographic maps indicate areas with large concentrations of members of the racial and ethnic minority groups in the Houston-Galveston metropolitan planning area, as well as the White population. Many of the communities that fall within the limits of the City of Houston may be identified by their historical community names, in their present roles as “Super neighborhoods.”

One noteworthy finding from the population distribution maps is that certain communities are blended to the extent that it is impossible to classify them by a specific racial or ethnic identity. This is especially true in light of the growth and expansion of the region's Hispanic/Latino population. A general overview of the region's population distribution is provided in the section that follows. Each population group's description is non-exclusive.

- **Black Communities**

Map 5 shows the spatial distribution of the Black/African American population within the eight counties of the Houston-Galveston metropolitan planning region. This includes a suburban tract that stretches from Beltway 8/Sam Houston Tollway to the Grand Parkway corridor; and wraps concentrically around the central city. Black/African American residents are also found in several concentrated clusters within Fort Bend County, northern Brazoria, and Galveston Counties, as well as around the Cities of Prairie View, Hempstead, and Pinehurst in Waller County.

Within the City of Houston, inner-city super-neighborhoods with a high Black/African American concentration 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/Latino Communities**

Map 6 shows the spatial distribution of the Hispanic/Latino population within the eight counties of the Houston-Galveston metropolitan planning region. Like the black/African American community, there is a marked concentration of persons of Hispanic/Latino descent in the suburban region that stretches from Beltway 8/Sam Houston Tollway to the Grand Parkway corridor and runs concentrically around the central city. The Hispanic/Latino population is however more dispersed than any other minority population group. They are found in concentrated clusters across Montgomery, Waller, and Fort Bend Counties, and also reside in significant concentrations in parts of the other counties that fringe upon Harris County.

Within the City of Houston, residents of Hispanic/Latino origin are the exclusive majority in inner-city neighborhoods of the "East End," such as Greater Eastwood, Lawndale, Wayside; Manchester, Northside Village, and Gulfton. They nevertheless blend in high concentrations with the Black/African American and Asian populations in the Sharpstown, Alief, and Westchase super neighborhoods.

- **Asian Communities**

Map 7 shows the spatial distribution of the Asian population within the eight counties of the Houston-Galveston metropolitan planning region. The Asian population is more distinctly segregated than other racial/ethnic groups and make their residence mainly in the west side of the Houston metropolitan region: roughly west of the line made by IH-45 (I-69) N highway down through SH 288. Like the Black/African American and Hispanic/Latino population, there is a concentration of Asian residents in

the suburban belt that stretches from Beltway 8/Sam Houston Tollway to the Grand Parkway corridor and runs concentrically around the central city.

The Asian community has a significant presence in southwest Houston, in the suburban cities of Sugarland, Katy, and particularly in the Alief – Sharpstown – Westchase super neighborhoods, a locale popularly known as “Chinatown.” The Asian community includes a mix of individuals of Indian, Chinese, Vietnamese, and Korean origin.

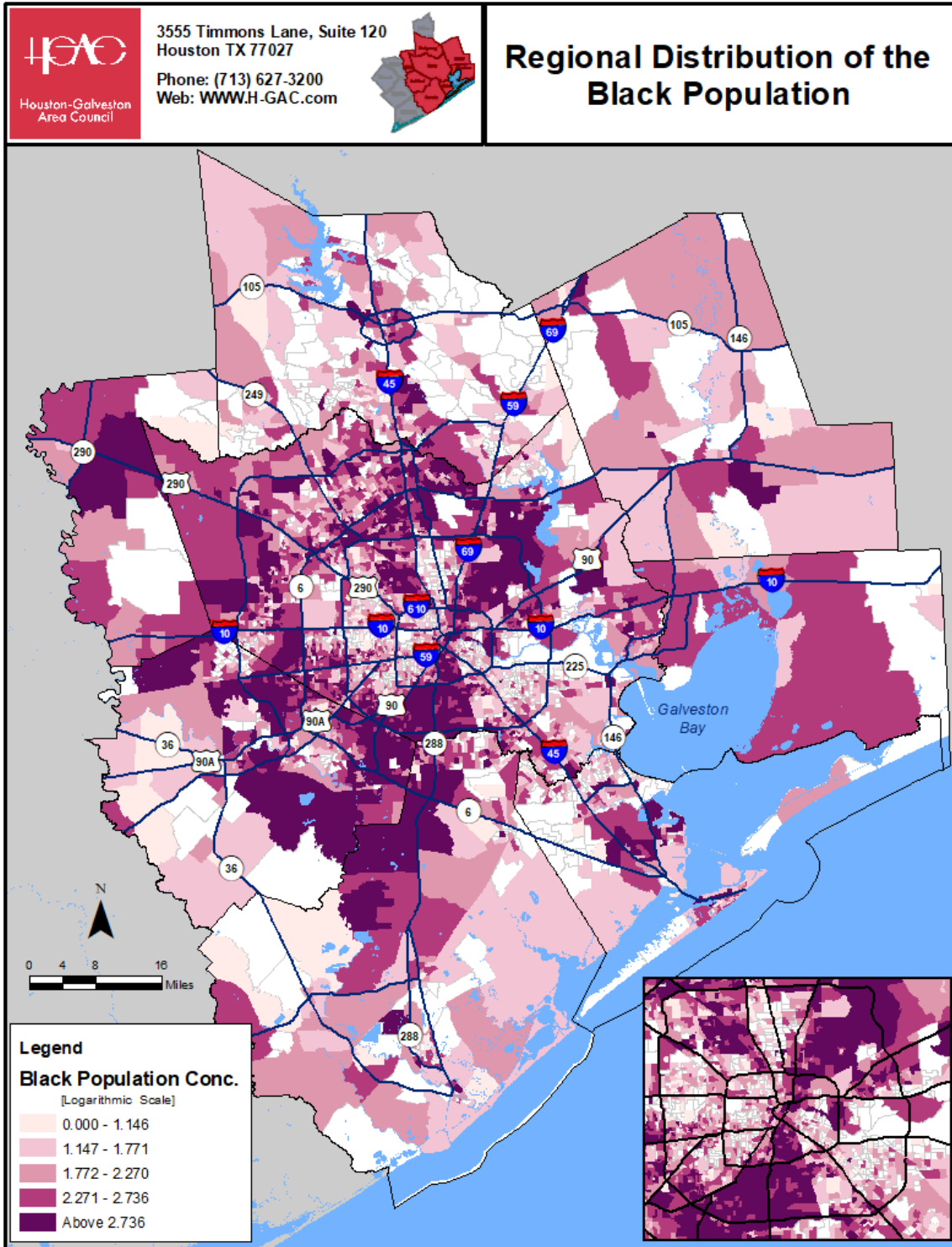
- **White Communities**

Map 8 shows the spatial distribution of the White population within the eight counties of the Houston-Galveston metropolitan planning region. White residents are perceptibly concentrated in suburban communities along the Grand Parkway and within the suburban and rural counties that surround Harris County. Concentrations of the White population also exist within the wedge that extends westward from the Houston downtown/midtown, River Oaks, West Loop, and the Bellaire/Meyerland communities, through Greater Memorial and out to the City of Katy.



Map 5

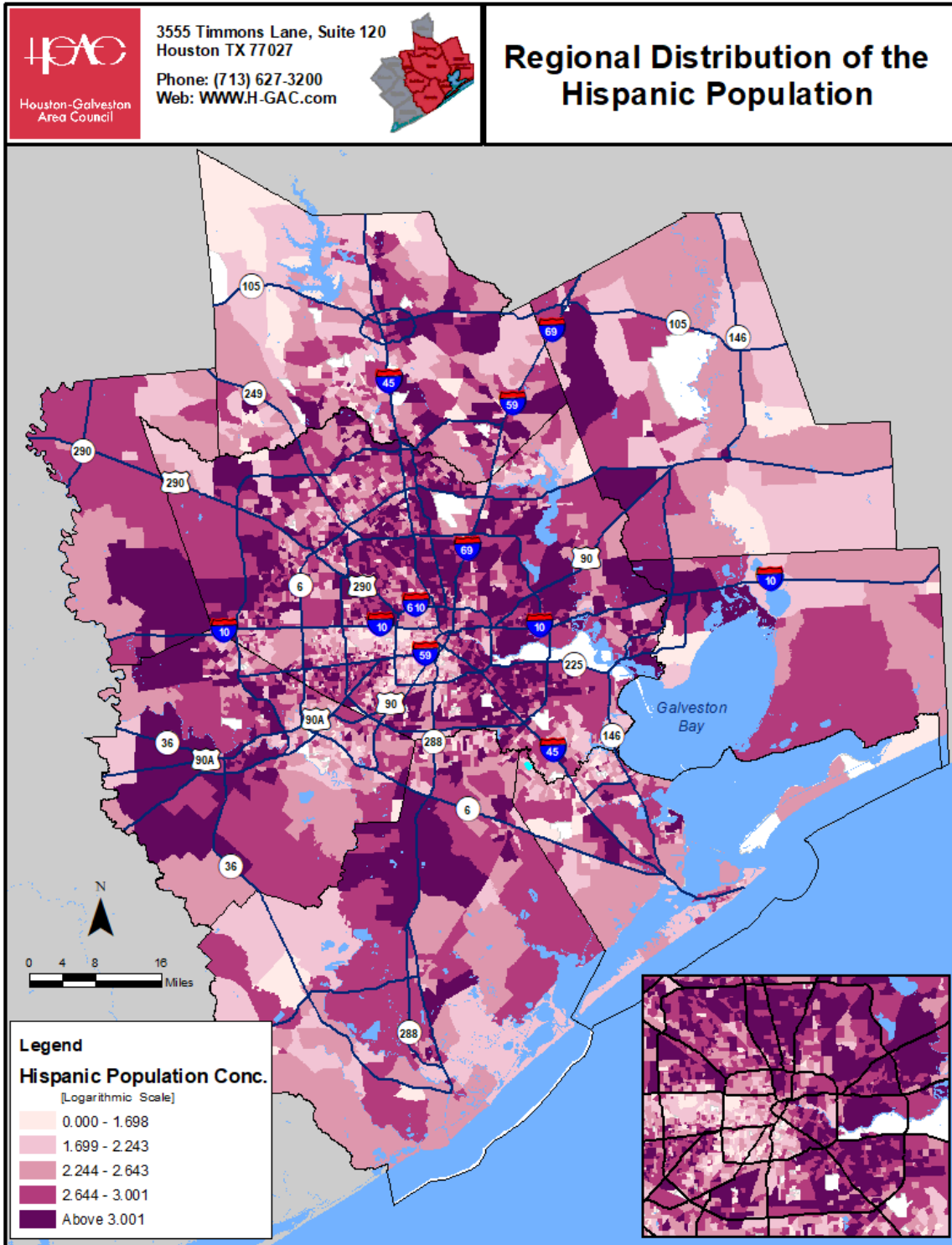
Black Population Concentrations – By Census Block-Group



Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

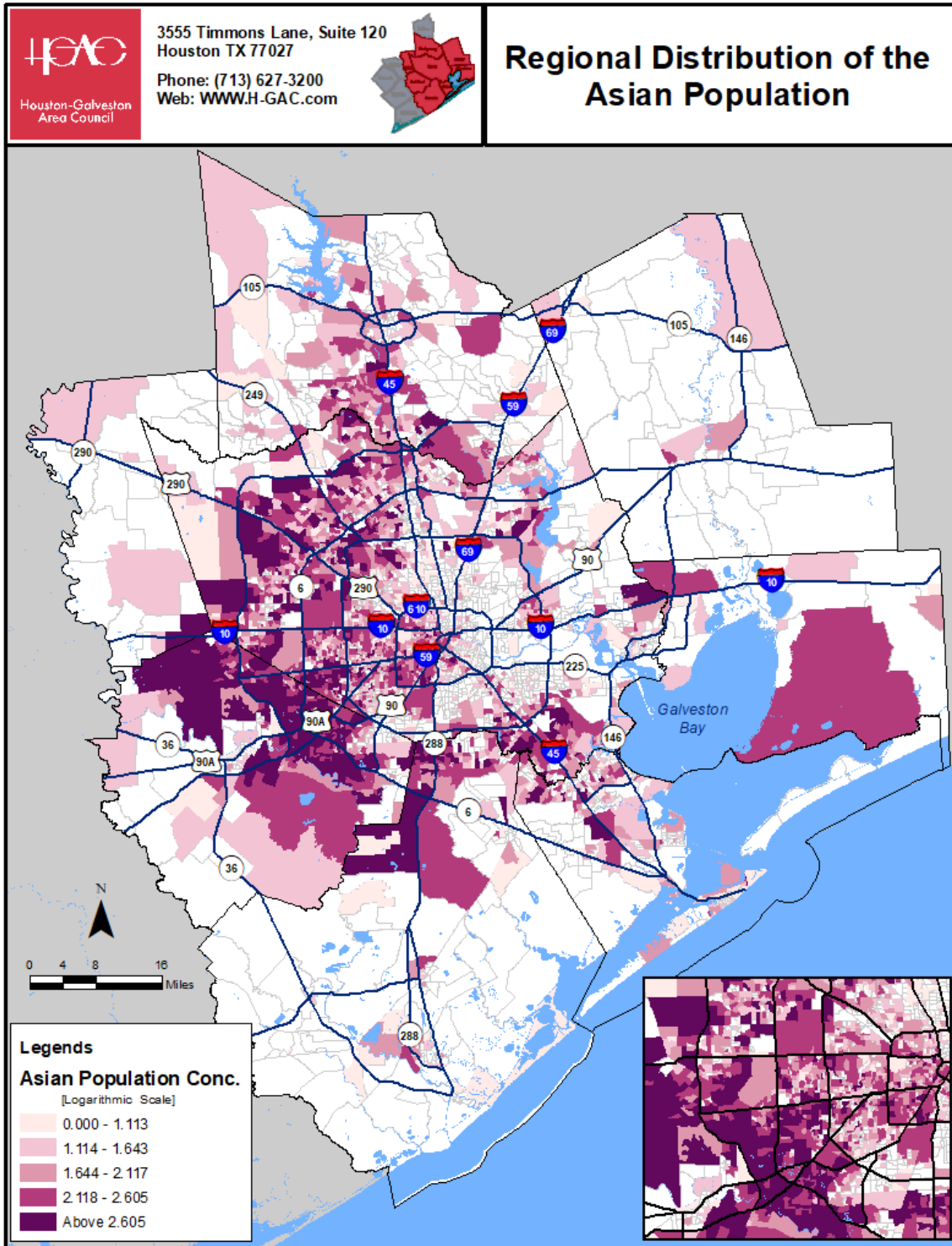
Map 6

Hispanic Population Concentrations – By Census Block-Group



Map 7

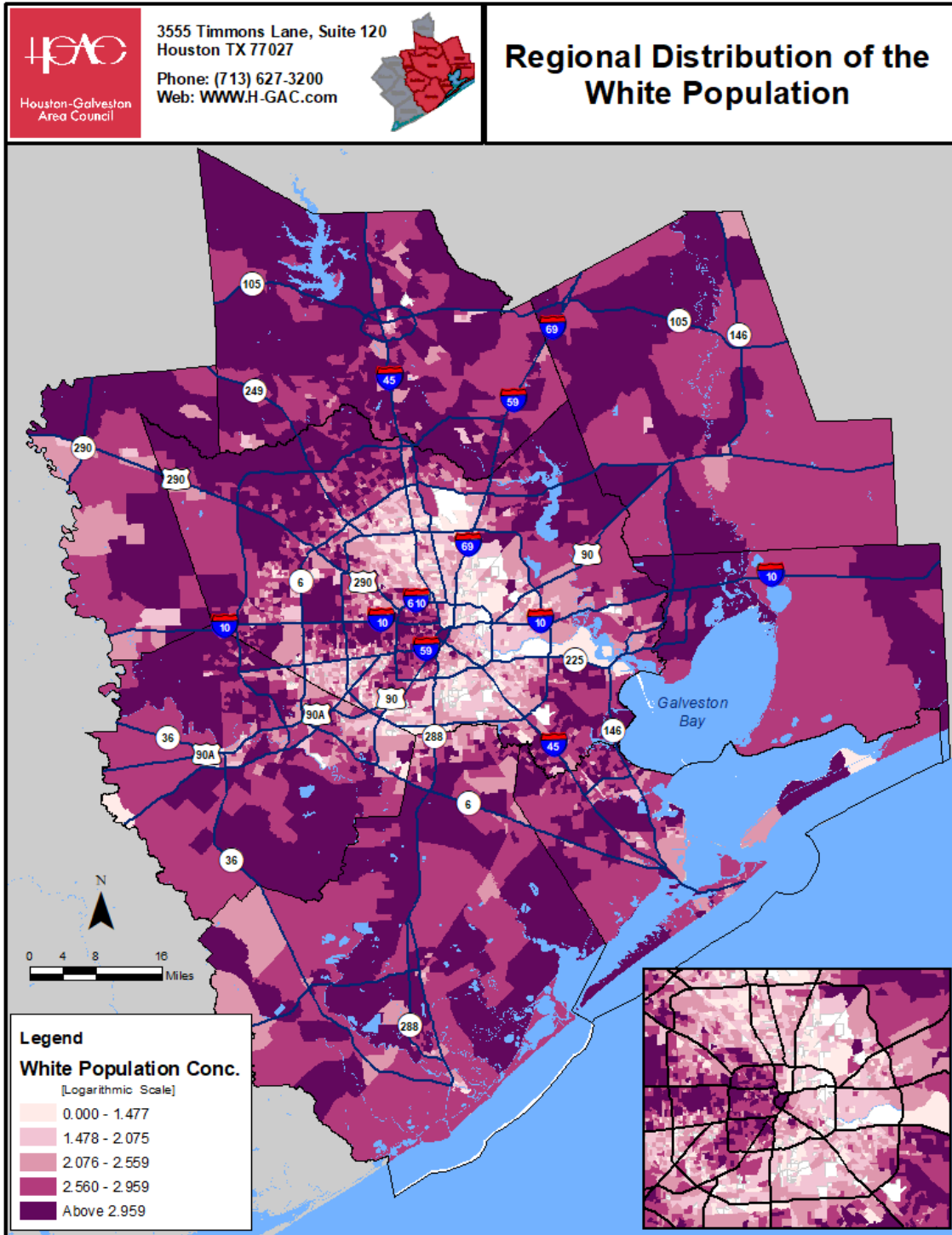
Asian Population Concentrations – By Census Block-Group



Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

Map 8

White Population Concentrations – By Census Block-Group



Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

3.2 ENVIRONMENTAL JUSTICE ANALYSIS

H-GAC updated its socio-economic maps for Title VI/Environmental Justice analysis with data from the U.S. Census Bureau 2018-2022 American Community Survey 5-Year Estimates. The goal of the environmental justice analysis is to understand the environments and settings that characterize the marginalized communities. Knowing where the protected communities live is essential to recognizing what kind of social impacts or environmental stressors they may be exposed to from a roadway project or other public action. Additionally, understanding the features of the protected community can help direct public outreach initiatives and influence the selection of engagement efforts to maximize their participation in the planning process. Being able to identify 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: "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" defines the protected population for environmental justice oversight as Minority Populations, Low-Income Populations, and the Native Indian Tribes.

DEFINING THE PROTECTED POPULATION

Minority Persons:

H-GAC uses the FTA and FHWA definition of minority persons, detailed as follows:

- (1) **Black:** 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:

Low-income 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).

THRESHOLD ANALYSIS

Communities sensitive for environmental justice in the H-GAC planning region are identified through a threshold analysis. The concentration threshold value for the Houston metropolitan region is determined as the regional average of the socio-economic indicator, plus one standard deviation. A census block-group that meets or exceeds this threshold value is considered to be sensitive for environmental justice. The one exception is the minority population concentration threshold. Because of the large size of the minority population in the Houston-Galveston metropolitan area, the regional average for this population is naturally high. Accordingly, the regional average is applied as the concentration threshold without using the normalization of a standard deviation value.

Over half, (2,285 out of 4,133, or 55.3%), of the census block groups in the H-GAC metropolitan planning region are identified as sensitive for environmental justice. The environmental justice census block-groups account for less than one-quarter of the geographical area of the MPO region (23.3%), but well over half (55.7%) of the regional population (Table 8).

Table 8
Distribution of EJ 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	EJ Percent of Total Population
2201	53.3%	683	16.5%	2285	55.3%	55.7%

Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates.

* Combination of minority and low-income census block-groups that are sensitive for Environmental Justice.

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) to ensure that linguistic barriers do not prevent their having meaningful access to the benefits and opportunities to participate in federally assisted programs. Like Executive Order 12898, the LEP executive order is one of the federal non-discrimination laws that come under the umbrella of a Title VI program. The LEP disadvantage is commonly associated with one's race or national origin and is therefore related to Title VI, but additionally a concurrent concern 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 social indicators for its environmental justice analyses. 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 benefits provided through federal assistance. 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. Executive Order 13166 and Title VI of the Civil Rights Act of 1964 both require this assessment.

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 burden 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

Disability – *(Persons self-reporting as having some disability that impairs their ability to function normally).*

Physical disabilities and other types of impairments may impact a person's ability to hold a job, operate an automobile, or otherwise seek certain benefits that are offered to the region's residents.

Table 9
Environmental Justice Populations in the H-GAC Metropolitan Planning Region

Region	Minority Pop.	Low-Income Pop.	Senior Pop.	Limited Education Attain.	Zero Car HH	Female Headed HH	LEP Pop.	Disabled Pop.
H-GAC MPO Region	66.1%	12.7%	20.6%	15.3%	6.1%	28.9%	16.2%	21.9%
Brazoria County	56.4%	7.2%	11.0%	11.2%	2.7%	24.2	8.4%	21.5%
Chambers County	36.3%	13.3%	8.8%	10.8%	2.5%	17.9%	4.9%	26.0%
Fort Bend County	69.7%	7.1%	10.2%	8.5%	2.8%	21.5%	12.8%	17.9%
Galveston County	44.9%	11.9%	13.3%	10.3%	5.4%	29.0%	6.2%	21.7%
Harris County	72.4%	14.4%	9.8%	17.9%	6.7%	31.4%	19.6%	20.2%
Liberty County	43.4%	17.0%	11.0%	21.6%	4.6%	26.4%	11.1%	35.5%
Montgomery County	37.7%	9.0%	12.0%	10.2%	3.3%	22.8%	7.6%	23.0%
Waller County	59.5%	14.2%	10.6%	13.3%	3.6%	21.9%	8.8%	24.4%

Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates.

Table 9 contains a summary of the percentages of the population within each of the recognized categories of disadvantage in the different counties of the H-GAC metropolitan planning region. A general characterization of some of these environmental justice populations follows.

Minority Population

- The regional average for the minority population in the H-GAC metropolitan planning area is 66.1%, indicating that the Houston-Galveston metropolitan area is a majority-minority region.
- Harris County has the highest percentage of minority residents, with 72.4% of the county population belonging to a minority group. Harris County is followed closely by Fort Bend County which has 69.7% of its population being minority residents. The County with the lowest proportion of minority residents is Chambers County, with 36.3%.
- Minority residents are in the majority in the four counties: Brazoria, Fort Bend, Harris, and Waller Counties.

Low-Income Population

- The regional average for households with income below the poverty guidelines is 12.7%.

- Liberty County has the highest concentration of poverty of all counties in the H-GAC metropolitan planning region, with 17.0% of all households falling below the poverty line – significantly higher than the regional average.
- Harris County (14.4%), Waller County (14.2%) and Chambers County (13.3%), all have higher household poverty rates than the regional average.
- Fort Bend County has the lowest percentage of households below the poverty level (7.1%) despite its large minority population (69.7%). Brazoria County (7.2%) has the second-lowest percentage of households below the poverty level, followed by Montgomery County (9.0%).

Senior Population

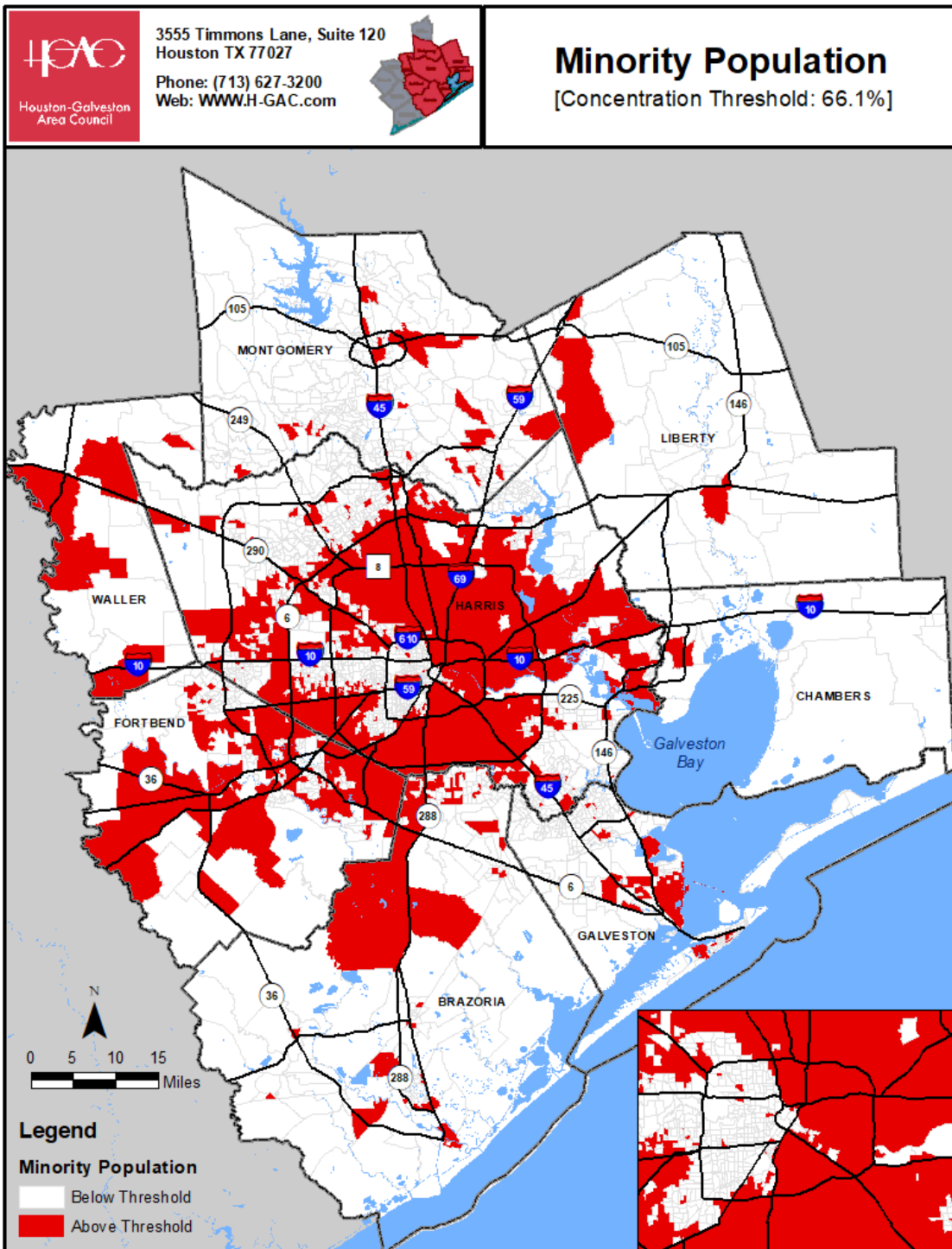
- The percentage of the elderly population is fairly even among all the MPO counties, ranging from Chambers County in which only 8.8% of the population are seniors, to Galveston County where 13.3% of the population are seniors. Although there are high concentrations of senior citizens in specific census block-groups, no county has a higher percentage of senior citizens than the regional average.

Limited Educational Attainment

- The regional average for households with limited education attainment is 15.3%.
- There is a strong correlation between low-income status and educational attainment, most likely because individuals with little formal education often have fewer options for employment and professional advancement than those with greater educational achievement.
- Liberty County tops the list of MPO counties with the highest percentage of individuals with limited educational attainment (21.6%), along with the highest percentage of households in poverty (17.0%).
- Harris County is second only to Liberty County in the percentage of the population with limited educational attainment (17.9%), and in the percentage of low-income households (14.4%).
- Fort Bend County's sizable minority population is largely well-educated, with only 8.7% of the population identified as limited in educational attainment – lowest in the H-GAC metropolitan planning region. The low proportion of impoverished household in the county (7.1%) is probably a reflection of this level of education.

The maps below show the census block-groups designated as sensitive for environmental justice because the percentage of residents in each category of disadvantage exceed the concentration threshold for environmental justice concern. The methodology used in calculating the concentration threshold value for the environmental justice indicators of disadvantage is available in Attachment 6.

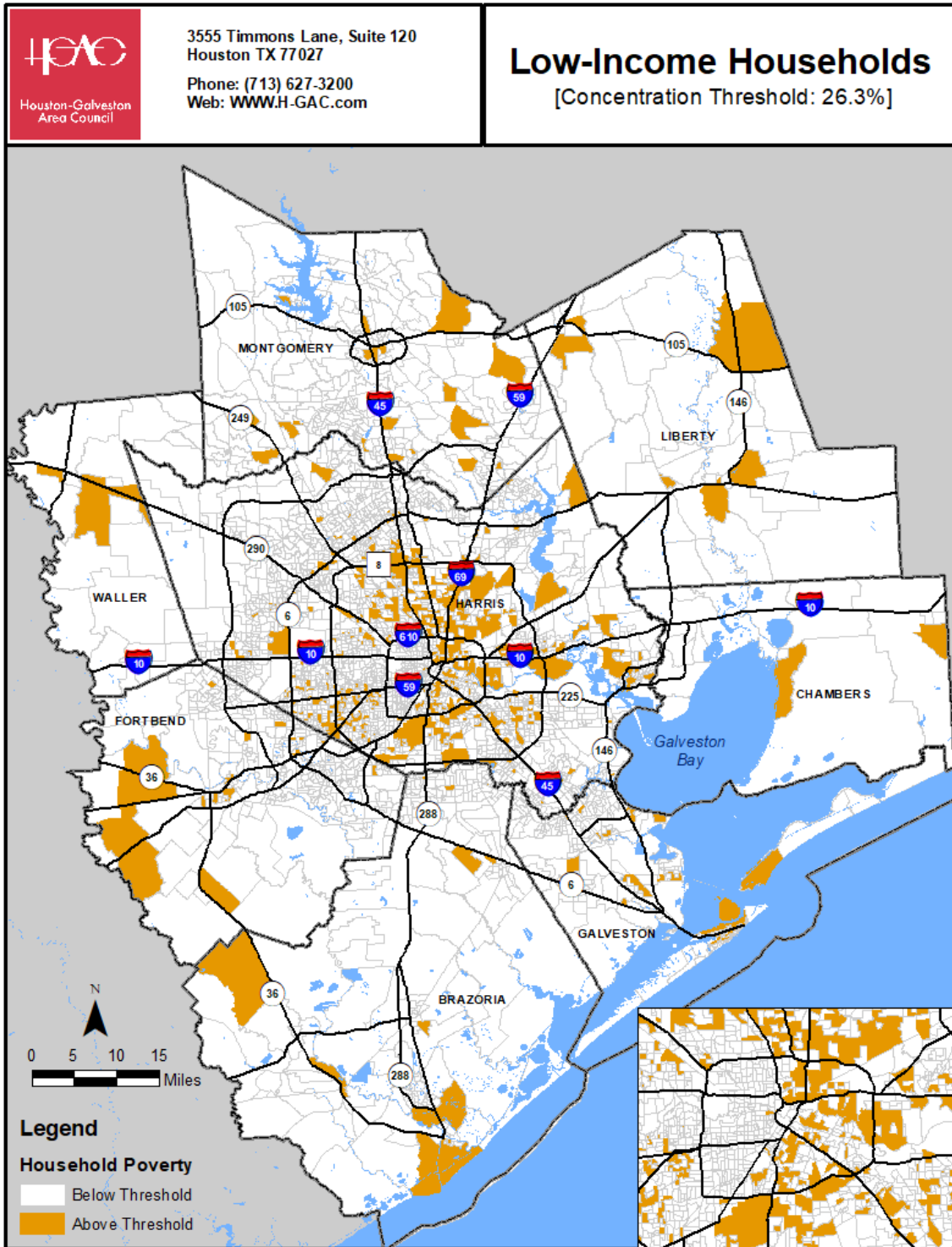
Map 9
Census Block-Groups with a High Minority Population Concentration



Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

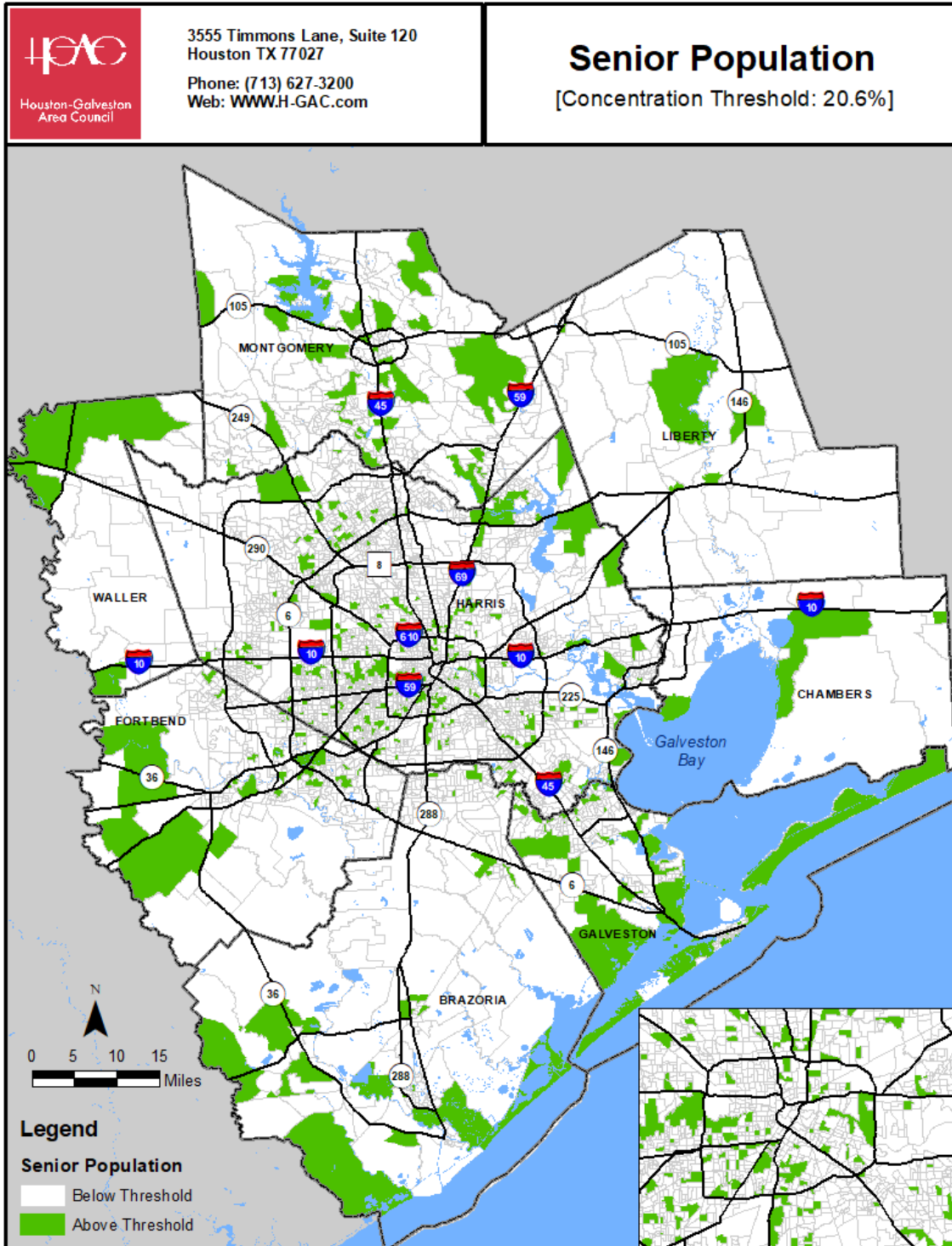
Map 10

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



Map 11

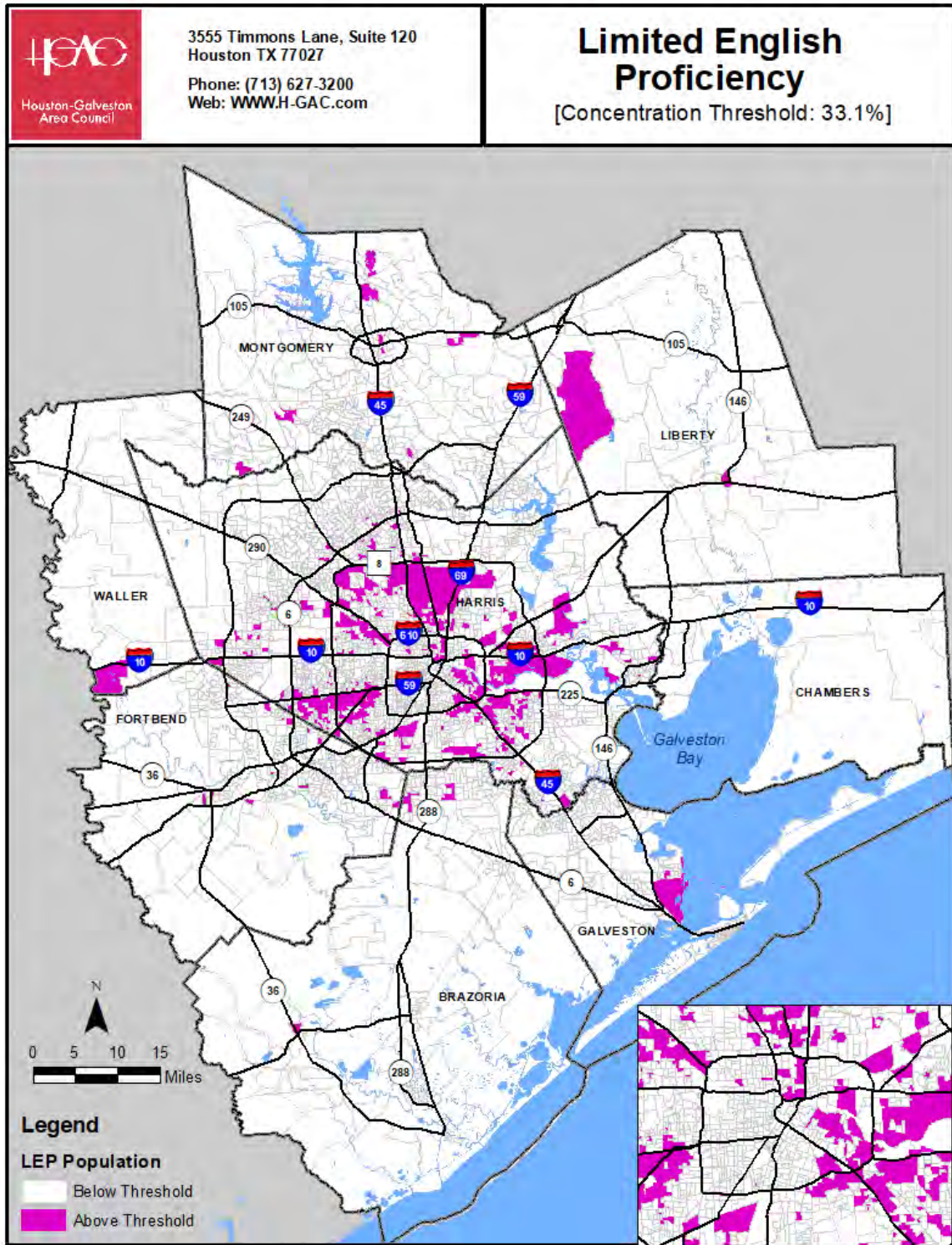
Census Block-Groups with a High Senior Population Concentration



Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

Map 12

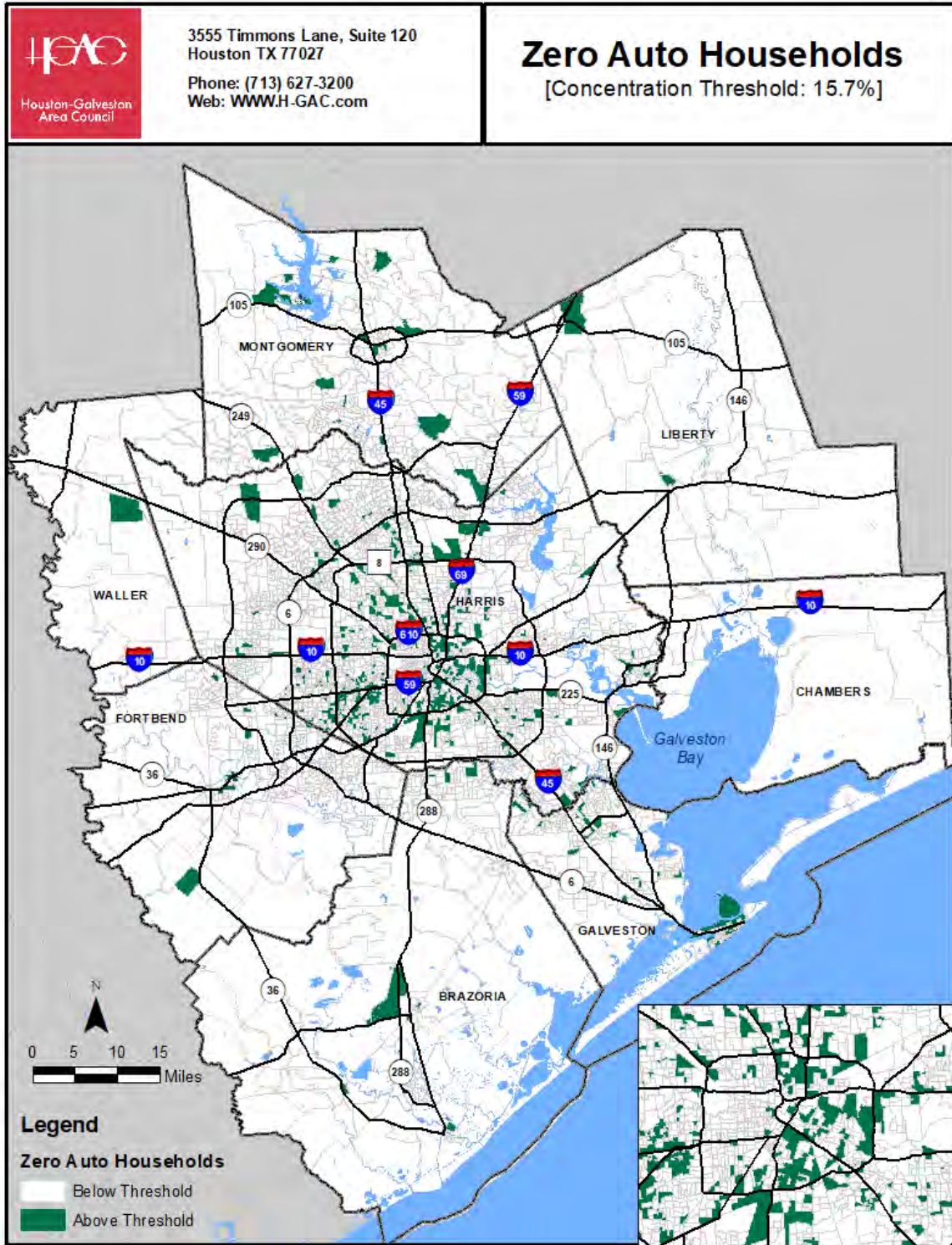
Census Block-Groups with a High LEP Population Concentration



Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

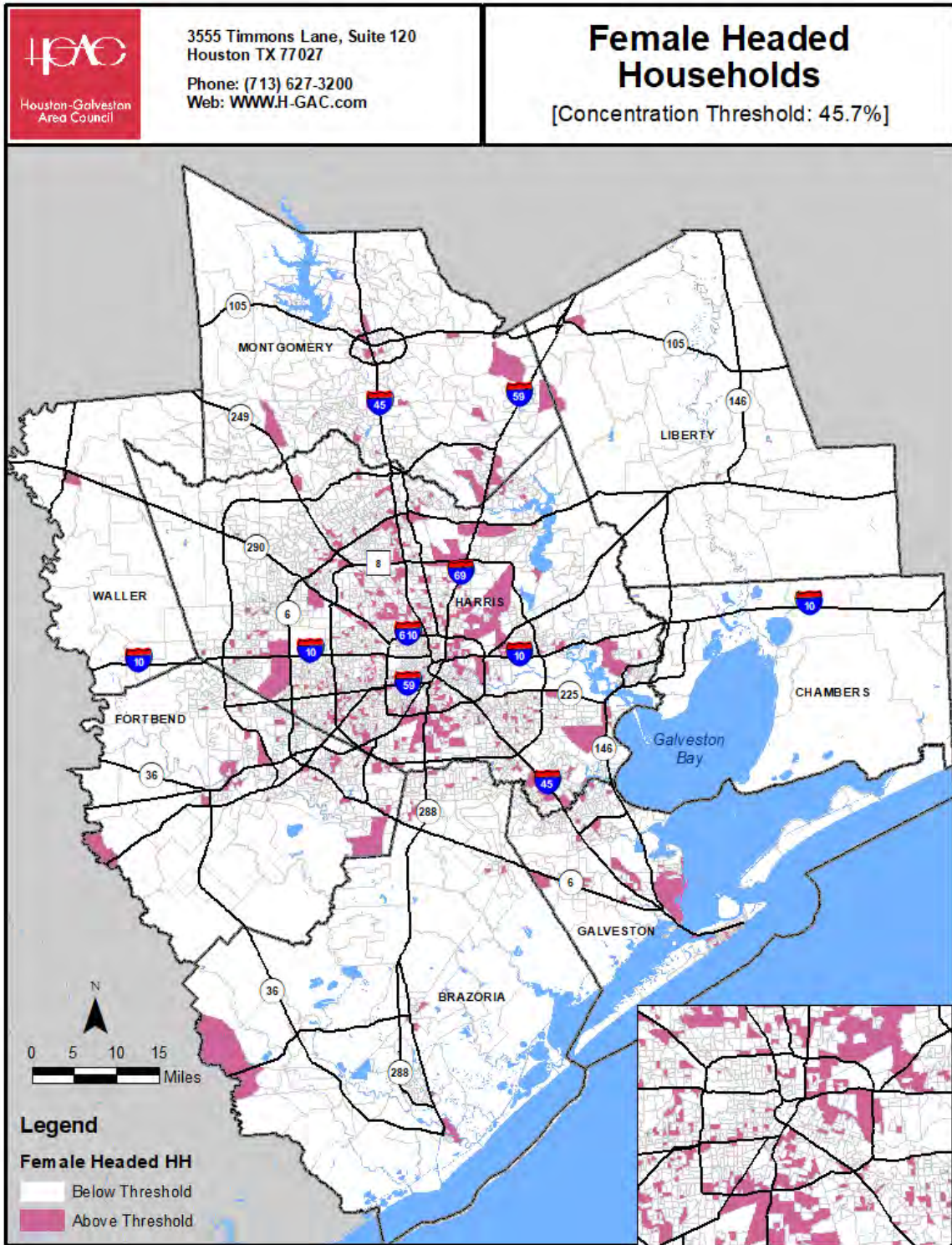
Map 13

Census Block-Groups with a High Concentration of Households with no Automobile



Map 14

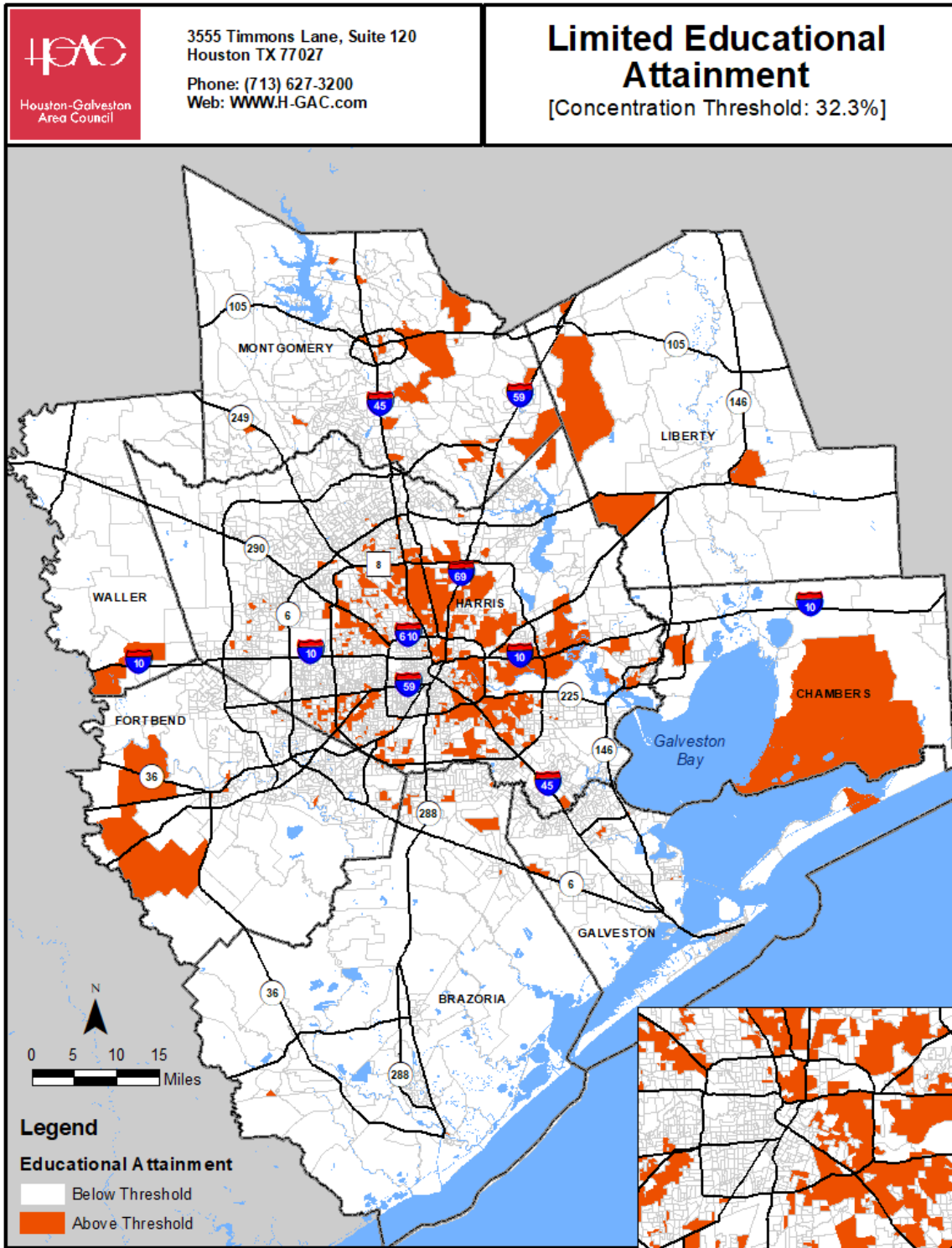
Census Block-Groups with a High Concentration of Female Headed Households



Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

Map 15

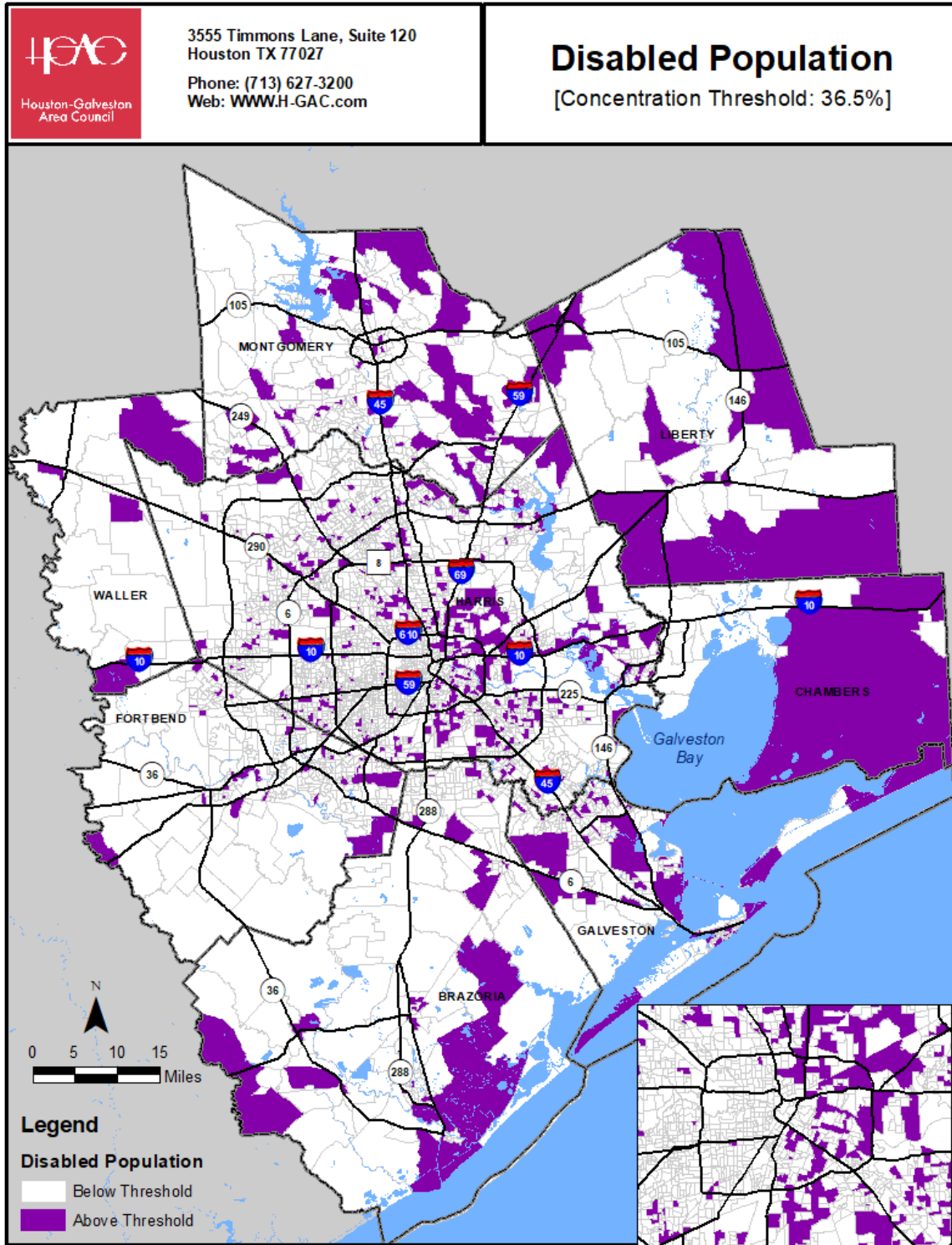
Census Block-Groups with a High Concentration of Individuals with Limited Educational Attainment



Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

Map 16

Census Block-Groups with a High Concentration of Disabled Individuals



Source: US Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

CONCENTRATIONS OF DISADVANTAGE

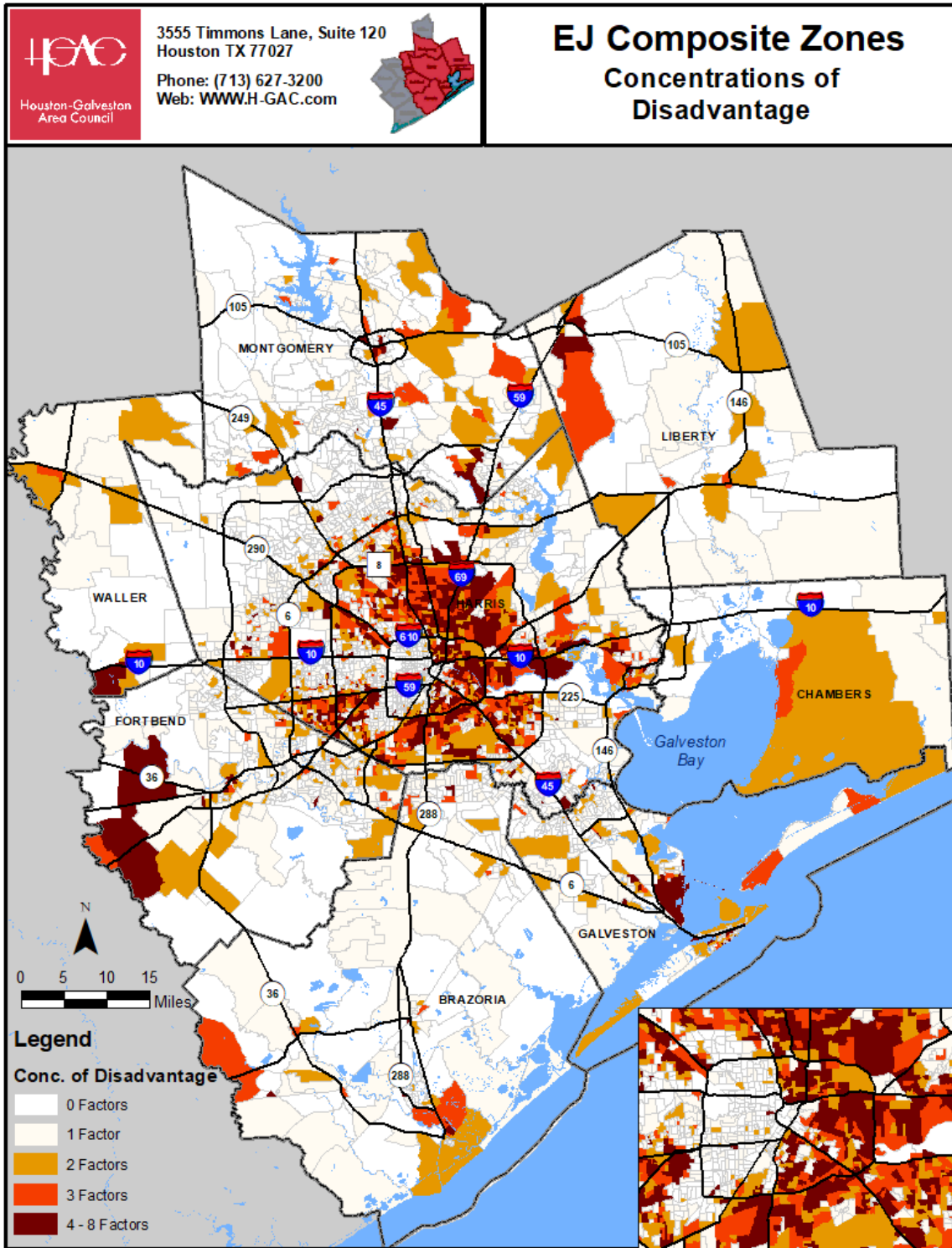
The protected class designated for environmental justice analysis by E.O. 12898 are individuals from a racial/ethnic minority group, and the low-income. An analysis of the H-GAC metropolitan planning region shows that there are several census block-groups in which multiple indicators of disadvantage are coincident within the population. A "**concentration of disadvantage**" exists in a census block-group where one or more of the secondary indicators of disadvantage occur *in addition* to the basic minority and/or low-income status. While every environmental justice population is a community of concern, H-GAC recognizes communities in which the residents have a "concentration" or composite of four or more factors of socio-economic disadvantage as communities with "high disadvantage" (Map 17). This recognition is significant arguably because a community in which the residents are burdened with multiple factors of socioeconomic hardship would likely be less resilient and more vulnerable to adverse conditions induced by extreme events in nature, and by human activity.

Of the 2,285 census block-groups identified as sensitive for environmental justice, 610 or 26.7% of these block-groups are characterized as communities with high disadvantage. Of the two populations recognized for environmental justice, the propensity to experience multiple socio-economic disadvantages is greater for individuals with low incomes than for those who are members of a racial/ethnic minority group.

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Map 17

Census Block-Groups with Concentrations of Disadvantage



GEOGRAPHIC COMMUNITIES

On January 20, 2021, President Biden signed Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities through the Federal Government.¹⁸ The order articulates a federal policy to advance equity and create opportunities for the improvement of communities that have been historically underserved. Equity, under this policy, means the “consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities.”¹⁹

Communities of concern identified in the executive order are individuals who belong to underserved communities such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders, and other persons of color; members of religious minority groups; lesbian, gay, bisexual, transgender, and queer (LGBTQ +) persons; persons with disabilities; persons who live in rural areas; persons otherwise adversely affected by persistent poverty or inequality; and generally, populations and geographic communities who have traditionally been denied the opportunities and benefits enjoyed by others.²⁰

Executive Order 13985 invokes the general non-discrimination principles of Title VI and adds several classes of communities of concern for consideration. MPOs may nevertheless require pointed guidance from the Department of Transportation regarding how the policy statement should translate to actions within the transportation planning process. “Geographic Communities” particularly in the rural areas, stand out as a category identified as needing increased attention in the planning process. Meanwhile, initiatives such as the Gulf Coast Regionally Coordinated Transportation Plan process are ongoing, to identify gaps in the regional transportation system (including within the rural areas), and using that information, to develop potential strategies to address the gap areas where public transportation is found to be insufficient, inappropriate, or unavailable.

¹⁸ Exec. Order No. 13985, 86 C.F.R. 7009 (2021-2025).

¹⁹ *Ibid.* Section 2.

²⁰ *Ibid.*

3.3 IDENTIFYING THE MOBILITY NEEDS OF THE MINORITY POPULATION

A. PUBLIC INVOLVEMENT

H-GAC uses a comprehensive and well-rounded approach to transportation planning that adheres to the traditional “3-C” system.²¹ The public involvement program is the main means for identifying the mobility needs of individuals from the low-income, minority, and other disadvantaged populations. 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 that substantive planning decisions are made. Planning decisions that are properly informed by an inclusive public participation process tend to be more effective and 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 the sub-regional mobility studies.

The MPO’s outreach to the minority and other underserved communities is increasingly focused on leveraging community partnerships. H-GAC collaborates with elected officials that have close connections with the target communities to facilitate greater access to these underserved populations and to obtain critical feedback on community needs and local reactions to project proposals. MPO planning and outreach staff also continue to build relationships with civic groups, neighborhood associations, and faith-based organizations, and community advocates and take advantage of opportunities to discuss on ongoing projects with the people and solicit their comments during community events and their existing neighborhood organization meetings.

B. TRANSPORTATION PLANNING STUDIES

Another important process through which H-GAC identifies the mobility needs and opportunities for the minority, low-income, and other disadvantaged communities is through directed transportation planning studies. The agency periodically conducts regional and subregional mobility studies to understand the mobility needs of a community and to arrive at practical planning solutions to address the identified needs. Several examples of these subregional mobility/transportation planning studies

²¹ The “3-Cs” stand for a “Continuous, Comprehensive and Cooperative” planning process.

include the Pearland Transit Needs Assessment and Plan, the Chambers County Thoroughfare Plan Study, The Bay Area Bike and Pedestrian Safety Plan, the Fm 518 Corridor Study, the Pearland Mobility Study, the Old Sixth Ward/TIRZ 13 Phase II Mobility Plan, the Washington Avenue Corridor Study, Fort Bend County Subregional Plan, the Liberty County Mobility Study, the South East Harris County Subregional Study, the Montgomery County Precinct 2 Mobility Study, the SH 146 Subregional Plan, The East End Mobility Study, the Waller County Transportation Plan, and the Northern Brazoria County/Pearland Subregional Plan, to name a few.

C. THE REGIONAL COORDINATED TRANSPORTATION PLAN

The Regional Coordinated Transportation Plan (RCTP) was developed to determine where there were gaps in the public transportation network's coverage, and to assess the unmet demand for transportation services throughout the thirteen county Gulf Coast Planning Region of the H-GAC. The aim of the RCTP is to enhance mobility options for the priority population of seniors (those 65 years and older), individuals with disabilities, low income individuals, individuals with limited English proficiency, youths, and veterans. A large proportion of this target population are minority and low-income residents, many of whom reside in suburban and rural areas where public transportation is either nonexistent or very irregular, making it difficult for them to get around. The RCTP highlights options for funding and implementing strategies for extending the transportation services to the , as well as enhancing the service where it exists.

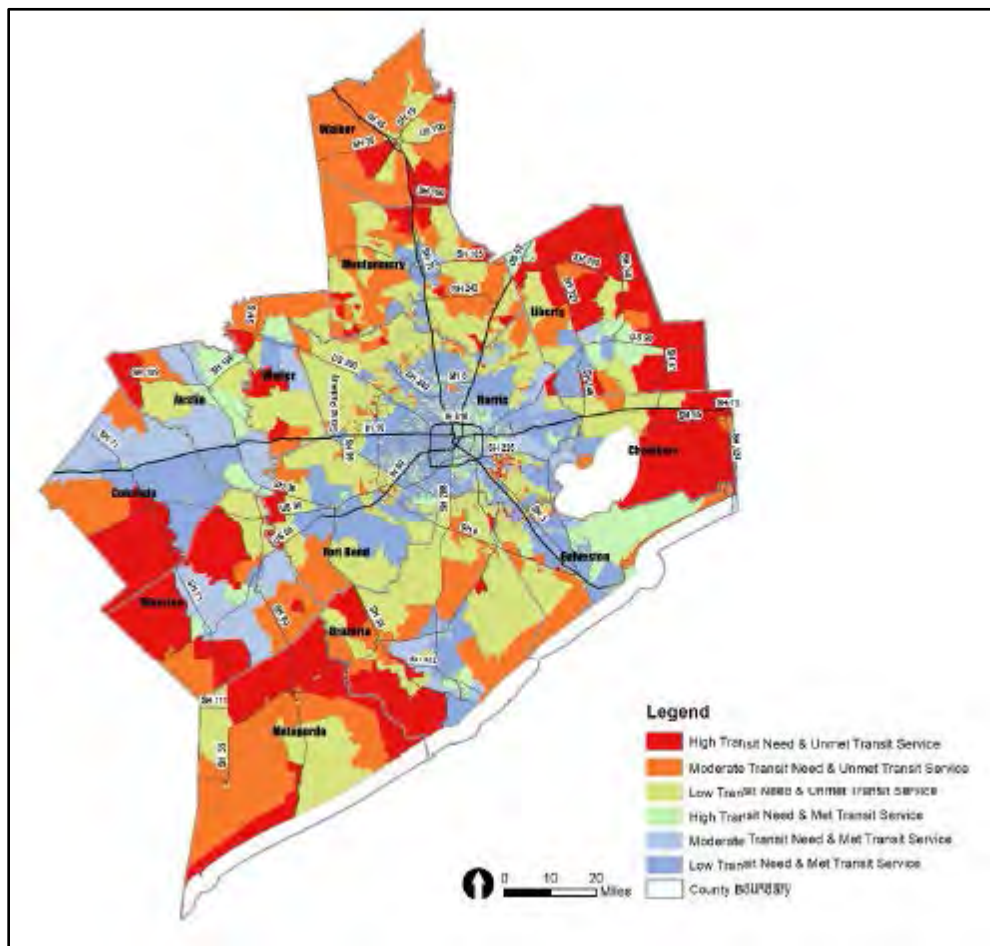
The RCTP is updated every five years. The most recent update occurred in 2022, and included an extensive research and information gathering effort that included public meetings, seminars, focus group studies, and a stakeholder survey. The 2022 update included a transportation provider inventory and stakeholder agency survey which enumerated existing transportation service providers and documented their services, fleet resources, market areas, and operating parameters, among other things. Respondents targeted for the survey include human service agencies, public transportation agencies, school districts, private non-profit organizations, and city/county government entities. Information requested in the survey include:

- How the organization informed the public about their services, including the use of organizational brochures and web links;
- The transportation provider's vehicle fleet;
- The provider's use of technology in its operations;
- The provider's income and expenditures;
- The use of third party agencies to provide services; and
- Comments about how H-GAC could help them provide better service.

Two key elements of the RCTP development process are the analysis of transit need and the identification of gaps in the network of transportation services, which includes areas where existing transit service is functionally inadequate. The needs assessment effort is a building block for the gap analysis. In other words, the gaps in availability of transportation service essentially, are unmet transportation needs.

The outreach effort in support of the RCTP update included five (5) interactive virtual public meetings, each of which was focused on the service area of participant transportation service providers; secondly, an online survey which was published on the project engagement website in English, Spanish, Vietnamese, and Chinese (Mandarin); and lastly, a mapping activity which provided an opportunity for the public to provide location-specific feedback about barriers to transportation use and to explain why that location was inaccessible to them by transit.

Map 18
Transit Need and Gaps in Transportation Service in the H-GAC Thirteen-County Region



The opportunities for public participation were promoted in a variety of ways. Members of the RCTP steering workgroup distributed flyers and social media graphics through their email lists and social media platforms. The flyers and social media graphics were also distributed to a wide variety of H-GAC partners regionwide, who helped recruit both survey takers and virtual meeting participants. These graphics were distributed in English, Spanish, Vietnamese, and Mandarin Chinese. H-GAC staff also used the organization’s social media channels for promotion and posted to community pages on Facebook and NextDoor. H-GAC used four social media platforms to promote the event: Facebook, Instagram, LinkedIn, and Twitter. Across all four platforms, these posts reached a total of 8,940 users, generating a total of 199 clicks. Additionally, the posts generated reactions (e.g., Facebook likes or Twitter favorites), comments, and shares/retweets, which broadened their reach.

Two paid social media advertising campaigns were used to reach people who were not well-connected with community organizations. The first campaign on Facebook, Instagram, and LinkedIn was timed to the launch of the engagement site. Across all three platforms, the ads were seen a total of 36,730 times, generating 294 clicks. The second campaign was launched across Facebook and Instagram to drive additional survey responses. This campaign, unlike the first campaign, included advertisements in Spanish and Mandarin Chinese as well as English. Across both platforms, these ads were seen a total of 34,724 times, generating 361 clicks.

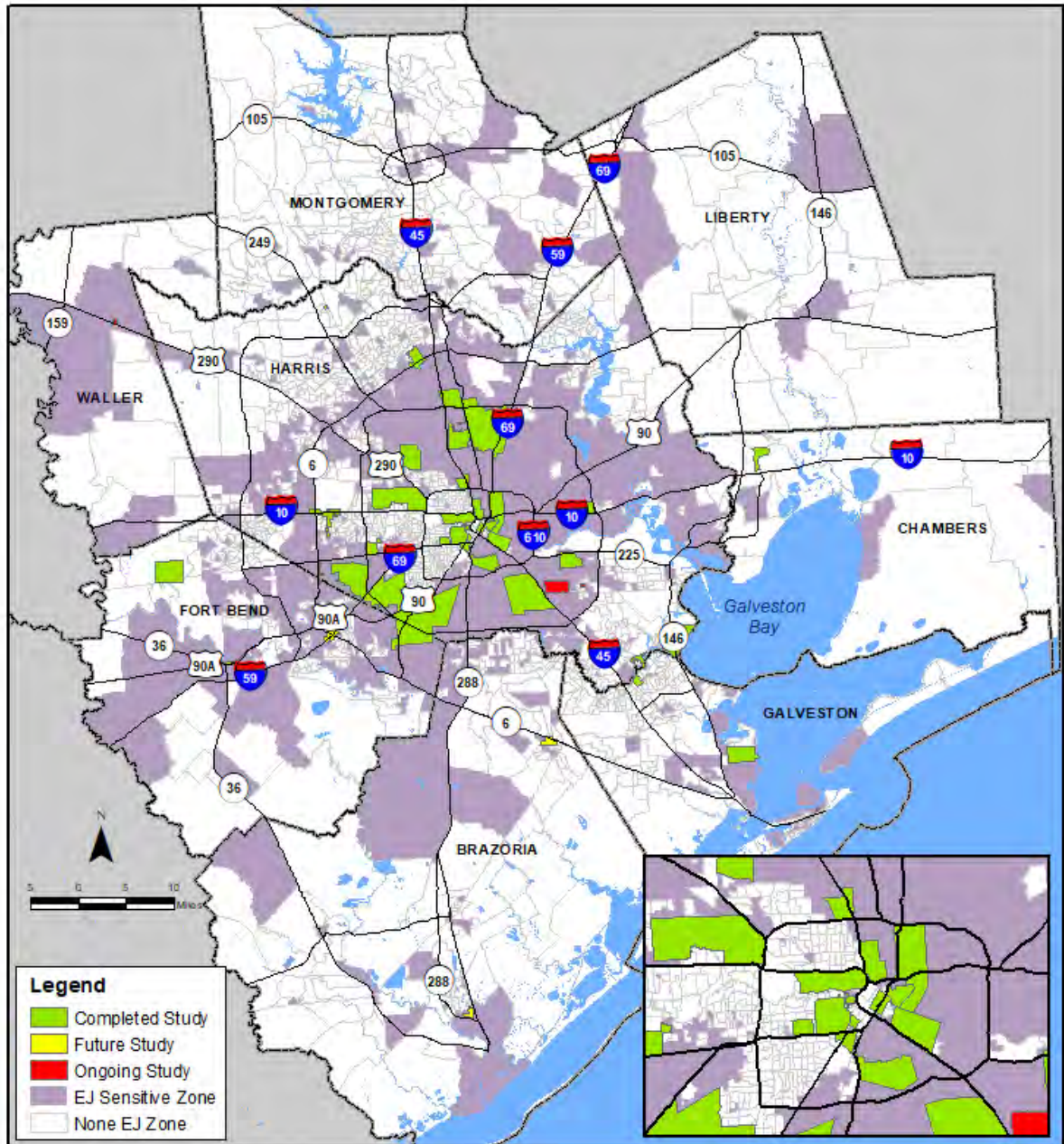
D. THE LIVEABLE CENTERS STUDIES

The Liveable Centers studies are another way by which the mobility needs of the minority population are identified within H-GAC’s transportation planning process. “Livable Centers” are envisioned as places where people can live, work, and play with less reliance on cars, and are built around strategies that enhance the community, economic development, mobility, and the environment. The Liveable Centers program encourages the development of a complementary mix of housing, commercial, and other land uses in communities designed to be walkable, connected, and accessible by multiple modes of transportation – transit, bicycle, walking, and automobiles – and by promoting multi-modal travel, reduce vehicle miles traveled and improve overall air quality.

H-GAC’s Livable Centers Program collaborates with local communities to identify potential study areas and to define workable strategies to create the envisioned centers. The studies produce an implementation plan to realize the vision. H-GAC’s Livable Centers program has completed studies in urban, suburban, and rural areas throughout the H-GAC eight-county metropolitan planning region. To date, H-GAC has completed 40 Liveable Centers Studies. Three studies are currently active while three others are identified future studies. All 46 studies referenced are either based on an underserved community, or include census tract-blocks that are sensitive for environmental justice.

Completed/active Liveable Centers Studies include the City of Waller, Greater Northside Management District, The Greater Eastend Management District, OST/Palm Center, Independence Heights/Northline Development, Airline Improvement District, City of Hempstead, Spring Branch, City of Prairie View, Harris County Precinct 2, The International District, and the City of Pasadena.

Map 18
Liveable Centers Studies in the H-GAC Thirteen-County Metropolitan Planning Region



3.4 TRANSPORTATION EQUITY ANALYSIS

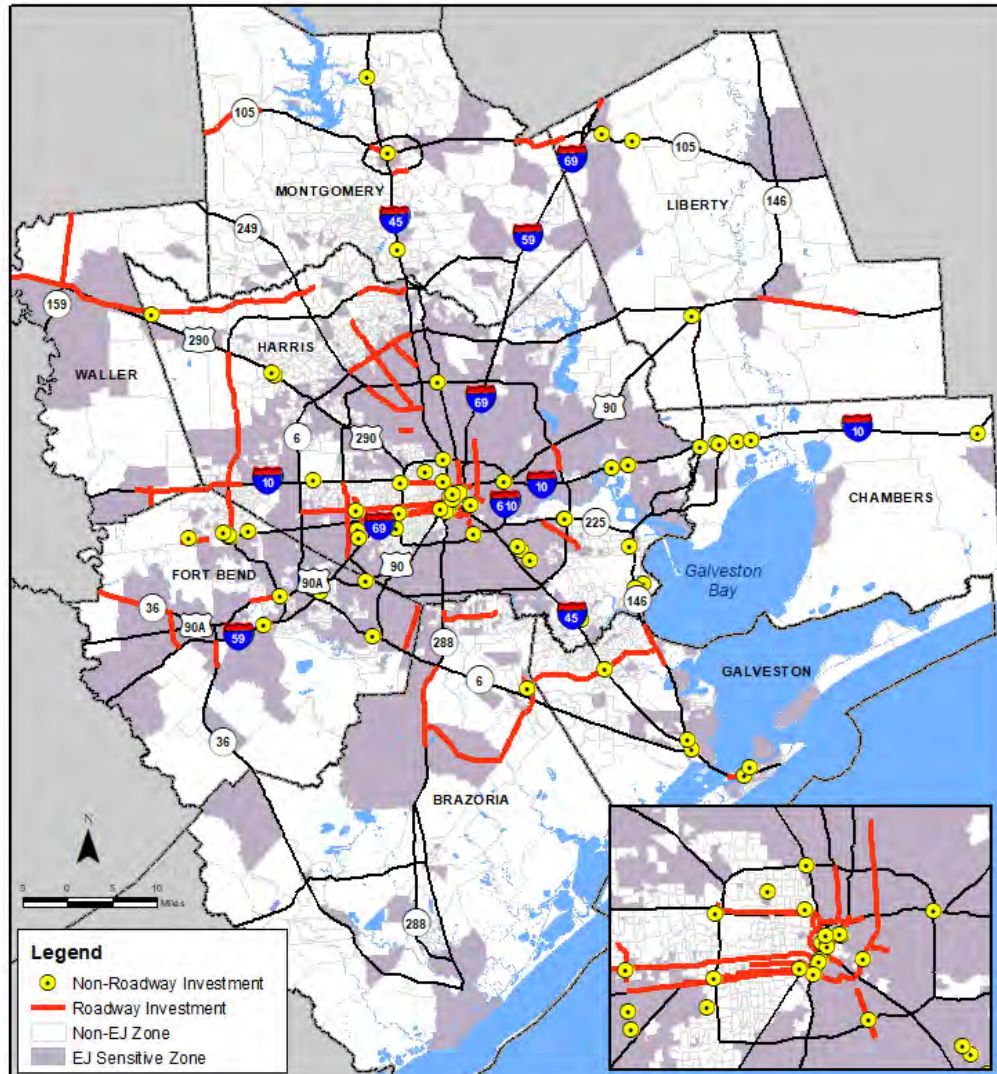
A key indicator of an effective non-discrimination program is the quality of opportunities to participate in the planning process offered stakeholders from the minority and low-income communities. Nondiscrimination initiatives may also be assessed by the level of equity in the distribution of the benefits of transportation programs and investments, as well as the allocation of their associated costs. Through an assortment of quantitative and geospatial tools, several metrics are utilized in characterizing equity with respect to transportation planning in the H-GAC metropolitan planning region. The analyses that follow examine the distribution of transportation investments and how they impact mobility and accessibility in both the underserved (target) communities, and the non-target communities. The results demonstrate how well State and local transportation planning partners support the general mobility and accessibility to employment 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. 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 zones not classified as sensitive for environmental justice.



Map 18

Regionally Significant Transportation Investments in H-GAC Ten-Year Plan (2021 – 2030)



Source: H-GAC Ten-Year Plan (FY 2021 – 2030)

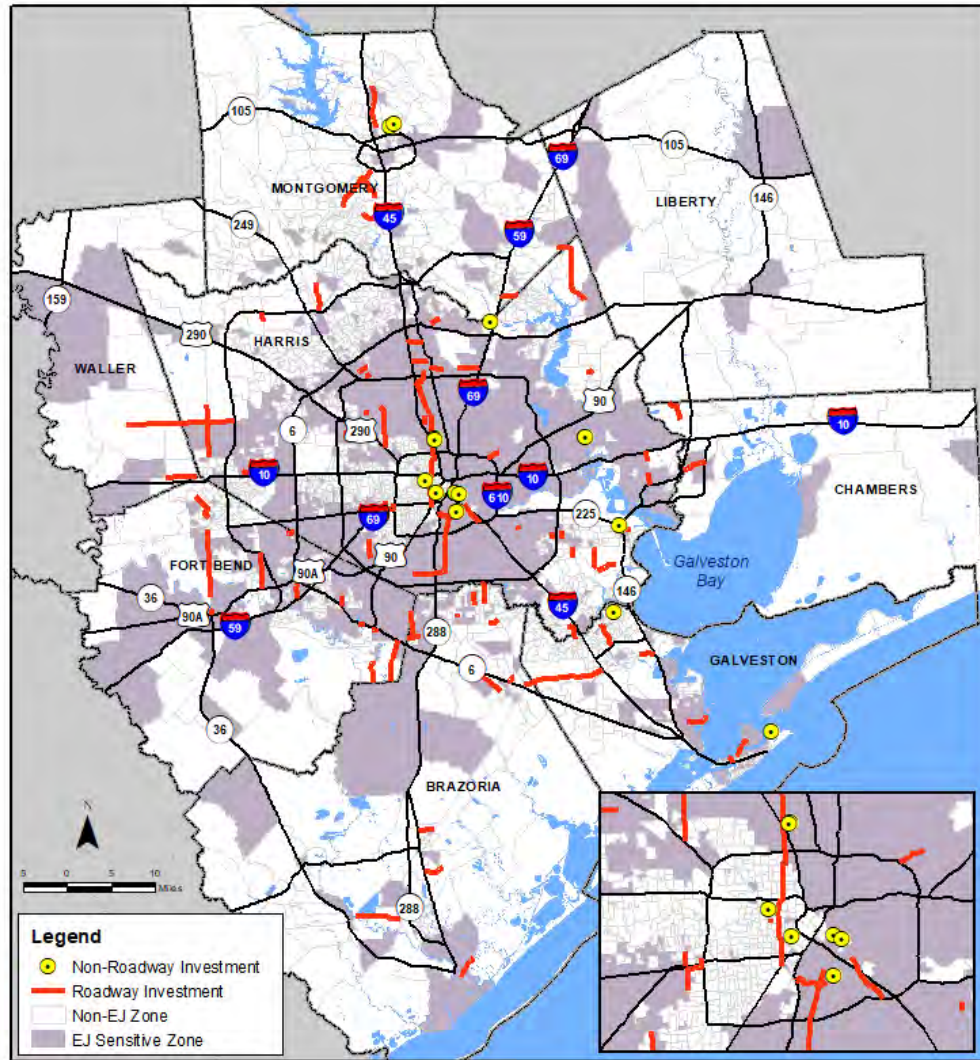
Table 9

Distribution of Regionally Significant Transportation Investments in EJ Zones and Non-EJ Zones (H-GAC Ten-Year Plan (2021 – 2030))

	EJ Areas	EJ Areas with High Disadvantage	Non EJ Areas
Number of Projects (Percent of Projects)	65 out of 93 (69.9%)	39 out of 93 (41.9%)	28 out of 93 (30.1%)
Cost of Projects (Percent of Budget)	\$14,087,701,017 (83.0%)	\$11,313,187,460 (66.6%)	\$2,888,799,507 (17.0%)

Map 19

Local Thoroughfare Investments in H-GAC Ten-Year Plan (2021 – 2030)



Source: H-GAC Ten-Year Plan (FY 2021 – 2030)

Table 10

Distribution of Local Thoroughfare Improvement Projects in EJ Zones and Non-EJ Zones
(H-GAC Ten-Year Plan (2021 – 2030))

	EJ Areas	EJ Areas with High Disadvantage	Non EJ Areas
Number of Projects (Percent of Projects)	65 out of 86 (75.6%)	21 out of 86 (24.4%)	68 out of 86 (79.1%)
Cost of Projects (Percent of Budget)	\$2,011,937,273 (70.3%)	\$621,541,986 (21.7%)	\$2,460,929,579 (86.0%)
Expenditure Per Capita	\$507.9	\$726.2	\$780.9

Map 20
 Location of Mapped Sidewalk Facilities within Eight-County MPO Region

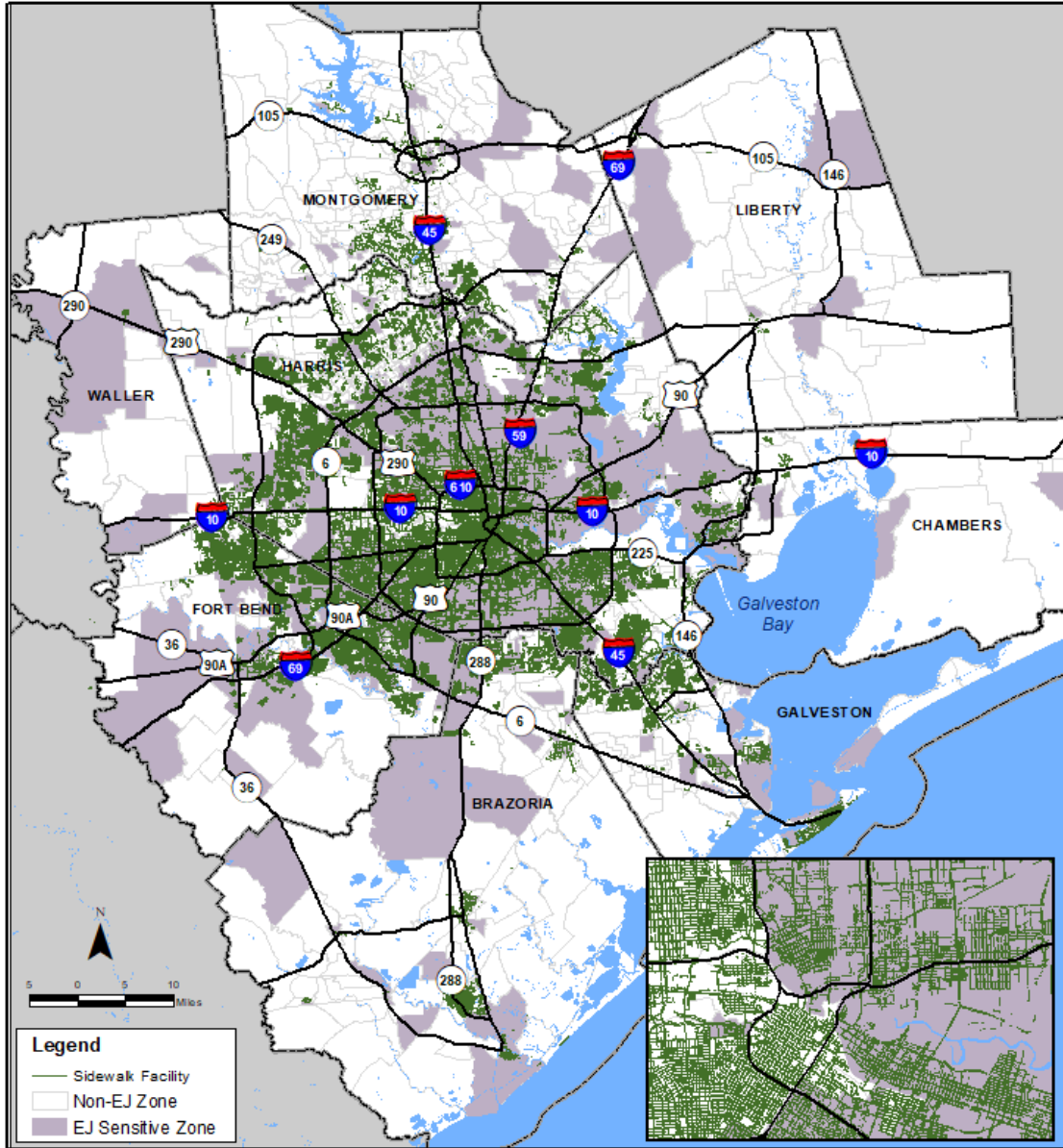


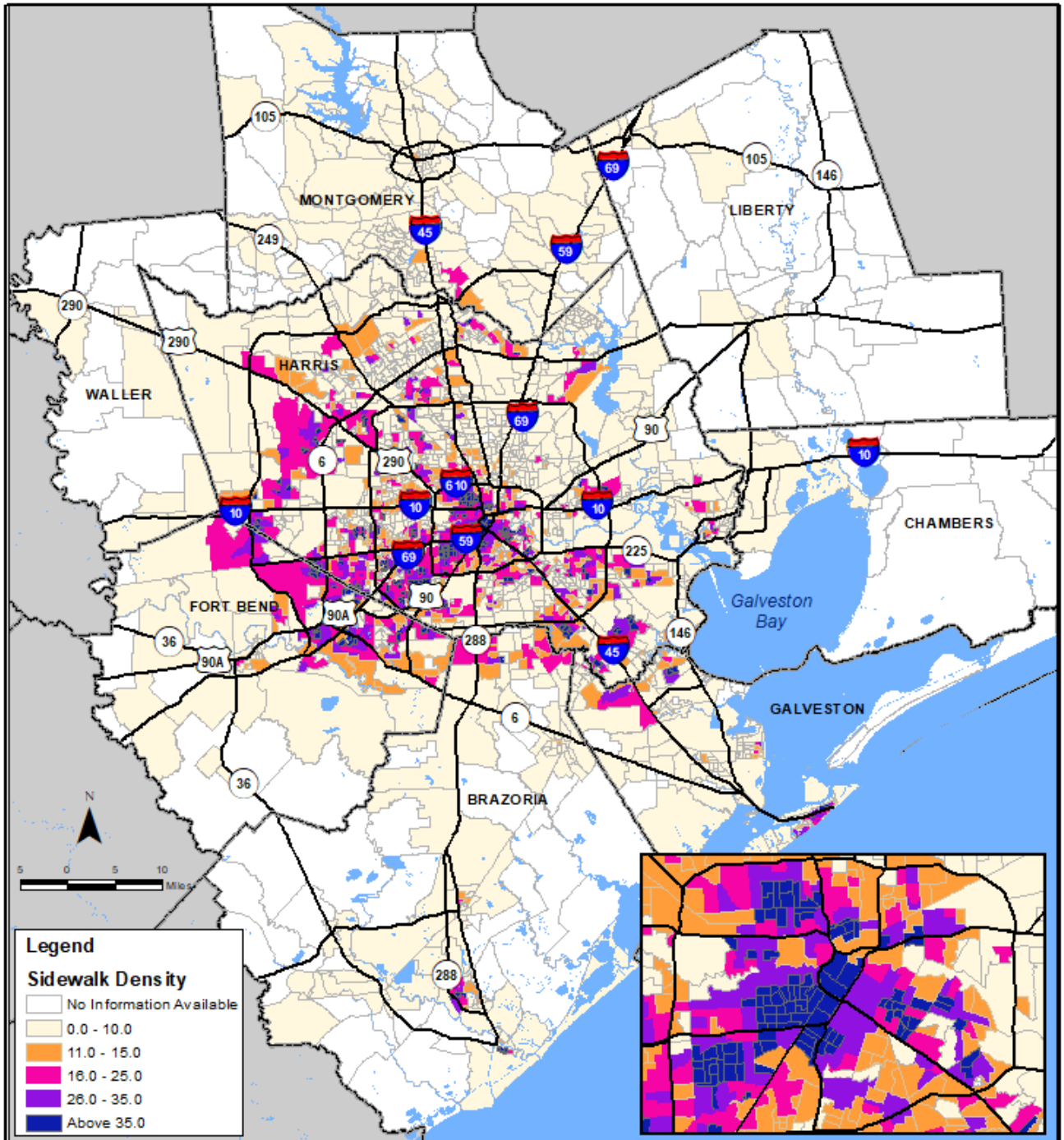
Table 11
 EJ Target and Non-Target Areas and the Sidewalk Facilities within the Eight County MPO Region

	EJ Areas	EJ Areas with High Disadvantage	Non EJ Areas
Length of Sidewalks (% of Infrastructure)	10,628.6 miles (54.8%)	2,314.7 miles (11.9%)	10,199.4 miles (52.6%)

Source: H-GAC Geographical Information Services (GIS) Database - 2024

Map 21

Sidewalk Density by Census Block-Group Within the Eight-County MPO Region (in miles/sq. mile)



Source: Houston-Galveston Area Council Geographic Information Service (GIS) 2024

Table 12
 Trip Characteristics of Auto Users During Morning Peak Period (6 am – 9 am)

	All TAZ Zones	Non-EJ Zones	EJ Zones	EJ Zones - High Disadvantage
<i>Average Vehicle Trip Time (Minutes)</i>				
2023 Network	24.5	26.1	22.4	19.6
2045 Build Network	28.8	31.8	23.8	20.5
2045 No-Build	29.8	33.3	24.0	20.6
<i>Average Vehicle Trip Length (Miles)</i>				
2023 Network	14.5	15.6	13.0	11.4
2045 Build Network	15.4	17.1	12.7	11.0
2045 No-Build	14.9	16.6	12.3	10.6
<i>Average Vehicle Trip Speed (Miles/Hour)</i>				
2023 Network	35.5	36.0	34.8	34.9
2045 Build Network	32.1	32.2	31.9	32.1
2045 No-Build	30.1	29.8	30.6	30.8

Source: H-GAC Travel Demand Model, 2024

Table 13
 Trip Characteristics of Transit Users During Morning Peak Period (6 am – 9 am)

	All TAZ Zones	Non-EJ Zones	EJ Zones	EJ Zones - High Disadvantage
<i>Average Trip Time (Minutes)</i>				
2023 Network	19.9	23.3	17.9	14.9
2045 Build Network	26.8	36.7	20.7	18.1
2045 No-Build	22.8	29.8	18.8	16.0
<i>Average Trip Length (Miles)</i>				
2023 Network	12.1	14.1	10.9	9.2
2045 Build Network	14.5	19.7	11.3	9.9
2045 No-Build	12.0	15.2	10.2	8.8
<i>Average Trip Speed (Miles/Hour)</i>				
2023 Network	36.3	36.4	36.3	37.1
2045 Build Network	32.5	32.2	32.9	32.7
2045 No-Build	31.6	30.6	32.4	33.1
<i>Number of Transit Trips</i>				
2023 Network	96,866	36,522	60,343	20,456
2045 Build Network	242,941	93,142	149,799	52,339
2045 No-Build	113,257	41,111	72,146	26,101

Source: H-GAC Travel Demand Model, 2024

Table 14
Level of Service During Morning Peak Period (6 am – 9 am)

Roadway Classification	Year 2023		2045 Conformity Network		2045 No-Build Network	
	LOS	% by Class	LOS	% by Class	LOS	% by Class
Freeways	A-B-C	84.8%	A-B-C	73.1%	A-B-C	68.6%
	D-E	12.8%	D-E	15.2%	D-E	15.2%
	F	2.4%	F	11.1%	F	16.3%
Toll Roads	A-B-C	93.9%	A-B-C	82.5%	A-B-C	76.8%
	D-E	4.9%	D-E	9.2%	D-E	13.2%
	F	1.2%	F	8.3%	F	9.9%
Principal Arterials	A-B-C	92.4%	A-B-C	82.0%	A-B-C	75.6%
	D-E	5.3%	D-E	10.5%	D-E	11.4%
	F	2.3%	F	7.5%	F	13.0%
Other Arterials	A-B-C	92.8%	A-B-C	83.1%	A-B-C	77.8%
	D-E	5.5%	D-E	10.0%	D-E	11.4%
	F	1.6%	F	6.9%	F	10.8%
Collectors	A-B-C	97.6%	A-B-C	89.2%	A-B-C	84.0%
	D-E	1.8%	D-E	5.4%	D-E	6.8%
	F	0.6%	F	5.4%	F	9.2%
Ramps	A-B-C	93.1%	A-B-C	88.8%	A-B-C	86.9%
	D-E	4.0%	D-E	5.8%	D-E	5.6%
	F	3.0%	F	5.4%	F	7.5%
Frontage	A-B-C	93.6%	A-B-C	84.3%	A-B-C	81.0%
	D-E	4.4%	D-E	8.6%	D-E	9.3%
	F	2.0%	F	7.1%	F	9.7%
HOT	A-B-C	76.6%	A-B-C	65.2%	A-B-C	58.5%
	D-E	23.4%	D-E	23.0%	D-E	20.4%
	F	0.0%	F	11.7%	F	21.2%

Source: H-GAC Travel Demand Model, 2023

Table 15
Accessibility to Jobs by Automobile and Transit Modes – Comparisons by Network

	Number of Jobs Accessible within 30 Minutes by Automobile			Number of Jobs Accessible within 60 Minutes by Transit		
	Year 2023 Network	Year 2045 Build	Year 2045 No-Build	Year 2023 Network	Year 2045 Build	Year 2045 No-Build
Non-EJ Zones	793,686	744,262	703,519	1,665,688	1,532,583	1,516,828
Percent change from 2023 Network		-6.2%	-11.4%		-8.0%	-8.9%
EJ Zones	1,054,307	1,147,762	1,089,848	2,167,869	2,132,190	2,309,659
Percent change from 2023 Network		8.9%	3.4%		-1.6%	6.5%
EJ Zones with High Disadvantage	1,479,880	1,664,339	1,596,098	2,561,174	2,689,449	2,978,959
Percent change from 2023 Network		12.5%	7.9%		5.0%	16.3%

Source: H-GAC Travel Demand Model, 2024

Table 16
Accessibility to Jobs by Automobile and Transit Modes – By EJ Category

EJ Category	Jobs Accessible in 30 Mins by Auto			Jobs Accessible in 60 Mins by Transit		
	Year 2023 Network	Year 2045 Build	Year 2045 No-Build	Year 2023 Network	Year 2045 Build	Year 2045 No-Build
Non-EJ	793,686	744,262	703,519	1,665,688	1,532,583	1,516,828
All EJ	1,054,307	1,147,762	1,089,848	2,167,869	2,132,190	2,309,659
Minority	1,077,333	1,178,572	1,119,685	2,209,131	2,182,167	2,367,498
Low-Income	1,225,619	1,367,626	1,304,969	2,239,969	2,336,747	2,556,402
LEP	1,420,783	1,635,909	1,569,585	2,508,473	2,623,711	2,921,826
Female HH	1,274,101	1,458,919	1,403,756	2,348,757	2,490,084	2,747,902
Zero Auto HH	1,524,290	1,761,807	1,704,548	2,525,476	2,771,041	3,065,052
LEA	1,366,722	1,525,932	1,455,895	2,464,424	2,530,229	2,779,924
Elderly	1,194,826	1,206,900	1,147,801	2,262,748	2,201,353	2,399,189
Disabled	1,076,234	1,059,332	996,099	2,178,957	2,068,204	2,219,486
High Disadv.	1,479,880	1,664,339	1,596,098	2,561,174	2,689,449	2,978,959

Source: H-GAC Travel Demand Model, 2024

Table 17
The Effect of Tolls on Beltway 8 on Accessibility to Jobs by Automobile and Transit

EJ Category	Jobs Accessible in 30 Mins by Auto			Jobs Accessible in 60 Mins by Transit		
	Year 2023 Network with Toll	Year 2023 Network Without Toll	% Change Due to Toll on Beltway 8	Year 2023 Network with Toll	Year 2023 Network without Toll	% Change from Toll on Beltway 8
Non-EJ	793,686	904,093	+13.9%	1,665,688	2,023,589	+21.5%
All EJ	1,054,307	1,397,696	+32.6%	2,167,869	2,861,590	+32.8%
Minority	1,077,333	1,435,048	+33.2%	2,209,131	2,924,395	+32.4%
Low-Income	1,225,619	1,660,546	+35.5%	2,239,969	2,999,514	+33.9%
LEP	1,420,783	1,955,897	+37.7%	2,508,473	3,334,557	+32.9%
Female HH	1,274,101	1,754,802	+37.7%	2,348,757	3,213,439	+36.8%
Zero Auto HH	1,524,290	2,113,555	+38.7%	2,525,476	3,457,240	+36.9%
LEA	1,366,722	1,814,928	+32.8%	2,464,424	3,205,145	+30.1%
Elderly	1,194,826	1,453,400	+21.6%	2,262,748	2,870,057	+26.8%
Disabled	1,076,234	1,259,873	+17.1%	2,178,957	2,725,246	+25.1%
High Disadv.	1,479,880	1,981,379	+33.9%	2,561,174	3,383,775	+32.1%

Source: H-GAC Travel Demand Model, 2024

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Map 22
 Pedestrian-Bikeway Facilities in the Houston-Galveston Metropolitan Planning Area

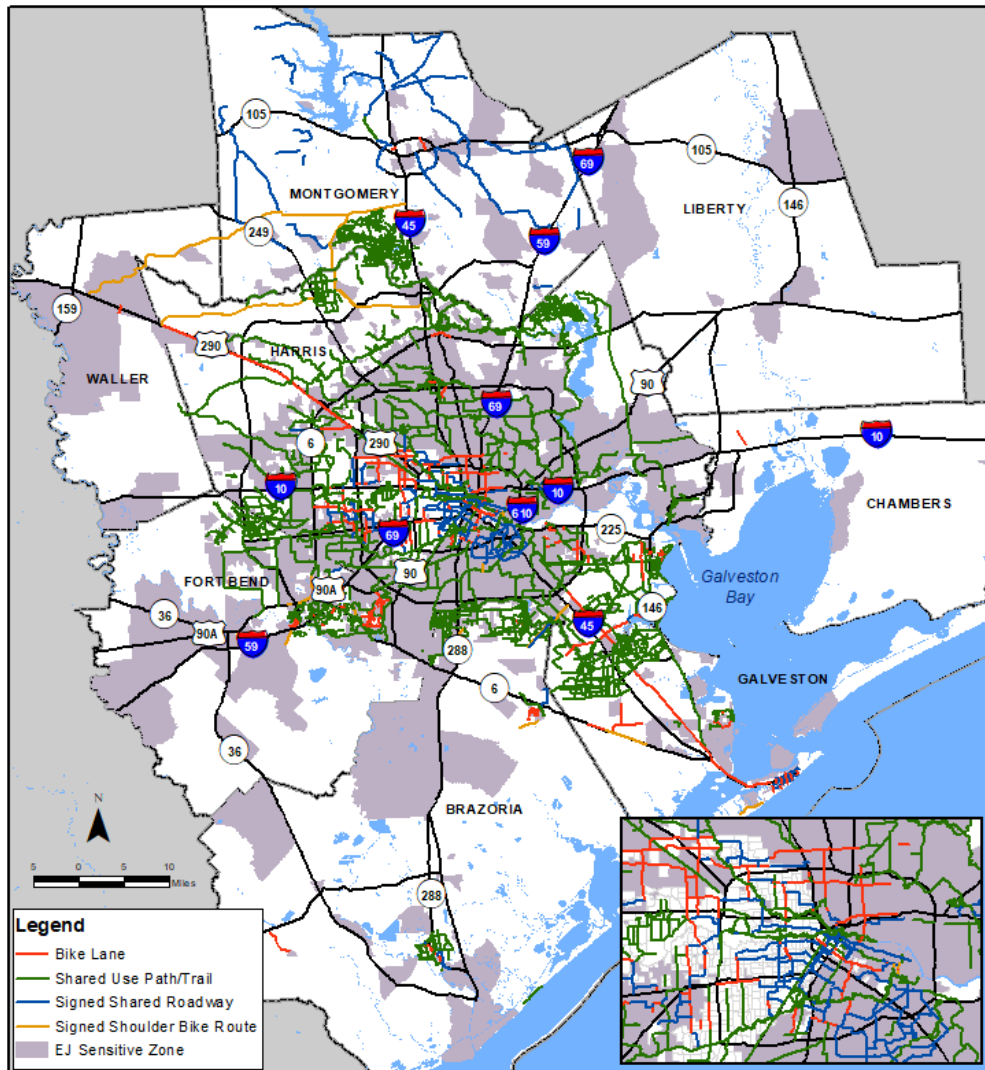


Table 18: Bikeway Infrastructure within the Eight-County MPO Region

Ped-Bike Facility	Regional Total	In Non EJ Area	% of Network	In EJ Area	% of Network	EJ with High Disadvantage	% of Network
Bike Lane	276 Miles	223 Miles	81.0%	215 Miles	78.0%	142 Miles	51.6%
Shared Use Path	2,203 Miles	1,649 Miles	74.8%	1,384 Miles	62.8%	532 Miles	24.1%
Signed Shared Roadway	281 Miles	185 Miles	66%	97 Miles	34%	24 Miles	9%
Signed Shoulder Bike Route	111 Miles	105 Miles	94.8%	86 Miles	77.2%	1 Mile	1%
Total	2,953 Miles	2,269 Miles	76.8%	1,884 Miles	63.8%	795 Miles	26.9%

Source: H-GAC Regional Bikeway Plan 2024

Map 23
 METRO Local and Express Bus Routes – Approximate Hours of Operation

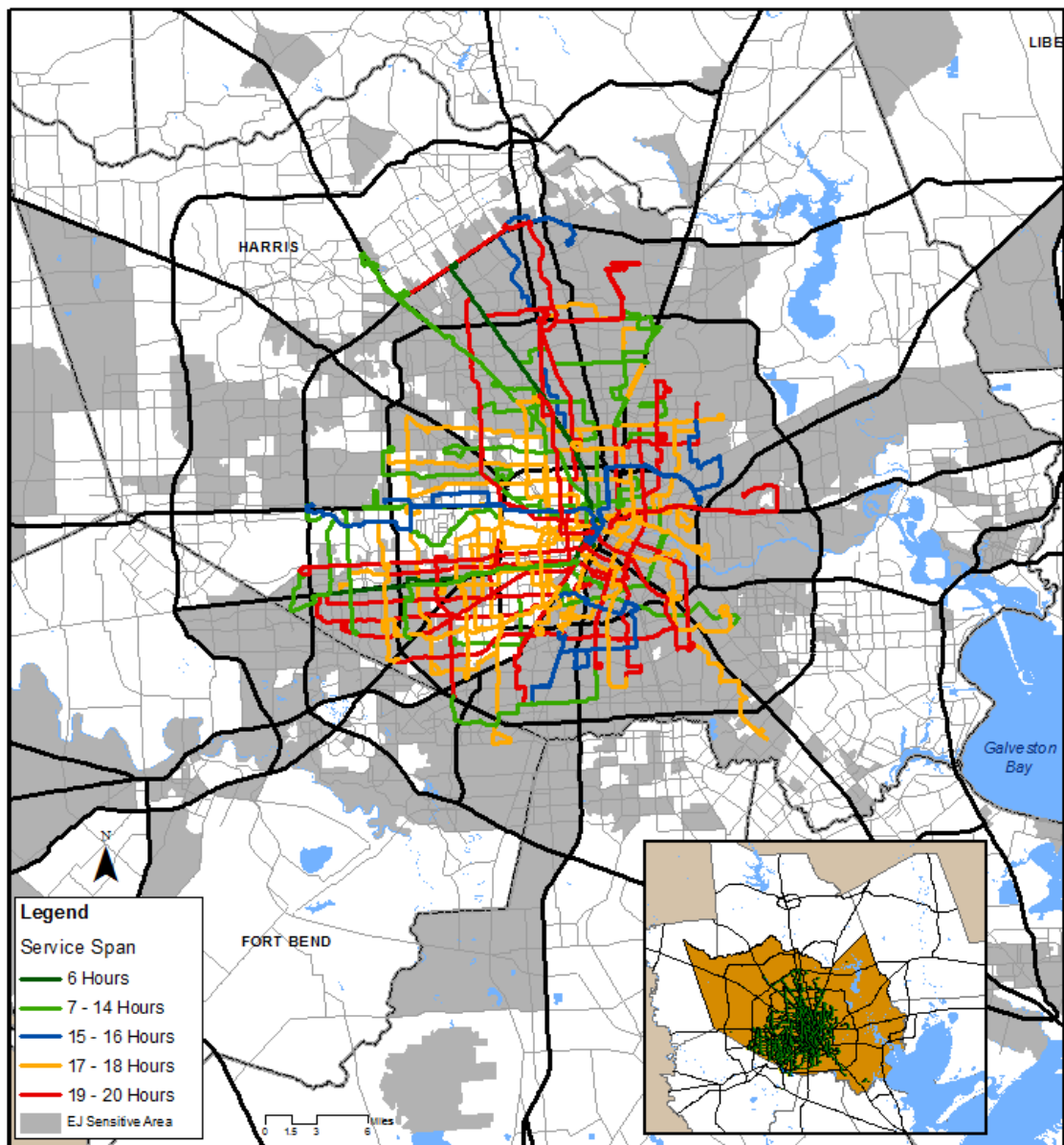
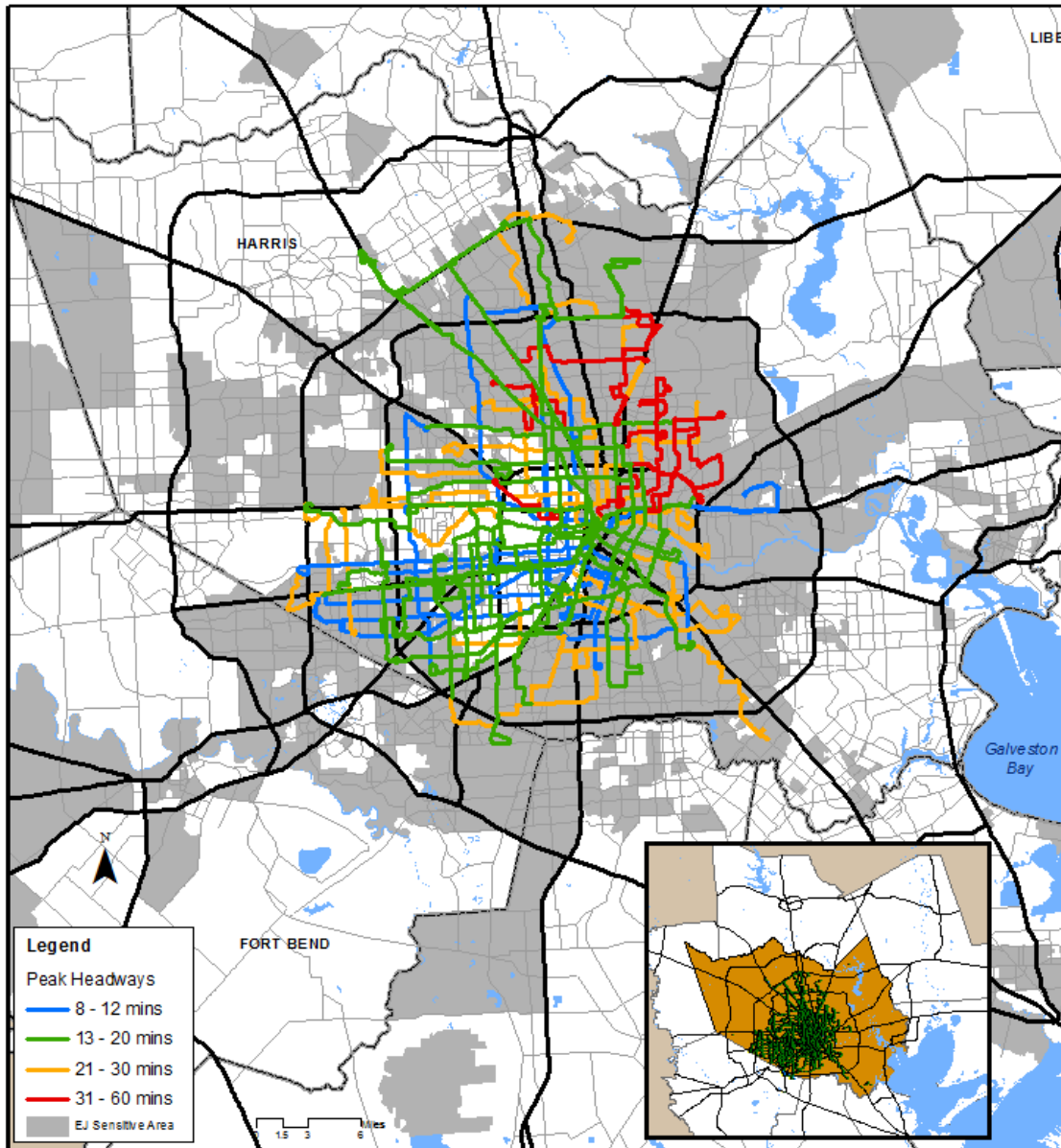


Table 19:
 Distribution of METRO Bus Stops in the Houston Metropolitan Region

	Number of Bus Stops	Percent of Bus Stops
EJ Areas	6,484	72.0%
Non-EJ Areas	2,532	28.0%
EJ-High Disadvantage*	3401	37.7%
Total	9,016	100%

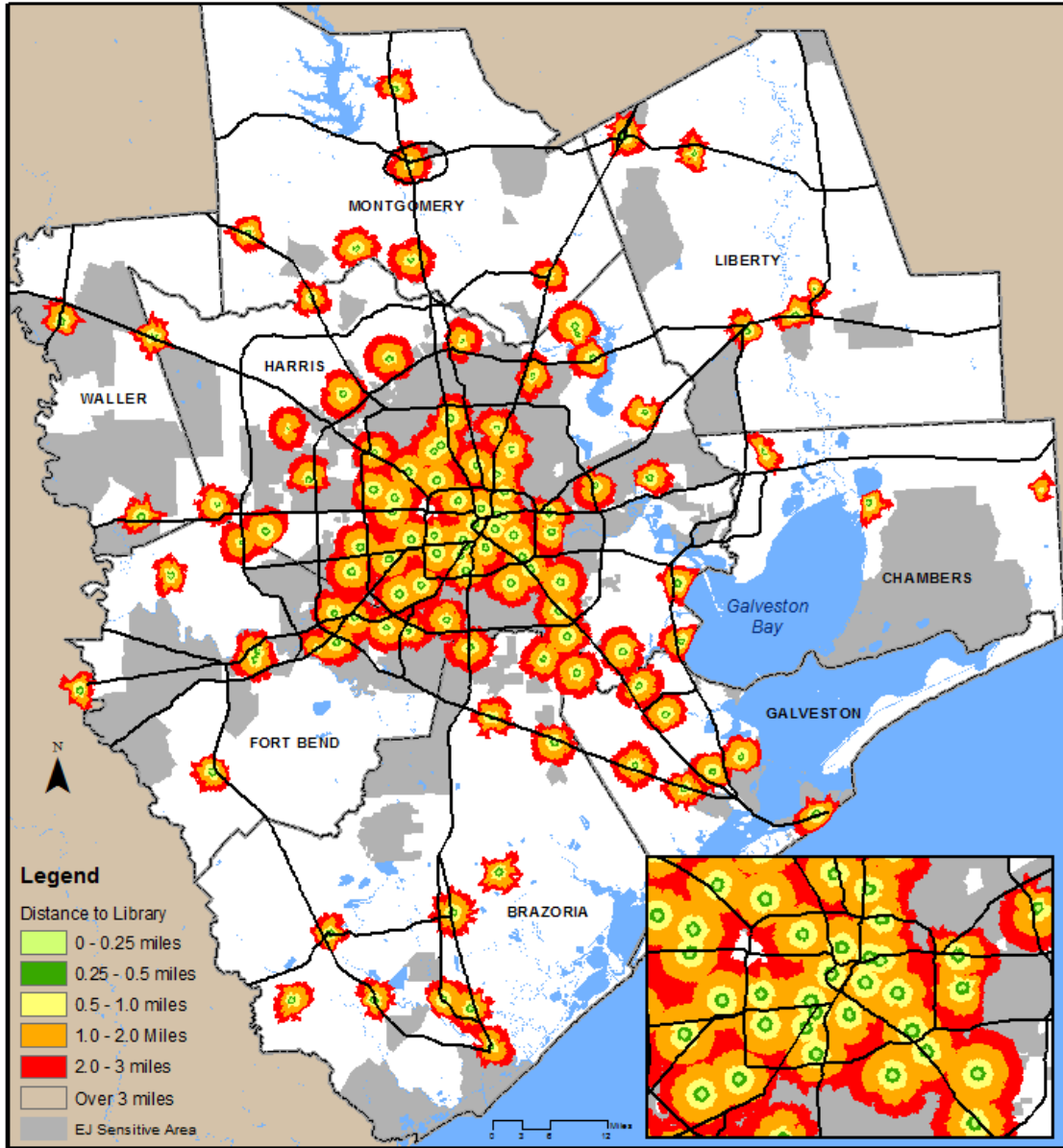
Source: Metropolitan Transit Authority of Harris County, 2024 * Subset of the Environmental Justice Areas

Map 24
METRO Bus Routes – Peak Headway Conditions



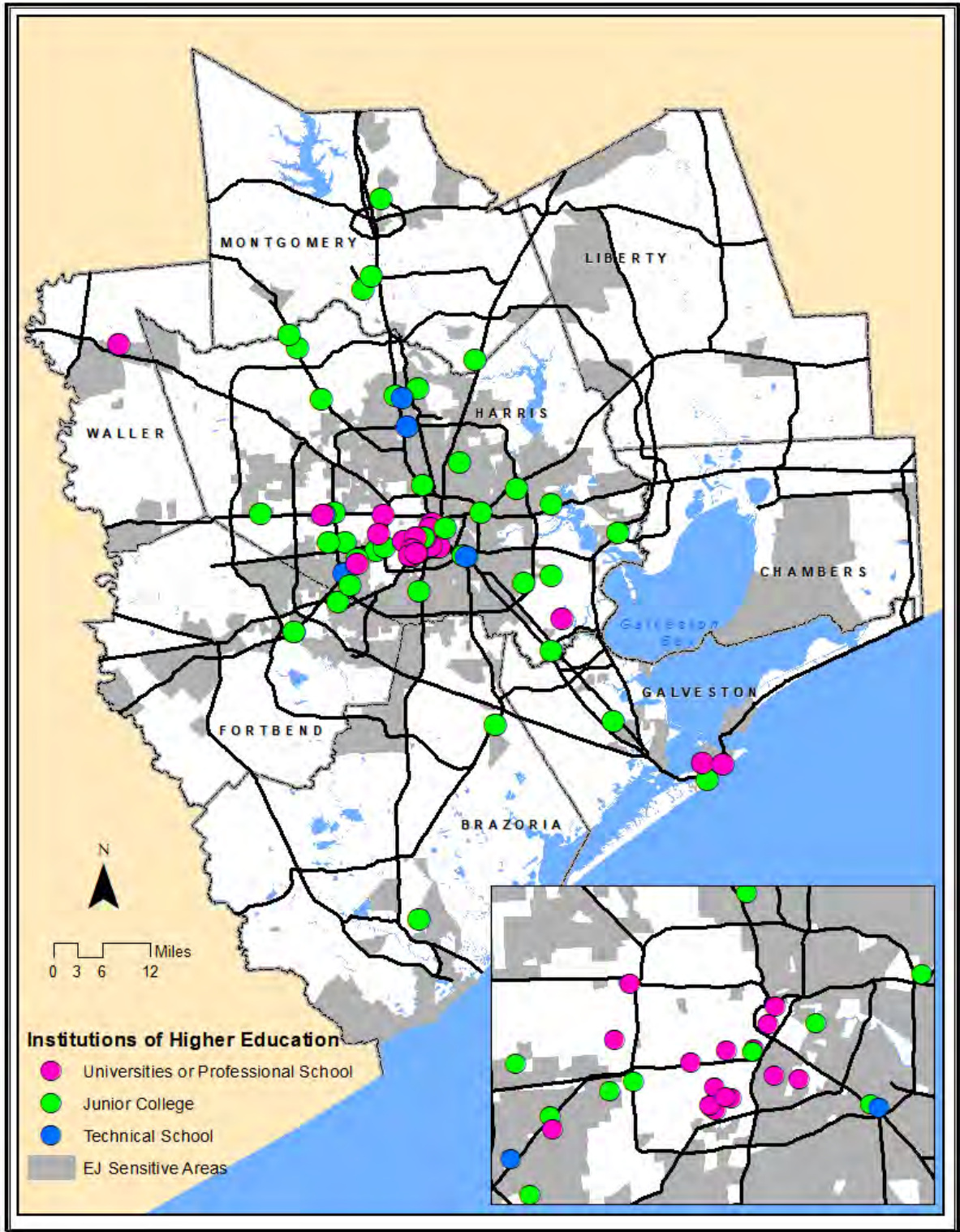
Source: Metropolitan Transit Authority of Harris County, 2017

Map 25
Travel-Shed for County Library Facilities in the Eight-County MPO Region



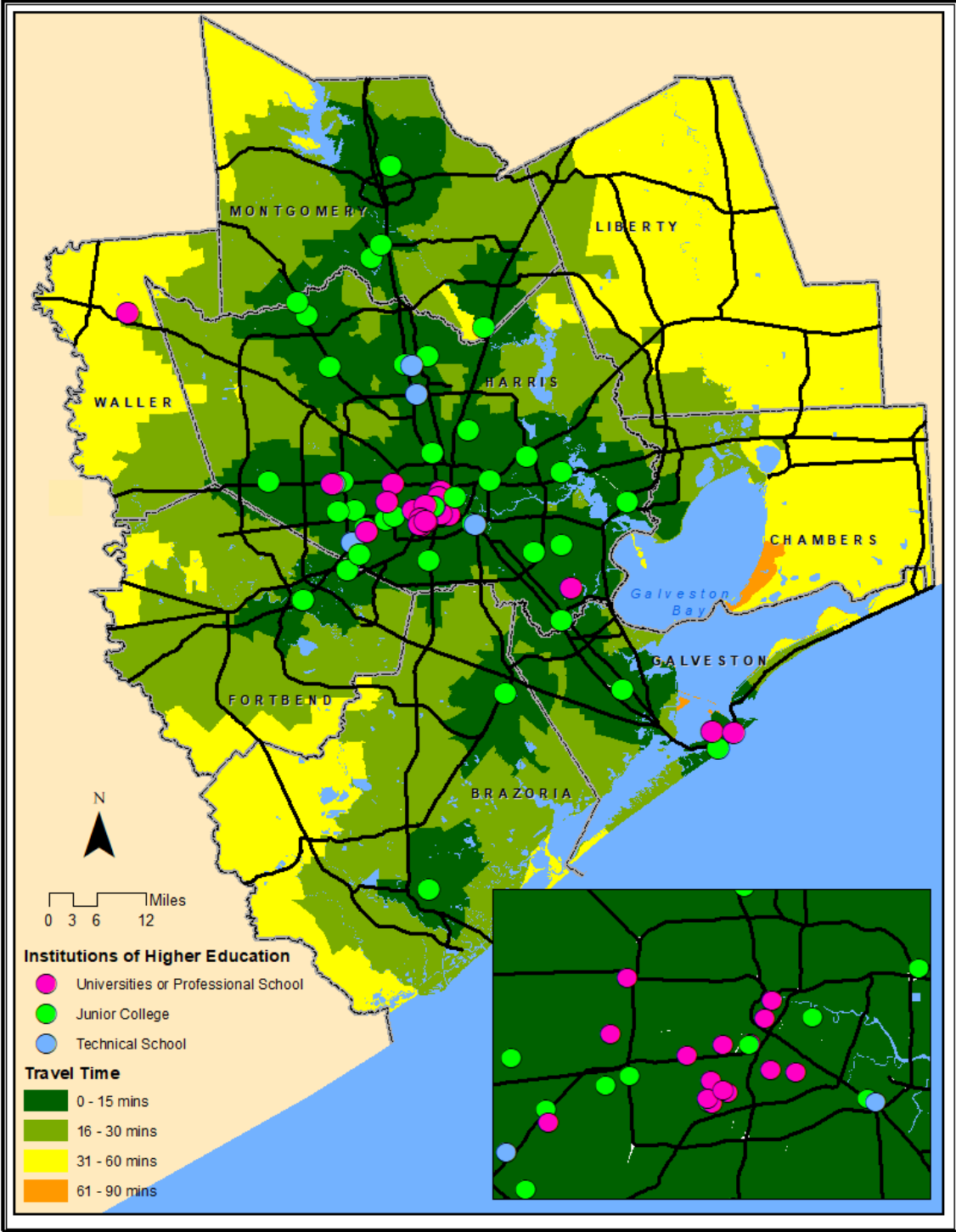
Source: H-GAC Geographical Information System, 2017

Map 26
Higher Education Facilities in the Eight-County MPO Region



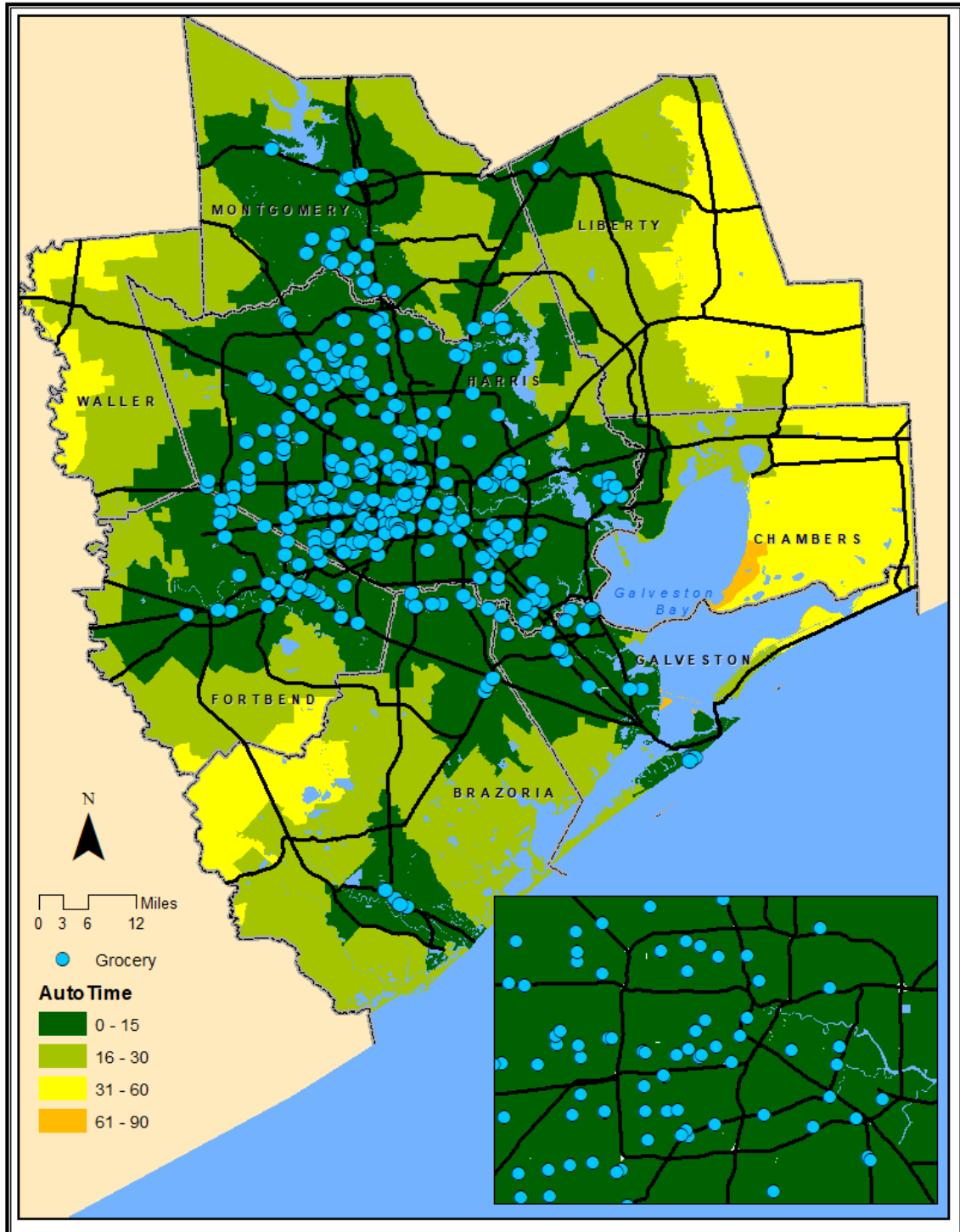
Source: H-GAC Geographical Information System, 2021

Map 27
 Travel-Shed for Higher Education Facilities in the Eight-County MPO Region



Source: H-GAC Geographical Information System, 2021

Map 28
Travel-Shed for Grocery Stores in the Eight-County MPO Region



Source: H-GAC Geographical Information System, 2021

Map 29

Total Traffic Crash Events in the H-GAC Metropolitan Planning Region (2019 – 2023)

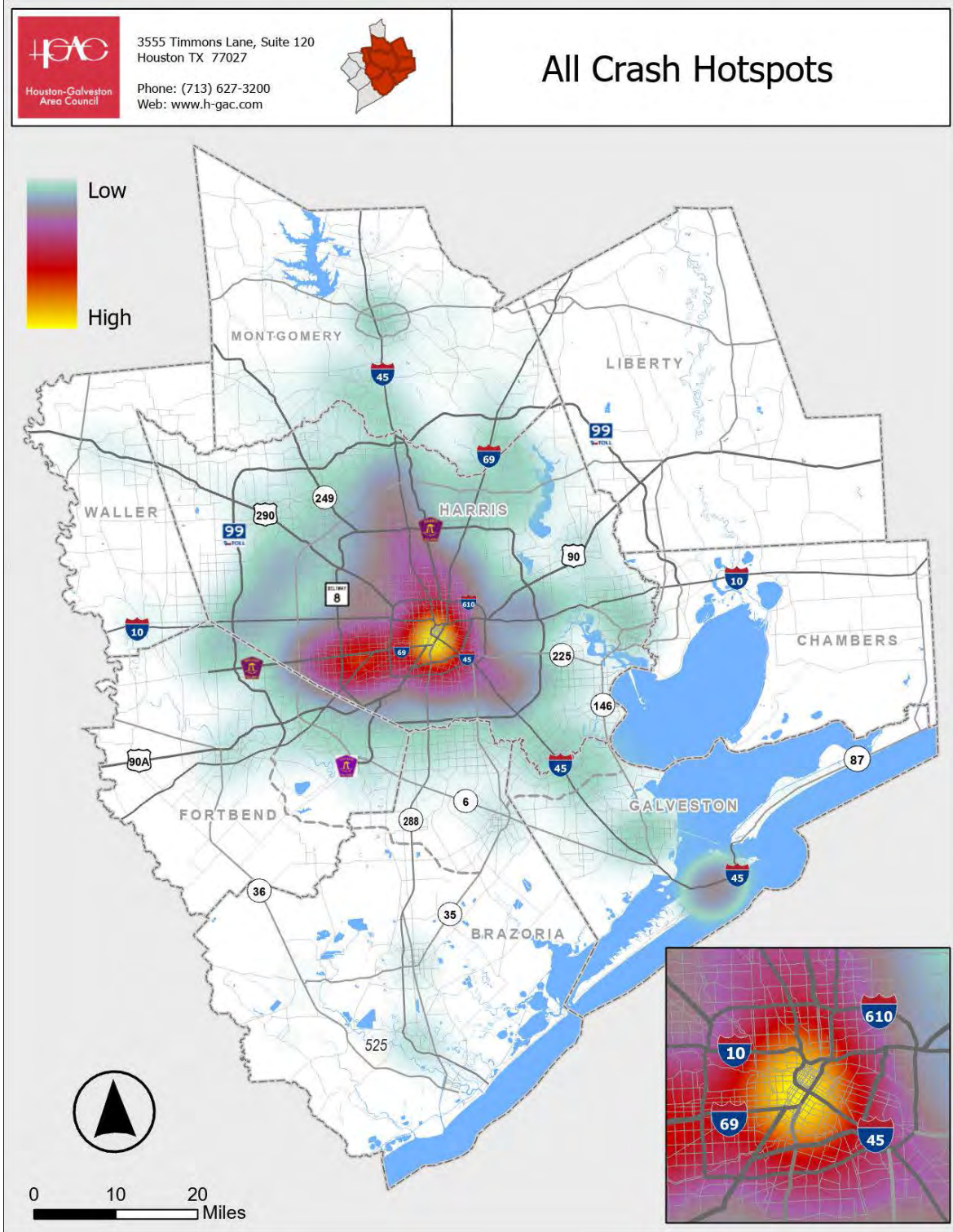
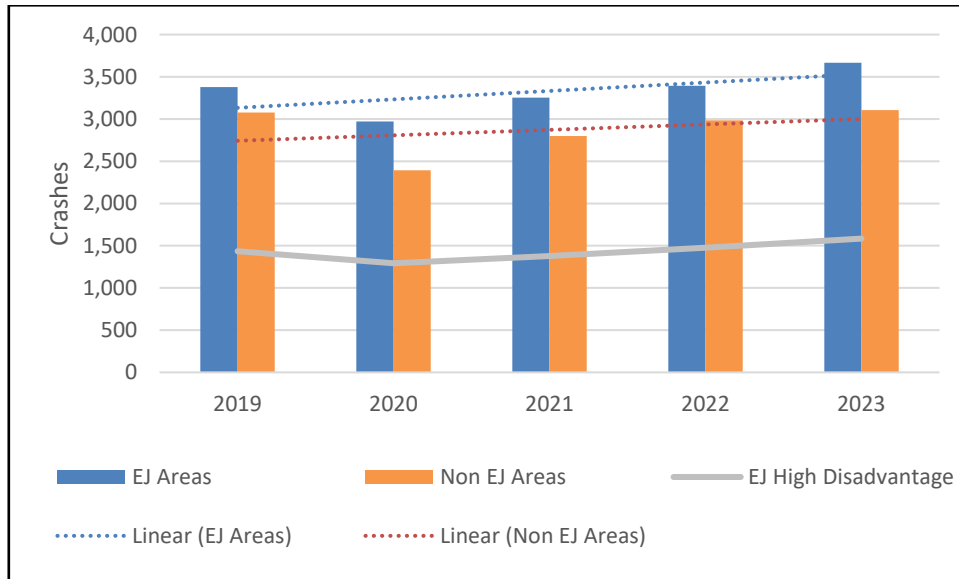
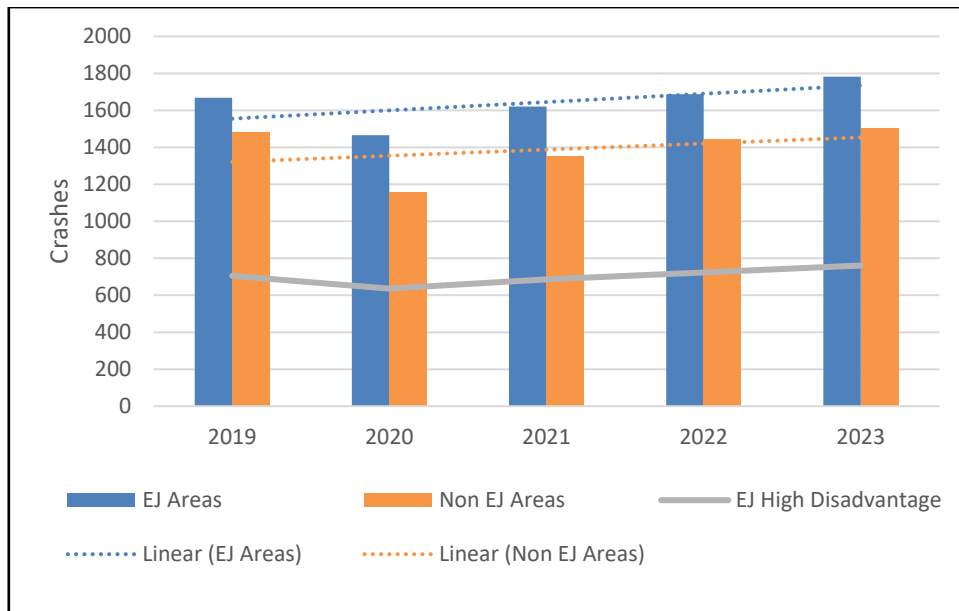


Figure 12
Trends in Traffic Crashes in the H-GAC Metropolitan Planning Region (2019 – 2023)



Source: Geocoded TxDOT Crash Records Information System (CRIS)

Figure 13
Trends in Motor Vehicle Crashes in the H-GAC Metropolitan Planning Region (2019 – 2023)



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

Table 20
Motor Vehicle Crashes in the H-GAC Metropolitan Planning Region (2019 – 2023)

	EJ Zones	Non-EJ Zones	EJ Zones with High Disadvantage*	Total
Population of Area**	3,960,905	3,151,292	855,861	7,112,197
Percent of Total Population	55.7%	44.3%	12.0%	100%
Number of Vehicle Crashes	8,224	6,938	3,511	15,162
% of Vehicle Crash Total	54.2%	45.8%	23.2%	100%
Crashes per 1000 Population	2.1	2.2	4.1	2.1
Vehicle Miles Travelled (VMT)	100,441,585	89,170,628	24,266,352	189,612,213
Crashes Per 100,000 Vehicle Miles Travelled (VMT)	8.2	7.8	14.5	8.0
Incapacitating Injuries	6,128	3,070	2,663	9,189
% of Incapacitating Injuries	66.6%	33.4%	29.9%	100%
Incapacitating Injuries per 100,000 Population	155	97	311	129

Source: Geocoded TxDOT Crash Records Information System (CRIS) 2019 - 2023

* Crash numbers here are a subset of EJ Zone totals. Percentages reflect a share of EJ Zone totals

** Source: US Census Bureau, 2018-2022 American Community Survey Estimates 5-Year Estimates

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Table 21
 Motor Vehicle Crashes resulting in Fatalities or Serious Injuries in the
 H-GAC Metropolitan Planning Region (2019 – 2023)

Crash Year	EJ Zones	Non-EJ Zones	EJ Zones with High Disadvantage*	Total
2019	1,175 (66.6%)	589 (33.4%)	515 (29.2%)	1,764 (19.2%)
2020	1,121 (69.8%)	485 (30.2%)	513 (31.9%)	1,606 (17.5%)
2021	1,285 (70.5%)	538 (29.5%)	560 (30.7%)	1,823 (19.8%)
2022	1,265 (65.2%)	675 (34.8%)	513 (26.4%)	1,940 (21.1%)
2023	1,282 (62.1%)	783 (37.9%)	562 (27.2%)	2,065 (22.5%)
Total	6,128 (66.6%)	3,070 (33.4%)	2,663 (29.9%)	9,189

Source: Geocoded TxDOT Crash Records Information System (CRIS)

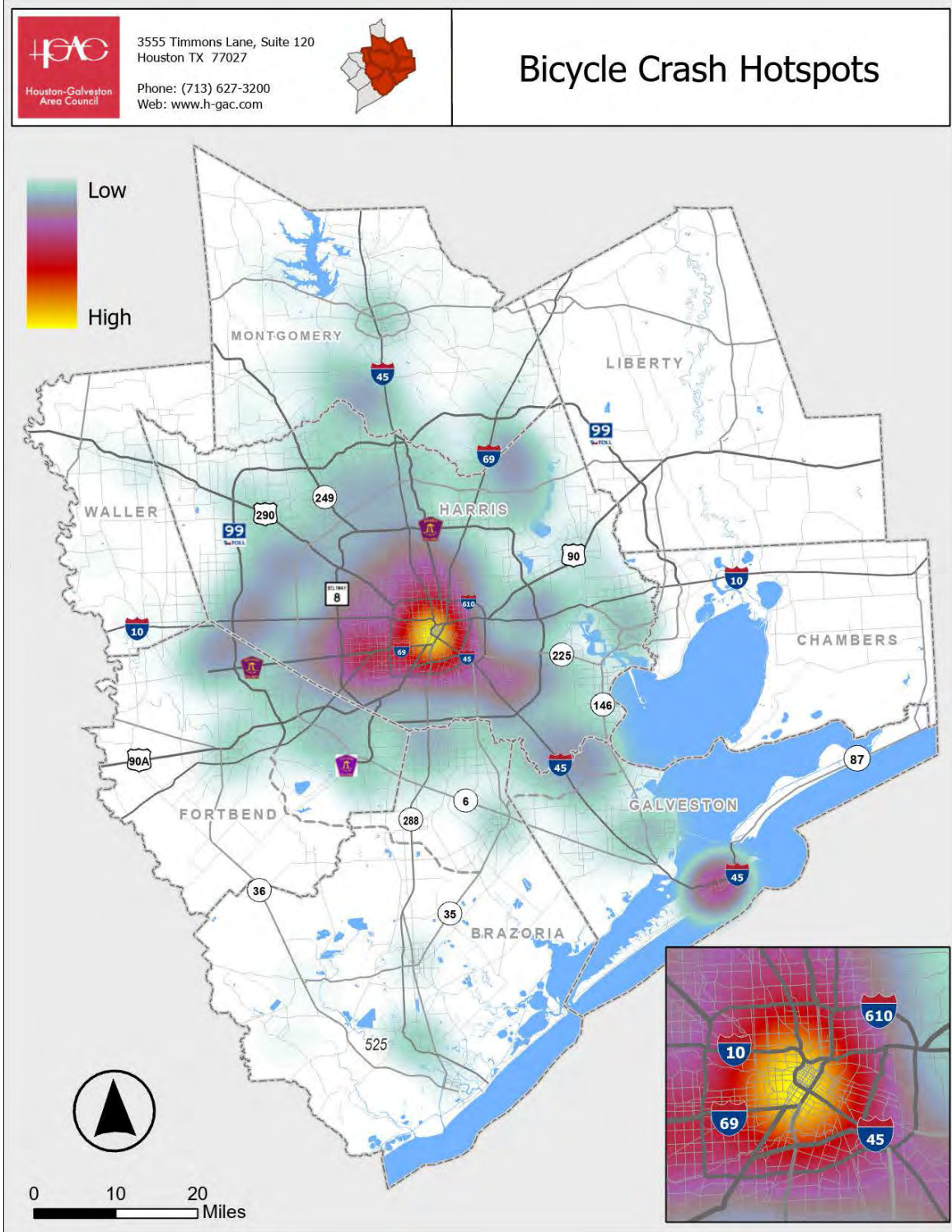
* Crash numbers here are a subset of EJ Zone totals. Percentages reflect a share of EJ Zone totals

** Source: US Census Bureau, 2015-2019 American Community Survey Estimates 5-Year Estimates

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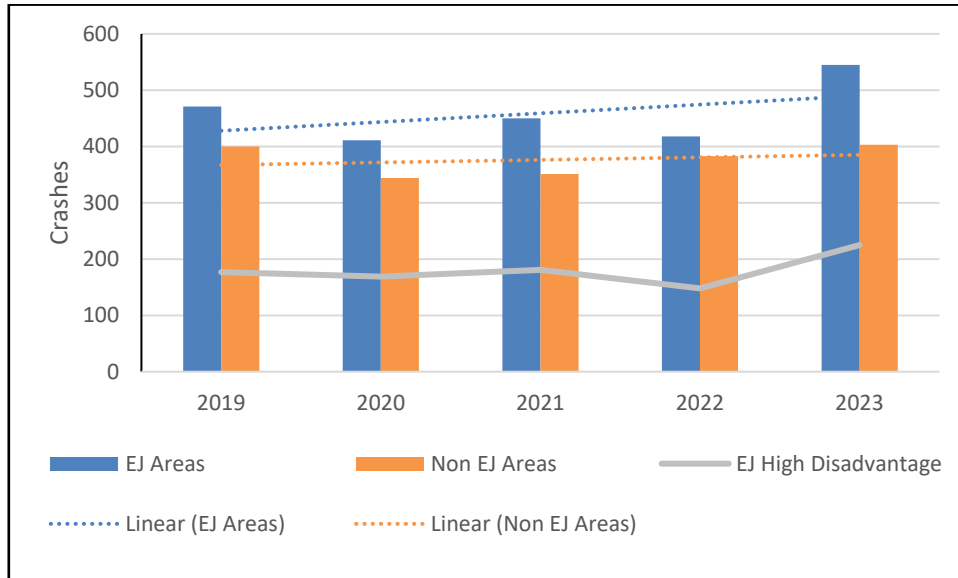
Map 30

Total Traffic Crash Events in the H-GAC Metropolitan Planning Region (2019 – 2023)



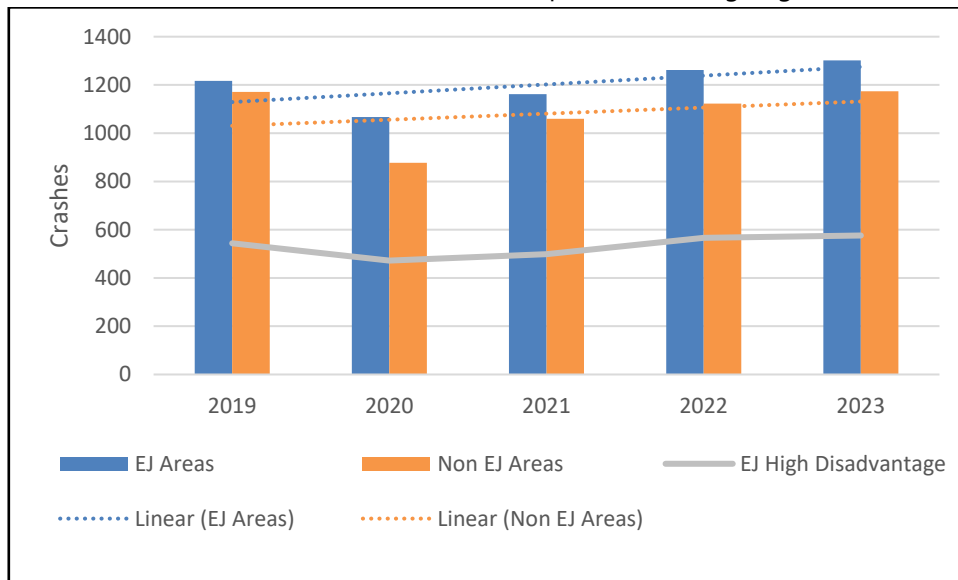
Source: Geocoded TxDOT Crash Records Information System (CRIS)

Figure 14
Trend in Bicycle Crashes in the H-GAC Metropolitan Planning Region (2019 – 2023)



Source: Geocoded TxDOT Crash Records Information System (CRIS)

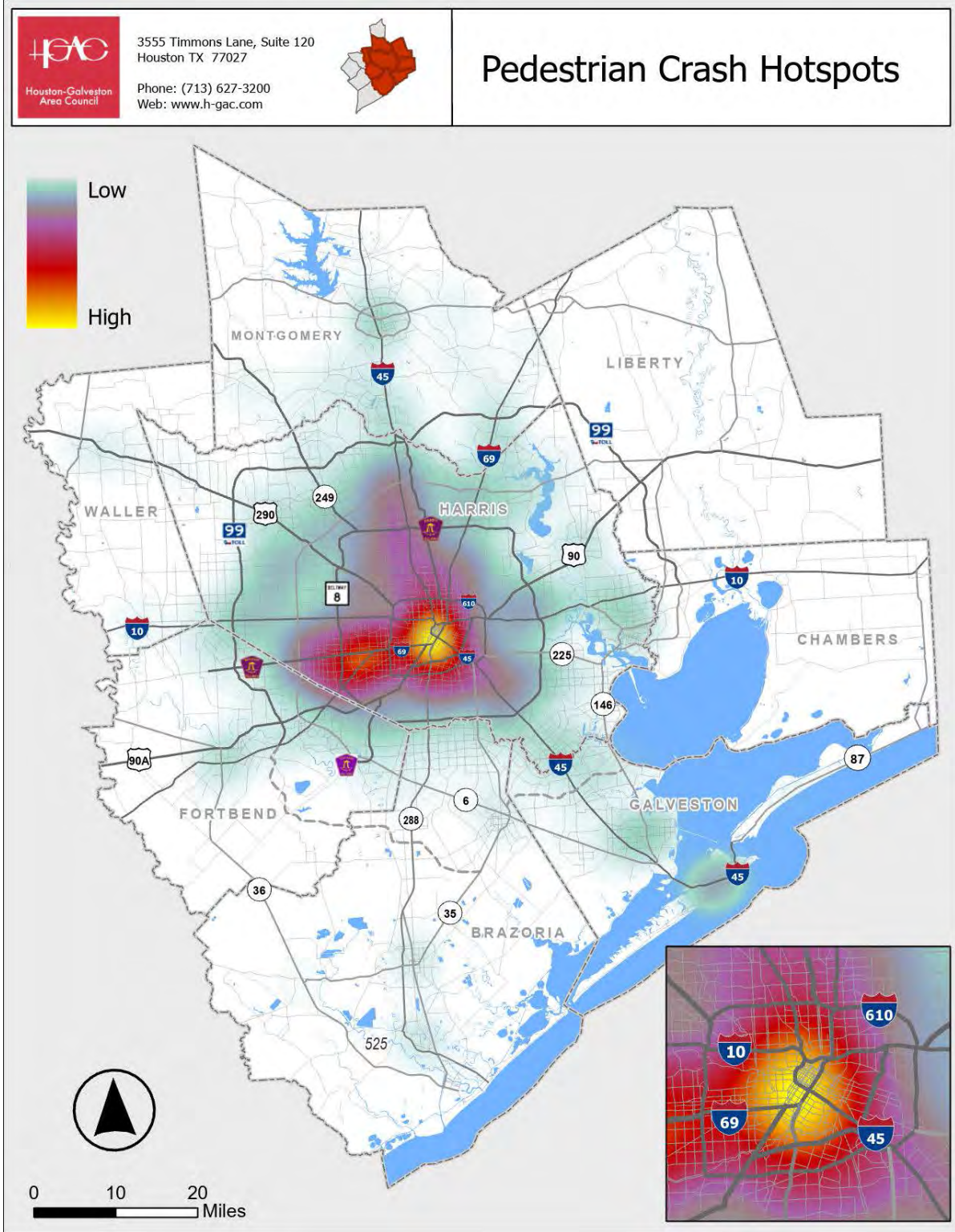
Figure 15
Trend in Pedestrian Crashes in the H-GAC Metropolitan Planning Region (2019 – 2023)



Source: Geocoded TxDOT Crash Records Information System (CRIS)

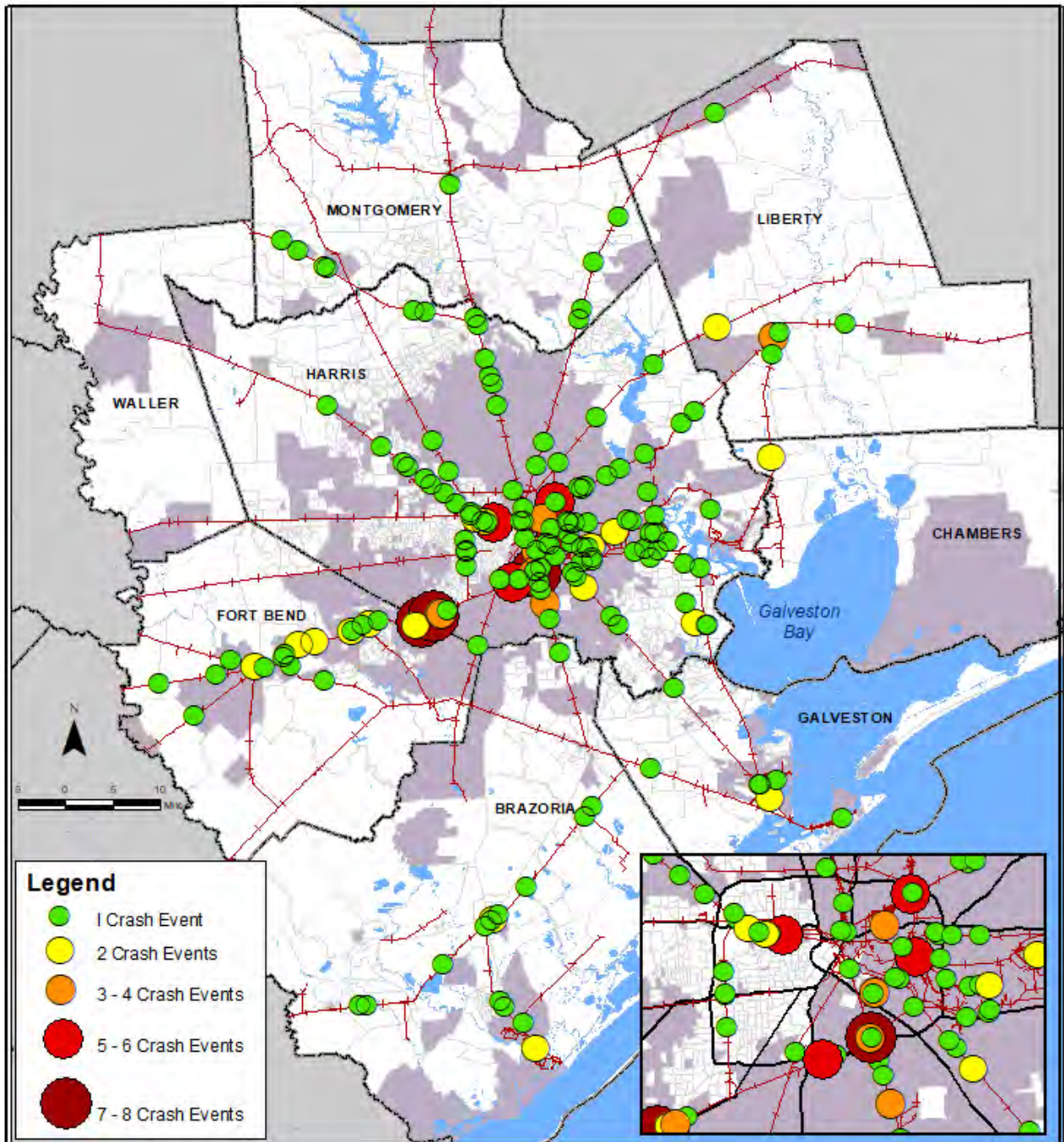
Map 28

Pedestrian Crash Events in the H-GAC Metropolitan Planning Region (2019 – 2023)



Source: Geocoded TxDOT Crash Records Information System (CRIS)

Map 30
At-Grade Railroad Crash Frequency in the H-GAC Metropolitan Planning Region (2016 -2020)



Source: Geocoded TxDOT Crash Records Information System (CRIS)

Figure 16

Project Level Analysis Utilizing the H-GAC Eco-Logical Tool - Red Flag Report

7/17/2021

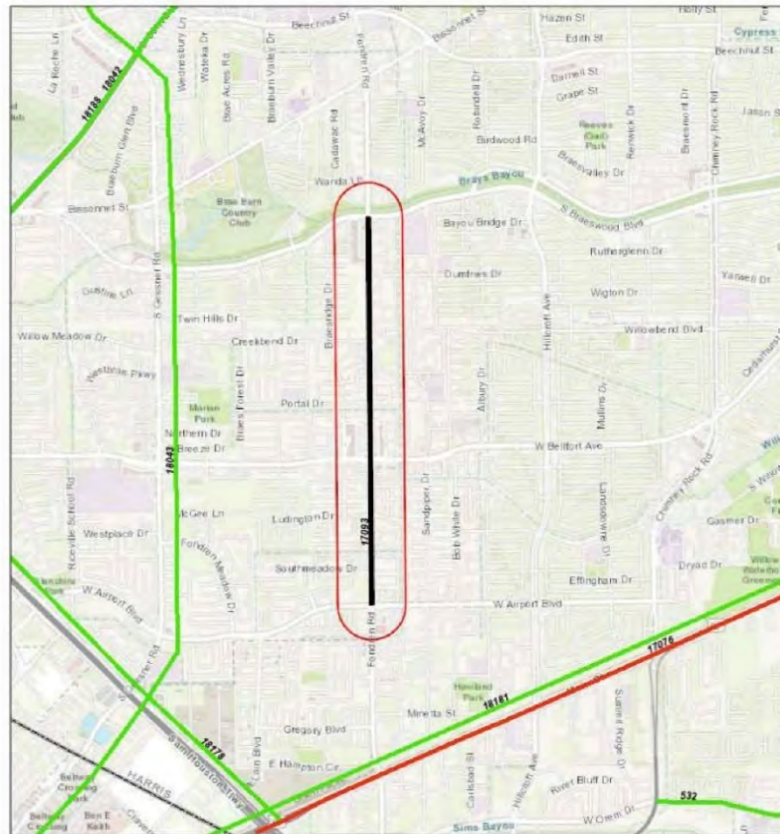


Red Flag Report : Fondren Rd. - From S. Braeswood to W. Airport

Area of Interest (AOI) Information

Area : 595.18 acres

Jul 17 2021 17:52:16 Central Daylight Time



7/17/2021

PROJECT DESCRIPTION: WIDEN FROM 4 TO 6 LANES WITH TRAFFIC SIGNAL AND DRAINAGE IMPROVEMENTS.
 CSJ NUMBER: 0912-72-381
 MPOID: 17093
 SPONSOR: CITY OF HOUSTON
 STATUS: FUNDED

Summary

Name	Count	Area(acres)	Length(mi)
Airports (INF)	0	N/A	N/A
Education Facilities (INF)	5	N/A	N/A
Hospitals (INF)	0	N/A	N/A
Religious Facilities (INF)	4	N/A	N/A
Pipelines (INF)	2	N/A	0.76
Railroad (INF)	0	N/A	0
Trails (INF)	1	N/A	0.39
Cemeteries (INF)	0	0	N/A
Managed Lands (INF)	1	14.51	N/A
Recreational Facilities (INF)	1	15.22	N/A
Mines & Mineral Resources (MIN)	0	N/A	N/A
Sand & Gravel Operations (MIN)	0	N/A	N/A
Wells (MIN)	0	N/A	N/A
Brownfields (HAZ)	0	N/A	N/A
Superfund Sites (HAZ)	0	N/A	N/A
Active Landfills (HAZ)	0	N/A	N/A
Closed Landfills (HAZ)	0	N/A	N/A
NPDES Facilities (HAZ)	0	N/A	N/A
RCRA Sites (HAZ)	5	N/A	N/A
Underground Storage Tanks (HAZ)	2	N/A	N/A
Impaired 303D Waterways (WAT)	3	N/A	1.96
Rivers & Streams (WAT)	3	N/A	1.41
Floodplains (WAT)	15	469.62	N/A
Lakes & Ponds (WAT)	1	0.09	N/A
Wetlands (WAT)	4	10.14	N/A
Archaeological Sites (CUL)	1	12.42	N/A
Historical Sites (CUL)	0	0	N/A
Eco-Types (ECO)	0	0	N/A
Rare, Threatened, Endangered Species (ECO)	1	595.18	N/A
Critical Habitats (ECO)	0	0	N/A
Prime Farmlands (ECO)	4	576.27	N/A
Vulnerable Population (SOC)	19	595.18	N/A

Education Facilities (INF)

7/17/2021

#	Name	School Type	Address	City	State
1	LA AMISTAD LOVE & LEARNING ACADEMY	PUBLIC SCHOOL	10860 ROCKLEY RD	HOUSTON	TX
2	GIRLS & BOYS PREP ACADEMY MIDDLE	PUBLIC SCHOOL	8415 W BELLFORT ST	HOUSTON	TX
3	TORAH GIRLS ACADEMY OF TEXAS	PRIVATE SCHOOL	10101 FONDREN RD STE 136	HOUSTON	TX
4	TORAH DAY SCHOOL	PRIVATE SCHOOL	10900 FONDREN RD	HOUSTON	TX
5	RESTORATION ACADEMY	PRIVATE SCHOOL	6706 W AIRPORT BLVD	HOUSTON	TX

#	ZIP	County	Count
1	77099	HARRIS	1
2	77071	HARRIS	1
3	77096	HARRIS	1
4	77096	HARRIS	1
5	77071	HARRIS	1

Religious Facilities (INF)

#	Name	Address	City	State	ZIP	County	Count
1	BRAESWOOD ASSEMBLY OF GOD	10611 FONDREN ROAD	HOUSTON	TX	77096	HARRIS	1
2	CONGREGATION BETH RAMBAM SEPHARDIC MINYAN	11333 BRAESRIDGE DRIVE	HOUSTON	TX	77071	HARRIS	1
3	CHABAD LUBAVITCH CENTER - TEXAS REGIONAL HEADQUARTERS	10900 FONDREN ROAD	HOUSTON	TX	77096	HARRIS	1
4	LIBERTY BAPTIST CHURCH	12200 FONDREN ROAD	HOUSTON	TX	77035	HARRIS	1

Pipelines (INF)

#	Operator	System Name	Diameter	Commodity	System Type	County	Length(mi)
1	COPANO NGL SERVICES LLC	SHERIDAN-HOUSTON	6.63	HIGHLY VOLATILE LIQUID (HVL)	Highly Volatile Liquids (Propa)	HARRIS	0.38
2	ENTERPRISE CRUDE PIPELINE LLC	TEPPCO SOUTH TEXAS CRUDE LINES	10.75	CRUDE OIL	Crude Transmission	HARRIS	0.38

Trails (INF)

#	Sponsor	Location	Local Name	Bikeway Type	Length(mi)
1	Harris County	BRAYS BAYOU	No Data	Existing Shared Use Path/Trail	0.39

Managed Lands (INF)

3/8

7/17/2021

#	Loc_Nm	Area(acres)
1	BRAESWOOD PARKWAY	14.51

Recreational Facilities (INF)

#	Park Name	Park Local Owner	Park Size (Acres)	Area(acres)
1	Brays Bayou Trail	City of Houston	664.2076737146061	15.22

RCRA Sites (HAZ)

#	Registry ID	Primary Name	Address	City	County
1	110063680556	FAMILY DOLLAR #3105	9890 FONDREN RD	HOUSTON	HARRIS
2	110064014025	FAMILY DOLLAR #7428	11253 FONDREN RD.	HOUSTON	HARRIS
3	110031326553	1.25 EXPERT CLEANERS	6569 W BELLFORT	HOUSTON	HARRIS
4	110005082515	PILGRIM CLEANERS 16	11322 FONDREN RD	HOUSTON	HARRIS
5	110005121796	ENTEC SERVICES	12101 FONDREN DR STE 2009	HOUSTON	HARRIS

#	ZIP	Facility URL	Count
1	77096-3648	https://ofmpub.epa.gov/frs_public2/fi_query_detail_disp_program_facility?p_registry_id=110063680556	1
2	77096-5507	https://ofmpub.epa.gov/frs_public2/fi_query_detail_disp_program_facility?p_registry_id=110064014025	1
3	77035	https://ofmpub.epa.gov/frs_public2/fi_query_detail_disp_program_facility?p_registry_id=110031326553	1
4	77035	https://ofmpub.epa.gov/frs_public2/fi_query_detail_disp_program_facility?p_registry_id=110005082515	1
5	77035-4038	https://ofmpub.epa.gov/frs_public2/fi_query_detail_disp_program_facility?p_registry_id=110005121796	1

Underground Storage Tanks (HAZ)

#	RN	Facility ID	UST Type	Facility Name	Address
1	RN102483906	29185	FULLY REGULATED	STAR STOP 21	11302 FONDREN RD
2	RN102860657	63441	FULLY REGULATED	TIMEWISE FOOD STORE 028 00	11290 FONDREN RD

#	City	State	ZIP	County	Count
1	HOUSTON	TX	77035	HARRIS	1
2	HOUSTON	TX	77096	HARRIS	1

Impaired 303D Waterways (WAT)

7/17/2021

#	Feature ID	Feature URL	Length(mi)
1	TX-1007E_01	http://ofmpub.epa.gov/waters10/attains_wa/terbody.control?p_list_id=TX-1007E_01&p_report_type=T&p_cycle=2010	1.35
2	TX-1007B_01	http://ofmpub.epa.gov/waters10/attains_wa/terbody.control?p_list_id=TX-1007B_01&p_report_type=T&p_cycle=2010	0.38
3	TX-1007L_01	http://ofmpub.epa.gov/waters10/attains_wa/terbody.control?p_list_id=TX-1007L_01&p_report_type=T&p_cycle=2010	0.23

Rivers & Streams (WAT)

#	Segment ID	AU ID	Name	Length (Miles)	Length(mi)
1	1007L	1007L_01	Brays Bayou Above Tidal	0.6567790051522929	0.66
2	1007E	1007E_01	Willow Waterhole Bayou	5.559828078765492	0.38
3	1007B	1007B_01	Brays Bayou Above Tidal	25.10657316564262	0.38

Floodplains (WAT)

#	Category	Area(acres)
1	500YR	303.92
2	100YR	93.48
3	FLOODWAY	72.23

Lakes & Ponds (WAT)

#	Permanent ID	GNIS Name	Water Type	Area(acres)
1	113265195	No Data	LakePond_Perennial	0.09

Wetlands (WAT)

#	Wetland Type	Acres	Area(acres)
1	Riverine	117.04995836216568	6.01
2	Riverine	31.144580498241428	3.07
3	Riverine	3.6258634937366105	0.86
4	Riverine	0.20766872423609858	0.21

Archaeological Sites (CUL)

#	Project Type	Latest Date of Fieldwork	Sponsor Agency	Investigating Firm	Project Proponent	Acres	Area(acres)
1	No Data	August 1, 2002	Federal Housing Administration	HRA Gray and Pape	TxDOT	160.47670503310644	12.42

Rare, Threatened, Endangered Species (ECO)

#	Name	TPWD Link	Area (Sq Miles)	Area(acres)
1	Harris	https://tpwd.texas.gov/gis/rtest/ES_Reports.aspx?countyname=Harris	1777.15	595.18

5/8

7/17/2021

Prime Farmlands (ECO)

#	Area Name	Farm Class	Area(acres)
1	Harris County, Texas	All areas are prime farmland	576.27

Vulnerable Population (SOC)

#	Block Group	Area (Sq Miles)	County	Total Household Population	Total Population
1	482014233012	0.3	Harris	2220	2220
2	482014233022	0.17	Harris	2229	2229
3	482014224013	0.08	Harris	1809	1809
4	482014225001	0.14	Harris	2972	2972
5	482014223014	0.09	Harris	3052	3052
6	482014234012	0.15	Harris	2128	2128
7	482014224012	0.12	Harris	832	832
8	482014234011	0.23	Harris	2338	2373
9	482014225003	0.14	Harris	2946	2946
10	482014223011	0.05	Harris	2219	2219
11	482014223013	0.09	Harris	893	893
12	482014234013	0.49	Harris	1568	1575
13	482014222003	0.09	Harris	799	799
14	482014236004	0.34	Harris	2284	2292
15	482014230001	0.15	Harris	3324	3342
16	482014226003	0.28	Harris	2702	3013
17	482014233021	0.22	Harris	881	881
18	482014224023	0.04	Harris	1773	1773
19	482014225004	0.2	Harris	788	788


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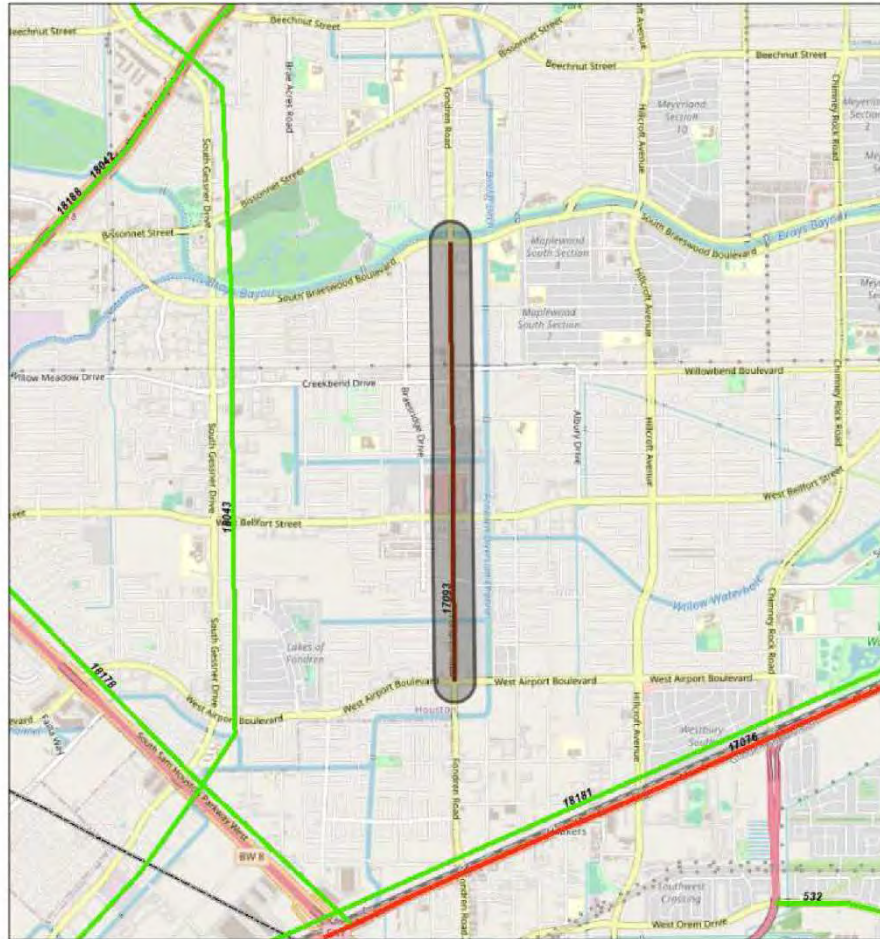
#	Households	Population in Poverty	Non-Hispanic Minorities	Hispanic Minorities	Limited English Proficiency
1	847	551	1117	322	41
2	1084	359	1630	229	25
3	988	792	1086	518	340
4	799	1231	872	1871	855
5	828	1349	1818	780	717
6	718	455	1352	162	28
7	346	269	475	291	74
8	747	516	1491	812	110
9	946	1397	1427	1416	370
10	1141	488	1597	553	170
11	372	336	686	190	39
12	415	52	768	419	23
13	354	286	600	178	41
14	765	232	1418	258	60
15	1072	1649	949	2022	977
16	958	734	982	1117	357
17	356	51	318	246	12
18	563	342	77	1696	990
19	393	57	167	95	76

#	Disable Family	Elderly	Car-less	Single Female Householder	Vulnerable Index	Area(acres)
1	198	174	99	139	57.7	87.07
2	238	101	205	140	59.2	76.66
3	385	443	454	46	99.8	51.96
4	18	No Data	163	215	85.1	44.18
5	238	18	241	72	89.1	38.10
6	172	39	106	141	52.8	37.44
7	44	No Data	85	35	59.9	36.28
8	263	94	108	156	71.1	36.09
9	203	49	190	369	90.8	36.07
10	357	No Data	200	76	58.1	32.84
11	115	17	20	21	48.7	25.95
12	91	61	No Data	12	10.9	24.69
13	69	No Data	20	80	54.5	18.10
14	155	97	46	132	36.2	17.62
15	187	8	159	218	83.1	13.70
16	333	498	153	109	84.9	12.99
17	155	56	No Data	No Data	19	3.53
18	20	31	120	143	92.8	1.37
19	87	90	No Data	50	31.7	0.52

7/8

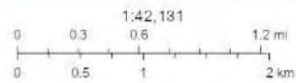
Figure 17
 Project Level Analysis Utilizing the H-GAC Eco-Logical Tool - Location/Landuse Report

 Fondren Rd - From S. Braeswood to W. Airport



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- | | |
|--|--|
|  H-GAC TMA Counties |  Interchange/ Intersection/ Area Projects |
|  Roadway Projects |  Under Construction |
|  Under Construction |  Funded Projects |
|  Funded Projects |  Planned Projects |
|  Planned Projects | |



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Project Description: Widen from 4 to 6 Lanes with traffic signal and drainage improvements.
 CSJ Number: 0912-72-381
 MPOID: 17093
 Sponsor: City of Houston
 Status: Funded Project

Eco-Type (acre)

Total Area (acre)	Total Eco-Type Area (acre)	Upland Forest (acre)	Bottomland Forest (acre)	Prairies (acre)	Tidal Prairies (acre)	Grasslands (acre)
560.0	5.2	0.2	0.3	4.7	0.0	0.0

Wetlands (acre)	Tidal Wetlands (acre)	Barren Lands (acre)	Row Crops (acre)	Open Water (acre)	Developed High Intensity (acre)	Developed Medium Intensity (acre)	Developed Low Intensity (acre)	Developed Open Spaces (acre)
0.0	0.0	0.0	0.0	0.0	109.9	333.6	94.5	17.2

Eco-Type (%)

Total Area (acre)	Total Eco-Type Area (%)	Upland Forest (%)	Bottomland Forest (%)	Prairies (%)	Tidal Prairies (%)	Grasslands (%)
560.0	0.9	0.0	0.1	0.8	0.0	0.0

Wetlands (%)	Tidal Wetlands (%)	Barren Lands (%)	Row Crops (%)	Open Water (%)	Developed High Intensity (%)	Developed Med Intensity (%)	Developed Low Intensity (%)	Developed Open Spaces (%)
0.0	0.0	0.0	0.0	0.0	19.6	59.6	16.9	3.1

Land Use (Current)

Housing Units	Non-Res. Building Sq Ft	Total Area (acre)	Residential (acre)	Commercial (acre)	Industrial (acre)	Multiple (acre)
3,510	1,946,753	333.1	167.1	85.8	5.1	29.4

Other (acre)	Gov/Med/Edu (acre)	Parks/Open Spaces (acre)	Vacant Develop/Farm (acre)	Undeveloped (acre)	Unknown (acre)	Residential (%)
11.0	2.8	6.1	2.0	18.9	4.8	50.2

Commercial (%)	Industrial (%)	Multiple (%)	Other (%)	Gov/Med/Edu (%)	Parks/Open Spaces (%)	Vacant Develop/Farm (%)	Undeveloped (%)	Unknown (%)
25.8	1.5	8.8	3.3	0.8	1.8	0.6	5.7	1.4

Land Use (2045)

Housing Units	Non-Res. Building Sq Ft	Total Area (acre)	Residential (acre)	Commercial (acre)	Industrial (acre)	Multiple (acre)
3,510	1,946,753	333.1	167.1	85.8	5.1	29.4

Other (acre)	Gov/Med/Edu (acre)	Parks/Open Spaces (acre)	Vacant Develop/Farm (acre)	Undeveloped (acre)	Unknown (acre)	Residential (%)
11.0	2.8	6.1	2.0	18.9	4.8	50.2

Commercial (%)	Industrial (%)	Multiple (%)	Other (%)	Gov/Med/Edu (%)	Parks/Open Spaces (%)	Vacant Develop/Farm (%)	Undeveloped (%)	Unknown (%)
25.8	1.5	8.8	3.3	0.8	1.8	0.6	5.7	1.4

TAZ 5217

Household Population (2018)	Household Population (2045)	Households (2018)	Households (2045)	Jobs (2018)	Jobs (2045)
60,029	59,421	24,064	25,192	12,203	13,565

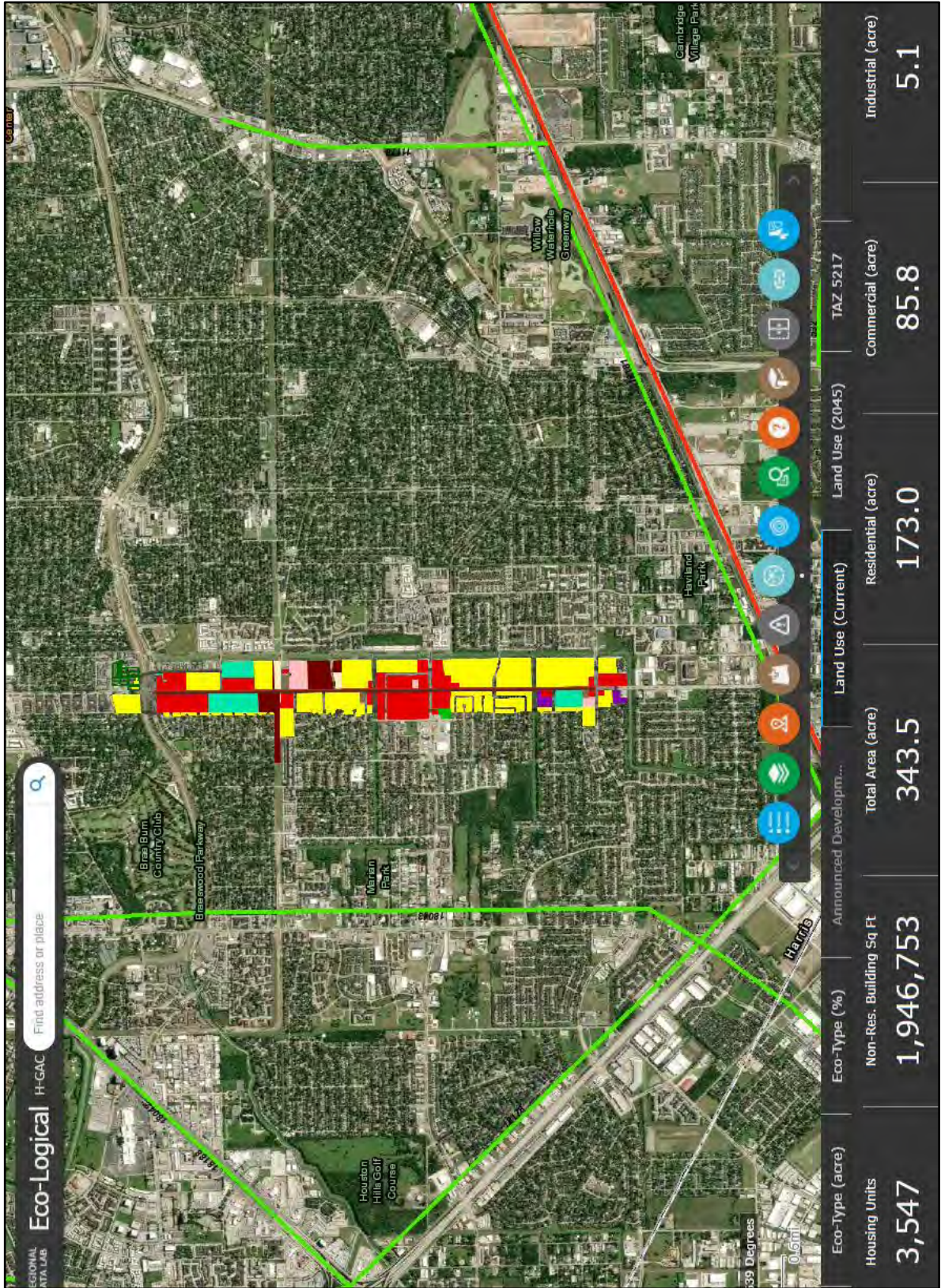
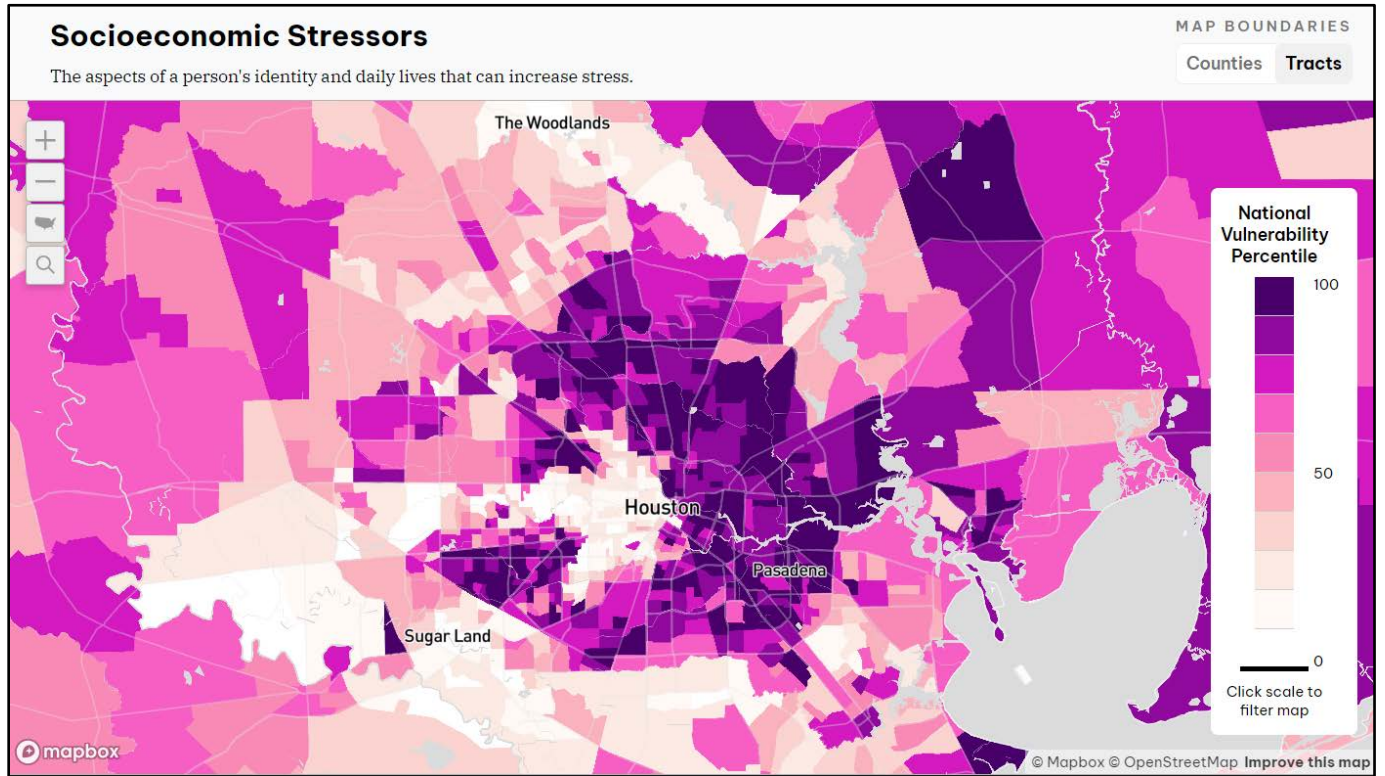


Figure 18
The Climate Vulnerability Index Tool



Source: Climate Vulnerability Index - Texas A&M/Environment Defense Fund

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3.5 ASSESSING POTENTIAL IMPACTS TO COMMUNITIES

The previous section enumerated findings from a number of spatial, qualitative, and quantitative analyses and modeling tools that are employed to investigate, in aggregate, whether local transportation investment decisions and planning initiatives are equitably benefiting or disproportionately impacting underprivileged communities. The metrics evaluated include the distribution of transportation investments, accessibility to public amenities and vital services, and the state of transportation safety. The results of these studies inform H-GAC's transportation policies and programs, and support efforts to promote equity and inclusion in transportation planning. A summary of some of the assessments are provided below.



DISTRIBUTIONAL EQUITY OF TRANSPORTATION INVESTMENTS

A non-exclusive spatial review of the proposed local thoroughfare and major transportation improvements suggest a disparate level of investments in the environmental justice areas compared with the areas not considered sensitive for environmental justice.

- About 79.0% of the mapped local thoroughfare improvement projects in the H-GAC 2021 – 2030 Ten-Year Plan are programmed in the parts of the Houston-Galveston Metropolitan Planning Area classified as non-EJ sensitive zones. These projects account for about 86.0% of the allocated funding. In comparison, about 76.0% of the local thoroughfare improvement projects fall within or run adjacent to an environmental justice sensitive area, the cost of which amount to about 70.3% of the allocated funding.
- The investment per capita for the environmental justice sensitive regions is approximately \$508 while the per capita investment for the regions classified as non-EJ sensitive is \$781.
- For the regionally significant transportation improvements, about 70% of the mapped projects fall within or run adjacent to a zone considered sensitive for environmental justice, the cost of which amount to about 83.0% of the allocated funding. In comparison, only about 30% of the regionally significant transportation projects fall within or run adjacent to a zone considered not sensitive for environmental justice. The cost of these projects amount to about 17.0% of the allocated funding.

- Travel model forecasts project that the environmental justice sensitive population would enjoy greater accessibility to jobs than the non-EJ population from the construction of the year 2045 long-range plan projects.
- The regional travel model forecasts also project that usage of the Beltway 8 Toll Road by residents of the environmental justice sensitive communities would increase by over 30.0% if it were not a tolled facility. In comparison, usage of the Beltway 8 Toll Road by residents from the non-EJ sensitive areas would increase by only about 8.0%.

ACCESSIBILITY TO PUBLIC INFRASTRUCTURE AND VITAL SERVICES

A comparative study between the EJ sensitive and the non-sensitive areas shows a greater level of trail development in the non-EJ sensitive areas. Moreover, environmental justice areas do not have comparable access to the grocery stores as the non-environmental justice sensitive areas. Other analyses suggest that the environmental justice population 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-EJ population.

Pedestrian-Bicyclist Infrastructure:

- Up to 1,884 miles or almost two-thirds (63.8%) of the pedestrian-bicyclist network infrastructure in the Houston-Galveston Metropolitan Planning Area are within or adjacent to an area sensitive for environmental justice. On the other hand, 2,269 miles or about 77% of the pedestrian-bicyclist network infrastructure in the region lie within or adjacent to a non-EJ sensitive area.
- Up to 27% of the regional network of pedestrian-bicyclist infrastructure are within direct access of areas sensitive for environmental justice described as having high disadvantage.

Access to Public Facilities:

- About 40% of all the County libraries in the region are in an environmental justice zone.
- Virtually all the environmental justice sensitive areas within the IH 610 urban core region are 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.

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:

- High accessibility to library facilities, hospitals and trauma centers, and educational institutions.
- High accessibility to bus stops and transit routes.
- The least access to pedestrian-bicyclist infrastructure.
- Varied access to grocery stores.
- 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:²²

Vehicle Crashes:

- Over 54% of all mapped vehicle crashes that occurred in the Houston-Galveston metropolitan planning area between 2019 and 2023.
- The highest crash rates per 100,000 vehicle miles travelled.
- Two thirds (66.6%) of the vehicle crashes involving fatalities or severe injuries.
- After a sharp decline during the Covid crises, crash incidents are rising at a slightly higher rate than elsewhere.

²² Based on information from geocoded events in the TxDOT Crash Records Information System (CRIS).

Bicycle and Pedestrian Crashes:

- As much as 55% of all mapped bicycle-related crashes, and about 65.5% of bicycle crashes involving fatalities or severe injuries.
- Up to 53% of all pedestrian-related crashes, including about 65.5% of pedestrian crashes involving fatalities or severe injuries.
- 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:

- About two-thirds of all the mapped railroad crashes occurred in an environmental justice sensitive zone.
- Over 75% of the railroad crossing sites with multiple crash events are in an environmental justice sensitive zone.



TOOLS FOR FUTURE PROJECT LEVEL ANALYSIS

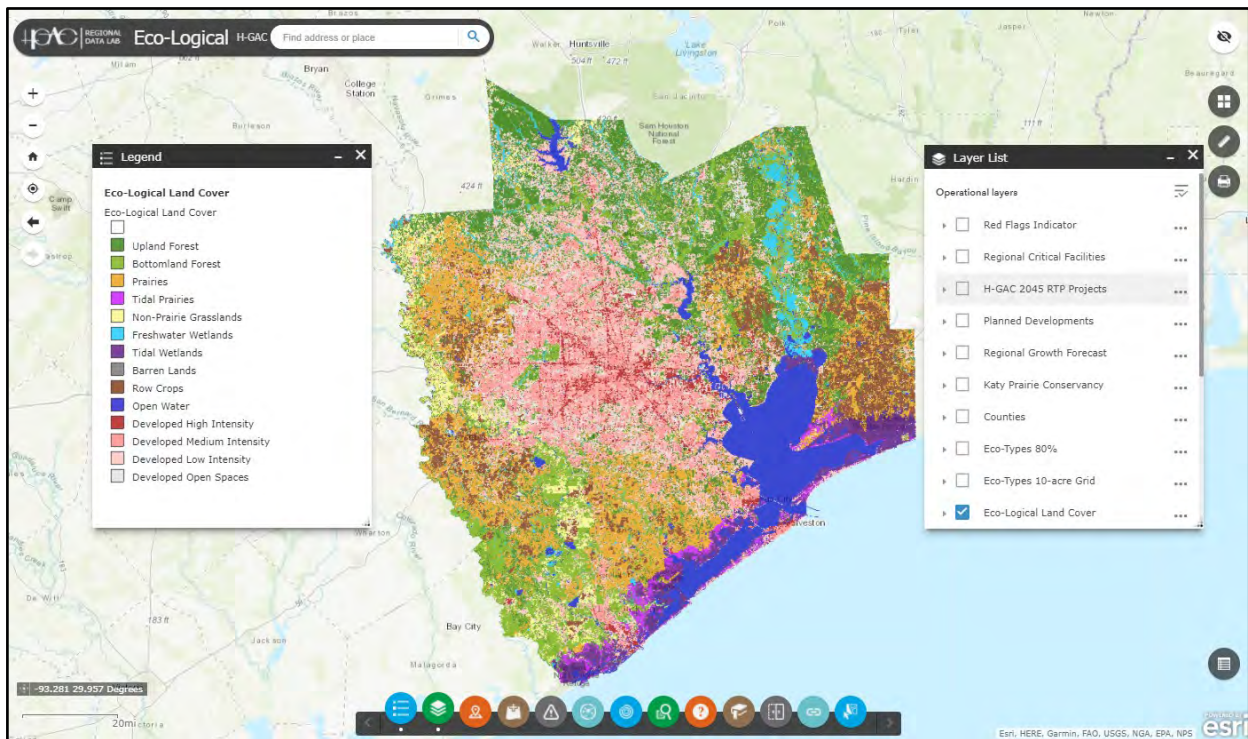
The Houston-Galveston Area Council is constantly looking for fresh and efficient approaches to model the effects of transportation investments, proposed plans, and actions on the natural environment and on the population. This includes accessing applications developed by federal and local resource agencies. H-GAC has developed several interactive tools for mapping and analyzing socio-economic data, and characterizing regional equity.

■ The “Eco-Logical” Web-Tool

The “Eco-Logical” online mapping tool features a basemap of the regional landuse/landcover, which enables planners and project developers to identify where transportation investments will have the potential to impact the region’s valuable ecological resources (Figure 19). The Eco-Logical tool also includes the functionality to support an environmental justice analysis at the project level. The tool’s capabilities include the ability to create a buffer around a transportation project and to identify the population and infrastructure within that buffer zone that may potentially be impacted by the project. Work is underway to integrate this application into the transportation planning process.

Figure 19

The Eco-Logical Tool Showing the Landuse/Landcover Basemap



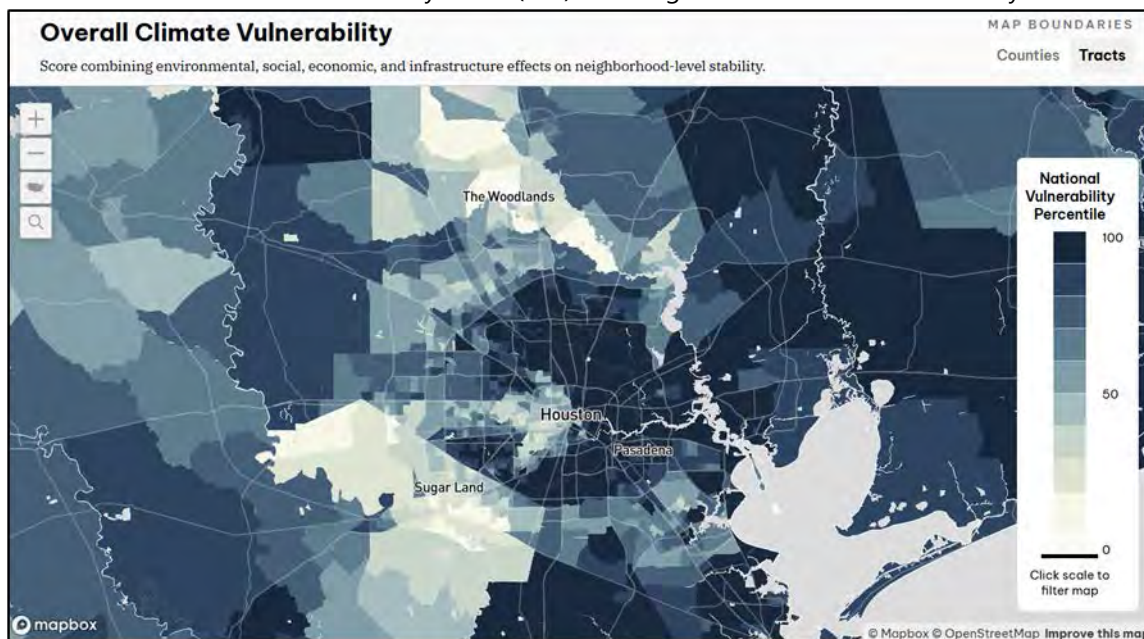
■ The U.S. Climate Vulnerability Index

The Climate Vulnerability Index (CVI),²³ is an interactive mapping tool and information dashboard created by researchers from the Texas A&M University in partnership with the Environmental Defense Fund (EDF), to drive climate action and channel solutions for environmental problems experienced nationwide. The CVI tool ranks U.S. census tracts (and the neighborhoods they represent) by a cumulative vulnerability index based on a blend of 184 indicators classified under health, social/economic stressors, exposure and risks from transportation, industry, and the environment, and infrastructure. Specific benchmarks include housing, access to healthy/nutritious food, proximity to toxic waste sites, incidents of chronic disease, exposure to harmful pollutants, access to healthcare, and susceptibility to floods, fire, droughts, and other extreme events in nature. Results of the tool may be used to prioritize assistance for communities considered most vulnerable, help them understand risk factors and develop action plans to foster climate justice.

The CVI analysis in Figure 20 below suggests that the core of the Houston metropolitan region ranks within the 90th percentile nationally for vulnerability to climate stressors. This area coincides with the zones identified as sensitive for environmental justice.

Figure 20

The Climate Vulnerability Index (CVI) Showing Overall Climate Vulnerability



²³The Climate Vulnerability Index was developed by Texas A&M University in cooperation with the Environmental Defense Fund.

3.6 FURTHERING TITLE VI IN THE PLANNING PROCESS

H-GAC implements a continuing, comprehensive, and cooperative metropolitan transportation planning process aimed at providing a safe, efficient, and reliable multimodal transportation system for all the residents of the Houston-Galveston Metropolitan Planning Area. A strong and progressive Title VI Program is embedded within this planning process. This report documents the agency's efforts to comply with the Federal Title VI requirements detailed in 49 CFR Part 21, and to integrate the objectives of Title VI and Environmental Justice in the programs and activities of the agency.

THE TITLE VI AND ENVIRONMENTAL JUSTICE AWARENESS PROGRAM

In 2023, H-GAC launched the "Title VI and Environmental Justice Awareness" program to build familiarity with these federal non-discrimination laws and the obligations they place on federal financial recipients. The Title VI and Environmental Justice Awareness Program is also intended to keep discussions of equity at the forefront of local planning decision making. The awareness program was inaugurated with a webinar event titled "The Role of Title VI and Environmental Justice in Transportation Planning." The webinar highlighted best practices for fostering inclusion and achieving equity in the transportation planning process. It is anticipated that H-GAC will continue to host informative webinars and/or workshops to continue to raise awareness of the responsibilities and opportunities of Title VI and Environmental Justice in planning. A recording of the webinar is available at: [Title VI and Environmental Justice Webinars](#).

H-GAC has also introduced the "Connecting Communities" initiative which builds on the awareness program and serves as a stimulus for community outreach efforts. The theme, "Connecting Communities," is geared towards promoting meaningful participation by members of the minority and LEP communities who have historically been underrepresented in the transportation planning process. Meaningful participation is one of the guiding principles of Environmental Justice and an important step towards advancing Title VI non-discrimination. Continuous public engagement is calculated to bring the range of community needs and priorities to the table both before, and during the decision-making period.



Lastly, H-GAC introduced community roundtable events to facilitate communication with advocates, representatives, and members of various racial and ethnic minority groups, and to build bonds with these communities. An important objective of the community roundtables was to inform the update to H-GAC's Language Access Plan (LAP). The LAP specifies language assistance measures H-GAC will offer the public, free of cost, to ensure that stakeholders with limited English proficiency have meaningful access to the agency's programs and activities, and that language is not a barrier to their participation in the transportation planning process.

RECOMMENDATIONS FOR INTEGRATING/FURTHERING TITLE VI AND ENVIRONMENTAL JUSTICE IN THE TRANSPORTATION PLANNING PROCESS

The following section identifies pertinent issues and outlines bulleted strategies for promoting Title VI and Environmental Justice principles in the programs and activities of the H-GAC Metropolitan Planning Organization.

1. Increase Title VI and Environmental Justice Awareness

Increasing awareness and appreciation for the purpose and obligations of Title VI of the Civil Rights Act of 1964 and the Environmental Justice law among H-GAC staff, the agency's planning partners, and the general public, will bolster efforts to promote equity and inclusion and further the agency's commitment to non-discrimination.

- Create an awareness program that includes training on Title VI, Environmental Justice, and other federal non-discrimination laws for agency staff and regional planning partners.
- Expand the "Connecting Communities" public outreach initiative to increase knowledge of Title VI and Environmental Justice, and highlight the need for public involvement by the regional community.
- Continue to produce the "Workplan and Accomplishments Report" on activities performed annually by H-GAC staff which advance non-discrimination directives under Title VI and Environmental Justice law.
- Disseminate information and educational material via the agency website, publications, and events regarding Title VI and Environmental Justice requirements.

2. Enhance Sensitivity to Equity in Transportation Planning/Investment Decision-Making

The equitable distribution of the benefits and burdens of federal transportation investments is a core tenet of non-discrimination. Equity may be promoted by highlighting the ways in which transportation investments affect or benefit the underprivileged communities relative to other

communities. In addition, there is a long-standing concern among locals that transportation improvements that run through minority neighborhoods would inevitably involve the displacement of residents and lead to gentrification.

- Introduce methodologies, analytical tools, and data sources that enable fresh and informative analyses of the equity impact of proposed transportation initiatives on local communities.
- Explore equitable strategies that promote residential stability and shield the historical residents of vulnerable communities from the effects of gentrification. This may include options such as housing subsidies, the reduction in taxes and fees, and economic development.

3. Promote Infrastructure Improvements in Underserved Areas

Projects that address transportation needs in the rural, inner city, and other underserved areas are often unable to compete for funding on an equal footing with projects that essentially serve the non-target community.

- Consider alternative funding sources for multi-modal transportation projects that address the mobility needs within the environmental justice and other traditionally underserved/disadvantaged neighborhoods.
- Provide technical support and foster collaboration in the form of public-private partnerships or other funding methods to support community-based initiatives aimed at increasing multimodal options and expanding transportation services within underserved areas.

4. Address Safety in Environmental Justice Sensitive Communities

Transportation safety is a major concern in the underserved communities, as evidence by the disproportionately high number of crashes that occur in the environmental justice neighborhoods, compared to the non-target areas.²⁴ Prioritizing efforts to study and address the causes of crashes within the underserved communities would significantly improve the crash totals for the region.

²⁴ Based on information from geocoded events in the TxDOT Crash Records Information System (CRIS).

- Analyze crash data for the underserved areas to identify trouble spots, understand patterns, and develop strategies to address the safety risks.
- In the project selection process, give scoring merit to transportation projects that improve safety in underprivileged communities.

5. Provide Opportunities for Meaningful Participation by the Underserved Population

Public participation is the primary way of communicating a community's needs, priorities, and concerns during the transportation planning process. Timely and meaningful involvement by members of the underserved population would help to avoid, minimize, or mitigate conflicts that sometimes accompany transportation project development and implementation.

- Ensure meaningful participation by members of the underserved communities.
- Maximize access by utilizing non-traditional outreach strategies when engaging with the underserved communities. This includes going to their neighborhood meetings and other community-led events as an alternate to, or a complement of the conventional public meeting.
- Build working relationships with community-based organizations, local elected officials, community leaders/advocates, faith-based organizations, and other stakeholders to establish channels of communication and identify potential liaisons.
- Provide incentives for participation, to promote interest and encourage involvement in the public engagement process.



ATTACHMENT 1

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 bất kỳ hành vi bất hợp pháp 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，或親臨我們行政辦公室，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。
- 投訴人可親臨行政聯邦公共交通管理局提出投訴，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。



Houston-Galveston Area Council

ATTACHMENT 2

**HOUSTON-GALVESTON AREA COUNCIL
TITLE VI COMPLAINTS PROCEDURE
(En Español)**

TÍTULO VI PROCEDIMIENTO DE QUEJA
OCTUBRE 2018

THE HOUSTON-GALVESTON METROPOLITAN PLANNING AREA



h-gac.com/taq/title-vi/default.aspx

1. INTRODUCCIÓN

El Consejo del Área de Houston-Galveston (*Houston-Galveston Area Council*, H-GAC) es la Organización de Planificación Metropolitana (*Metropolitan Planning Organization*, MPO) designada a nivel federal para el área metropolitana de Houston. Como destinatario de asistencia financiera federal, la MPO tiene que cumplir con las obligaciones del Título VI de la Ley de Derechos Civiles (*Civil Rights Act*) de 1964 y otros estatutos relacionados con la no discriminación. El Título VI establece que “Ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, será excluida de participar, obtener beneficios o ser objeto de discriminación en ningún programa o actividad que reciba asistencia financiera federal”. Estas prohibiciones se extienden desde el H-GAC, como destinatario directo de la asistencia financiera federal, hasta todos los gobiernos locales, los subdestinatarios y los contratistas que son miembros. Cualquier programa que esté financiado, en parte o en su totalidad, por asistencia financiera federal está sujeto al Título VI. Además, la prohibición de no discriminación del Título VI se aplica a cualquier programa de una agencia que reciba asistencia federal, independientemente de la fuente de financiación del programa individual.

2. PRESENTAR UNA QUEJA EN VIRTUD DEL TÍTULO VI

Cualquier persona, grupo de personas o entidad que considere haber sido objeto de un acto de discriminación prohibido por el Título VI puede presentar una queja por escrito ante el coordinador del Título VI del H-GAC. La queja debe presentarse mediante el formulario de queja en virtud del Título VI del H-GAC. Al final de este documento, se presenta un formulario de queja en blanco, que también está disponible para descarga desde el sitio web del H-GAC en www.h-gac.com.

3. PAUTAS GENERALES

(a) Cuándo presentar una queja

La queja por discriminación debe presentarse dentro de los 180 días naturales a partir de la fecha en la que ocurrió o se descubrió el presunto acto de discriminación o, en caso de una conducta continua, dentro de los 180 días a partir de la fecha en que la conducta cesó. “Presentar una queja” significa enviarla por escrito al coordinador del Título VI del H-GAC. La fecha de presentación es la fecha en que el formulario de queja completo y firmado se envió por correo postal o se entregó en mano en las oficinas del H-GAC. Las quejas que se reciban después de los 180 días posteriores al presunto acto de discriminación no se tramitarán, sino que se devolverán al denunciante debido a la presentación fuera de tiempo.

(b) Dónde presentar una queja

El formulario de queja debe enviarse por correo postal o entregarse en mano de la siguiente manera:

Correo postal a:

Title VI Coordinator
Houston-Galveston Area Council
P.O. Box 22777
Houston, Texas 77227-2777

Entrega en mano a:

Title VI Coordinator
Houston-Galveston Area Council
3555 Timmons Lane, Suite 120
Houston, Texas 77027

(c) Métodos de envío alternativos

(1) Envío electrónico

Los formularios de queja que se reciban por fax o por correo electrónico serán aceptados una vez que se hayan establecido la identidad del denunciante y su intención de proceder con la queja.

- i. Los formularios de queja enviados por fax o por correo electrónico deben estar firmados por el denunciante para que el H-GAC pueda tramitar la queja.

(2) Envío telefónico

Las quejas por presunta discriminación que se reciban telefónicamente se redactarán por escrito y la información se archivará, teniendo en cuenta el plazo.

- i. Se enviará un formulario de queja al denunciante para que lo complete, lo firme y lo devuelva al H-GAC antes de que la queja sea arbitrada de manera formal.

Si un denunciante no puede completar el formulario por escrito debido a una discapacidad o un dominio limitado del inglés, se realizarán, bajo solicitud, las adaptaciones razonables para que la queja legítima se pueda enviar y tramitar.

(d) Información obligatoria que se debe incluir en la queja

El H-GAC solo procesará las quejas que estén completas. La queja debe incluir la siguiente información:

- (1) El nombre, la dirección y el número de teléfono del denunciante.
- (2) La firma del denunciante.
- (3) La fecha del presunto acto de discriminación o, si se trata de un acto de discriminación continuo, la fecha a partir de la cual la conducta cesó o tuvo lugar por última vez.
- (4) Una descripción detallada de los problemas, incluidos los nombres y los cargos de las personas que participaron en el acto de discriminación que se está denunciando.

(e) Registro de quejas

El H-GAC mantendrá un registro de las quejas recibidas. La información relevante para el registro incluirá lo siguiente:

- (1) Fecha de presentación de la queja, identidad del denunciante e identidad del denunciado.
- (2) Una descripción del presunto acto de discriminación.
- (3) Los hallazgos de la investigación.
- (4) La resolución final.

PROCESO DE REVISIÓN DE QUEJAS

A continuación, se describe cómo se tratará la queja por discriminación en virtud del Título VI una vez que el H-GAC la reciba.

(a) Verificación de la jurisdicción

- (1) Tras recibir la queja, el coordinador del Título VI llevará a cabo una revisión inicial para determinar si el H-GAC tiene la jurisdicción correspondiente, si la queja plantea un asunto susceptible de decisión judicial y si es necesario obtener más información antes de que se realice una investigación sobre la legitimidad de la queja.
- (2) En caso de que la queja sea en contra de un subdestinatario o contratista que trabaje para el H-GAC, el coordinador del Título VI asumirá la jurisdicción, investigará y arbitrará el caso, de conformidad con la subsección (3) que se encuentra a continuación.
- (3) El coordinador del Título VI del H-GAC investigará las quejas recibidas en contra del H-GAC, o sus subdestinatarios y contratistas o, si corresponde, se derivarán al Departamento de Transporte de Texas (*Texas Department of Transportation, TxDOT*), la Administración Federal de Carreteras (*Federal Highway Administration, FHWA*) o la Administración Federal de Transporte (*Federal Transit Administration, FTA*), a fin de que se las trate de acuerdo con sus procedimientos.

(b) Revisión de la suficiencia

La queja debe cumplir con los siguientes requisitos:

- (1) La queja debe presentarse dentro de los 180 días naturales desde el presunto acto de discriminación o dentro de los 180 días a partir de la fecha en la que el denunciante tuvo conocimiento de la conducta o, en caso de un hecho prolongado, a partir de la fecha en la que la conducta cesó.
- (2) Las acusaciones deben estar directamente relacionadas con los aspectos cubiertos, es decir, motivos de raza, color u origen nacional del denunciante.
- (3) Las acusaciones deben involucrar a un programa o una actividad del Consejo del Área de Houston-Galveston, sus subdestinatarios o contratistas.

El denunciante debe estar dispuesto a aceptar la revisión y el arbitraje de las acusaciones por parte del H-GAC.

(c) Desestimación de la queja

Una queja se puede desestimar sin tomar medidas por cualquiera de los siguientes motivos:

- (1) El denunciante no plantea un asunto susceptible de decisión judicial relacionado con el Título VI.
- (2) El denunciante retira la queja.
- (3) El denunciante no proporciona la información adicional que se le solicita para procesar la queja de forma adecuada.
- (4) No se puede contactar al denunciante después de varios intentos de comunicarse con él.

(d) Notificación inicial por escrito al denunciante

Se notificará al denunciante por escrito dentro de los 10 días hábiles a partir de que el H-GAC reciba la queja y se le indicará si se ha determinado que el asunto está fuera del alcance del Título VI o de la jurisdicción del H-GAC, o que está dentro del alcance del Título VI y de la jurisdicción del H-GAC y se procederá a su tramitación por parte del coordinador del Título VI.

(e) Investigación de la queja

El coordinador del Título VI investigará las acusaciones en consulta con el departamento, el subdestinatario o el contratista correspondiente identificado en la queja, y se centrará en lo siguiente:

- (1) El fundamento y la facticidad del presunto trato desigual.
- (2) La fecha y el lugar en los que tuvo lugar el trato desigual.
- (3) La identificación y la consulta con todos los testigos relevantes.
- (4) La recopilación y la revisión de todos los documentos, registros y testimonios pertinentes que se puedan obtener razonablemente.
- (5) La evaluación de la credibilidad de las acusaciones y la consideración de una resolución adecuada.

El coordinador del Título VI del H-GAC deberá mantener un registro de todas las deliberaciones y los documentos relacionados con la investigación en un archivo confidencial. Al concluir la investigación, el coordinador del Título VI deberá preparar un informe que resuma los hallazgos y recomiende una resolución del asunto, incluidas las medidas correctivas que correspondan. Excepto en circunstancias atenuantes, la resolución del coordinador del Título VI deberá completarse dentro de los 60 días posteriores a la recepción de la queja formal. A continuación, el informe de la investigación, las conclusiones obtenidas y la resolución recomendada se entregarán al director ejecutivo del H-GAC para que este las revise.

(f) Notificación de la decisión

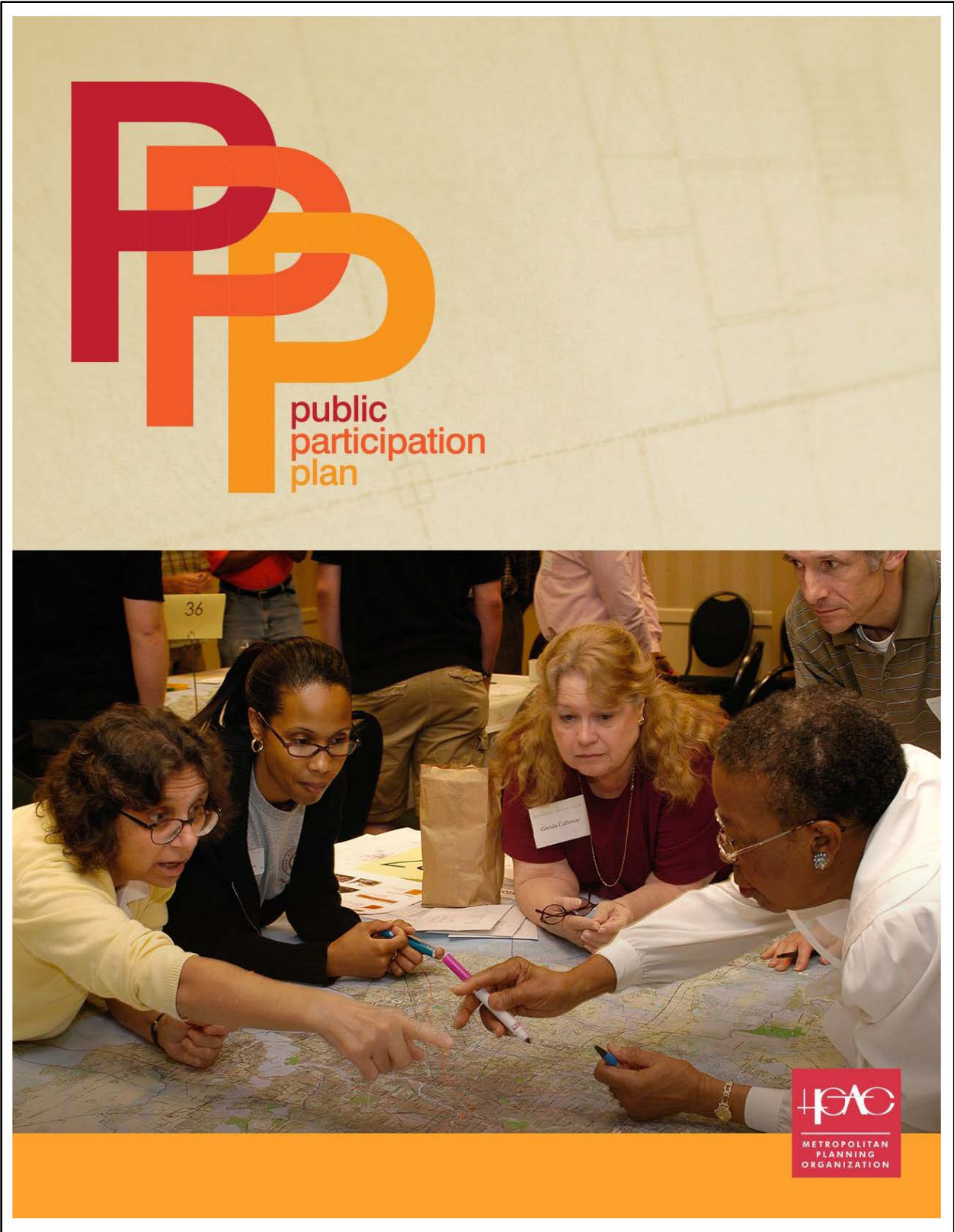
El director ejecutivo del H-GAC puede aceptar, rechazar o modificar las conclusiones obtenidas o la resolución recomendada, y deberá devolver el informe al coordinador del Título VI para que este tome las medidas necesarias. Se proporcionará al denunciante una notificación por escrito de la decisión dentro de los 30 días posteriores a la recepción del informe por parte del director ejecutivo.

(g) Apelación y arbitraje final

El denunciante puede presentar una apelación para que su queja se reconsidere dentro de los 30 días a partir de la fecha en que reciba la notificación por escrito de la decisión del H-GAC. La apelación debe estar acompañada por nueva información y presentarse por escrito al coordinador del Título VI. Tras recibir la apelación, el coordinador del Título VI y el director ejecutivo del H-GAC tendrán 30 días para reafirmar, revertir o modificar la decisión original, y proporcionar una notificación por escrito al

ATTACHMENT 3

H-GAC PUBLIC PARTICIPATION PLAN



PUBLIC PARTICIPATION PLAN

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

TABLE OF CONTENTS

I.	Section 1. Public Participation Plan.....	1
	Introduction	
	Purpose of the Public Participation Plan	
	Public Participation Plan Outline	
II.	Section 2. Federal Requirements.....	8
	Fixing America's Surface Transportation (FAST) Act	
	Executive Order 12898 (Environmental Justice)	
	Title VI of the Civil Rights Act of 1964	
	Executive Order 13166 (Limited English Proficiency)	
	Americans With Disabilities of 1990 (as amended)	
	Executive Order 13175 (Consultation and Coordination with Tribal Governments)	
	23 CFR 450.316 (Interested parties, participation, and consultation)	
	23 CFR 450.324 (Development and content of the metropolitan transportation plan)	
	23 CFR 450.326 (Development and content of the transportation improvement plan)	
III.	Appendix A: Unified Planning Work Program (UPWP) Summary.....	13
IV.	Appendix B: Glossary of Transportation Planning Terms.....	14
V.	Appendix C: Procedures for Public Comments at Transportation Policy Council Meetings.....	15
VI.	Appendix D: Transportation Improvement Plan Modification Procedures	16
VII.	Appendix E: Language Assistance Plan for Limited English Proficient Populations.....	18
VIII.	Adopted Resolution for Public Participation Plan.....	24

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
<i>† The MPO Director may elect to defer Administrative Modifications to the TAC and TPC at his or her discretion.</i>			

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.

Meagan Coughlin, APR
Manager, Public Outreach
Houston-Galveston Area Council
P. O. Box 22777
Houston, TX 77227-2777
Phone: (713) 993-4504
Fax: (713) 993-4508
Email: meagan.coughlin@h-gac.com

Eric Brewer
H.R. Manager and EEO Coordinator
Houston-Galveston Area Council
P. O. Box 22777
Houston, TX 77227-2777
Phone: (713) 993-4590
Fax: (713) 993-2465
Email: eric.brewer@h-gac.com



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.

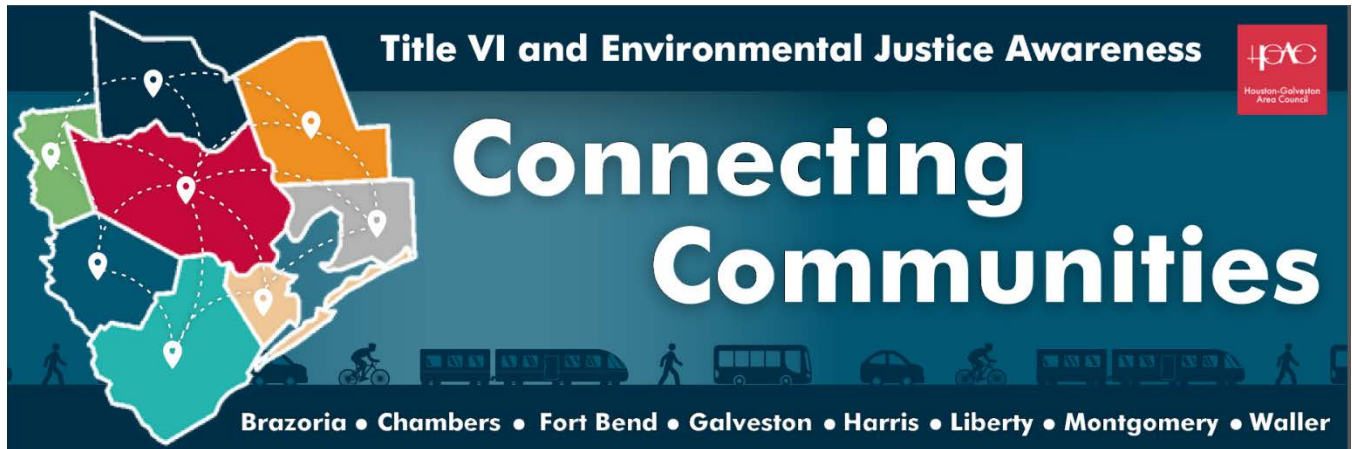
Requested Action

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

ATTACHMENT 4

LANGUAGE AND ENGAGEMENT SURVEY
[English & Spanish Versions²⁵]

²⁵ These surveys are no longer active.



HOUSTON-GALVESTON AREA COUNCIL (H-GAC) LANGUAGE & ENGAGEMENT SURVEY

INSTRUCTIONS

Thank you for taking the time to complete this survey on language preferences and community engagement. In keeping with the “Connecting Communities” initiative, the Houston-Galveston Area Council (H-GAC) is committed to ensuring that people of all races, ethnicities, and social circumstances can contribute to the community and transportation planning process, so together we can create a transportation system that is safe, reliable, and equitable for all.

Your responses to this survey will help us serve the community better. Participation is voluntary and your answers will remain anonymous.

The “**Language Section**” is about getting to know your language preferences, while the “**Engagement Section**” asks how H-GAC can encourage you to participate in its public involvement activities.

This Survey is also available online and may be accessed through the QR Code below.



LANGUAGE

1. What language do you speak most at home? (Select one)

- English Chinese [Mandarin or Cantonese]
 Spanish Korean
 Vietnamese Hindi
 Urdu Other (*Please Specify*): _____

2. How well do you read, speak, or understand English?

- Not well
 Well
 Very well

3. Have you ever attended a public meeting organized by H-GAC?

- Yes No

[If "Yes,"]

a. Were you able to understand and follow the discussions at the meeting?

- Yes No Some of the time

b. If you did not understand the meeting discussions, was language a problem?

- Yes No Some of the time

4. Did you know that you can request a free language interpreter to help you participate effectively in a public meeting organized by H-GAC?

- Yes No

5. How can H-GAC better meet your language access needs? (State your comments in the space below).

ENGAGEMENT

1. Is it important for people to have a say in how their transportation system is planned?

Yes No

2. What has kept you from participating in H-GAC's public involvement meetings?

(Select **top three** choices)

- I don't know when the meetings take place
- My opinion will not affect the decisions that are made
- I would not understand the meeting discussions
- I don't have time to attend a public involvement meeting
- I don't have transportation to get me to a meeting
- I don't have access to internet services to join a meeting online
- Other (*Please Specify*): _____

3. How can H-GAC encourage you to participate more frequently in a public involvement opportunity?

(Select **top three** choices)

- Advertise broadly so I know when the meetings are scheduled
- Schedule the meeting at a convenient time of day and at an accessible location
- Provide a zoom (virtual) option to attend the meeting
- Provide an online or telephone option for making comments
- Provide language assistance services for non-English speakers
- Other (*Please Specify*): _____

4. What are your most common sources of news and information?

(Select **top three** choices)

- Television
- Radio
- Social media (e.g., Facebook, Twitter, Instagram, Next Door)
- News Websites
- Newspapers (*Which ones?*): _____
- Neighborhood Association or Community Center
- Friends/Word of Mouth
- Other (*Please Specify*): _____

5. What are the greatest transportation problems in your community?

(Select **top three** choices)

- Traffic congestion
- Speeding cars
- Narrow and poorly maintained streets
- Lack of streetlights
- Few sidewalks, crosswalks, or bicycle lanes
- Accident prone roadways
- Traffic signal issues
- Other (Please specify): _____

6. How do you travel around town most often? (Check one)

- Car
- Bus Transit
- Rail
- Uber or Lyft
- Carpool/Ride from friend or family
- Bicycle/Walk

7. In what county do you live?

- | | | |
|------------------------------------|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> Brazoria | <input type="checkbox"/> Harris | <input type="checkbox"/> Waller |
| <input type="checkbox"/> Chambers | <input type="checkbox"/> Liberty | <input type="checkbox"/> Wharton |
| <input type="checkbox"/> Colorado | <input type="checkbox"/> Matagorda | <input type="checkbox"/> Montgomery |
| <input type="checkbox"/> Fort Bend | <input type="checkbox"/> Montgomery | |
| <input type="checkbox"/> Galveston | <input type="checkbox"/> Walker | |

8. May H-GAC inform you of opportunities for public comments on proposed Transportation Plans?

- Yes No

[If you answered "Yes," please include your email]: _____

THE QUESTIONS THAT FOLLOW ARE OPTIONAL BUT WILL HELP US UNDERSTAND WHO RESPONDED TO THE SURVEY

9. How do you identify yourself by race or ethnicity? (Select **all that apply)**

- | | |
|--|---|
| <input type="checkbox"/> White or Caucasian | <input type="checkbox"/> American Indian or Native Alaskan |
| <input type="checkbox"/> Black/African American | <input type="checkbox"/> Hawaiian or Pacific Islander |
| <input type="checkbox"/> Hispanic/Latino | <input type="checkbox"/> Other (please specify) _____ |
| <input type="checkbox"/> Asian or Asian American | <input type="checkbox"/> I prefer not to answer this question |

10. What gender group do you identify with?

- Male I prefer not to answer this question
 Female

11. What is your age group?

- Under 18
 18 – 34
 35 – 64
 65 and over
 I prefer not to answer this question

THANK YOU FOR COMPLETING THE SURVEY



CONSEJO DEL ÁREA DE HOUSTON-GALVESTON (H-GAC) ENCUESTA DE IDIOMA Y COMPROMISO

INSTRUCCIONES

Gracias por tomarse el tiempo para completar esta encuesta sobre las preferencias lingüísticas y la participación de la comunidad. De acuerdo con la iniciativa "Conectando comunidades", el Consejo del Área de Houston-Galveston (H-GAC) se compromete a garantizar que las personas de todas las razas, etnias y circunstancias sociales puedan contribuir al proceso de planificación de la comunidad y el transporte, para que juntos podamos crear un sistema de transporte que sea Seguro, confiable y equitativo para todos. Sus respuestas a esta encuesta nos ayudarán a brindarle un mejor servicio. La participación en esta encuesta es voluntaria y sus respuestas son anónimas.

La Sección "A" trata de conocer sus preferencias lingüísticas, mientras que la Sección "B" pregunta cómo H-GAC puede alentarlos a participaren sus actividades de participación pública. Si tiene alguna pregunta sobre la encuesta, deje un mensaje al (713) 993-2418 y un miembro del personal le devolverá la llamada.

Devuelva las encuestas completadas a:
Consejo del Área de Houston-Galveston
Atención: Coordinador del Título VI
3555 Timmons Lane, Suite 100
Houston TX 77027

SECCIÓN A – ENCUESTA LINGÜÍSTICA

6. ¿Qué idioma hablas más en casa? (Seleccione uno)

- Inglés Chino [Mandarín o cantonés]
 Español Coreano
 Vietnamita Hindi
 Urdu Otros (*especifíquese*): _____

7. ¿Qué tan bien lees, hablas o entiendes inglés?

- No está bien [*Por favor, encuentre a alguien que pueda ayudarle a completar esta encuesta*]
 Pozo
 Muy bien

8. ¿Alguna vez ha asistido a una reunión pública organizada por H-GAC?

- Sí No

[*Si respondió "No", vaya a la pregunta 4*]

a. ¿Eres capaz de entender y seguirlas discusiones en la reunión?

- Sí No Algunas veces

b. Si no podía entender o seguir las discusiones de la reunión, ¿era el idioma un problema?

- Sí No Algunas veces

9. ¿Sabía que puede solicitar al H-GAC que le proporcione un intérprete de idiomas, de forma gratuita, para ayudarle a participar eficazmente en una reunión pública organizada por H-GAC?

- Sí No

10. ¿Cómo puede H-GAC satisfacer mejor sus necesidades lingüísticas?

(*Indique sus comentarios en el espacio a continuación*).

SECCIÓN B – ENCUESTA DE COMPROMISO

1. **¿Es importante que los ciudadanos tengan voz y voto sobre cómo se planifica el sistema de transporte IR?**

Sí No

2. **¿Qué le ha impedido, si es que ha impedido algo, participar en las reuniones de participación pública de H-GAC o proporcionar comentarios sobre un plan H-GAC propuesto? (Marque las tres opciones principales)**

No sé cuándo tienen lugar las reuniones
 Mi opinión no afectará las decisiones que se tomen
 No entenderé las discusiones de la reunión
 No tengo tiempo para asistir a una reunión de participación pública
 No tengo transporte para llevarme a una reunión
 No tengo acceso a servicios de Internet para unirme a una reunión en línea
 Otros (*especifíquese*): _____

3. **¿Cómo puede H-GAC alentarle a participar con más frecuencia en una oportunidad de participación pública? (Marque las tres opciones principales)**

Anunciar ampliamente para saber cuándo están programadas las reuniones
 Programe la reunión a una hora conveniente del día y en un lugar accesible
 Proporcionar una opción de zoom (virtual) para asistir a la reunión
 Proporcionar una opción en línea o telefónica para hacer comentarios
 Proporcionar servicios de asistencia lingüística para personas que no hablan inglés
 Otros (*especifíquese*): _____

4. **¿Cuáles son sus fuentes más comunes de noticias e información? (Marque las tres opciones principales)**

Televisión
 Radio
 Redes sociales (por ejemplo, Facebook, Twitter, Instagram, NextDoor)
 Sitios web de noticias
 Periódicos (*¿Cuáles?*): _____
 Asociación de vecinos o centro comunitario
 Friends/Boca a boca
 Otros (*especifíquese*): _____

5. **¿Cuáles son los mayores problemas de transporte en su comunidad? (Marque las tres opciones principales)**

Tráfico congestion
 Exceso de velocidad
 Calles estrechas y mal mantenidas

ATTACHMENT 5

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

H-GAC BOARD OF DIRECTORS 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.

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.

In the event of a declared Federal, State or Local emergency or disaster, and the H-GAC Board of Directors is unable to convene in a duly or special called meeting, H-GAC Board officers, can exercise temporary authority to empower the Executive Director to authorize related procurements, or agreements which require immediate action related to declared emergency or disaster. All agreements, or procurements must be presented for ratification at the next duly or special called meeting of the H-GAC Board.

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 August 23, 2024

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

A. Definitions

1. **Federal Highway Administration** – a department of the United States Department of Transportation that supports state and local governments in the funding, design, construction, and maintenance of the nation's highway system. Federal Highway Administration Texas Division has approval authority of certain planning activities and documents, including but not limited to, the Unified Planning Work Program (UPWP) and the Statewide Transportation Improvement Program (STIP).
2. **Fiscal Agent** – the entity responsible for providing fiscal, human resource, and staff support services to the Metropolitan Planning Organization (MPO).
3. **Major Modes of Transportation** – the four primary method used to move goods or people from one place to another, including road transportation, rail transportation, water transportation, and air transportation.
4. **Metropolitan Planning Area (MPA)** – the geographic area determined by agreement between the MPO and the Governor, in which the metropolitan transportation planning process is carried out.
5. **Metropolitan Planning Organization (MPO)** – the policy board of an organization created and designated to carry out the metropolitan transportation planning process.
6. **Texas Department of Transportation** – a political subdivision of the State of Texas and the agency responsible for oversight of metropolitan planning organizations in Texas.
7. **Transportation Management Area (TMA)** – an urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the U.S. Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the MPO and designated by the U.S. Secretary of Transportation.
8. **Transportation Policy Council (TPC)** – see Metropolitan Planning Organization.
9. **Unified Planning Work Program** – a statement of work identifying planning priorities and activities to be carried out within the Metropolitan Planning Area.

B. Functions

The Transportation Policy Council (TPC) shall serve as the Policy Board for the Metropolitan Planning Organization (MPO) for the Houston-Galveston Metropolitan Planning Area (MPA) identified in the Governor's MPO designation. The TPC shall provide regular and continuing routine guidance to multimodal transportation planning efforts 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 (METRO), special purpose governments, regional planning agencies, and other political subdivisions of the State of Texas.

The TPC shall examine the adequacy and appropriateness of the transportation planning process. The TPC shall approve all MPO performed regional transportation planning projects and direct the fiscal agent to implement the same. The TPC shall review and approve the Unified Planning Work Program

(UPWP) and direct the fiscal agent to include the UPWP scope and budget in the H-GAC overall program budget. The TPC shall prepare and approve the Regional Transportation Plan (RTP), Transportation Improvement Program (TIP), Congestion Management Process, Public Participation Plan, and review the geographic service area of the MPA and revise the MPA geographic area and MPO membership, as necessary. The TPC shall oversee the Regional Strategic Transportation Fund (RSTF) and develop/implement policies and procedures for the use of those funds in accordance with all applicable state/federal laws. The TPC shall review annually such other documentation which requires approval by responsible local officials. The TPC may recommend projects or studies to be implemented by MPO staff or others. The H-GAC Board of Directors shall serve as the contracting agent for the TPC. The TPC shall advise and direct the H-GAC Board of Directors on transportation planning programs and issues. The TPC 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 TPC shall also function as a forum for public discussion relating to transportation planning in the MPA and TMAs.

C. Membership

Each of the entities listed below shall be entitled to designate one or more members to the TPC. All members of the TPC shall be local elected officials, officials of public agencies that administer or operate major modes of transportation in the MPA, or appropriate officials of the Texas Department of Transportation in accordance with 23 USC 134(d). 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 in accordance with 23 USC 134(d).

The voting members of this Council shall be limited to twenty-nine (29) members. Voting membership is as follows:

VOTING MEMBERSHIP

CITY REPRESENTATIVES

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
Cities, at-large, smaller cities (<50,000 population) appointed by TPC	2

COUNTY REPRESENTATIVES

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

OTHER TRANSPORTATION REPRESENTATIVES

The Woodlands Township	1
Metropolitan Transit Authority	1
Texas Department of Transportation	2
Gulf Coast Rail District	1
Port Transportation appointee by the TPC	1

TOTAL	29
-------------	----

The at-large, small cities appointees are designated for smaller cities having a population of less than 50,000. The two appointees shall not be from the same county.

Cities not otherwise having designated voting membership but having a population of 50,000 or more 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 beginning January 1. No later than 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 two Cities, at-large, smaller cities (<50,000 population) 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.

The representative of the Metropolitan Transit Authority (METRO) shall be deemed to represent public transportation providers in accordance with 23 USC 134(d)(2).

D. Alternate Members

Each voting member may have a designated alternate member who may serve at any TPC meeting in the voting member's absence. Alternate members shall 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 MPA, 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.

E. Advisory Members

The following representatives shall serve in an advisory only, non-voting capacity to the TPC. Non-voting members cannot initiate, nor second motions, but can participate in discussion in all sessions, including executive sessions.

- Executive Director, Houston-Galveston Area Council
- Transportation Director, H-GAC / MPO Director
- Director of District Transportation Planning, Texas Department of Transportation – Houston District
- Designated Representative, Federal Highway Administration

F. Officers

The TPC shall elect a Chairman, a First Vice Chairman, a Second Vice 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 TPC membership present at the next called meeting.

G. 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. If 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.

H. Quorum

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

I. Meetings

All TPC meetings will adhere to the regulations set forth in Chapter 551 of the Texas Government Code and will follow the procedures outlined in *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 and draft agenda of each meeting shall be provided electronically or mailed to each member of the TPC at least fourteen (14) days prior to the meeting. The Chairman shall, at least seven (7) days prior to the TPC meeting, make public and distribute electronically or by mail a complete TPC meeting packet, which includes all back up documentation to be reviewed, considered, and/or voted on by the TPC. In the absence of the Chairman, the First Vice Chairman and Second Vice Chairman from a regular or special meeting of the TPC 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 TPC (Attachment A).

J. Ethics

Members of the TPC 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 TPC 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 TPC 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 TPC provides more detailed guidance about the conduct of policy board members and MPO employees. (Attachment B)

K. Minutes

Minutes of all meetings shall be the responsibility of the Secretary and shall be kept and recorded by staff furnished to the TPC for this purpose by the fiscal agent for the TPC. Minutes of each meeting shall be submitted to each member of the TPC over the Secretary's signature. Minutes shall be included in the meeting packet and be distributed in accordance with Section H. Meetings.

L. Administrative Support

H-GAC, as the designated fiscal agent of the MPO, shall provide administrative support to the TPC.

M. Committees

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

The TPC Chairman shall convene an Executive Committee whose purpose is to provide general oversight of MPO operations, to establish the MPO Director's performance objectives, to review the MPO Director's performance, compensation, and continued employment, and to consider all other matters as determined by the Chairman. All actions of the Executive Committee shall be presented to the TPC for a vote in accordance with Section H – Quorum.

The Executive Committee membership shall consist of the following:

TPC EXECUTIVE COMMITTEE	
VOTING MEMBERSHIP	ADVISORY MEMBERSHIP
TPC Chairman (Presiding Member)	H-GAC, Executive Director
TPC First Vice Chair	TxDOT Houston, Planning Director
TPC Second Vice Chair	FHWA, Planning
TPC Secretary	
City of Houston Member (or at-large if two)	
Harris County Member (or at-large if two)	
TxDOT District Engineer – Houston	

The TPC Executive Committee Officers shall serve in the same capacity as the TPC. A quorum of the voting members of the TPC Executive Committee shall be in compliance with Section H - Quorum. No two voting members of the Executive Committee shall be representative of the same local government unit, entity, or county. In the event Executive Committee representation would result in two voting positions from the same local government, the TPC Chair shall appoint an alternate representative from the TPC voting membership. Each member of the Executive Committee shall have one vote. Alternate members of the TPC are not eligible to serve or vote on the Executive Committee.

In October of each year, the Executive Committee shall work in coordination with TxDOT, as the oversight agency, to conduct an annual review of the MPO Director, and any other employees who report directly to the TPC and put into place a new performance plan. At the conclusion of its review, the Executive Committee shall make recommendations to the TPC on the MPO Director's continued employment, future compensation, performance goals and objectives for the next calendar year. Following the TPC's consideration of the Executive Committee's recommendations and its determinations concerning the MPO Director, the Executive Committee shall direct the Executive Director of H-GAC, as the fiscal agent, to implement the TPC's determinations concerning the MPO Director in accordance with all legal requirements.

N. Amendments

These Bylaws may be amended by a two-thirds majority vote of the TPC members or their designated alternates in attendance at any duly called meeting in compliance with Section H – Quorum, provided that any such proposed amendments are fully set out in writing and furnished to each member at minimum fourteen (14) days in advance of the meeting where the action is to be taken.

O. Severability Clause

If any provision of these bylaws is illegal, not in compliance with state and/or federal regulations, or unenforceable as such, such illegality, noncompliance, or unenforceability shall not affect any

other provision of these Bylaws and such other provisions shall continue in full force and effect.

Adopted: June 12, 1981 (Effective: July 1, 1981);
Revised: September 25, 1992;
Revised: November 13, 1992;
Revised: December 18, 1998;
Revised: May 27, 2005;
Revised: November 20, 2009;
Revised: February 24, 2012;
Revised: January 25, 2013,
Revised: April 26, 2024 (Effective: May 11, 2024)
Revised: August 23, 2024.

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 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 (10) 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
4. 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 (TPC) is committed to conducting its business in an ethical and open manner. To ensure ethical conduct by members of the TPC and its employees, the following rules have been adopted:

Definitions

- Agent is defined as 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 is defined as 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. A transaction that is subject to rate or fee regulation by a federal, state, or local government entity or an agency of a federal, state, or local government entity;
 2. A transaction conducted at a price and subject to terms available to the public; or
 3. A 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: a written agreement for the sale or purchase of real property, goods, or services.
- Family member: 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: personal property.
- Investment income: 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.

Transportation Code Requirements

- No TPC 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 TPC 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 TPC 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 TPC 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 TPC 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 TPC member has a substantial interest in a business entity or in real property, the TPC 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 TPC member is required to file and does file an affidavit, the TPC 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 TPC shall take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a member of the TPC 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 ten (10%) percent or more of the voting stock or shares of the business entity or owns either ten (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 ten (10%) percent of the person's gross income from 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 TPC 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 TPC member may not act as surety for a business entity that has work, business or a contract with the TPC.

Chapter 176, Local Government Code Requirements

- A TPC 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 TPC or with respect to the agent of a person who enters or seeks to enter into a contract with the TPC if:

1. the person enters into a contract with the TPC or the TPC is considering entering into a contract with the person; and
 2. the person:
 - a. has an employment or other business relationship with the TPC member or a family member of the TPC 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 TPC member becomes aware that:
 - i. a contract described by (1) above has been executed; or
 - ii. the TPC is considering entering into a contract with the person; or
 - b. has given to the TPC member or a family member of the TPC member one or more gifts that have an aggregate value of more than \$250 in the 12-month period preceding the date the TPC member becomes aware that:
 - i. a contract described by (1) above has been executed; or
 - ii. the TPC is considering entering into a contract with the person.
- A TPC 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 TPC member shall file the conflicts disclosure statement with the records administrator and Chairman of the TPC not later than 5 p.m. on the seventh business day after the date on which the TPC member becomes aware of the facts that require the filing of the statement.
 - The TPC may extend the requirements of Chapter 176 to any employee of the MPO who has the authority to approve contracts on behalf of the TPC. The TPC shall identify each employee made subject to Chapter 176 and shall provide a list of the identified employees on request to any person.
 - The TPC shall provide access to the disclosure statements and questionnaires required to be filed under Chapter 176 on its website, and/or the website of its fiscal agent, if it has a website.

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 TPC member or employee should refer to the statutes.

Penalties:

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

Distribution:

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

The Ethics Policy adopted by the TPC 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 TPC 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 TPC Ethics Policy, in cases of conflict between the two policies, the H-GAC Ethics Policy prevails.

ATTACHMENT 6

CALCULATING CONCENTRATION THRESHOLDS FOR ENVIRONMENTAL JUSTICE INDICATORS

Calculating Concentration Thresholds for Environmental Justice Indicators

The concentration threshold is the value at which an environmental justice indicator is considered high enough to warrant identifying the zone as sensitive for that indicator. A zone is considered sensitive when that the zonal average exceeds the regional average, plus one standard deviation of the indicator.

The average value for each environmental justice indicator for individual census block-groups and for the entire region is obtained by dividing the population characterized by the indicator by the relevant universe. The equations to determine the ratio for each indicator are as follows:

1. Minority Population

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

2. Low Income Households

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

3. Senior Population

$$\text{Ratio of Population Aged 65 and over} = \frac{(\text{Population 65 years and over})}{(\text{Total Population})}$$

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

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

5. Zero Automobile Ownership

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

6. Female Head of Households

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

7. Limited English Language Proficiency

$$\text{Ratio of Limited English Proficiency} = \frac{(\text{Population that Speak English, "Less than Very Well"})}{(\text{Total Population Age 5 or Older})}$$

8. Disabled Population

$$\text{Ratio of the Disabled Population} = \frac{(\text{Households with Disabled Persons})}{(\text{Total Households})}$$

