

# Lubbock Metropolitan Planning Organization Language Assistance Plan

## Public Participation Plan



# **Public Participation Plan (PPP)**

*A Citizen's Guide for Public Involvement in the  
Transportation Planning Process for the  
Lubbock Metropolitan Area Boundary*

**Adopted March 18, 2014**

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## **I. Introduction**

Public participation is an integral part of transportation planning. It offers opportunities for the cooperative development of transportation plans that reflect the needs of the community and considers the social, environmental, and energy impacts of transportation decisions. Involvement of interested persons in government processes is critical to the success of transportation planning. When the public is engaged in the process, feedback provided through the comment period assures that the projects address the community needs. Likewise, the public gains a better understanding of the planning process and its constraints.

The Lubbock Metropolitan Planning Organization is one of twenty-five MPOs in the state of Texas. Each MPO is required to have a plan in effect to provide outreach to the public to ensure that they are aware and involved early on in the planning process. An effective public participation process provides for an open exchange of information and ideas between the public and the transportation decision makers. The overall objective of the Lubbock Metropolitan Planning Organization's public participation plan is that it is proactive, provides complete information, timely public notice, full public access to key decisions, and opportunities for early and ongoing involvement in the planning process.

The Lubbock Metropolitan Planning Organization developed this plan in accordance with the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). SAFETEA-LU expired September 30, 2009, and the requirements for public involvement are currently governed by Map 21, Moving Ahead for Progress in the Twenty First Century. Map 21 is scheduled to expire in September 2014. It is expected that extensions will continue until a new transportation bill is passed.

It is a Lubbock Metropolitan Planning Organization policy to support and encourage early and continuous public participation and input to the planning process and to adhere to the principles of Environmental Justice and Title VI of the Civil Rights Act as part of the metropolitan "3-C" planning process relating to transportation systems and facilities. The MPO's Participation Plan is designed to ensure early and continuous opportunities for the public to express its views on transportation issues and to become active participants in the regional planning and transportation "3-C" metropolitan decision making process.

## **II. SAFETEA-LU Participation Plan Legal Requirements:**

The Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was enacted August 10, 2005, as Public Law 109-59 and authorized the federal surface transportation programs for highways, highway safety, and transit for the five year period of the bill. SAFETEA-LU expired in 2009. The requirements of SAFETEA-LU have been carried forward in the new transportation bill, Moving Ahead for Progress in the Twenty First Century, Map 21.

The eight factors of SAFTEA-LU that are considered in the projects and the strategies of the Lubbock MPO are as follows:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety of the transportation system for motorized and non-motorized users;
- Increase the security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility of people and for freight;
- Protect and enhance the environment, promote energy conservation, improve quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation; and
- Emphasize the preservation of the existing transportation system.

### **III. The Metropolitan Planning Organization**

The Lubbock Metropolitan Planning Organization strives to provide timely information to the public and opportunities for public participation. Key objectives for the public participation process are to:

- Provide opportunities for the citizens to participate in the planning process through a partnership that is open and accessible to the public, stakeholders and policy makers;
- Through education and assistance techniques which result in an accurate understanding of the transportation issues, solutions and obstacles of the process;
- Work with community groups to create opportunities for all segments of the public to learn about issues and projects under consideration that may impact their neighborhoods;
- Look for opportunities to seek comment from low-income, elderly/disabled and minority communities that may not typically participate in the planning process;
- Utilize various techniques and formats, mediums, and languages to reach a larger audience;
- Provide timely responses to concerns and comments raised by the public with follow-through to demonstrate that decision makers seriously considered public input;
- Disseminate clear, concise, and timely information to citizens, affected agencies, and interested parties.

The Lubbock MPO provides a forum for local input into the expenditure of federal highway and transit dollars. Citizens and stakeholders can come together and share ideas and information with the two main bodies that make up the LMPO. The first body is the Technical Advisory Committee (TAC) which makes recommendations and reports directly to the second body, the Transportation Policy Committee (TPC). The Transportation Policy Committee is responsible for all policy decisions made by the MPO and is comprised of local elected officials and stakeholders in the planning process. The TPC establishes all policies, reviews staff proposals on all phases of the planning process and approves the annual budget and work program for the staff.

#### **IV. Environmental Justice and Title VI Requirements**

The Lubbock MPO is committed to incorporating Environmental Justice and Title VI considerations into the Participation Plan. The LMPO strives to seek out the traditionally underserved populations in the existing transportation system, including, but not limited to, low-income, minority households, and limited English proficient populations.

Excerpts from Executive Order 12898: Federal Actions to Address Environmental Justice in Minority and Low-Income Populations state:

*Section 1-1. Implementation.*

*1-101. Agency Responsibilities.*

*To the greatest extent practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review, each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Mariana Islands.*

And:

*Sec. 2-2. Federal Agency Responsibilities for Federal Programs.*

*Each Federal agency shall conduct its programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination under, such programs, policies, and activities, because of their race, color, or national origin. 59 FR 7631*

The LMPO strives to assure that all planning process reflects a fair balance regardless of race, economic makeup, age, sex, or disability, nor will they bear a disproportionate share of the adverse human health or environmental effects, including social and economic effects, of its programs, policies and activities, or be denied equal access to environmental benefits.

The LMPO addresses Environmental Justice concerns throughout the planning process and it is the responsibility of all staff to consider the needs of the traditionally



underserved during the planning, project selection and project implementation processes. Special consideration should be given to ensure that all residents have reasonable access to information and opportunity to give input throughout the planning process. Demographic data is analyzed to identify areas of concern that can be used for public meeting location and outreach event selection as well as identification of need for more targeted and diverse outreach efforts.

A Language Assistance Plan (LAP) (Appendix A) outlines the LMPO's efforts to make information available to Limited English Proficient (LEP) persons. The U. S. Department of Transportation Guidelines defines LEP as:

*Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP", and are, therefore, entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter.*

The Guidance also defines a four-factor analysis to evaluate the extent to which language assistance measures are required to ensure meaningful access to LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity or service.
2. The frequency with which LEP persons come in contact with the program.
3. The nature and importance of the program, activity or service provided by the recipient to people's lives.
4. The resources available to federal-funding recipients and costs of language assistance.

The LAP outlines demographic information, analysis of LMPO activities, language assistance provided and communication to LEP persons about the availability of language assistance.

Title VI states 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 prohibits discrimination, whether intentional or where the unintended effect is unduly burdensome.

Title VI Complaint Procedures (Appendix B) outlines the Lubbock Metropolitan Planning Organization policy, how an individual may submit a complaint, how the complaint will be investigated and potential resolution of the complaint.

## **V. Plan Objectives**

1. Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agencies, private providers of transportation, other interested parties and segments of the community affected by transportation plans, programs and projects (including, but not limited to, local jurisdiction concerns).
2. Provide reasonable public access to technical and policy information used in the development of the long-range Transportation Plans, the Transportation Improvement Program and other appropriate transportation plans and projects, and conduct open public meetings where matters related to transportation programs are being considered.
3. Give adequate public notice of public participation activities and allow time for public review and comment at key decision points, including, but not limited to, approval of the long-range Metropolitan Transportation Plans (MTP), the Transportation Improvement Program (TIP), and other appropriate transportation plans and projects. If the final draft of any transportation plan differs significantly from the one available for public comment by the MPO and raises new material issues, which interested parties could not reasonably have foreseen, an additional opportunity for public comment on the revised plan shall be made available.
4. Respond in writing, when applicable, to public input. When significant written and oral comments are received on the draft transportation plan (including the financial plan for the TIP and MTP developed in cooperation with the Regional Transportation Transit Authority) as a result of the public participation process or the interagency consultation process required under SAFETEA-LU, report on the disposition of comments shall be made part of the final plan.
5. Solicit the needs of those under-served by existing transportation systems, including but not limited to the transportation disadvantaged, minorities, elderly, persons with disabilities, and low-income households. SAFETEA-LU requires that the MPO shall provide reasonable opportunities for affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation planning process via Section 6001(i)(5)(A).
6. Provide a public comment period of forty-five (45) calendar days prior to the adoption of the Participation Plan and/or any amendments. Notice of the comment period will be advertised in a newspaper of general circulation and various other publications prior to the commencement of the forty-five (45) day comment period. Notice will also be mailed out to the entire MPO mailing list prior to the start of the comment period.

7. Provide a public comment period of not less than thirty (30) calendar days prior to adoption of the long-range Metropolitan Transportation Plan, the Transportation Improvement Program and Transit Development Plans.
8. Provide a public comment period of not less than ten (10) days for any formal amendments or updates to the Metropolitan Transportation Plan, the Transportation Improvement Plan and Transit Development Plans and other appropriate transportation plans and projects. For purposes of defining formal amendments the definition will be any changes to the project scope, project costs exceeding fifty percent (50%) and resulting in an increase of \$1.5 million of the original estimated federal costs, project physical limits or project termini.
9. Coordinate the Public Participation Process with statewide Public Participation Processes whenever possible to enhance public consideration of the issues, plans and programs, and reduces redundancies and costs.

## **VI. Goals and Strategies**

**Goal:** The MPO shall actively engage the public in the transportation planning process according to the policies contained in this Plan and State and Federal Law.

The MPO shall maintain an up-to-date database of contacts including at a minimum the following persons to provide that all interested parties have reasonable opportunities to comment on the transportation planning process and products:

- Elected Officials
- Local Government Staff
- Transportation Agencies (Port, Airports, Transit, etc.)
- Local Media (TV, Radio, Print, etc.)
- Homeowners Associations
- Civic Groups
- Special Interest Groups (Other Interested Parties)
- Libraries (For Public Display)
- Consultation with Federal, State and local agencies responsible for land use management, natural resources, environmental protection, conservation and historic management, and other environmental issues.
- Consultation with parties that would have an interest in the planning and development of the transportation network including affected public agencies in the metropolitan planning area.
- Native American Tribal Council
- Private Freight Shippers
- Representatives of Public Transportation Employees
- Providers of Freight Transportation Services
- Private Providers of Transportation
- Representatives of Users of Public Transportation
- Representatives of Users of Pedestrian Walkways
- Representatives of Users of Bicycle Transportation Facilities
- Representatives of the Disabled

The MPO shall, when feasible, electronically mail meeting announcements to the MPO contact list or to targeted groups for upcoming activities.

The MPO shall employ visualization techniques to depict transportation plans. Examples of visualization techniques include: charts, graphs, photo interpretation, maps, use of GIS systems, artist renderings, physical models, and/or computer simulation.

**Goal:** The MPO shall keep the public informed of on-going transportation related activities on a continuous basis.

The MPO shall make all publications and work products available electronically to the public via the MPO's web home page (via Internet) and at the MPO office and employ visualization techniques to describe transportation actions as part of the long-range Metropolitan Transportation Plan.

The MPO staff shall be available to provide general and project-specific information at a central location during normal business hours and after hours at the request of community interest groups with reasonable notice.

The MPO shall produce a regional newsletter for distribution to the MPO contact list. The newsletter shall be produced a minimum of four times a year and will be sent out electronically or in print to all interested parties upon request. The newsletter should include, at a minimum, updates on current or recently completed projects, design projects, announcements of upcoming meetings and contact information.

The MPO shall maintain an internet web site. The website shall be updated and maintained to provide the most current and accurate transportation planning information available. The website, at a minimum, shall contain the following information:

- Contact information (mailing address, phone, fax and email)
- Current MPO committee membership
- Meeting calendars and agendas
- Work products and publications (TIP, MTP, UPWP, etc.)
- Comment/Question Form
- Links to related agencies
- Current Bylaws and Operating Procedures (including the Participation Plan and updates)

**Goal:** Then MPO shall encourage the involvement of all area citizens in the transportation planning process.

Targeted audiences shall be identified for each planning study conducted by the MPO, including residents, business and property owners and those traditionally underserved and underrepresented populations, including, but not limited to, low income and minority households with the study area. Title VI, Environmental Justice, and Limited English Proficiency plans are included as appendices to this plan.

The MPO shall, whenever feasible, hold public meetings or forums at a site convenient to potentially affected citizens. The MPO may, when appropriate, hold meetings of the

Transportation Policy Committee at night and in locations throughout the metropolitan planning area.

**Goal:** The MPO shall strive to continuously improve public participation and outreach strategy.

The MPO shall continuously evaluate public involvement techniques. This Participation Plan shall be reviewed and adopted, with revisions if necessary, at least every three (3) years in order to improve the effectiveness of public involvement.

**Goal:** The MPO shall participate in public participation activities for individual transportation improvement projects from the planning phase through construction.

The MPO shall actively assist the Texas Department of Transportation, local government and transportation agencies in the development and implementation of public involvement techniques for planning and other studies, including Arterial Investment Studies, Major Corridor/Feasibility Studies, and Project Development and Environmental Studies or other documents to support planning.

## **VII. Notification of Public Comment Opportunities**

All public meeting notices with the opportunity for public comment will be sent to the daily print newspaper as well as minority newspapers as available. Translated notices will be sent to non-English newspapers as appropriate. Notification is also sent to local libraries, city halls, the county courthouse, the chambers of commerce (including minority chambers), the transit facility and its transfer center and other groups when needed. In addition, the Lubbock MPO will maintain a comprehensive mailing list containing the names of individuals and organizations that wish to be notified of all public meetings.

"The Lubbock MPO's public participation process satisfies the public participation process for the POP and the public notice for public involvement activities and time established for public review of and comments on the TIP will satisfy the POP requirements for Citibus, the public transit provider for the City of Lubbock."

## **VIII. Participation Techniques**

Public participation is an ongoing activity of the MPO. Public participation is also an integral part of one-time activities such as corridor studies and regularly repeated activities such as the Transportation Improvement Program and Metropolitan Transportation Plan updates.

This section contains descriptions of public participation tools currently being used by the MPO.

### **MPO Website**

This site was established to provide basic information about the MPO process, members, meeting times and contact information. The site was expanded to include

work products such as the Participation Plan, Unified Planning Work Program, Transportation Improvement Program and the Metropolitan Transportation Plan. The site also includes publications such as a Roster of members, a Citizen's Guide, maps and other documents as appropriate. The site also provides links to other local and national level transportation related sites.

The website address is [www.lubbockmpo.org](http://www.lubbockmpo.org). The site is updated regularly through the fiscal agent's IT department.

#### MPO Master Database

MPO staff maintains a master database of business, federal, state and local agencies and interested public. The database includes committee membership, mailing information, phone numbers, fax numbers, email addresses and websites as available. The database is used for maintaining committee membership lists, special interest groups and homeowner association contacts and is the foundation of the newsletter mailing list. The database is used for electronic meeting notification and announcements.

#### Legal Advertisements

Texas Government Code, Chapter 551 requires posting a notice of any public meeting where a decision could be made by the Transportation Policy Committee or when a quorum of the TPC may be in attendance at another function or meeting. The MPO regularly posts notice of the MPO Transportation Policy Committee meetings. Other notices including public hearings are posted as well.

#### Quarterly Newsletter

MPO produces a quarterly newsletter that is distributed to citizens, municipalities, and other agencies. Citizens are added to the distribution list at their own request. The newsletter is used to promote regular and special meetings, planning studies, publications, work products, holiday closings and other information as needed.

#### Newspaper Ads

Notices of public hearings, workshops, open houses and other meetings are published in the mainstream newspaper, the Lubbock Avalanche-Journal, and minority newspapers, Southwest Digest and West Texas Hispanic News as appropriate. They are placed in the "body" of the newspaper rather than in the legal notice section to reach a larger audience.

#### Other Media

Opportunities are sought for articles in other newsletters produced by municipalities, homeowner's associations, church groups, civic groups, or others that may have an interest in the MPO. Opportunities are also sought to present to civic and social agencies, participate on radio talk shows, and provide television news highlights and to utilize public service notices to create community awareness of planning activities.

## Direct Mailings

Direct mailings are used to announce upcoming meetings or activities or to provide information to a targeted area or group of people. Direct mailings are usually postcards, but can be letters or flyers. An area may be targeted for a direct mailing because of potential impacts from a project. Groups may be targeted that may have an interest in a specific issue, for example avid cyclists and pedestrians may be targeted for pathways and trail projects.

## Press Releases

Formal press releases are sent to local media (newspaper, TV and radio) to announce upcoming meetings and activities and to provide information on specific issues being considered by the MPO or their committees.

## Project Workshops/Open-Houses

Targeted public meetings that are generally open and informal, with project team members interacting with the public on a one-on-one basis. Short presentations may be given at these meetings. The purpose of project-specific meetings is to provide project information to the public and to solicit public comment and a sense of public priorities.

## E-mail Announcements/Internet Message Boards

Meeting announcements and MPO information are e-mailed to interested persons that have submitted their e-mail addresses to MPO staff. Interactive message boards are used to facilitate discussion and solicit public comment regarding specific MPO projects or issues.

## MPO Logo

A logo representing the MPO is used to identify products and publications of the MPO. A logo helps the public become familiar with the different activities of the MPO by providing a means of recognizing MPO products.



**Working together**



## Public Hearings

These are public meetings used to solicit public comment on a project or issue being considered for adoption by the MPO. Hearings provide a formal setting for citizens to provide comments to the MPO or another decision-making body. These include Long Range Transportation Plans, Transportation Improvement Program, corridor studies, Project Development & Environmental studies, and other planning studies as needed for other MPO activities. These hearings are recorded and transcribed for the record.

## Public Forums

These are public meetings held in a less formal setting than Public Hearings to solicit public comment on a project or issue being considered for adoption by the MPO. Forums provide an informal setting for citizens to provide comments to the MPO or another decision-making body. They are not recorded nor transcribed for the record but comment forms are available. These include the MTP, the TIP, corridor studies, project development and environmental studies, and other planning studies as needed for other MPO activities.

## Comment Forms

Comment forms are often used to solicit public comment on specific issues being presented at a workshop or other public meeting. Comment forms can be very general in nature, or can ask for very specific feedback. For example, a comment form may ask for comments on specific alignment alternatives being considered during a corridor study, or may ask for a person's general feelings about any aspect of transportation. Comment forms can also be included in publications and on web sites to solicit input regarding the subject of the publication and/or the format of the publication or web site.

## Surveys

Surveys are used when very specific input from the public is desired. A survey can be used in place of comment cards to ask very specific questions such as whether a person supports a specific alignment in a corridor study. Surveys are also used to gather technical data during corridor and planning studies. For example, participants may be asked about their daily travel patterns.

## Posters and Flyers

Posters and flyers are used to announce meetings and events and are distributed to public places such as City Halls, libraries and community centers for display. The announcement may contain a brief description of the purpose of a meeting, the time(s) and location(s), and contact information. Posters and flyers may be used to reach a large audience that cannot be reached using direct mailings and/or newsletters.

## Grouping of Projects

MPO's make use of statewide project groupings in their TIP. TxDOT, in cooperation with the Federal Highway Administration, developed statewide programs identified by a



statewide project number that provides a more efficient method of programming and contracting for projects that minimizes the necessity for TIP revisions.

The MPO recognizes the use of these grouping categories and will use them as appropriate. Individual projects eligible for statewide project groupings may be included in the MPO / TIP for informational purposes only. The information only project lists will be clearly annotated as such and may be included as an appendix.

#### Social Media

The MPO utilizes social media sites to provide outreach to the public reaching a broader base of citizens through sites such as Facebook, Twitter, Google sites and others as appropriate. The recent addition of Google sites includes a character designed to teach safety to children in an attempt to reach the younger generation and teach them about transportation planning and issues.

## IX. Summary Participation Policy Table

Program Adoption	Public Meetings	Comment Period	Remarks
Metropolitan Transportation Plan (MTP)	Two meetings prior to TPC approval	30 Days	A summary of all oral or written comments will be provided to the TPC and available for public review.
Transportation Improvement Plan (TIP)	Two meetings prior to TPC approval	30 Days	
Program of Projects	Two Meetings Prior To TPC Approval	30 Days	
Public Participation Plan (PPP)	N/A	45 Days	Will be held for updates of the PPP as needed
	Program	Amendments	
Metropolitan Transportation Plan (MTP)	One meeting if requested prior to TPC approval	10 Days	
Transportation Improvement Plan (TIP)	One optional meeting prior if requested to TPC approval	10 Days	
Public Participation Plan (PPP)	N/A	45 Days	
	Open	Meetings	
Transportation Policy Committee (TPC)	Regular meetings are held the Second Tuesday of every month		Dates, times and locations may be changed as needed.

## **X. Commonly Used Transportation Terms and Acronyms**

**ADA – Americans with Disabilities Act of 1990:** Federal law that requires public facilities (including transportation services) to be accessible to persons with disabilities including those with mental disabilities, temporary disabilities, and the conditions related to substance abuse.

**ADT – Average Daily Traffic:** The number of vehicles passing a fixed point in a day, averaged over a number of days. The number of count days included in the average varies with the intended use of data.

**AMPO – Association of Metropolitan Planning Organizations:** A national nonprofit membership organization serving the interests of metropolitan planning organizations nationwide.

**AVO – Average Vehicle Occupancy:** The ratio of person trips to vehicle trips; often used as a criteria in judging the success of trip reduction programs.

**AVR – Average Vehicle Ridership:** The number of employees scheduled to start work during specified hours divided by the number of vehicles arriving at the site during those same hours.

**CAAA – Clean Air Act Amendments:** 1990 amendments to the federal Clean Air Act which classify non-attainment areas and provide for rules dealing with air pollution in such areas; specifically brought transportation decisions into the context of air quality control.

**CIA – Community Impact Assessment:** Community impact assessment is “a process to evaluate the effects of a transportation action on a community and its quality of life.” It is a way to incorporate community considerations into the planning and development of major transportation projects. From a policy perspective, it is a process for assessing the social and economic impacts of transportation projects as required by the National Environmental Policy Act (NEPA). The assessment may address a variety of important community issues such as land development, aesthetics, mobility, neighborhood cohesion, safety, relocation, and economic impacts.

**CMAQ – Congestion Mitigation and Air Quality Improvement Program:** A categorical funding program created under ISTEA, which directs funding to projects that contribute to meeting national air quality standards in non-attainment areas for ozone and carbon monoxide.

**CMP – Congestion Management Process:** A systematic process required under SAFETEA-LU for all TMAs that shall address congestion management through the metropolitan planning process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy of new and existing transportation facilities eligible for funding under title 23 and chapter 53 of title 49 through the use of travel demand reduction and operational management strategies. The CMP is required under 23 CFR 500.109 and shall include methods to

monitor and evaluate the performance of the multi-modal transportation system, identify causes of congestion, identify and evaluate alternative actions, provide information supporting the implementation of actions, and evaluate the efficiency and effectiveness of implementation actions. The CMP is periodically reviewed for efficiency and effectiveness of the implemented strategies, the results of this evaluation shall be provided to decision-makers to provide guidance on selection of effective strategies for future implementation purposes.

**DOT – Department of Transportation:** Agency responsible for transportation at the local, state, or federal level. For title 23 U.S.C. federal-aid highway actions, this would mean the Federal Highway Administration and for federal-aid transit actions under title 49 U.S.C, this would mean the Federal Transit Administration.

**EIS – Environmental Impact Statement:** A National Environmental Policy Act (NEPA) document that explains the purpose and need for a project, presents project alternatives, analyzes the likely impact of each, explains the choice of a preferred alternative, and finally details measures to be taken in order to mitigate the impacts of the preferred alternative.

**Environmental Justice:** Describes the impact of transportation plans or projects, either positive or negative, on a particular community or population. Derived from Title VI of the Civil Rights Act of 1964. Environmental Justice strives to ensure public involvement of low income and minority groups in decision making, to prevent disproportionately high and adverse impacts on low income and minority groups, and to assure that these groups receive equal benefits from transportation improvements.

**FHPP – Federal High Priority Projects:** Discretionary projects earmarked by the U.S. Congress as high priorities at the federal level during the Congressional appropriations and re-authorization process. This amounts to roughly 5% of the total transportation budget.

**FHWA – Federal Highway Administration:** Division of the U.S. Department of Transportation responsible for administering federal highway transportation programs under title 23 U.S.C..

**Fiscal Constraint:** A requirement, originally of ISTEA, that all plans be financially – constrained, balanced expenditures to reasonably expected sources of funding over the period of the TIP or Long-Range Transportation Plan.

**FTA – Federal Transit Administration:** Federal entity responsible for transit planning and programs under title 49 U.S.C.

**Functional Classification:** Functional classification is the process by which streets and highways are grouped into classes, or systems, according to the character of service they are intended to provide. Basic to this process is the recognition that individual roads and streets do not serve travel independently in any major way. Rather, most travel involves movement through a network of roads. It becomes necessary then to determine how this travel can be channelized within the network in a logical and efficient manner. Functional classification defines the nature of this channelization process by defining the part that any particular road or street should play in serving the flow of trips through a

highway network.

**FY – Fiscal Year:** A federal fiscal or budget year; runs from October 1 through September 30 for the MPO and the federal government.

**HOV – High Occupancy Vehicle:** In Texas, vehicles carrying two (2) or more people receive this designation and may travel on freeways, expressways and other large volume roads in lanes designated for high occupancy vehicles.

**IMS – Incident Management System:** A systematic process required under SAFETEA-LU to provide information on accidents and identify causes and improvements to the Transportation system to increase safety of all users.

**ISTEA – Intermodal Surface Transportation Efficiency Act of 1991:** Federal law which restructured transportation planning and funding by requiring consideration of multimodal solutions, emphasis on the movement of people and goods as opposed to traditional highway investments, flexibility in the use of transportation funds, a greater role of MPOs, and a greater emphasis on public participation.

**ITE – Institute of Transportation Engineers:** An international society of professionals in transportation and traffic engineering; publishes Trip Generation (a manual of trip generation rates by land use type).

**ITS – Intelligent Transportation System:** Use of computer and communications technology to facilitate the flow of information between travelers and system operators to improve mobility and transportation productivity, enhance safety, maximize the use of existing transportation facilities, conserve energy resources and reduce adverse environmental effects; includes concepts such as “freeway management systems,” “automated fare collection” and “transit information kiosks.”

**Intergovernmental Agreement:** Legal instrument describing tasks to be accomplished and/or funds to be paid between government agencies.

**LEP – Limited English Proficiency:** Defined by the U.S. Department of Transportation as persons who do not speak English as their primary language and who have limited ability to read, write or understand English.

**LOS – Level of Service:** A qualitative assessment of a road’s operating condition, generally described using a scale of A (little congestion) to E/F (severe congestion).

**MG – Minimum Guarantee:** A funding category created in TEA-21 that guarantees a 90% return of contributions on formula funds to every state.

**MPO Activities:** Are plans, programs and projects related to the MPO process.

**MPO – Metropolitan Planning Organization:** The forum for cooperative transportation decision-making; required for urbanized areas with populations over 50,000.

**MTP – Metropolitan Transportation Plan:** A 25- year forecast plan required of state planning agencies and MPOs; which must consider a wide range of social, environmental, energy, and economic factors in determining overall regional goals and

consider how transportation can best meet these goals.

**NHS – National Highway System:** Specific major roads to be designated September 30, 1995; the NHS will consist of 155,000 (plus or minus 15%) miles of road and represents one category of roads eligible for federal funds under ISTEA.

**Officials:** Are people who have governmental decision-making, planning or administrative responsibilities that relate to MPO activities.

**PMS – Pavement Management System:** A systematic process utilized by state agencies and MPOs to analyze and summarize pavement information for use in selecting and implementing cost-effective pavement construction, rehabilitation, and maintenance programs; required for roads in the National Highway System as a part of ISTEA; the extent to which the remaining public roads are included in the process is left to the discretion of state and local officials; criteria found in 23 CFR 500.021-209.

**PTMS – Public Transportation Facilities and Equipment Management System:** A systematic process (required under ISTEA) utilized by state agencies and MPOs to collect and analyze information on the condition and cost of transit assets on a continual basis; data is to be used to help people choose cost effective strategies for providing and keeping transit facilities and equipment in good condition; process must be developed in Transportation Management Areas (TMAs); the use of CMS in non-TMAs is left to the discretion of state and local officials.

**Public Participation:** Is an integral part of a planning or major decision-making process. It provides opportunities for the public to be involved with the MPO in an exchange of data and ideas. Citizen participation offers an open process in which the rights of the community, to be informed to provide comments to the Government and to receive a response from the Government, are met through a full opportunity to be involved and to express needs and goals.

**ROW – Right-of-Way:** Real property that is used for transportation purposes; defines the extent of the corridor that can be used for the road and associated drainage.

**RTDM – Regional Travel Demand Model:** This is a tool for forecasting impacts of urban developments on travel patterns as well as testing various transportation alternative solutions to traffic patterns. The travel patterns are determined from US census results and in simple terms tell where residents live and where they go to work or school on a regional wide basis.

**SIB – State Infrastructure Bank:** Method of financing large capital projects by taking advantage of borrowing against future state revenues.

**Sponsoring Agencies:** Are organizations or governmental units, which enter into agreements with the MPO to undertake transportation related activities, which will be part of the MPO planning process.

**SAFETEA-LU – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users** – legislation enacted August 10, 2005, as Public Law 109-59. SAFETEA-LU authorizes the Federal surface transportation programs for highways,

highway safety, and transit for the 5-year period 2005-2009.

**SMP – Statewide Mobility Plan:** TxDOT's 10 year plan for adding capacity to the transportation system using the Mobility Category Funds of Federal and State Transportation funding.

**SPP – Statewide Preservation Plan:** TxDOT's 10 year plan for maintaining the Transportation system using the preservation categories of Federal and State Transportation funding.

**STIP – State Transportation Improvement Program:** The TxDOT Five Year Work Program as prescribed by federal law.

**TAC – Technical Advisory Committee:** A standing committee of most metropolitan planning organizations (MPOs); function is to provide advice on plans or actions of the MPO from planners, engineers and other staff members (not general citizens).

**TCI – Texas Congestion Index:** This is an index to measure the magnitude of congestion in a single performance measure across the state. The index measures the mobility of people and goods in each Texas metropolitan area, with attention to the delay time experienced by drivers.

**TMMP – Texas Metropolitan Mobility Plan:** This is a state based requirement intended to serve as a framework for identifying unmet transportation needs in the state's larger metropolitan areas. The TMMP is a needs-based plan which quantifies transportation needs beyond the fiscal constraint barrier.

**TPC – Transportation Policy Committee:** A standing committee created for the purpose of serving as spokespersons for the citizens of the metropolitan area and is the designated MPO to prioritize and direct federal transportation funds to local projects. The TPC is comprised of elected and non elected officials from the cities of Lubbock and Wolfforth and Lubbock county in the urbanized area. The TPC also has representatives from TXDOT, Citibus. The TPC is responsible for creating policies regarding transportation planning issues. The TPC meetings are open to the public and where any member of the public can address the MPO on any transportation issue.

The TPC meets on the second Tuesday of each month at 8:30 A.M. The meetings are held at the Lubbock City Hall, Room 103 City Council Chambers, 13<sup>th</sup> Street in Lubbock, Texas. Meeting dates, times and locations may be changed as necessary.

**Transportation Disadvantaged:** People who are unable to transport themselves or to purchase transportation due to disability, income status or age.

**Transportation Enhancements:** Specific activities which can be funded with Surface Transportation Program (STP) funds; activities include pedestrian/bicycle facilities, acquisition of scenic easements and scenic historic sites, scenic or historic highway programs, scenic beautification, historic preservation, rehabilitation/operation of historic transportation structures, railway corridor preservation, control/removal of outdoor advertising, archeological planning/research and mitigation of highway runoff water pollution.

**TEA-21 – Transportation Equity Act for the 21<sup>st</sup> Century:** Federal Legislation authorizing funds for all modes of transportation and guidelines on the use of those funds. Successor to ISTEA, the landmark legislation that clarified the role of the MPOs in the local priority setting process. TEA-21 emphasizes increased public involvement, simplicity, flexibility, fairness, and higher funding levels for transportation.

**The Public:** Includes citizens, public agencies, advocacy groups and the private sectors that have an interest in or may be affected by MPO activities.

**TIP – Transportation Improvement Program:** A priority list of transportation projects developed by a metropolitan planning organization that is to be carried out within the four (4) year period following its adoption; must include documentation of federal and state funding sources for each project and be consistent with adopted MPO long range transportation plans and local government comprehensive plans.

**TMA – Transportation Management Area:** An area designated by the U.S. Department of Transportation given to all urbanized areas with a population over 200,000 (or other area when requested by the Governor and MPO); these areas must comply with special transportation planning requirements regarding congestion management systems, project selection and certification; requirements identified in 23 CFR – 450.300-33.6.

**TSM – Transportation Systems Management:** Strategies to improve the efficiency of the transportation system through operational improvements such as the use of bus priority or reserved lanes, signalization, access management, turn restrictions, etc.

**TTI – Texas Transportation Institute:** A legislatively created research center, located at Texas A & M University, whose purpose is to conduct and facilitate research and serve as an information exchange on issues related to urban transportation problems in Texas.

**TxDOT – Texas Department of Transportation:** State agency responsible for transportation issues in Texas.

**UTP – Unified Transportation Plan:** This is the state's 10 year Transportation Plan with the first 10 years programmed and the second 15 years of projects under design. This document has two parts. The two parts are: The SMP and SPP respectively.

**UPWP – Unified Planning Work Program:** Developed by Metropolitan Planning Organization (MPOs); identifies all transportation and planning activities anticipated within the next one to two years, including a schedule for the completion of the identified tasks and activities.

**V/C Ratio – Volume over Capacity Ratio:** This is a roadway performance measure to show how a highway volume compares with a highway's capacity.

**VMT – Vehicle Miles Traveled:** This is an output of the travel demand model and is a measure of traffic flow over a highway segment. While 1000 vehicles traveling over a mile road and 1 vehicle traveling over 1000 miles are mathematically equal only the former 1000 vehicle mile means anything to the transportation planner.



## **XI. Appendix A – Language Assistance Plan**

### **THE LUBBOCK METROPOLITAN PLANNING ORGANIZATION TRANSPORTATION PUBLIC PARTICIPATION PLAN (Month Year)**

#### **LANGUAGE ASSISTANCE PLAN**

Lubbock Metropolitan Planning Organization is committed to incorporating Environmental Justice elements and Title VI considerations into the public participation process for transportation planning input and involvement from populations that have been traditionally underserved by existing transportation systems, including but not limited to low-income and minority households, are sought out and their needs considered. Various communication strategies and information formats seek to make information easily accessible and understandable.

Title VI states that no person shall be 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 prohibits discrimination, whether intention or where the unintended effect is unduly burdensome. The Lubbock Metropolitan Planning Organization's Title VI Complaint Procedures (Appendix B) establishes a procedure under which complaints alleging discrimination in the LMPO's provisions, services, or MPO activities can be made by persons who are not employees of the Lubbock Metropolitan Planning Organization.

The US Department of Transportation defines Limited English Proficiency (LEP) as persons who do not speak English as their primary language and who have limited ability to read, write, or understand English.

#### **Executive Order 13166**

In 2000, President William J. Clinton sign Executive Order 13166 "Improving Access to Services for Person with Limited English Proficiency." The order provided clarification of Title VI in the Civil Rights Act of 1964, stating that recipients of federal funds must "ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin."

The order also required federal agencies and recipients of federal financial assistance to examine the services they provide and develop an implementation plan to provide meaningful access to LEP persons.

Guidance from the Federal Highway Administration, Federal Transit Administration and the Texas Department of Transportation stresses the importance of reducing language barriers that can prevent meaningful access by LEP persons to important services. LMPO values public involvement and feedback and encourages participation by all individuals.

To ensure all individuals have meaningful access to information and opportunity to participate in the planning process, the LMPO analyzes department activities and demographic information for the region in order to:

- Identify LEP persons who need language assistance and determine how these individuals are served or likely to be served by the LMPO programs;
- Outline how language assistance will be available;
- Train staff to consider the needs of and interaction with LEP persons
- Provide notice to LEP persons;
- Monitor and update plans and strategies that address how LEP individuals have access to information and opportunities for program participation.

Because transportation planning and services of the LMPO can be both a benefit and burden to economic development, employment, housing, education, healthcare, and social opportunities, the LMPO staff is dedicated to assessing the location and needs of LEP individuals and the services the LMPO provides to them.

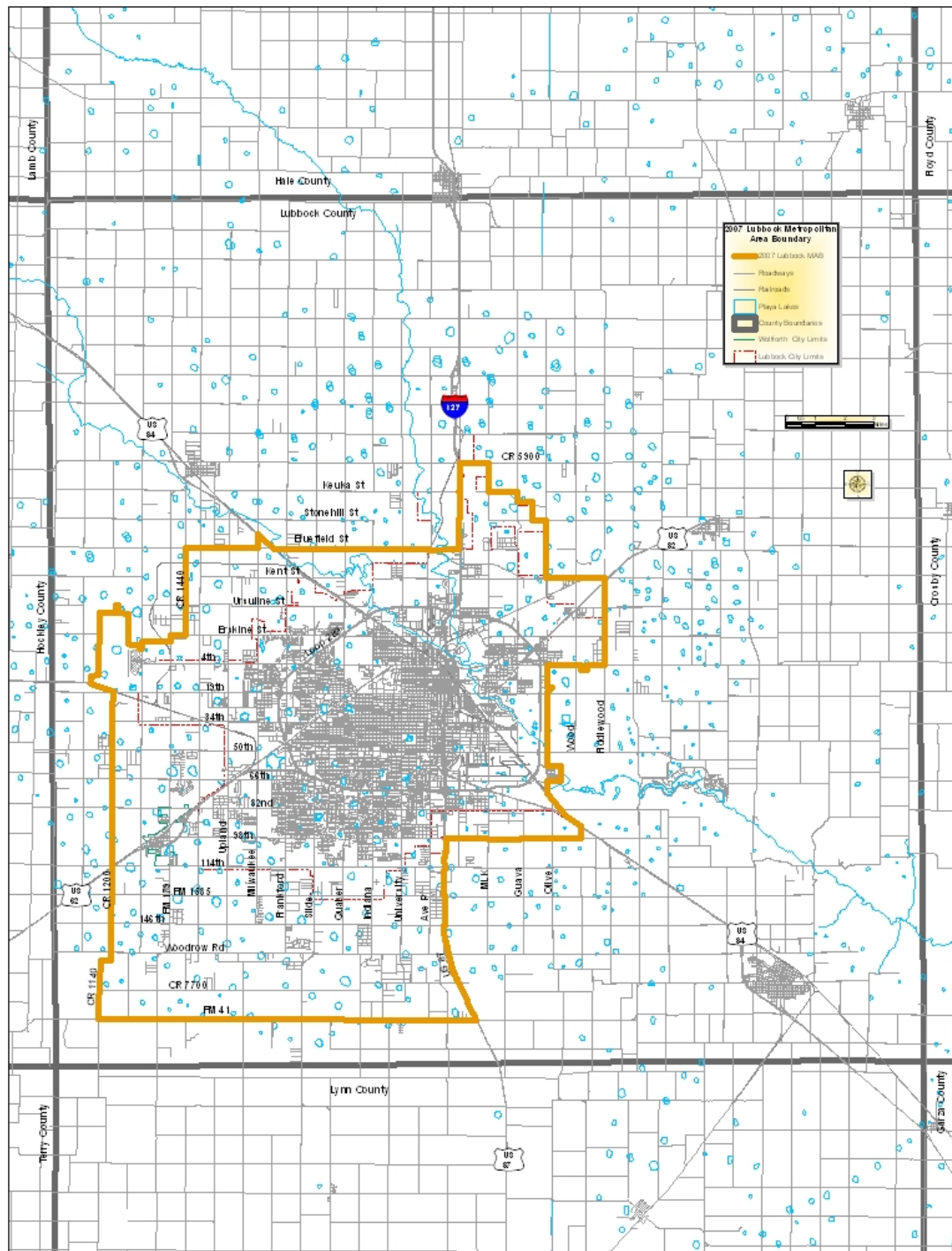
#### **Identification of LEP populations and determination of how these individuals are served or likely to be served by the Lubbock Metropolitan Planning Organization**

The US Department of Transportation issued Policy Guidance to federal financial assistance recipients regarding Title VI prohibition against national origin discrimination affecting LEP persons. In this guidance the USDOT provided the four factor analysis as an approach to evaluate the extent to which language assistance measures are required to ensure meaningful access to LEP persons.

Factor 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 grantee

The LMPO boundary encompasses the Cities of Lubbock and Wolfforth as well as a large portion of Lubbock County.

# **Lubbock Metropolitan Area Boundary Limited English Proficiency Area of Concern**



This page should show the identification of LEP in the Lubbock MAB, where the information is gathered from and what information was used to determine LEP individuals.

Factor 2: The frequency with which LEP individuals come in contact with the program.

The nature of the programs associated with the Lubbock Metropolitan Planning Organization dictate that the majority of contact with the public and LEP persons is through inquiries submitted to the MPO, public meetings, public outreach events, the MPO website and program implementation activities.

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

The Lubbock MPO is responsible for the transportation planning processes in the Lubbock Metropolitan Area Boundary. In this capacity, the LMPO must ensure that all segments of the population are involved or have the opportunity to be involved in the decision making process. As required by federal guidelines, the LMPO produces a Metropolitan Transportation Plan (MTP) that outlines long-range transportation investments, a Transportation Improvement Program (TIP) that provides short range planning, a Unified Planning Work Program (UPWP) that outlines tasks to be performed in the upcoming year and a Congestion Management Process (CMP) for developing and implementing operation and travel-demand strategies that improve transportation system performance.

Factor 4: The resources available to the recipient and costs

(We need to figure out HOW we can get available resources for this objective)

### **Guidelines for making language assistance available**

All language assistance will be provided at no charge to LEP individuals.

The four-factor analysis will be used as a tool for analyzing to what extent and how the needs of the LEP individuals are addressed during transportation planning and program implementation. For example, the four-factor analysis will be used to determine alternative format needs for documents and the website. Initial transmissions regarding public meetings and opportunities for the public to comment will include instructions on how to request information be made available in an alternate format.

Increased use of visualization tools will be used to make information more understandable and, in some cases, reduce the need for English proficiency.

Plans, projects and programs for areas with a high number of LEP persons will have materials that address the needs of the population in that area. Environmental Justice areas, including non-English speakers, are mapped whenever possible to provide, as much as possible, plan or project specific data to be used.

The Lubbock MPO will make every effort to accommodate language translation needs, if provided sufficient notice. A minimum of three (3) business days advance notice is required for these arrangements to be provided at public meetings.

The Lubbock MPO will consistently seek out input and involvement from organizations and agencies which serve LEP populations to complement other language assistance and outreach efforts.

### **Staff training for considering the needs of and interacting with LEP persons**

It is hoped that during the FY 2012 Unified Planning Work Program, the LMPO staff will be able to seek training on meaningful access to services for LEP persons. Any training materials and resources will be added to the LMPO library, as appropriate, and will serve to keep current LMPO employees up to date and act as a training resource for new employees.

### **Notice of assistance available for LEP persons**

Public meeting notices include the telephone number and email address to request special arrangements for language translation or disability. On each notice, this information is included in English and Spanish. The LMPO will make every effort to provide translations as requested.

Language assistance requests should be submitted to:

Lubbock Metropolitan Planning Organization  
916 Main Street, Suite 445  
Lubbock, Texas 79401  
(806) 775-1MPO (1676)  
(806) 775-1675 (Fax)

Or we can be reached at our email addresses:

[djones@mylubbock.us](mailto:djones@mylubbock.us)

[twalker@mylubbock.us](mailto:twalker@mylubbock.us)

[dwestmoreland@mylubbock.us](mailto:dwestmoreland@mylubbock.us)

Or you may submit a request to our Facebook page:

[www.facebook.com/LubbockMpo](http://www.facebook.com/LubbockMpo)

### **Monitoring and updating plans and strategies that address how LEP individuals have access to information and opportunities for program participation**

The Language Assistance Plan is intended to be reviewed and updated in conjunction with the Lubbock MPO's Public Participation Plan.

Environmental Justice and Title VI activities will be periodically summarized to provide information about how the LMPO:

- Addresses the needs of LEP persons and those traditionally underserved by existing transportation services;
- Facilitates opportunities for full and fair participation from all individuals;
- Makes information accessible and understandable;
- Ensures no person shall, on the basis of race, color, national origin, age, sex, disability, or religion, be excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance.

## **XII. Appendix B – Title VI Complaint Procedures**

### **Lubbock Metropolitan Planning Organization**

#### **Title VI Complaint Procedures**

##### **Introduction**

The Lubbock Metropolitan Planning Organization (LMPO) serves as the federally designated Metropolitan Planning Organization (MPO) for the Lubbock Metropolitan Area Boundary. As a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related Title VI statutes, the LMPO ensures that no person shall, on the grounds of race, religion, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any agency programs or activities. All programs funded in whole or in part from federal financial assistance are subject to Title VI requirements. The Civil Rights Restoration Act of 1987 extended this to all programs within an agency that receives federal assistance regardless of the funding source for individual programs.

This policy is intended to establish a procedure under which complaints alleging discrimination in the LMPO's provisions, services, or LMPO activities can be made by persons who are not employees of the LMPO.

Any person who believes the LMPO, or any entity who received federal financial assistance from or through the LMPO (i.e.: sub-recipients, sub-contractors, or sub-grantees), has subjected them or any specific class of individuals to unlawful discrimination may file a complaint of discrimination.

The Lubbock Metropolitan Planning Organization will follow timelines set forth in guidance from the Department of Transportation, the Federal Highway Administration, Federal Transit Administration and the Department of Justice for processing Title VI discrimination complaints.

##### **When to File**

A complaint of discrimination must be filed within 180 calendar days of the alleged act of discrimination, or discovery thereof, or where there has been a continuing course of conduct, the date on which that conduct was discontinued. Filing means a written complaint must be postmarked before the expiration of the 180-day period. The filing date is the day you complete, sign and mail the complaint form. The complain form and consent/release form must be dated and signed for acceptance. Complaints received more than 180 days after the alleged discrimination will not be processed and will be returned to the complainant with a letter explaining why the complaint could not be processed and alternative agencies to which a report may be made.



## **Where to File**

In order to be processed, signed original complaint forms must be mailed or hand delivered to:

Lubbock Metropolitan Planning Organization

916 Main Street, Suite 445

Lubbock, Texas 79401

Upon request, reasonable accommodations will be made for persons who are unable to complete the complaint form due to disability or limited English proficiency. A complaint may also be filed by a representative on behalf of the complainant.

Persons who are not satisfied with the findings of the LMPO may seek remedy from other applicable state and federal agencies.

## **Required Elements of a Complaint**

In order to be processed, a complaint must be in writing and contain the following information:

- Name, address, and phone number of the complainant
- Name(s), address(es), and business(es)/organization(s) of person(s) who allegedly discriminated
- Date of alleged discriminatory act(s)
- Basis of complaint (i.e.: race, color, national origin, sex, age, religion or disability)
- A statement of complaint
- Signed consent release form

## **Incomplete Complaints**

Upon initial review of the complaint, the LMPO will ensure that the form is complete and that any initial supporting documentation is provided. Should any deficiencies be found, the LMPO will notify the complainant within ten (10) working days. If reasonable efforts to reach the complainant are unsuccessful or if the complainant does not respond within the time specified in the request, thirty (30) days, the recipient may close the complainant's file. The complainant may resubmit the complaint provided it is filed within the original 180-day period.

Should the complaint be closed due to lack of required information, the LMPO will notify the complainant at their last known address. In the event the complainant submits the missing information after the file has been closed, the complaint may be reopened provided it has not been more than 180 days since the date of the alleged discriminatory action.

## **Records of Complaints**

The LMPO will keep a record of all complaints received. The log will include such information as:

- Basic information about the complaint such as when it was filed, who filed it, and who was against
- A description of the alleged discriminatory action
- Findings of the investigation

## **Complaint Process Overview**

The following is a description of how a discrimination complaint will be handled once received by the LMPO:

### **1. A complaint is received by the LMPO:**

Complaints must be in writing and signed by the complainant or their desired representative. If the complainant is unable to complete the form in writing due to disability or limited English proficiency, upon request reasonable accommodations will be made to ensure the complaint is received and processed in a timely manner. Complainants wishing to file a complaint that do not have access to the Internet or the ability to pick up a form will be mailed a complaint form to complete. The complainant will be notified if the complaint form is incomplete and asked to furnish the missing information.

### **2. Complaint is logged into tracking database:**

Completed complaint forms will be logged into the complaint tracking database; basic data will be maintained on each complaint received.

### **3. Determine jurisdiction:**

The LMPO will complete an initial review of the complaint. The purpose of this review is to determine if the complaint meets basic criteria.

Criteria required for a complete complaint includes:

- Basis of alleged discrimination (i.e.: race, religion, color, national origin, sex, age or disability)
- Determination of timeliness will also be made to ensure that the complaint was filed within the 180 day time requirement.
- The program in which the alleged discrimination occurred will be examined to ensure that the complaint was filed with the appropriate agency. During this process, if a determination is made in which the program or activity that the alleged discrimination occurred is not related to a LMPO program or activity, every attempt will be made to establish the correct agency. Whenever possible, and assuming consent was granted on the Consent/Release form, the complaint will be forwarded to the appropriate agency.

#### **4. Initial written notice to complainant**

Within ten (10) working days of the receipt of the complaint, the LMPO will send notice to the complainant confirming receipt of the complaint; if needed the notice will request additional information, notify complainant that the activity is not related to a LMPO program or activity, or does not meet the deadline requirement. Conclusions made in step three (3) will determine the appropriate response to the complaint. If any additional information is needed from the complainant, it will be communicated at this point in the process. A copy of written response, as well as the complaint form, will be forwarded to the Texas Department of Transportation, Office of Civil Rights, Contract Compliance Section for informational purposes only.

#### **5. Investigation of complaint**

The LMPO staff will confer with the LMPO Executive Director to determine the most appropriate fact finding process to ensure that all available information is collected in a effort to reach the most informed conclusion and resolution of the complaint. The type of investigation techniques used may vary depending on the nature and circumstances of the alleged discrimination. An investigation may include but is not limited to:

- Internal meetings with LMPO staff and legal counsel
- Consultation with state and federal agencies
- Interviews of complainant(s)
- Review of documentation (i.e.: planning, public involvement, and technical program activities)
- Interviews and review of documentation with other agencies involved
- Review of technical analysis methods
- Review of demographic data

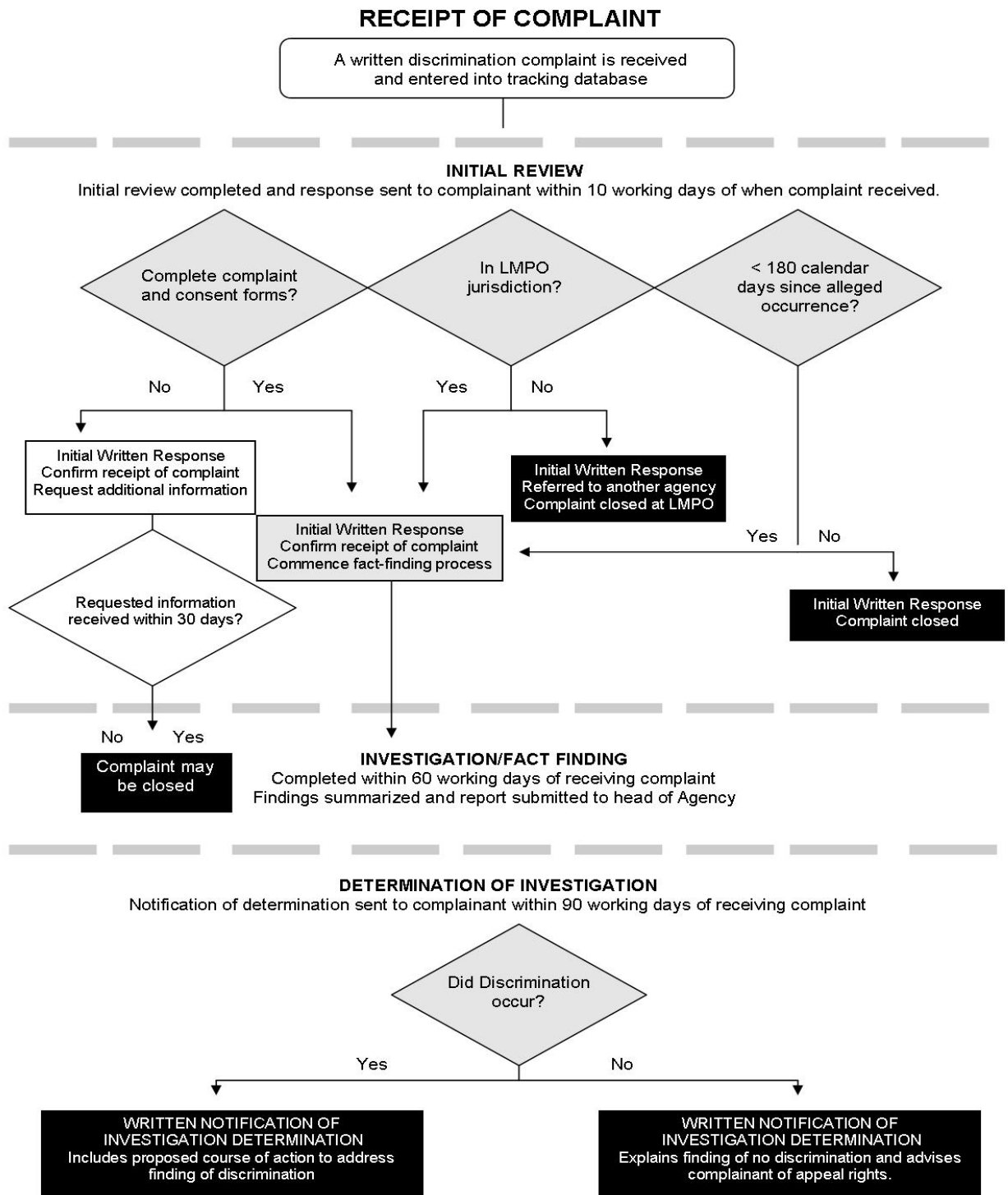
#### **6. Determination of investigation**

An investigation must be completed within sixty (60) days of receiving the complete complaint unless the facts and circumstances warrant otherwise. A determination will be made based on information obtained. The LMPO Executive Director and/or designee will render a recommendation for action, including formal and/or informal resolution strategies in a report of findings.

#### **7. Notification of determination:**

Within ten (10) days of completion of an investigation, the complainant must be notified by the LMPO Executive Director of the final decision. The notification will advise the complainant of his/her appeal rights with state and federal agencies if he/she is dissatisfied with the final decision. A copy of this letter, along with the report of findings, will be forwarded to the Texas Department of Transportation, Office of Civil Rights, Contract Compliance Section for information purposes.

### XIII. Appendix C – Receipt of Complaint Flowchart



## **XIV. Appendix D – LMPO Discrimination Complaint Form**

Lubbock Metropolitan Planning Organization  
Title VI Complaint Procedures  
Approved:

### **Lubbock Metropolitan Planning Organization Discrimination Complaint Form**

#### **Please read the information on this form carefully before you begin**

The Lubbock Metropolitan Planning Organization (LMPO) serves as the federally designated Metropolitan Planning Organization (MPO) for the Lubbock Metropolitan Area Boundary. As a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, the LMPO ensures that no person shall, on the grounds of race, religion, color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any agency programs or activities. The prohibitions extend as a direct recipient of federal financial assistance from the LMPO to its sub-recipients (e.g.: contractors, local governments, colleges, universities, etc.).

All programs funded in whole or in part from federal financial assistance are subject to Title VI requirements.

The LMPO is required to implement measures to ensure that persons with limited English proficiency or disability have meaningful access to the services, benefits and information of all its programs and activities under Executive Order 13166. Upon request, assistance may be provided if you are limited English proficient or disabled. Complaints may be field using an alternative format if you are unable to complete the written form.

The filing date is the day you complete, sign, and mail this complaint form. Your complaint must be filed no longer than 180 calendar days from the most recent date of

the alleged act of discrimination. The complaint form and consent/release form must be dated and signed for acceptance. You have 30 calendar days to respond to any written request for information. Failure to do so will result in the closure of the complaint.

Submit the forms by mail or in person to:

**Lubbock Metropolitan Planning Organization**  
**916 Main, Suite 445**  
**Lubbock, Texas 79401**

If you have any questions or need additional information, please call (806) 775-1MPO (1676) or email [djones@mylubbock.us](mailto:djones@mylubbock.us) or [tbdavis@mylubbock.us](mailto:tbdavis@mylubbock.us).

Lubbock Metropolitan Planning Organization

Title VI Complaint Procedures

Approved:

## **Lubbock Metropolitan Planning Organization Discrimination Complaint Form**

Please read the information on this form carefully before you begin

1. \_\_\_\_\_  
First Name MI Last Name

\_\_\_\_\_  
Street Address City State Zip Code

\_\_\_\_\_  
Telephone Number email Address

### **2. Who do you believe discriminated against you?**

\_\_\_\_\_  
First Name MI Last Name

\_\_\_\_\_  
Name of Business/Organization Position/Title

\_\_\_\_\_  
Street Address City State Zip Code

\_\_\_\_\_  
Person's Relationship to You

### **3. When did the alleged act(s) of discrimination occur?**

Please list all applicable dates in mm/dd/yyyy format.

\_\_\_\_\_  
Date(s) Is the alleged discrimination ongoing? Yes No

### **4. Where did the alleged act(s) of discrimination occur? (Attach additional pages as necessary.)**

Lubbock Metropolitan Planning Organization  
Title VI Complaint Procedures  
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**5. Indicate the basis of your grievance of discrimination.**

- |  |                                |                                     |                                   |
|--|--------------------------------|-------------------------------------|-----------------------------------|
| <input type="checkbox"/> Race            | <input type="checkbox"/> Color | <input type="checkbox"/> Age        | <input type="checkbox"/> Religion |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Sex   | <input type="checkbox"/> Disability |                                   |

**6. Describe in detail the specific incident(s) that is/are the basis(es) of the alleged discrimination. Describe each incident of discrimination separately. Attach additional pages as necessary.**

**Please explain how other persons or groups were treated differently by the person(s)/agency whom discriminated against you.**

**Please list and describe all documents, emails, or other records and materials pertaining to your complaint.**

**Please list and identify any witness(es) to the incidents or persons who have Personal knowledge of information pertaining to your complaint.**

**Have you previously reported or otherwise complained about this incident or Related acts of discrimination? If so, please identify the individual to whom you made the report, the date on which you made the report, and the resolution. Please provide any supporting documentation.**

Lubbock Metropolitan Planning Organization  
Title VI Complaint Procedures  
Approved:



**Please provide any additional information about the alleged discrimination.**

- 1. If an advisor will be assisting you in the complaint process, please provide his/her name and contact information.**

---

First Name MI Last Name

---

Name of Business/Organization Position/Title Telephone Number

---

Street Address City State Zip Code

- 8. This complaint form must be signed and dated in order to address your allegations. Additionally, this office will need your consent to disclose your name, if needed, in the course of our investigation. The Discrimination Complaint Consent/Release form is attached. If you are filing a complaint of discrimination on behalf of another person, our office will also need this person's consent.**

I certify that to the best of my knowledge the information I have provided is accurate and the events and circumstances are as I have described them. I also understand that if I will be assisted by an advisor, my signature below authorizes the named individual to receive copies of relevant correspondence regarding the complaint and to accompany me during the investigation.

---

Signature

---

Date

Lubbock Metropolitan Planning Organization  
Title VI Complaint Procedures  
Approved:

## Lubbock Metropolitan Planning Organization Discrimination Complaint Consent/Release Form

**Please read the information on this form carefully before you begin**

First Name	MI		Last Name
Street Address	City	State	Zip Code

As a complainant, I understand that in the course of an investigation it may become necessary for the Lubbock Metropolitan Planning Organization to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of the Lubbock Metropolitan Planning Organization to honor requests under the Freedom of Information Act. I understand that as a complainant I am protected from retaliation for having taken action or participated in action to secure rights protected by nondiscrimination statutes and regulations which are enforced by the Federal Highway Administration (FHWA) of the U.S. Department of Transportation.

**Please check one:**

☐ **I CONSENT** and authorize the Lubbock Metropolitan Planning Organization (LMPO), as part of its investigation, to reveal my identity to persons at the organization, business, or institution, which has been identified by me in my formal complaint of discrimination. I also authorize the LMPO to discuss, receive and review materials and information about me from the same and with appropriate administrators or witnesses for the purpose of investigating this complaint. In doing so, I have read and understand the information at the beginning of this form. I also understand that the material and information received will be used for authorized civil rights compliance activities only. I further understand that I am not required to authorize this release and do so voluntarily.

☐ **I DENY CONSENT** to have the Lubbock Metropolitan Planning Organization (LMPO) reveal my identity to person at the organization, business, or institution under investigation. I also deny consent to have the LMPO disclose any information contained in the complaint with any witnesses I have mentioned in the complaint. In doing so, I understand that I am not authorizing the LMPO to discuss, receive, nor review any materials and information about me from the same. In doing so, I have read and understand the information at the beginning of this form. I further understand that my decision to deny consent may impede this investigation and may result in the unsuccessful resolution of my case.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date