

Title VI Plan

Non-discrimination Regulations for Transportation Planning

Adopted by the MPO Policy Board 11-17-2022

Funding Notes:

This report was funded in part through grant[s] from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation. The views and opinions of the authors [or agency] expressed herein do not necessarily state or reflect those of the U. S. Department of Transportation.

Title VI Note:

MPO hereby gives public notice that it is the MPO's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which MPO receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with MPO. Any such complaint must be in writing and filed with MPO's Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discriminatory Complaint Form, please see our website at www.lawrenceks.org/mpo.

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TITLE VI POLICY STATEMENT

The Lawrence-Douglas County MPO (MPO) assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The MPO further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event the MPO distributes federal aid funds to another governmental entity, the MPO will include Title VI language in all written agreements and will monitor for compliance. The MPO's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other MPO responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.



Courtney Shipley
MPO Policy Board Chair

DATED: 11/28/2022

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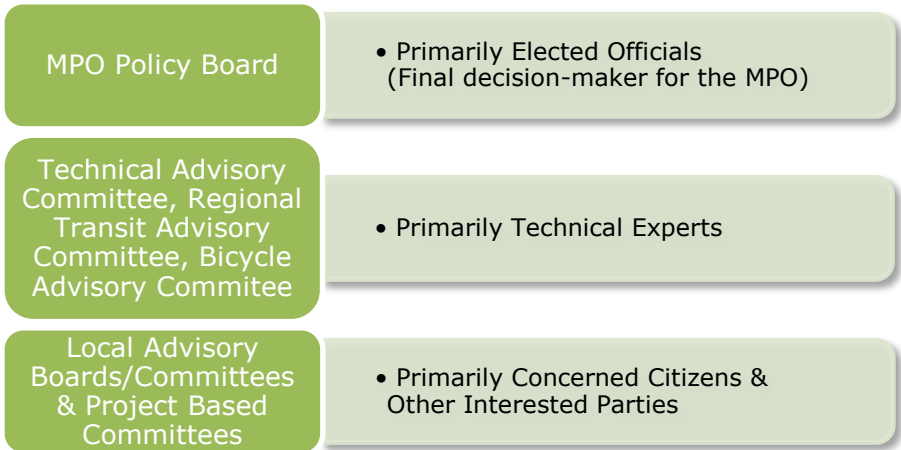
INTRODUCTION

WHAT IS AN MPO?

Each urbanized area with a population of 50,000 people or more is required to have a Metropolitan Planning Organization (MPO), which acts as a liaison between local communities, their citizens, and the state and federal departments of transportation. MPOs are important because they help direct how and where available local, state, and federal dollars for transportation improvements will be spent. The MPO structure is comprised of MPO staff, the MPO Policy Board, a Technical Advisory Committee, a Regional Transit Advisory Committee, a Bicycle Advisory Committee, and several other advisory groups that may be formed from time to time to help the MPO staff with major projects. The MPO structure is shown in Figure 1. The number of official MPO advisory committees and their composition is determined by the MPO Policy Board and specified in the MPO bylaws and/or in the bylaws for each MPO advisory committee.

The MPO is a group that is composed of representatives from many local governments that collectively discusses the transportation issues facing the metro area and then makes decisions about how to address those issues.

Figure 1: MPO Structure



The MPO Policy Board, Technical Advisory Committee and Regional Transit Advisory Committee members are appointed by position with each member agency selecting representatives from their agency to fill their MPO member slots. The MPO does not control the participation in the boards and committees, but whenever there is a chance for open participation, the MPO casts a wide net to include any/all interested and/or relevant participants for input. The process for fulfilling MPO member slots is outlined in the MPO designation agreement and the bylaws of these groups.

MPO Policy Board – Voting Members

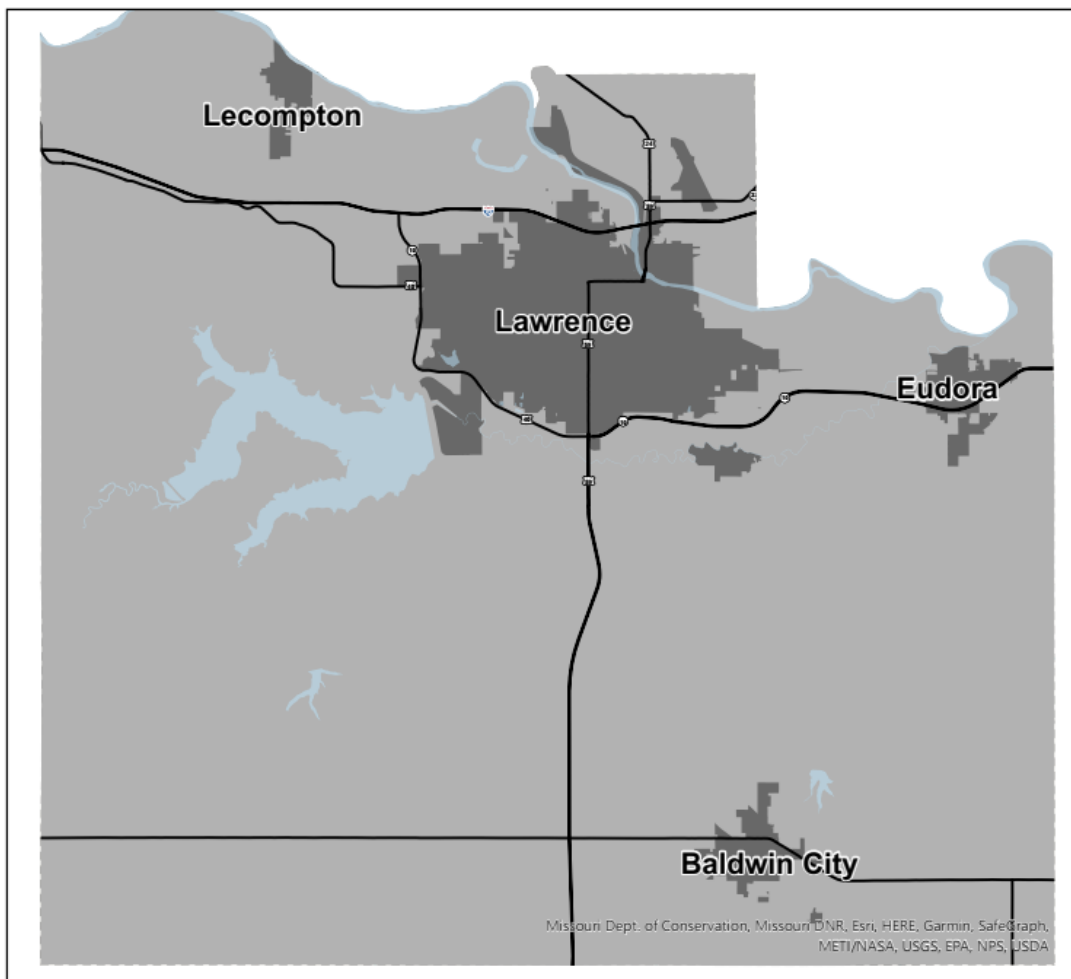
- 2 Lawrence City Commissioners;
- 1 Douglas County Commissioner;
- 2 Lawrence-Douglas County Metropolitan Planning Commission members (one that was appointed by the Lawrence City Commission and one that was appointed by the Douglas County Board of County Commissioners);
- 1 elected official from the governing body of Baldwin City, Eudora, or Lecompton (rotating seat); and
- 1 representative from the Kansas Department of Transportation (KDOT).

MPO Policy Board – Non-Voting Members

- 1 representative from the Federal Highways Administration (FHWA) Kansas Division Office
- 1 representative from the Federal Transit Administration (FTA) Region 7 Office
- 1 representative from the University of Kansas
- 1 elected official from the governing body of Baldwin City, Eudora and/or Lecompton not presently represented on the MPO Policy Board by a voting member (two members).

The Lawrence-Douglas County Metropolitan Planning Organization (MPO) serves all of Douglas County, Kansas including Baldwin City, Eudora, Lawrence, and Lecompton (see Figure 2).

Figure 2: Lawrence-Douglas County Metropolitan Planning Area (MPA)



WHAT IS TITLE VI?

Title VI refers to a specific section of the 1964 Civil Rights Act, but it is more than only the one law (Figure 3). All agencies that receive federal funds must comply with the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all relevant Executive Orders.

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.¹

CIVIL RIGHTS RESTORATION ACT OF 1987

The Civil Rights Restoration Act of 1987 expanded the scope of Title VI coverage by defining the word “program” to make clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal financial assistance.²

EXECUTIVE ORDER 12898

Executive Order 12898 is titled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*. It was issued by President Clinton in 1994 to direct federal attention to develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations.³

EXECUTIVE ORDER 13166

Executive Order 13166 is titled *Improving Access to Services for Persons with Limited English Proficiency*. It was issued by President Clinton in 2000 to direct federal agencies to evaluate services provided and implement a system that ensures that Limited English Proficiency persons are able to meaningfully access the services provided consistent with and without unduly burdening the fundamental mission of each federal agency. The Executive Order includes the statement below:

Each Federal Agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure

Figure 3: Title VI Programs



¹ 49 CFR Part 21, which codifies the Title VI of the Civil Rights Act of 1964 – www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr21_main_02.tpl

² FHWA guidance for the Civil Rights Restoration Act of 1987 – www.fhwa.dot.gov/legregs/directives/notices/n4720-6.cfm

³ FHWA guidance for Executive Order 12898 – www.fhwa.dot.gov/environment/environmental_justice/overview/

that eligible LEP persons can meaningfully access the agency's programs and activities.⁴

TITLE VI PROCEDURES MANUAL

This document serves as the Title VI Procedures Manual for the MPO's Title VI program, incorporating the day-to-day procedures necessary to maintain the program. It also details the MPO's Title VI responsibilities. This manual will be updated regularly to incorporate changes and additional responsibilities.

TITLE VI RESPONSIBILITIES

The following are general Title VI responsibilities of the MPO to ensure compliance with all Title VI laws. The Title VI Coordinator, with involvement and assistance from other members of staff, is responsible for ensuring these elements of the plan are appropriately implemented and maintained.

TITLE VI COORDINATOR AND MPO STAFF RESPONSIBILITIES

The Director of the Planning and Development Services Department for Lawrence-Douglas County acts as the MPO Secretary and is responsible for ensuring implementation of the MPO's Title VI Program and assumes the role of MPO Title VI Coordinator. The Title VI Coordinator is responsible for coordinating the overall administration of the Title VI Procedures Manual, plan, and assurances (See Appendix A). Furthermore, the Title VI Coordinator is responsible for supervising staff activities pertaining to Title VI regulations and the MPO's Title VI Program Manual. The Title VI Coordinator and staff responsibilities include:

- Ensure that all aspects of the planning/programming process operation and environmental justice work comply with Title VI by establishing and maintaining a Title VI Program Manual in accordance with FTA Circular 4702.1B (and any future versions). This includes, but is not limited to, a Limited English Proficiency Plan, a signed assurance that describes how the MPO intends to ensure that the planning process upholds Title VI and a clear and concise complaint process.
- Meet with appropriate staff members to monitor and discuss progress, implementation, and compliance issues related to the MPO's Title VI program.
- Periodically review the MPO's Title VI program to assess if procedures are effective and participate in KDOT Title VI program reviews.
- Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs when needed.
- Ensure inclusion of Title VI language in contracts and Requests for Proposals (RFP).
- Address any Title VI complaints received per the complaint process outlined in the MPO's plan and coordinate with KDOT's Office of Civil Rights Compliance, and KDOT's Comprehensive Transportation Planning Unit as appropriate (Appendix B).
- Encourage MPO employees to participate in Title VI related professional development and training.
- Develop and submit the annual Title VI Progress Report to KDOT (due September 1).
- Participate in KDOT Title VI Reviews.

The subsequent Title VI responsibilities are divided into Administrative Activities and Planning Process Activities.

⁴ FHWA guidance for Executive Order 13166 – www.fhwa.dot.gov/civilrights/programs/lep.cfm

ADMINISTRATIVE ACTIVITIES

TITLE VI NOTIFICATION

As a recipient of federal funding, the MPO and its sub-recipients, consultants, and other contractors will provide information to the public pertaining to Title VI requirements and inform the public of the protections against discrimination that Title VI provides.⁵ This requirement is fulfilled through the following actions.

1. Posting the MPO's Title VI Policy Statement, Title VI Program Manual, Title VI Brochure, the Title VI Complaint Procedures and Title VI Complaint Form on the MPO's website at www.lawrenceks.org/mpo/title6. The Title VI Notification statement is listed in Appendix D. A physical copy of the Title VI Notification is also posted in Lawrence City Hall Riverfront.
2. Paper copies of all pertinent Title VI information including the Title VI Policy Statement, Title VI Brochure, Title VI Complaint Procedures and Title VI Complaint Form will be kept in a binder of MPO materials in the Planning and Development Services Office at the Lawrence City Hall Riverfront.
3. A Title VI notification is included in all major documents and on all MPO Committee agendas including the MPO Policy Board, Technical Advisory Committee, the MPO Bicycle Advisory Committee, and the Regional Transit Advisory Committee.
4. Information on the MPO's Title VI program is to be disseminated to MPO employees, contractors, and beneficiaries, as well as to the public. Furthermore, sub-recipients and consultants/contracts will be monitored for compliance with the MPO's Title VI program.

TITLE VI INVESTIGATIONS, COMPLAINTS, OR LAWSUITS

To date no Title VI investigations, complains, or lawsuits have been filed against the MPO and/or Lawrence Transit.

However, if a complaint is filed alleging discrimination on the basis of race, color, or national origin, it will be documented. The Title VI Coordinator will document the date the investigation, lawsuit, or complaint was filed, a summary of the allegation(s), the status of the investigation, lawsuit, or complaint, and actions taken in response to the investigation, lawsuit, or complaint.

Any individual may exercise their right to file a complaint with the MPO, if that person believes that they or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, or national origin. The MPO will make a concerted effort to resolve complaints as put forth in its Title VI Complaint Procedure, found in Appendix B.

ANNUAL REPORT OF TITLE VI PROGRAM

An Annual Report is to be submitted by September of each year to the Title VI Coordinator in the KDOT Division of Planning and Development, the KDOT's Office of Civil Rights Compliance, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). The report includes:

- The previous year's Title VI-related activities and efforts, including accomplishments and program changes.
- The training that the MPO staff provided or received on Title VI, Environmental Justice (EJ) or Limited English Proficiency (LEP).
- A list of Title VI complaints received and how they were addressed.
- An inventory of requests for language assistance.
- An inventory of public meetings held & community outreach efforts, particularly to underserved populations.
- Monitoring of sub-recipients (if applicable)

⁵ Based on 49 CFR Section 21.9(d) accessed at www.gpo.gov/fdsys/granule/CFR-2009-title49-vol1/CFR-2009-title49-vol1-sec21-9

LIMITED ENGLISH PROFICIENCY PLAN IMPLEMENTATION

To provide meaningful access to the MPO's programs and services, special attention will be needed to ensure equal participation opportunities for persons with LEP. The MPO will make every effort, to the maximum extent possible, to provide language assistance when requested and utilize a variety of outreach techniques identified in the Public Participation Plan and/or the LEP Plan to encourage participation. Both the Public Participation Plan (PPP) and the Limited English Proficiency Plan (LEP) can be found online at:

<https://lawrenceks.org/mpo/public-participation/>

MEMBERSHIP OF NON-ELECTED COMMITTEES

The MPO does not select MPO Policy Board, Technical Advisory Committee (TAC), Regional Transit Advisory Committee (RTAC), MPO Bicycle Advisory Committee (MPO BAC) members, or other committees. The composition of the committees/boards are based solely upon positions people are currently serving or, in the case of the Bicycle Advisory Committee, appointments made by the organization they represent. The City of Lawrence has a resolution⁶ which states "the Mayor shall strive to reflect the diversity of the community in appointments, including, but not limited to: income level, race, sex, religion, color, national origin, ethnicity, age, ancestry, familial status, gender identity and sexual orientation." Our other jurisdictions do not have a formalized policy regarding appointments, but they are intentional when making appointments, especially in regard to sex.

The MPO does not control the participation in the boards and committees, as members are selected by others or a persons' employment at an agency, but whenever there is a chance for open participation, the MPO casts a wide net encouraging diverse representation.

PLANNING PROCESS ACTIVITIES

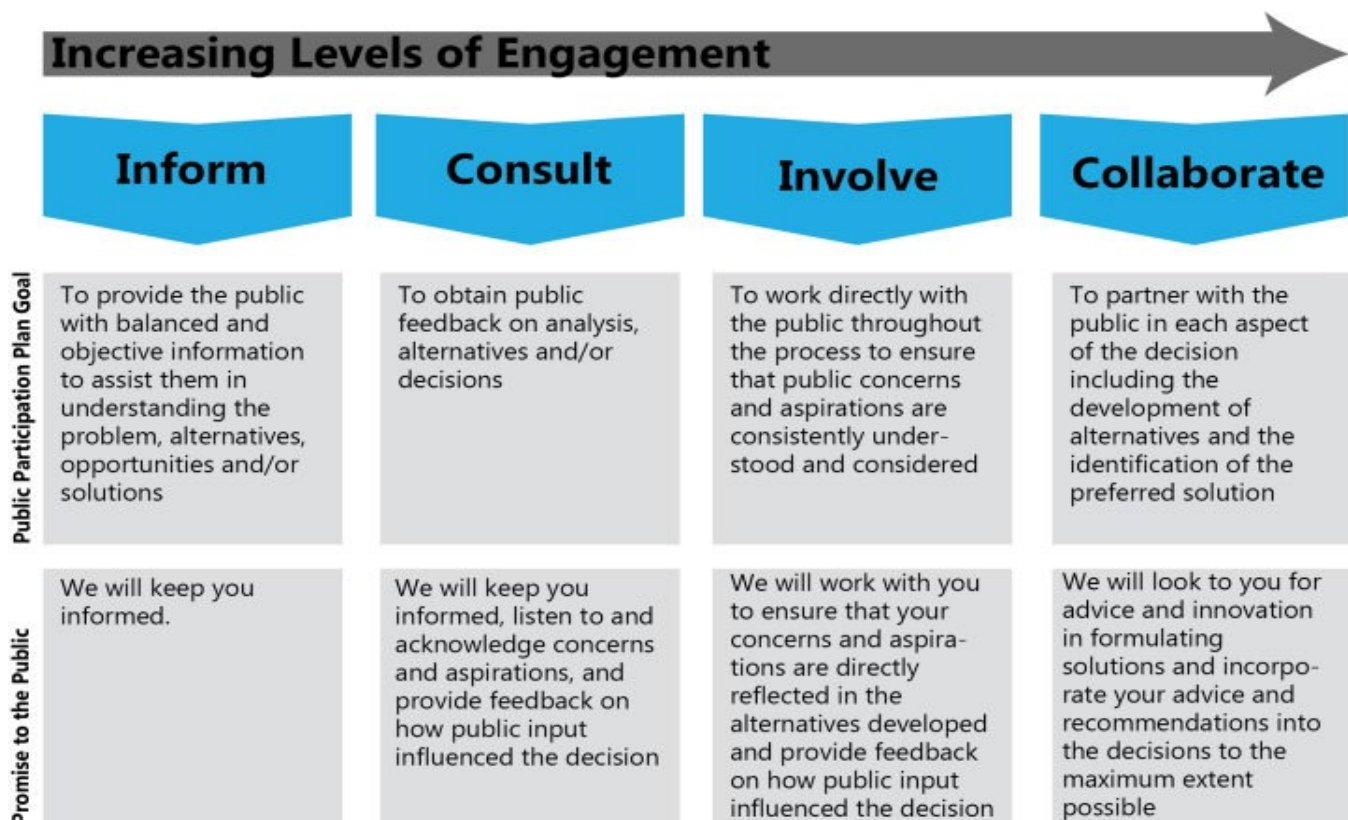
PUBLIC PARTICIPATION PROCESS

It has been the goal of the MPO to establish a public participation process that is effective and meaningful for all citizens (including the traditionally underrepresented and underserved groups) to engage in regional transportation planning activities. To achieve this goal, MPO and Lawrence Transit staff have adopted the framework developed by the International Association for Public Participation (IAP2) and incorporated it into the Public Participation Plan. IAP2 calls for increasing levels of engagement with the public. As such, staff will be actively striving to move away from the historical practice of informing the public and moving toward collaborating with the public. The MPO will ensure that all members of the public are informed and involved early; that their issues and concerns are heard; and that their concerns are considered prior to any final decision. The Public Participation Plan (PPP) ensures that all communications and public involvement efforts comply with Title VI.⁷ The goals and objectives of the MPO's public engagement program are outlined in the Public Participation Plan and are shown in Figure 4 below.

⁶ Resolution No. 7224 can be found at <https://assets.lawrenceks.org/boards/resolution-7224-2017-09-19.pdf>

⁷ Access the Public Participation Plan (PPP) at <https://assets.lawrenceks.org/mpo/ppp/2022PPP.pdf>

Figure 4: IAP2 Public Participation Objectives



ENGAGING LOW-INCOME, LEP, AND MINORITY POPULATIONS

The Public Participation Plan (PPP) details strategies and techniques to promote the involvement of everyone (including traditionally underserved populations such as low income and minority communities, people with disabilities, and the Limited English Proficient population) in the transportation planning process. Technical jargon should be avoided in presentations and information should be displayed using visualization techniques and graphics. Meetings will be held in physically accessible locations, locations that are accessible by transit (during transit operations of hours and located near a bus route), at times when people who work are available to participate, and have accessible materials in the form of paper and online versions. Staff should be available to answer questions and work to verify that the messages presented are being understood by the audience. Likewise, the staff should actively listen to participants at meetings and make sure that the staff understands the comments made by the public. Furthermore, the MPO maintains a specific Limited English Proficient (LEP) plan detailing how MPO staff will assist LEP people.⁸

The MTP and the TIP are developed and approved through public processes defined in the PPP. Prior to approval, a draft MTP/TIP is provided to the community for public comment through the website, open houses (MTP only), the Lawrence, Eudora, Baldwin City Public Libraries, Lawrence City Hall Riverfront, Lecompton City Hall and the MPO's email distribution lists (including local governments and various community organizations) as delineated in the PPP.

⁸ View the Limited English Proficiency (LEP) plan at www.lawrenceks.org/mpo/title6

MOBILITY NEEDS OF MINORITIES

The PPP details strategies and techniques to solicit opinions of those underserved by existing transportation systems. The mobility needs of minority populations are identified through direct engagement efforts, engagement of stakeholder organizations that support minority services, data collection, analysis of available census data by GIS mapping, public comment, and other available sources. These processes are used to improve transportation planning options for all people.

DEMOGRAPHIC DATA COLLECTION

The MPO maintains statistical data on race, color, national origin, language spoken, income level, persons with disabilities, and gender of the population in the MPO planning area. This information is used throughout the MPO's program areas and processes to inform planning process, recommendations to the Policy Board, and planning decisions. The data gathering process is reviewed prior to each Metropolitan Transportation Plan update to ensure that the MPO is providing access to the benefits, services, and information to its programs and activities for all individuals, including low income and minority populations. See Appendix E for the Douglas County demographic profile and maps showing the location of minority population and transit, the elderly population, persons with disabilities, the low/moderate income population, and the population without vehicles.

ENVIRONMENTAL JUSTICE REVIEW

According to the Federal Highway Administration, Environmental Justice (EJ) means "identifying and addressing disproportionately high and adverse effects of the agency's programs, policies, and activities on minority and low-income populations to achieve an equitable distribution of benefits and burdens. This includes the full and fair participation by all potentially affected communities in the transportation decision-making process." The MPO identifies Environmental Justice block groups through analyzing low/moderate household income populations and minority populations at the 99% Confidence Interval. Census tracts are determined to meet the EJ threshold if they meet either of the criteria (Figure E-1). The most recent EJ evaluation which was conducted for the FFY2023-26 Transportation Improvement Program (TIP) using 2016-2020 American Community Survey (ACS) 5-year estimate data can be viewed in the EJ section of the TIP.⁹

UNDERREPRESENTED VOICES – TRANSPORTATION DISADVANTAGED POPULATIONS

Understanding the location and demographic of underserved and disadvantaged populations within the community was a prime motivator in the Transportation Disadvantaged analysis. This analysis of Census data sets reviews a host of population characteristics including, low-moderate income status, minority population demographics and locations, mobility disability status, education attainment, single or dual parent households, households without vehicles, and age. With this analysis, city staff are able to identify the populations and locations of the community that experience challenges achieving basic access to services, employment, and/or education. This information can be utilized to identify disparity, prioritize projects, and identify locations to target populations for engagement.

METROPOLITAN TRANSPORTATION PLAN (MTP)

The development of the MPO's Metropolitan Transportation Plan¹⁰ includes a system level Title VI and EJ Analysis to ensure that the burdens and benefits of planned transportation activities are equitably distributed across racial and socio-economic groups. The MPO staff reviews the impacts that planned programs and projects would have on low-income and minority residents in such areas as transportation investments, effect of projects on travel times of area residents, and access to transit. Transportation 2040 (T2040) includes a robust EJ analysis including impacts to mobility for EJ populations and the entire region as a whole. The analysis is incorporated throughout the document and is summarized in Chapter 7.

⁹ View the TIP at www.lawrenceks.org/mpo/tip

¹⁰ View T2040 at: www.lawrenceks.org/mpo/t2040

As of 2022, MPO staff have begun the process of reviewing and updating T2040. This includes, travel demand modeling scenarios, stakeholder interviews, conducting public participation activities, and coordinating with other regional plans. The new MPT will be named Transportation 2050 (T2050) and will include updated analyses of EJ populations as well as populations defined as Transportation Disadvantaged.

TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

The region's four-year TIP includes an analysis of effects of planned transportation investments on disadvantaged residents similar to that of the MTP. Each time a TIP is fully updated (every two years), the proposed projects are evaluated for their effects on low-income and minority populations in an EJ Analysis. Projects are evaluated with regards to cost, location, the inclusion of multimodal amenities, the type of project, access to transit. All of the projects in the TIP have impacts and benefits both during construction and long term after they are built as part of the network; however, there are no disparate impacts to projects programmed in the FFY21 TIP. Mobility and access to transit for EJ zones was determined to meet or exceed that of non EJ zones.¹¹

¹¹ View the TIP EJ Analysis at www.lawrenceks.org/mpo/tip

Appendix A: MPO Title VI Assurances

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

The Lawrence-Douglas Metropolitan Planning Organization (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the FHWA and FTA, is subject to and will comply with the following:

Statutory/Regulatory Authorities

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

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

General Assurances

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

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

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

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Lawrence-Douglas County Metropolitan Planning Organization:

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

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Lawrence-Douglas County Metropolitan Planning Organization and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

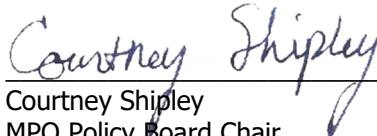
"The Lawrence-Douglas County Metropolitan Planning Organization, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

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

By signing this ASSURANCE, Lawrence-Douglas County Metropolitan Planning Organization also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Lawrence-Douglas County Metropolitan Planning Organization access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Lawrence-Douglas County Metropolitan Planning Organization. You must keep records, reports, and submit the material for review upon request to Lawrence-Douglas County Metropolitan Planning Organization, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

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



Courtney Shipley
MPO Policy Board Chair

Jeff Crick
MPO Secretary

DATED: 11/28/2022

DATED: 11/28/2002

APPENDIX A

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

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

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Lawrence-Douglas County Metropolitan Planning Organization will accept title to the lands and maintain the project constructed thereon in accordance with the Fixing America's Surface Transportation "FAST ACT" Section 1105; 23 U.S.C. 117, the Regulations for the Administration of Lawrence-Douglas County Metropolitan Planning Organization and the policies and procedures prescribed by the U.S. Department of Transportation, FHWA, and FTA 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 Lawrence-Douglas County Metropolitan Planning Organization all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

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

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

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

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

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Lawrence-Douglas Metropolitan Planning Organization pursuant to the provisions of Assurance 7(a):

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

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Lawrence-Douglas Metropolitan Planning Organization pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Lawrence-Douglas Metropolitan Planning Organization will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Lawrence-Douglas Metropolitan Planning Organization will there upon revert to and vest in and become the absolute property of Lawrence-Douglas Metropolitan Planning Organization and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Appendix B: Title VI Complaint Procedures

The following pertains only to Title VI complaints regarding the programs of the MPO. For Title VI complaints against other Lawrence and/or Douglas County agencies, or if you believe you have suffered housing or employment discrimination, please contact the appropriate agency.

Title VI, 42 U.S.C. §2000d et seq., was enacted as part of the Civil Rights Act of 1964. At the heart of the regulation is the statement 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.

The MPO has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1, dated May 26, 1988. If you believe that the MPO's federally funded programs have discriminated your civil rights on the basis of race, color, or national origin you may file a written complaint by following the procedure outlined below:

TITLE VI COMPLAINT PROCEDURE

1. Submission of Complaint.

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin has been excluded from or denied the benefits of, or subjected to discrimination caused by the MPO may file a written complaint with the MPO's Title VI Coordinator. A sample complaint form is available for download at www.lawrenceks.org/mpo and is available in hard copy at the offices of the MPO. Upon request, the MPO will mail the complaint form. Such complaints must be filed within 180 calendar days after the date the discrimination occurred.

Note: Upon request, assistance in the preparation of any necessary written material will be provided to a person or persons as requested.

Complaints should be sent to:

Lawrence-Douglas County Metropolitan Planning Organization
Jeff Crick, Title VI Coordinator
1 Riverfront Plaza, Suite 320
Lawrence, KS 66044
jcrick@lawrenceks.org

2. Referral to Review Officer.

Upon receipt of the complaint, MPO's Chairperson shall appoint one or more staff review officers, as appropriate, to evaluate and investigate the complaint, in consultation with the MPO Attorney. The Complainant shall meet with the staff review officer(s) to further explain his or her complaint. The staff review officer(s) shall complete their review no later than 45 calendar days after the date the MPO received the complaint. If more time is required, the MPO's Chairperson shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review, the staff review officer(s) shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Additionally, the staff review officer(s) may recommend improvements to the MPO's processes relative to Title VI, as appropriate. The staff review officer(s) shall forward their recommendations to the MPO's Chairperson for concurrence. If the MPO's Chairperson concurs, he or she shall issue the MPO's written response to the Complainant.

Note: Upon receipt of a complaint, the MPO shall forward a copy of this complaint and the resulting written response to the appropriate KDOT, FHWA, and FTA-Region 7 contacts.

3. Request for Reconsideration.

If the Complainant disagrees with the MPO's Chairperson's response, he or she may request reconsideration by submitting the request, in writing, to the MPO's Chairperson within 10 calendar days after receipt of the MPO's Chairperson's response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the MPO's Secretary. The MPO's Chairperson will notify the Complainant of his or her decision either to accept or reject the request for reconsideration within 10 calendar days. In cases where the MPO's Chairperson agrees to reconsider, the matter shall be returned to the staff review officer(s) to re-evaluate in accordance with Paragraph 2 above.

4. Appeal.

If the request for reconsideration is denied, the Complainant may appeal the MPO's Chairperson's response by submitting a written appeal to the MPO Policy Board no later than 10 calendar days after receipt of the MPO's Chairperson's written decision rejecting reconsideration.

5. Submission of Complaint to the State of Kansas Department of Transportation.

If the Complainant is dissatisfied with the MPO's resolution of the complaint, he or she may also submit a written complaint within 180 days after the alleged date of discrimination to the State of Kansas Department of Transportation for investigation.

KDOT Office of Civil Rights Compliance
Eisenhower State Office Building
700 Southwest Harrison
3rd Floor West
Topeka, KS 66603

Appendix C: Title VI Discriminatory Complaint Form

The purpose of this form is to assist you in filing a complaint with the MPO. You are not required to use this form; a letter containing the same information will be sufficient. It is important, however, to include all information related to items marked with a star (*), whether or not the form is used.

1.*Provide your name and address

Name: _____

Address: _____

Telephone Number:

Home: (____) _____

Work: (____) _____

2.* Person discriminated against if different from above:

Name: _____

Address: _____

Telephone Number:

Home: (____) _____ Work: (____) _____

Please explain your relationship to this person(s):

3.* Agency, department, or program that discriminated:

Name: _____

Any individual (if known): _____

Address: _____

Telephone Number: (____) _____

4A.* Non-Employment: Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the MPO in its treatment of you or others? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female).

_____ Race/Color: _____

_____ National Origin: _____

_____ Sex: _____

4B.* Employment: Does your complaint concern discrimination in employment by the MPO? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "National Origin: Canadian").

_____ Race/Color: _____

_____ National Origin: _____

5. What are the most convenient time and place for us to contact you about this complaint?

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: _____

Telephone Number: (____) _____

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name of attorney: _____

Address of attorney: _____

Telephone number of attorney: (_____) _____

8.* To your best recollection, on what date(s) did the alleged discrimination take place?

Earliest date of discrimination: _____

Most recent date of discrimination: _____

9.* Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Please indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case).

10. The laws we enforce prohibit recipients of federal funds programmed through the MPO from intimidating or retaliating against anyone because he or she has either taken action or participated in action to secure rights protected by these laws. If you believe that you have been retaliated against (separate from the discrimination alleged in #9), please explain the circumstances below. Be sure to explain what actions you took which you believe were the basis for the alleged retaliation.

11. Please list below any persons (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint.

Name, Address, and Area Code/Telephone Numbers

12. Do you have any other information that you think is relevant to our investigation of your allegations? If so, please describe that information below and attach copies of that information to this form as you deem appropriate.

13. What remedy are you seeking for the alleged discrimination?

14. Have you (or the person discriminated against) filed the same or any other complaints with other agencies such as the KDOT Office of Civil rights, etc.?

Yes _____

No _____

If so, do you remember the complaint number?

Against what agency and department or program was it filed?

Address: _____

Telephone Number: (____) _____

Date of filing: _____ Agency: _____

Briefly, what was the complaint about?

What was the result?

15. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following?

_____ U.S. Equal Employment Opportunity Commission

_____ Federal or State Court

_____ Your State Equal Opportunity Office and/or local Office of Human Rights

16. If you have already filed a charge or complaint with an agency indicated in #15 above, please provide the following information (attach additional pages if necessary):

Agency: _____

Date Filed: _____

Case or Docket Number: _____

Date of Trial/Hearing: _____

Location of Agency/Court: _____

Name of Investigator: _____

Status of Case: _____

Comments:

17. How did you learn that you could file this complaint?

18.* We cannot accept a complaint if it has not been signed. Please sign and date this complaint form below.

(Signature)

(Date)

Please feel free to add additional sheets to explain the present situation to us.

Please mail the completed, signed Title VI Discrimination Complaint Form (please make one copy for your records) to:

Lawrence-Douglas County Metropolitan Planning Organization
Attn: Title VI Coordinator
1 Riverfront Plaza, Suite 320
Lawrence KS 66044
Phone: (785) 832-3165

Appendix D: Notice to the Public

The paragraph below will be inserted into all required MPO documents and other significant MPO publications that are distributed to the public, such as future versions and updates of the Metropolitan Transportation Plan. The text will be placed permanently on the MPO's website. The version below is the preferred text, but where space is limited or in publications where cost is an issue, the abbreviated version can be used in its place.

The MPO hereby gives public notice that it is the MPO's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the MPO receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the MPO. Any such complaint must be in writing and filed with the MPO's Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discriminatory Complaint Form, please see our website at www.lawrenceks.org/mpo/title6.

A shortened version of the above paragraph, such as the example below, may be used in publications where space or cost is an issue:

The MPO fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information or to obtain a Title VI Discriminatory Complaint Form, see www.lawrenceks.org/mpo/title6, or call 785-832-3165.

The following notice will be included on public meeting agendas:

Special Accommodations: *Please notify the Lawrence-Douglas County Metropolitan Planning Organization (L-DC MPO) at (785) 832-3150 at least 72 hours in advance if you require special accommodations to attend this meeting (i.e., qualified interpreter, large print, reader, hearing assistance). We will make every effort to meet reasonable requests.*

The L-DC MPO programs do not discriminate against anyone on the basis of race, color, or national origin, according to Title VI of the Civil Rights Act of 1964. For more information or to obtain a Title VI Complaint Form, see www.lawrenceks.org/mpo/title6 or call (785) 832-7700.

The following notice will be posted in Lawrence City Hall Riverfront and on the MPO's website.

Title VI Notice to the Public

The Lawrence-Douglas County Metropolitan Planning Organization (MPO) assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin, has been excluded from or denied the benefits of, or subjected to discrimination caused by the MPO may file a complaint with the MPO's Title VI Coordinator.

The complaint form is available for download at www.lawrenceks.org/mpo/title6 and is available in hard copy at the offices of the MPO. Upon request, the MPO will mail the complaint form. Such complaints must be filed within 180 calendar days after the date the discrimination occurred.

Note: Upon request, assistance in the preparation of any necessary written material will be provided to a person or persons.

If you have any question or need additional information regarding Title VI program or policies, or to file a Title VI complaint please contact:

Lawrence-Douglas County Metropolitan Planning Organization
Jeff Crick, Title VI Coordinator
1 Riverfront Plaza, Suite 320
Lawrence, KS 66044
Phone: (785) 832-7700
Fax: (785) 832-3160
jcrick@lawrenceks.org

Appendix E: Demographic Profile and Summary

The MPO maintains statistical data on race, color, national origin, income level, language spoken, and gender of population in Douglas County.

An overview of the demographic characteristics of the MPO's Metropolitan Planning Area (MPA - Douglas County) is presented in Table E-1. The table also provides state and national level data as a context for comparison to larger geographic areas. To view the most up-to-date interactive maps visit www.lawrenceks.org/mpo/maps.

Table E-1: Douglas County, KS Demographics (2015-2020 ACS 5-Year Estimates)

Population Estimate	
Douglas County, Kansas	121,304
Population by Sex/Age	
Male	60,242
Female	61,062
Under 18 years	22,130
18 years and over	99,174
21 years and over	85,933
62 years and over	18,814
65 years and over	14,826
Population by Race	
White	98,416
Black or African American	5,231
American Indian and Alaska Native	2,550
Asian	6,426
Native Hawaiian and Other Pacific	35
Other	1,664
Identified by two or more	10,500
Population by Ethnicity	
Not Hispanic or Latino	110,490
Hispanic or Latino	8,295

Housing Status

(in units unless otherwise noted)

Total housing Units	51,039
Occupied housing units	47,972
Vacant housing units	3,067
Owner-occupied	24,333
Renter-occupied	23,639
Homeowner Vacancy Rate	1%
Rental vacancy rate	5%

Table E-2: Racial Composition and Low income Statistics for Douglas County, Kansas and US (2015-2020 ACS 5-Year Estimates and 2020 DEC Redistricting Data)

Racial Composition

(Percent of Population)

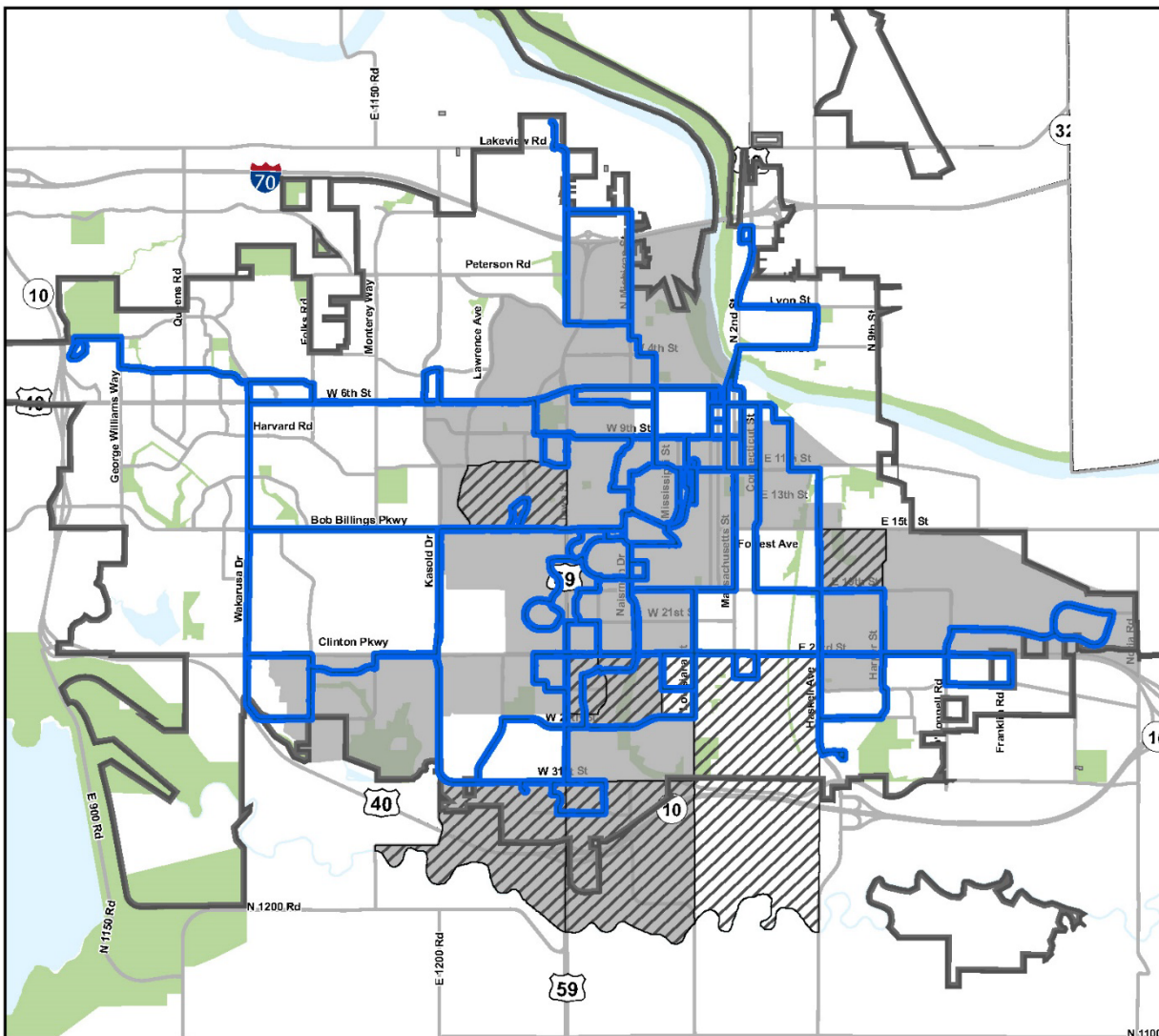
	United States	Kansas	Douglas County
White	61.6%	75.6%	78.0%
Black or African American	12.4%	5.7%	4.5%
American Indian and Alaska Native	1.1%	1.1%	2.5%
Asian	6.0%	2.9%	3.9%
Native Hawaiian and Other Pacific	0.2%	0.1%	0.1%
Other	8.4%	4.9%	2.2%
Identified by two or more	10.2%	9.5%	8.8%

Low Income Statistics

	United States	Kansas	Douglas County
Median Household Income	64,994	61,091	61,020
Persons in Poverty	12.8%	11.4%	16.5%

Figure E-1 displays where low/moderate income and minority populations have been identified. The low/moderate income population as defined by the U.S. Department of Housing and Urban Development includes areas where household income was 50 percent or more of the population residing in households earning less than 80 percent of the area's median income. These individuals are spread throughout Lawrence, but are generally located east of Kasold Drive. Residents in these areas are well served by fixed route transit services. The FFY23 Transportation Improvement Program (TIP) identifies minority populations by using a 99% confidence interval, which says we are 99% sure the minority population is concentrated in the areas identified on the map. The map also displays the Lawrence Transit fixed routes.

Figure E-1: Low/Moderate Income, Minority Population, and fixed route Transit service



Environmental Justice (EJ) zones are comprised of low to moderate income households (shown in gray) and/or minority households (indicated with diagonal lines) populations. These zones are updated utilizing income information from the US Housing & Urban Development (HUD) Department and race data from the US Census Bureau American Community Survey.

- | | | |
|----------------------------------|--------------------------|-------------|
| Minority Block Groups | Transit Routes 2022-2023 | Water |
| Low-Moderate Income Block Groups | Parks | City Limits |

DISCLAIMER NOTICE

The map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the map, including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.

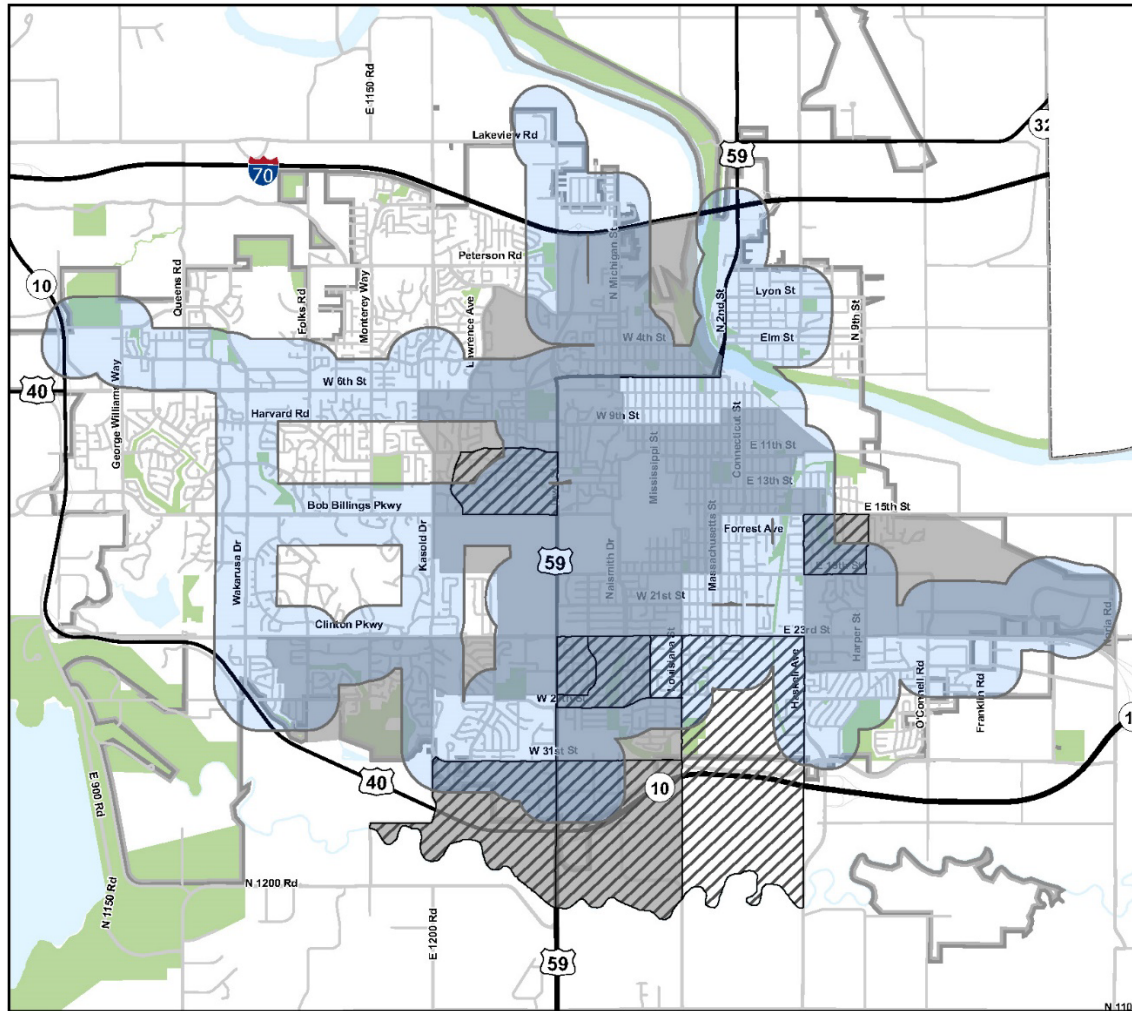
0 1.25 2.5 Miles

Date Exported: 10/21/2022
Source: 2016-2020 ACS 5-yr Est. & CDBG Income
Produced: Lawrence-Douglas County MPO



Figure E-2 shows the ¼ mile buffer around the 2022 transit fixed routes and the identified Environmental Justice (EJ) zones, which include the minority populations shown with the diagonal lines and low/moderate income populations in darker gray. A ¼ mile is generally the distance people are comfortable walking. Approximately 47,895 people or 82% of people who live within the EJ zones are within ¼ mile of a transit route. Thus, 82% of people who live within EJ zones have easy to access transit service, thereby expanding their mobility.

Figure E-2: ¼ Mile Transit Sheds in Relation to EJ Zones



Environmental Justice (EJ) zones are comprised of low to moderate income households (shown in gray) and/or minority households (indicated with diagonal lines) populations. These zones are updated utilizing income information from the US Housing & Urban Development (HUD) Department and race data from the US Census Bureau American Community Survey.

- | | | |
|-------------------------------------|----------------------------------|-------|
| 1/4 Mile Bus Route Buffer 2022-2023 | Low-Moderate Income Block Groups | Parks |
| Minority Block Groups | City Limits | Water |

DISCLAIMER NOTICE

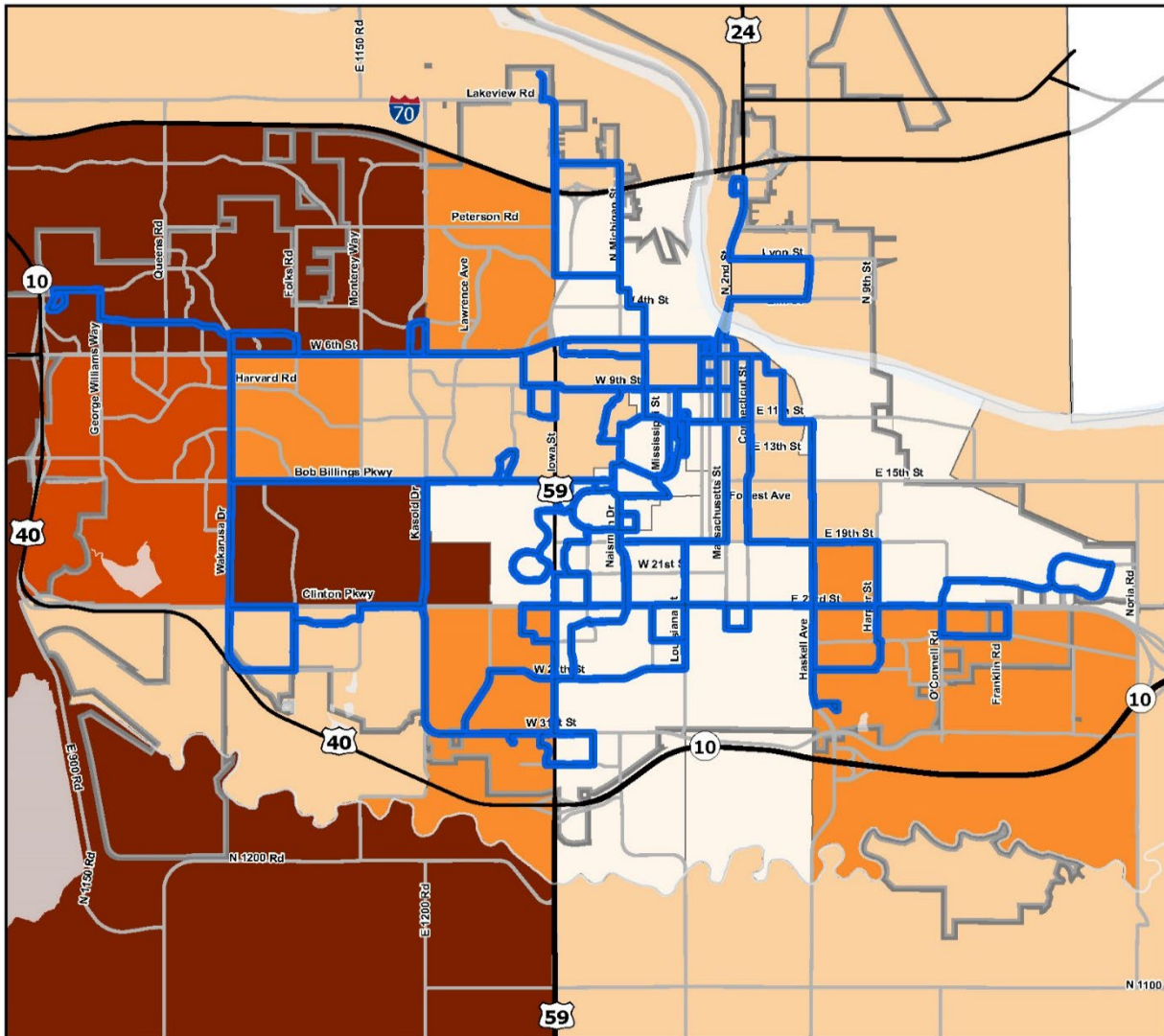
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Date Exported: 10/20/2022
Source: 2016-2020 ACS 5-yr Est. & CDBG Income
Produced: Lawrence-Douglas County MPO

Figure E-3 displays the geographic distribution of the population over 65 years old and the Lawrence Transit fixed routes. As shown, much of the older population is located in West Lawrence and outside of Lawrence City Limits, which provides for a unique challenge to the transportation network. Lawrence Transit does not provide service outside of the Lawrence City limits. A few local non-profits (Independence Inc. and Senior Resource Center) provide service to the surrounding communities and rural areas of Douglas County.

Figure E-3: Elderly Population and Transit Fixed Routes



Population 65 or Older



- City Limits
- Transit Routes 2022-2023

0 1 2 Miles

Date Exported: 10/21/2022
Source: Lawrence Transit, 2016-2020 ACS 5-yr Est. & CDBG
Produced: Lawrence-Douglas County MPO Income

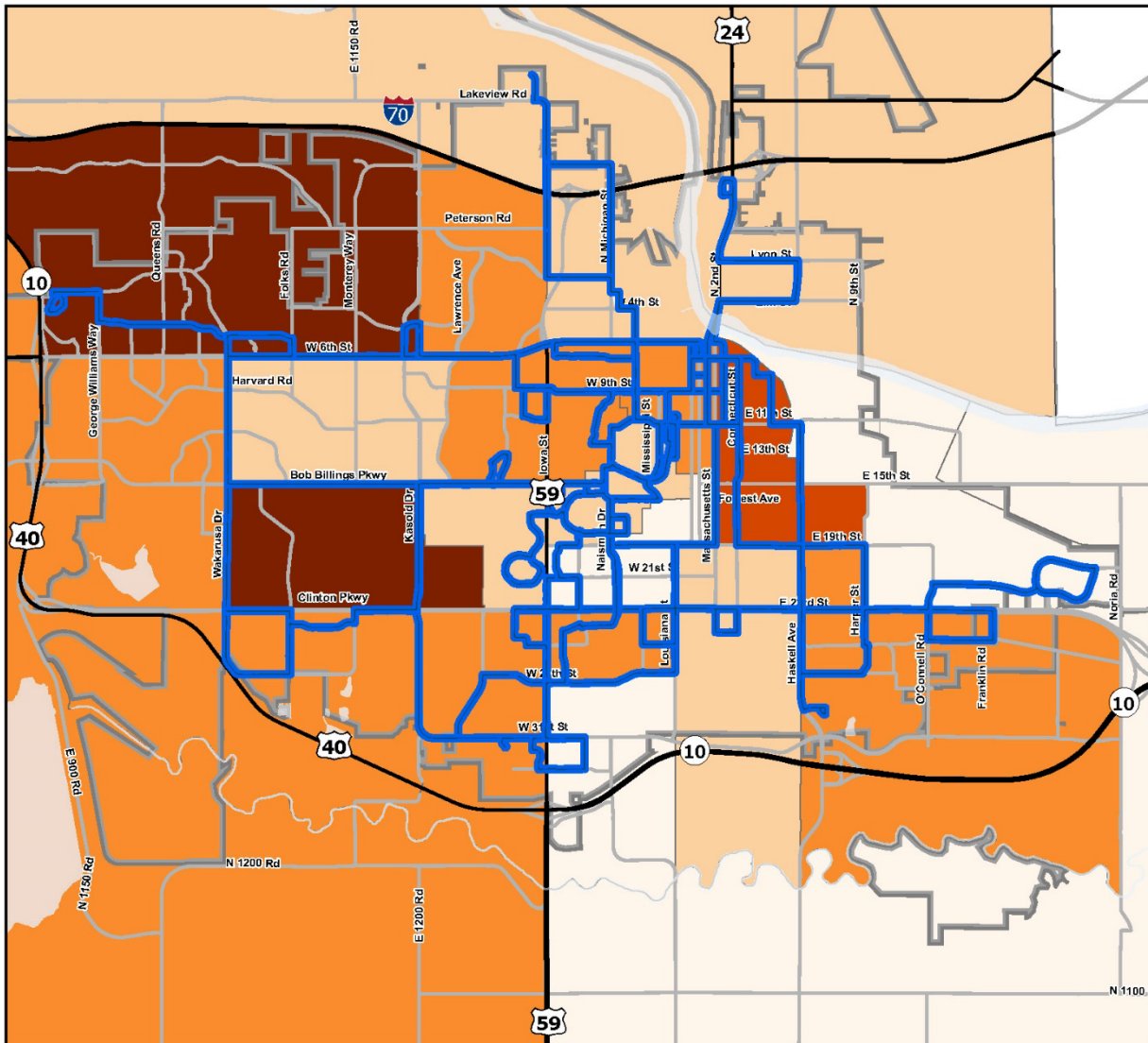


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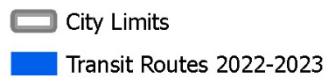
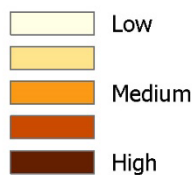
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Figure E-5 displays the locations of persons with disabilities and the Lawrence Transit fixed routes. As shown, the highest concentration is in West Lawrence. This can be attributed to the retirement homes found in West Lawrence. Lawrence Transit provides service within the City of Lawrence. There are multiple nonprofit organizations that provide paratransit services county wide.

Figure E-5: Persons with Disabilities Population and Lawrence Transit Fixed Routes



Persons with Disabilities Population



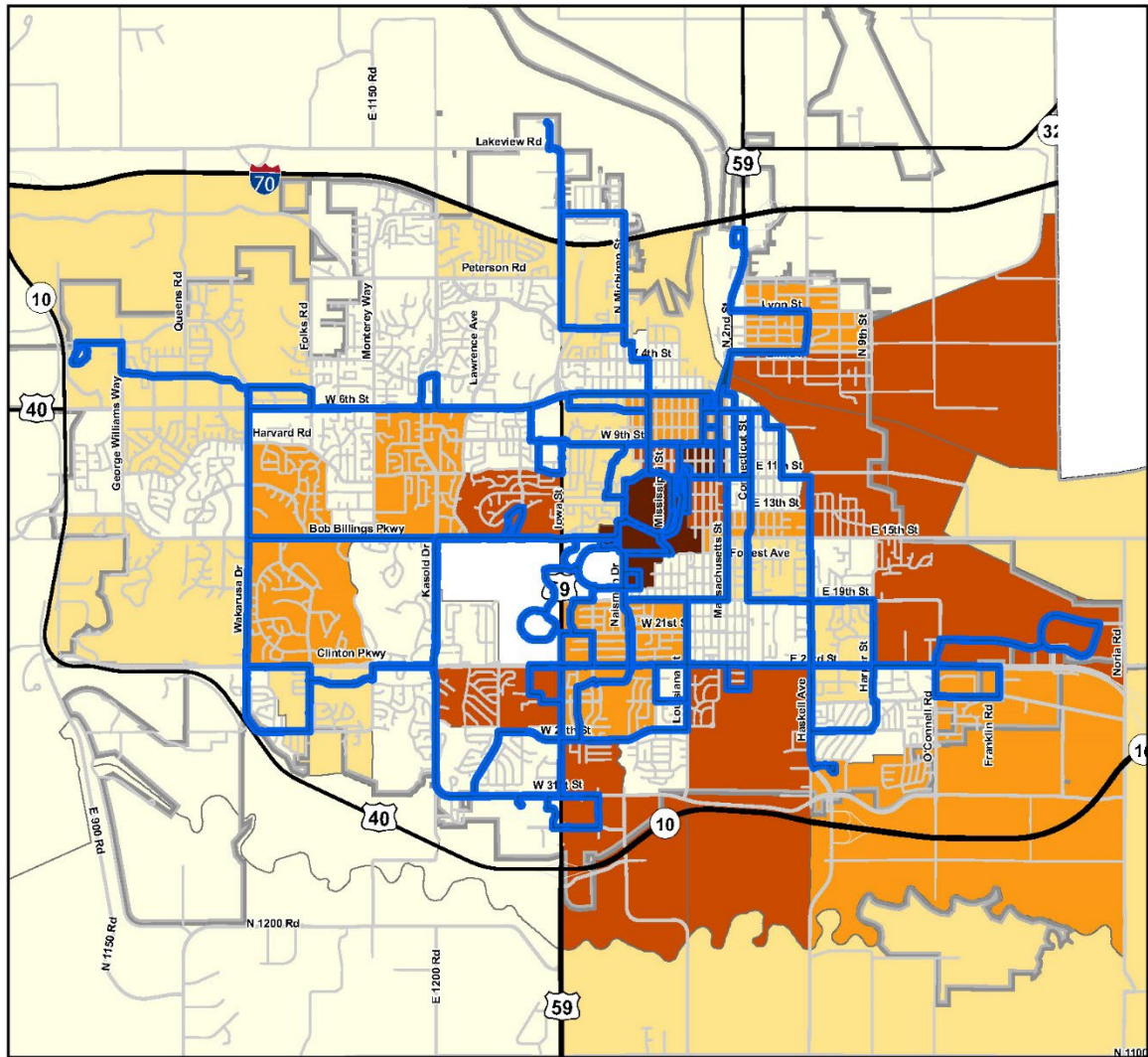
Date Exported: 10/21/2022
Source: Lawrence Transit, 2016-2020 ACS 5-yr Est. & CDBG
Produced: Lawrence-Douglas County MPO Income

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Figure E-6 shows the population without vehicles and Lawrence Transit fixed routes. The highest concentration of zero vehicle households is located near Clinton Parkway and US-59 (Iowa St) (as shown in dark brown). The other medium to high areas (shown in orange) are located in areas that have a high density of senior living apartment complexes, as well as student apartment complexes; these areas are served by Lawrence Transit.

Figure E-6: Population without Vehicles and Lawrence Transit Fixed Routes



Population Without Vehicles

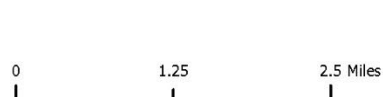


Transit Routes 2022-2023



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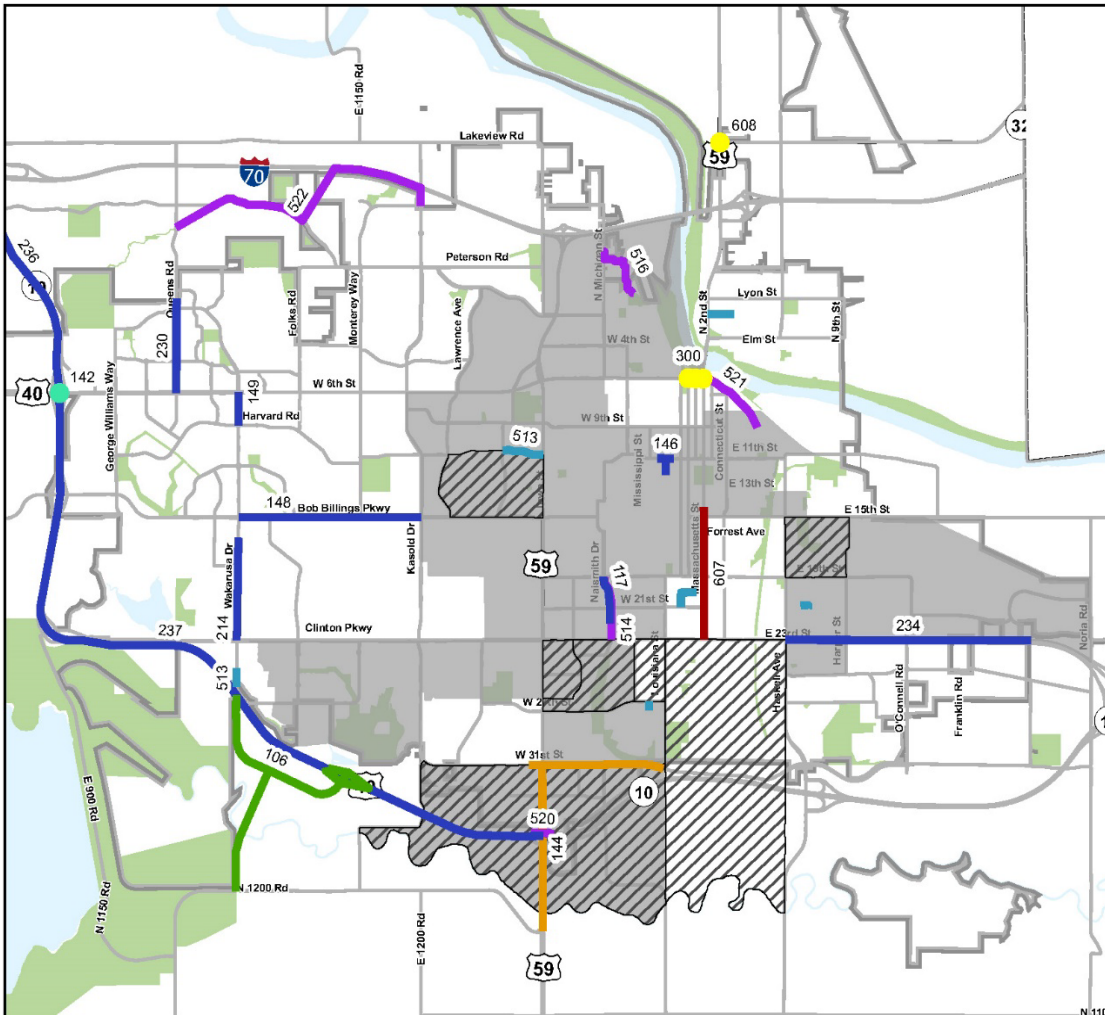


Date Exported: 10/20/2022
Source: 2016-2020 ACS 5-yr Est. & CDBG Income
Produced: Lawrence-Douglas County MPO



Our transportation programs and projects are more than transit services. The FFY23 Transportation Improvement Program (TIP) projects are overlaid on the EJ zones, which include minority and low/moderate income populations. All of the EJ zones in Douglas County are located within the city limits of Lawrence. The FFY23 TIP projects include road, bridge, sidewalk, and intersection projects (Figure E-7). Thirty-three (33) FFY23 TIP projects are scheduled for the years 2023-2026, thirteen (13) of those projects occur within or abut EJ zones. These projects improve the mobility of residents.

Figure E-7: FFY23 Transportation Improvement Program Projects and the EJ Zones



Environmental Justice (EJ) zones are comprised of low to moderate income households (shown in gray) and/or minority households (indicated with diagonal lines) populations. These zones are updated utilizing income information from the US Housing & Urban Development (HUD) Department and race data from the US Census Bureau American Community Survey.

- Low-Moderate Income Block Groups
- Minority Block Groups

- Fiber
- Pedestrian/Bicycle
- Road
- Road, Bridge
- Safe Routes to School
- Safety

- City Limits
- Parks
- Water

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0 1.25 2.5 Miles

Date Exported: 10/21/2022
Source: 2016-2020 ACS 5-yr Est. & CDBG Income
Produced: Lawrence-Douglas County MPO



Summary

The minority, elderly, persons with disabilities, and persons without vehicles populations are most heavily distributed within the city limits of Lawrence. The preceding maps overlay the specific populations with transit routes and transportation projects, which provide mobility and access. How people walk, bicycle, or drive is important and is addressed through the projects programmed in the Transportation Improvement Program (TIP). The TIP is a four year listing of regionally significant projects or federal or state funded projects occurring in Douglas County.

The FFY23 TIP provides a detailed Environmental Justice Review which includes an analysis of transit routes, ¼ mile transit shed, and zero vehicle households in relation to Environmental Justice (EJ) Zones. EJ zones are census blocks where low/moderate income or 99% confidence interval minority block groups reside.

The FFY23 TIP states the MPO believes there are no significant EJ issues with the selection of roadway, bridge, transportation enhancement, or transit projects in Douglas County. The TIP includes projects inside and outside of EJ zones, and projects are selected based on objective planning and engineering criteria (e.g., bridge deterioration, pavement condition, transit demand, etc.).

Appendix F: Summary of Outreach Efforts for the Most Recent Version of Documents

Metropolitan Transportation Plan (MTP)

- Answered public inquiries regarding projects found within T2040.
- Spent a year and half developing the Transportation 2040 update, which culminated with MPO Policy Board approval on March 15, 2018. The process included 36 stakeholder interviews, 38 mobile meetings, 9 open houses, and over 1,600 survey responses. This was a massive public engagement effort. The Title VI pamphlet and iSpeak cards were included in the materials at the mobile meetings and open houses.

MPO Committees

- Placed a Title VI note on all MPO agendas and collected any public complaints about Title VI violations (we did not receive any complaints).

Unified Planning Work Program (UPWP)

- The UPWP describes the anticipated work of MPO staff and consultants during the calendar year. This document also contains a budget used to program federal Consolidated Planning Grant (CPG) funds used by the MPO to carry out the 3-C planning process in Douglas County. The MPO makes technical revisions/amendments to the UPWP as needed. In 2022, this includes developing T2050 to replace T2040. Completion and approval of Regional Pedestrian Plan and the Lawrence Pedestrian Plan. Development of a new 2022-2025 TIP and amendments to the 2021-24 and 2022-25 TIP as needed.

Transportation Improvement Program (TIP)

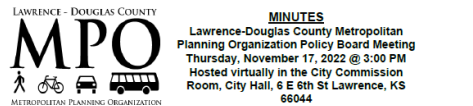
- The TIP implements the MTP, provides details and financial information for federally funded or regionally significant projects. A new TIP must be adopted at least once every four years. The MPO updates its TIP every two years to minimize amendments, to provide more opportunities for public participation in the TIP development process, and to make changes brought on by the passage of state/federal funding/regulations. An annual list of surface transportation projects for which federal funds were obligated in the previous federal fiscal year are produced out of the TIP project listings.

Public Participation Plan (PPP), Title VI, Limited English Proficiency (LEP)

- The PPP outlines the methods and process for involving the public in the transportation planning process and documents the review and approval processes for all MPO documents and projects. The MPO has adopted the IAP2 framework for public participation.
- Conducted an update to the Public Participation Plan and held a 45-day public comment period.
- Utilized the MPO Tell Us Portal (an interactive forum for public engagement) for various planning processes including the Lawrence Pedestrian Plan, Regional Pedestrian Plan, the Transportation 2040 update, the Public Participation Plan, Countywide and Lawrence Bike Plans and the Safe Routes to School plans.
- Updated the 2022 LEP Plan and Title VI Plan with updated demographic data. The plans are scheduled for approval in the 3rd Quarter 2022.
- iSpeak cards were available at public meetings and no requests were made.

Appendix G: Record of Policy Board Adoption

Title VI legislation requires meeting minutes for the policy decision when this Title VI Program Manual was reviewed and/or approved. The November 17, 2022 MPO Policy Board meeting minutes approving this Plan: <https://lawrenceks.civicweb.net/Portal/MeetingInformation.aspx?Org=Cal&Id=1001>



VOTING MEMBERS PRESENT		NON-VOTING MEMBERS	
x David Carttar	L-DC Planning Commission	x Cecelle Cochran	FHWA
Patrick Kelly	Douglas County Commission	Eva Steinman	FTA
Lisa Larsen	Lawrence City Commission	Vacant	Baldwin City
x Matt Messina	KDOT	Tim Reazin	Eudora
x Charlie Thomas	L-DC Planning Commission		
x Courtney Shipley (Chair)	Lawrence City Commission		
Matt Roberts	Lecompton		
GUEST PRESENT		STAFF PRESENT	
x Ryne Dowling	KDOT	x Jeff Crick, AICP	PDS
		x Jessica Mortinger, AICP	L-DC MPO
		x Paul Hornbeck, AICP	L-DC MPO

The meeting is on [YouTube](#).

- A. **CALL TO ORDER:** (9:36)
Chair Shipley called the meeting to order at 3:05pm
- B. **PUBLIC COMMENT:** (19:25)
The Policy Board heard public comment on items and issues not scheduled on the agenda.
- C. **APPROVE MINUTES:** (13:08)
1. **ACTION:** Approve October 27th meeting minutes.
[October 27th - Minutes](#)
Motion: Carttar
Second: Messina
Result: Motion passes unanimously
- D. **AGENDA ITEMS:**
1. **2023 Unified Planning Work Program (UPWP)** (13:58)
The UPWP was available for public comment October 3-November 1. No public comments were received. The UPWP describes the work the MPO will be doing in 2023 including: completing Transportation 2050 to replace Transportation 2040, completing the Regional Pedestrian Plan, participation in the Mid America Regional Council (MARC) Freight Study, pending Safe Streets and Roads for all planning, and other core MPO work. MPO Technical Advisory Committee recommended approval at their November 1st meeting.
ACTION: Approve the 2023 Unified Planning Work Program and authorize the MPO Secretary, Jeff Crick, to sign Consolidated Planning Grant agreements
Motion: Carttar
Second: Shipley
Result: Motion passes 4-0
2. **2023 Safety Targets** (21:11)
The Kansas Department of Transportation (KDOT) provided 2021 crash data. MPO Staff used the data to conduct projections to calculate the 2023 targets. After the discussion at the October TAC meeting the Safety targets were opened for a 15-day public comment period - October 14 - October 28. No comments were received. MPO Technical Advisory Committee recommended approval at their November 1st meeting.
[Draft Safety Targets](#)
ACTION: Approve the 2023 Safety Targets
Motion: Carttar
Second: Shipley
Result: Motion passes 4-0
3. **Title VI Plan Update** (27:16)
Staff updated this federally required plan, which was last updated in 2019. The Title VI plan details how the MPO complies with Title VI of the Civil Rights Act of 1964, which states people cannot be excluded from participation based on race, color, or national origin. MPO Technical Advisory Committee recommended approval at their November 1st meeting.
ACTION: Approve the Title VI Plan
Motion: Carttar
Second: Shipley
Result: Motion passes 4-0
- E. **QUICK UPDATES:** (37:58)
1. **Transportation 2050**
Steering Committee meeting scheduled for November 15th and staff is preparing for the second phase of community engagement in December.
- F. **OTHER BUSINESS:** (38:10)
No other business
- G. **NEXT MEETING:** (38:20)
December 15 2022 meeting will be canceled.
- Lawrence-Douglas County Metropolitan Planning Organization (MPO) Policy Board - <https://lawrenceks.org/board/metropolitan-planning-organization-policy-board/>