



**Miami Valley Regional Planning Commission
Title VI Program Plan and Procedures
Description**

Updated: January, 2021



MIAMI VALLEY

Regional Planning Commission

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A RESOLUTION BY THE MIAMI VALLEY REGIONAL PLANNING COMMISSION APPROVING MVRPC's TITLE VI PROGRAM

WHEREAS, the Miami Valley Regional Planning Commission is designated as the Metropolitan Planning Organization (MPO) by the Governor acting through the Ohio Department of Transportation in cooperation with locally elected officials for Greene, Miami and Montgomery Counties including the jurisdictions of Carlisle, Franklin, Franklin Township and Springboro in Warren County; and

WHEREAS, the MVRPC's Board of Directors serves as the policy and decision making body through which local governments guide the MPO's transportation planning process for the Dayton Metropolitan Area; and

WHEREAS, federally funded programs require Title VI programs and assurances; and

WHEREAS, MVRPC has developed and used a Title VI program for many years and has periodically submitted a program description to FTA and ODOT/FHWA as required; and

WHEREAS, a change was made to FTA Title VI regulations that requires Board approval of the MPO's Title VI program every three years; and

WHEREAS, the MVRPC Board of Directors adopted a resolution October 1, 2020 that Ensures Diversity, Equity, and Inclusion in all MVRPC processes and decisions and Title VI is an important tool to ensure an equitable Region.

NOW, THEREFORE BE IT RESOLVED that the Commission approves the Miami Valley Regional Planning Commission Title VI program.

BY ACTION OF THE Miami Valley Regional Planning Commission's Board of Directors.

Brian O. Martin, AICP
Executive Director

Chris Mucher, Chairperson
Board of Directors of the
Miami Valley Regional Planning
Commission

Date: February 4, 2021

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Miami Valley Regional Planning Commission Information

The Miami Valley Regional Planning Commission (MVRPC) is a regional planning commission and is the Metropolitan Planning Organization (MPO) for the Dayton, Ohio urbanized area. MVRPC is not a transit agency and does not operate any transit equipment or facilities.

MVRPC Board members are not appointed but instead are voluntary members (government and non-government) who assign their own MVRPC board delegates. MVRPC board delegates from governmental members are from their elected officials or are employees of the non-government members. Advisory Committees are formed in a similar way. MVRPC does not select board members or other committee members and therefore is not required to provide a demographic profile.

During the past three years, MVRPC has not received any transit related investigations, complaints, or lawsuits.

MVRPC has not constructed any transit facilities and therefore is not required to perform an equity analysis for a building site.

MVRPC does not provide any transit services and does not operate any fixed route service.

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This document is a compilation of the Miami Valley Regional Planning Commission's (MVRPC) Title VI program procedures for all agency planning activities, consultant contracting and agency administration.

2. Designation of Agency Title VI and DBE Program Coordinator

MVRPC has assigned a staff member – Carlton Eley, Regional Equity Initiative Manager – to monitor and review Title VI issues. This staff member is part of MVRPC's planning team and attends all meetings of the Board of Directors and Executive Committee. The job description of this position states the staff member will serve as the Agency's Title VI leader and expert on diversity, inclusion and equity. Title VI duties include responsibilities for monitoring compliance, consultant contracts and MVRPC employee policies.



3. Agency Nondiscrimination Policy statement and Public notice of compliance with Title VI

MVRPC's website (<http://www.mvrpc.org/region/administration/policies>) and a posted public copy in MVRPC's office (Receptionist's desk and bulletin board) all include a public notice of compliance and information about how to file a complaint as follows:

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ASSURANCE OF COMPLIANCE WITH EQUAL OPPORTUNITY NON-DISCRIMINATION, INCLUDING TITLES VI AND VII OF THE CIVIL RIGHTS ACT OF 1964, THE AGE DISCRIMINATION IN EMPLOYMENT ACT, THE REHABILITATION ACT, THE AMERICANS WITH DISABILITIES ACT and Other FEDERAL NON-DISCRIMINATION LAWS *

The Miami Valley Regional Planning Commission agrees that it will comply with regulations to the end that no person in the United States shall, on the ground of race, color, sex, age, disability, religion, military status, genetic information, sexual orientation or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program from recruitment, employment, employee training or activity for which it receives federal financial assistance either directly or indirectly from the federal departments, and other federal, state and local government sources as well as any and all national, regional, and local private funds; and hereby gives assurance that it will in all phases and levels of program and activities, act affirmatively to achieve equal opportunities for participation by actively seeking out qualified people for due consideration for availability and job opportunities and encouraging the involvement of the socially and/or physically disadvantaged population in all phases of the program.

In all cases, this assurance shall obligate this agency, the Miami Valley Regional Planning Commission, for the period during which the federal, state and local financial assistance are extended to it.

This assurance is given in consideration of and for the purpose of obtaining either directly or indirectly any and all federal grants, loans, contracts, property, or discounts, or other federal financial assistance extended after the date hereof to Miami Valley Regional Planning Commission by the United States federal departments and any and all other governmental agencies — including installment payments after such date on account of applications for financial assistance which were approved before such date; and any and all sources of private funding. Miami Valley Regional Planning Commission recognizes and agrees that such financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States Government as well as state and local Civil Rights Commissions duly recognized shall have the right to seek judicial enforcement of this assurance. This assurance is binding on Miami Valley Regional Planning Commission, its successors, transferees, and assignees.

Any person who believes that they have been discriminated against by reason of race, color, sex, age, disability, religion, military status, genetic information, sexual orientation or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program from recruitment, employment, employee training or activity for which it receives federal financial assistance either directly or indirectly from the federal departments, and other federal, state and local government sources as well as any and all national, regional, and local private funds may contact the Executive Director of MVRPC who will advise the complainant of their rights for filing a complaint. The complainant shall within 180 days submit a written complaint to the Executive Director.

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)

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- **Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 *et seq.*) (prohibits discrimination on the basis of sex)**
- **Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 *et seq.*), as amended (prohibits discrimination on the basis of disability) and 49 CFR Part 27**
- **The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*) (prohibits discrimination on the basis of age)**
- **Airport and Airway Improvement Act of 1982 (49 U.S.C. § 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 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 (42 U.S.C. §§ 12131-12189), as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38 (prohibits 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)**
- **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 (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 People 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 VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended (prohibits discrimination in the sale, rental, and financing of dwellings on the basis of race, color, religion, sex, national origin, disability, or familial status (presence of child under the age of 18 and pregnant women)**
- **Title IX of the Education Amendments Act of 1972, as amended (20 U.S.C. 1681 *et seq.*) (prohibits discrimination on the basis of sex in education programs or activities)**

MVRPC’s website includes our public participation policy, which includes federal requirements for MPO planning activities and Title VI assurances:
(see page 6 of <http://www.mvrpc.org/services/public-information-office/mvrpc-public-participation-policy>)

MVRPC planning and administration procedures reflect both this nondiscrimination policy and include consideration use of small business where appropriate and of Disadvantaged Business Enterprises (DBE) in all hiring decisions, purchasing and provisions of internal administrative services. In addition, outreach efforts are made to inform neighborhood and citizen's groups, particularly those in minority areas, of MVRPC's functions and opportunities for citizen participation in its planning process. The MVRPC web site (www.mvrpc.org) also includes a Spanish translation option. This policy has been particularly emphasized in the TIP and Long Range Plan processes.

A Title VI assurance is included in the MPO self-certification approved annually by the MVRPC Board of Directors.

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- The Miami Valley Coordinated Public Transit-Human Services Transportation Plan update was adopted by resolution of the MVRPC Board on August 1, 2019.
- The Public Participation Policy was adopted by resolution of the MVRPC Board on June 4, 2020.
- The Greater Region Transportation Coordination Plan was adopted by resolution of the MVRPC Board on November 5, 2020.
- The hiring of a dedicated equity and Title VI professional in August 2020.
- The passing of a resolution ensuring equity, diversity, and inclusion in all MVRPC staff, committee and Board of Director actions which was passed on October 1, 2020. The resolution denounces all forms of discrimination and racism, and it works to increase equity, diversity and inclusion in all communities. To learn more, see section 10 which starts on page 22.

4. Title VI Complaint Process (Also see section 8 for Title VI procedure and form which starts on page 16)

All complaints will be logged and FHWA, Headquarters Civil Rights (FHWA, HCR) as well as ODOT's Division of Opportunity, Diversity and Inclusion will be promptly notified.

Complaints filed with MVRPC in which MVRPC is named as the Respondent shall be forwarded to ODOT: ATTN: Title VI Coordinator for processing.

Complaints received by ODOT or FHWA, HCR filed against Federal-aid sub-recipients of MVRPC may be sent to MVRPC for investigation.

Complaints filed with MVRPC against its recipients shall be processed by MVRPC in accordance with FHWA approved procedures as required pursuant to 23 CFR 200.

Final determination of Title VI complaints will be made by the Federal Highway Administration in coordination with Ohio Division of Equal Opportunity - ODOT and MVRPC.

During the past three years, MVRPC has not received any transit related investigations, complaints, or lawsuits.

5. Transportation Planning Processes

A. Public Participation Summary

MVRPC's Long Range Transportation Plan includes extensive public participation efforts. The public participation efforts are made in the form of special public participation meetings in all MPO counties (Miami, Montgomery, Greene and northern Warren); presentations in various media; placing ads with minority-focused radio stations and newspapers. As well as less traditional methods such as placing surveys on RTA buses are used in an effort to insure the broadest range of public input possible into the process. For Plan updates, TV advertising and social media outreach were also utilized in an effort to reach new audiences. Similar efforts are utilized in seeking input for the TIP.

Also in accordance with MAP-21 and Executive Order 12898 on Environmental Justice requirements, an updated public participation policy with very detailed requirements and procedures, entitled "Public Participation Policy for Transportation Planning", has been adopted and implemented by the MVRPC Board of Directors. For example, MVRPC planning processes include enhanced ways to further seek

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input from traditionally disadvantaged populations or otherwise EJ-target groups and to include them in the public participation process.

Since submitting MVRPC's previous Title VI Program Plan and Procedures document in August 2017, MVRPC has updated outreach efforts to include:

- Expanding the mailing list to include EJ-target populations (low-income, minority, elderly and disabled);
- Adapting advertising for ease of understanding, including special articles and flyers; this includes translation into Spanish;
- Adapting public meeting times and locations for accessibility and ADA compliant locations;
- Advertising at Greater Dayton Regional Transit Authority (GDRTA) Hubs;
- Advertising directed toward minority-marketed media;
- Advertising directed to the largest newspaper publication in the region;
- Advertising directed to regional newspaper related to the project;
- Sharing press releases and posters (English/Spanish) with Dayton Metro Libraries for posting at their locations.
- Sharing press releases and posters (English/Spanish) with other libraries in the area not affiliated with Dayton Metro Libraries.
- Mailing press releases upon request to citizens who do not have an email address.
- Posting notices to MVRPC's website, calendar, and social media accounts.

MVRPC's public participation efforts encourage the involvement of the public and socially and/or physically disadvantaged populations in all phases of our programs, including assurances that no person in the United States shall, on the ground of race, color, sex, age, creed, handicap, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program.

This policy is reviewed annually and revised as necessary, with a comprehensive update completed in FY2020. (<http://www.mvrpc.org/services/public-information-office/mvrpc-public-participation-policy>)

B. Public Outreach and Language Assistance

Posters advertising public participation meetings are displayed at Greater Dayton Regional Transit Authority hubs, and Greene CATS and Miami County Transit offices. Posters (translated into Spanish) are also distributed to the Latino Connection, a local Hispanic community-based outreach organization and East End Community Services. Public notice newspaper ads are printed in both Spanish and English in La Mega Nota, a free newspaper distributed throughout the region. Public notice newspaper advertisements are also printed in the Dayton Weekly News which is an African American news publication. Translation services for the hearing-impaired are provided via the Family Services Association. C-print translation services are provided upon request. In SFY2013 MVRPC completed a Limited English Proficiency (LEP) analysis for the MPO area. The analysis indicates that less than 1 percent of the population 5 years or older (approximately 5,400 individuals) is not proficient in English. Approximately 50 percent of the LEP individuals speak Spanish as their primary language with the remainder speaking other Indo-Euro, Asian Pacific, or other languages. As a result, MVRPC is focusing its outreach efforts in the Spanish speaking population. English (95.2%) and Spanish (1.7% second highest population) represent 97% of the population of our three county region. (see section 9 - detail table). The complete LEP documentation can be found at our web link:

<http://www.mvrpc.org/sites/default/files/LimitedEnglishProficiencyAnalysis.pdf>

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When appropriate, MVRPC has sought participation from target populations by posting flyers/posters and meeting notices in locations such as government centers, neighborhood shops, religious institutions, social service agencies, employment centers, senior centers, public health clinics, public libraries, community centers and popular meeting places.

Individuals with limited English proficiency are encouraged to request translators. Translating efforts are focused on Spanish speakers as it is the predominate concentration of non-English speaking individuals in the Miami Valley.

C. MPO Transportation Planning Process

MVRPC uses extensive outreach processes to inform neighborhood and citizen's groups, particularly those in minority areas, of MVRPC's functions and opportunities for citizen participation in its planning process. The MVRPC web site (www.mvrpc.org) also includes a Spanish translation option. As noted above, this has been particularly emphasized in the TIP (<http://www.mvrpc.org/transportation/short-range/current/>) and Long Range Plan (<http://www.mvrpc.org/transportation/long-range/>) processes.

MVRPC uses the Census and the American Community Survey (ACS) as primary data sources for analysis of environmental justice populations. Conversely, MVRPC identifies environmental justice target areas by examining the concentration of the environmental justice target populations at the traffic analysis zone (TAZ) level using geographic information systems (GIS). A concerted effort is made to further seek input. In addition to the strategies referenced under "A. Public Participation Summary", MVRPC efforts include:

- Offering free parking passes for meetings at MVRPC offices in Downtown Dayton;
- Purchasing public notices in English/Spanish publications, and the Dayton Weekly News, a free distribution newspaper;
- Offering an English-to-Spanish translator on MVRPC's website; and
- Posting information about upcoming meetings on social networking sites such as Twitter and Facebook.

MVRPC will continue to improve public involvement with environmental justice populations.

Data relative to minority persons, neighborhoods, income levels, physical environments, travel habits is provided in the profiles of the urbanized area in our State of the Region Report and more detailed subsequent reports on topics such as Economics and Housing. These reports, coupled with the more specific types of data generated through such activities as the Long Range Transportation Plan (particularly the section on Environmental Justice and the associated adverse impact analyses), the Long Range Plan and TIP public participation processes, origin/destination studies, traffic volume studies, household travel surveys, travel time studies, and surveys of the elderly and handicapped, are used as tools to guide policy and plan development.

This data is used at all levels of plan development, as well as throughout the decision-making process: planners utilize the data to develop various alternatives from which the system with the least negative impacts will be chosen; the various task forces and committees consider this data in making their recommendations to the MVRPC Board of Directors (the policy board); and the Board of Directors is made aware of the data as a factor that is weighed prior to making a final decision.

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D. Process the agency uses to monitor and continuously maintain compliance with Title VI requirements

Per ODOT requirements, MVRPC's Title VI monitoring includes preparation of the MPO annual self-certification resolutions. Also, MVRPC completes the ODOT Title VI baseline assessment tool. Finally, MVRPC documents Title VI related outreach and activities for inclusion in ODOT's annual Title VI accomplishments report to FHWA.

As recipients of federal funds, MVRPC and their contractors, subcontractors, material suppliers, vendors, and consultants must:

- Ensure nondiscrimination in all of their programs and activities, whether those programs and activities are federally-funded or not.
- Provide Equal Employment Opportunity by not discriminating in employment based on race, religion, color, sex, national origin, disability, genetic information, age, sexual orientation, or military status.

MVRPC realizes successful implementation of Title VI is dependent on institutions as well as the agents who are employed by them. MVRPC values – which include integrity, transparency, inclusion, diversity, and innovation – align with Title VI and describe how the regional planning commission conducts business. Employee performance, as well as the policies of MVRPC, must be aligned with these values. MVRPC continuously reviews and checks agency performance including a review of all policies (formal and informal) to ensure that the regional planning commission actively creates a workplace culture where Title VI thrives.

Maintaining compliance includes training. MVRPC is exploring online training options that are accessible and not overly burdensome. MVRPC will strive for all employees to participate in Title VI training by the second or third quarter of the 2021 calendar year. MVRPC is short-listing options, including:

- Overview of FHWA's Civil Rights Program Requirements for Local Public Agencies - <https://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?category=civilrig>
- FTA's Title VI Training - <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/title-vi-training>

MVRPC's Title VI Coordinator will take the training first. This will allow the Coordinator to advise: how long the training will take; what to anticipate overall; and/or whether the training produces a participant certificate. According to ODOT, the updated Title VI Program Plan is requested every three years. As a result, MVRPC will encourage staff recertification based on the frequency of three years.

E. Procedures for identifying and considering the mobility needs of minority populations

MVRPC adopted four main approaches during the process of updating the Long Range Transportation Plan (LRTP) to address environmental justice issues. The approaches were informed by the guidelines in Guidance and Best Practices for Incorporating Environmental Justice into Ohio Transportation Planning and Environmental Processes. The guidance document presents methods and approaches for ensuring that **the interests of minority and low-income populations are considered and the impacts on these populations are identified and addressed within the current transportation decision-making processes**. MVRPC's approach includes: defining target populations; identifying target areas; conducting tests for adverse impacts; and taking extra public participation efforts to fully engage diverse population groups.

Also, MVRPC conducted various technical analyses for the LRTP to address environmental justice issues, recognizing that no single measurement can determine whether disproportionate adverse

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impacts exist or not. MVRPC analyzed: accessibility to selected major facilities; home-based-work travel times; and transit and regional bikeway accessibility. The analyses were conducted to determine if target areas are adversely affected by the LRTP, compared to non-target areas, for various populations.

F. Demographic profile of the planning area

MVRPC's Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) include an assessment of the impacts that planned transportation improvements have on environmental justice and other populations of interest. The approach known as Community Impact Assessment is documented in Chapter 9 of the 2040 Plan. Community Impact Assessment was originally developed for the June 2001 update of the transportation Plan and has subsequently been updated based on 2000 and 2010 Census/ACS data and the most current transportation plan projects. The identification of target areas has been updated based on 2010 Census population and 2008-2012 ACS socio-economic data and is used to analyze the impact of the SFY 2018-2021 TIP.

Socio Demographic Profile - 2000-2010 Target Population Thresholds

| Data Set | County | 2000 Total | 2010 Total | 2010 Universe | 2000 Threshold | 2010 Threshold | 2000-2010 Change % |
|-----------------------------|--------|------------|------------|---------------|----------------|----------------|--------------------|
| Minority Population | Gre | 15,911 | 21,903 | 161,573 | 10.80% | 13.56% | 25.56% |
| | Mia | 4,174 | 5,784 | 102,506 | 4.20% | 5.64% | 34.29% |
| | Mot | 130,978 | 139,881 | 535,153 | 23.40% | 26.14% | 11.71% |
| | War | 8,464 | 20,262 | 212,693 | 5.30% | 9.53% | 79.81% |
| Persons in Poverty | Gre | 10,937 | 20,714 | 153,075 | 7.40% | 13.53% | 82.84% |
| | Mia | 5,912 | 12,366 | 101,709 | 5.98% | 12.16% | 103.34% |
| | Mot | 54,650 | 87,503 | 523,164 | 9.77% | 16.73% | 71.24% |
| | War | 5,822 | 13,096 | 207,043 | 3.68% | 6.33% | 72.01% |
| Disabled Population* | Gre | 20,875 | 16,647 | 117,780 | 17.90% | 14.13% | -21.06% |
| | Mia | 15,500 | 11,897 | 76,759 | 20.30% | 15.50% | -23.65% |
| | Mot | 102,901 | 73,416 | 398,033 | 23.60% | 18.44% | -21.86% |
| | War | 21,939 | 16,941 | 148,311 | 18.40% | 11.42% | -37.93% |
| Elderly Population | Gre | 17,492 | 21,998 | 161,573 | 11.80% | 13.61% | 15.34% |
| | Mia | 13,096 | 15,731 | 102,506 | 13.20% | 15.35% | 16.29% |
| | Mot | 76,679 | 81,041 | 535,153 | 13.70% | 15.14% | 10.51% |
| | War | 14,858 | 22,936 | 212,693 | 9.40% | 10.78% | 14.68% |
| Hispanic Population | Gre | 1,813 | 3,439 | 161,573 | 1.20% | 2.12% | 76.67% |
| | Mia | 721 | 1,341 | 102,506 | 0.70% | 1.31% | 87.14% |
| | Mot | 7,096 | 12,177 | 535,153 | 1.30% | 2.28% | 75.38% |
| | War | 1,633 | 4,784 | 212,693 | 1.00% | 2.25% | 125.00% |
| Zero-Car Households | Gre | 2,838 | 3,033 | 62,770 | 5.13% | 4.83% | -5.85% |
| | Mia | 1,891 | 2,114 | 40,917 | 4.91% | 5.17% | 5.30% |
| | Mot | 22,257 | 21,305 | 223,943 | 9.71% | 9.51% | -2.06% |
| | War | 1,925 | 2,047 | 76,424 | 3.44% | 2.68% | -22.09% |

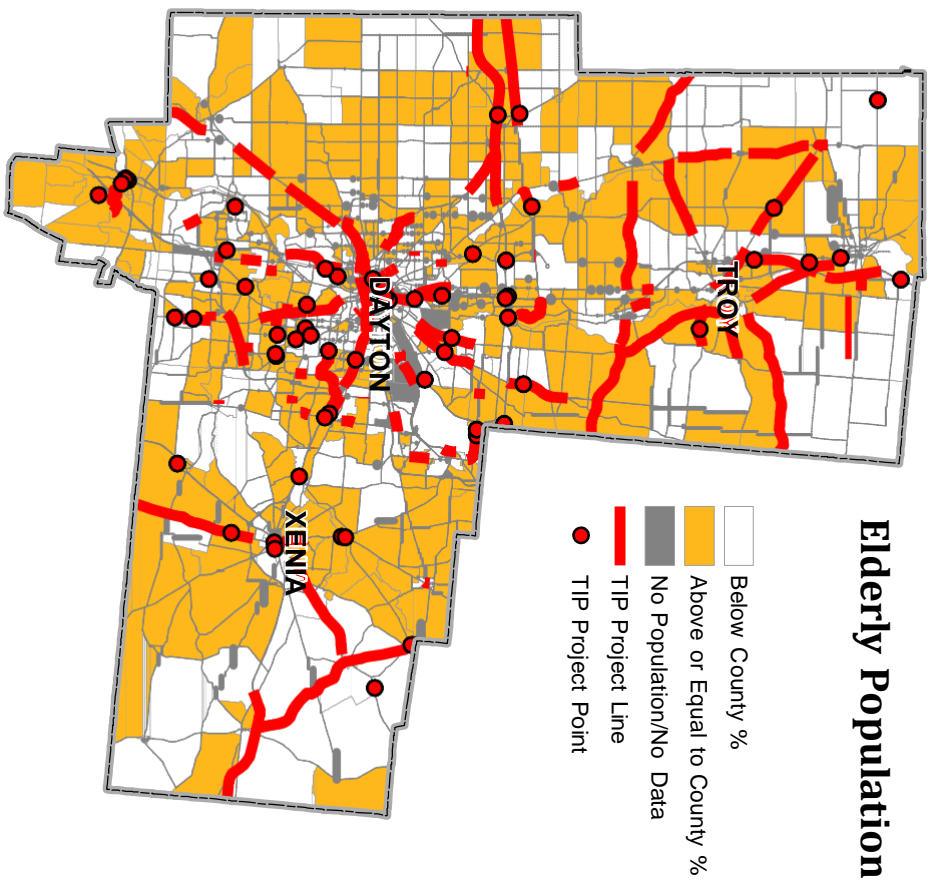
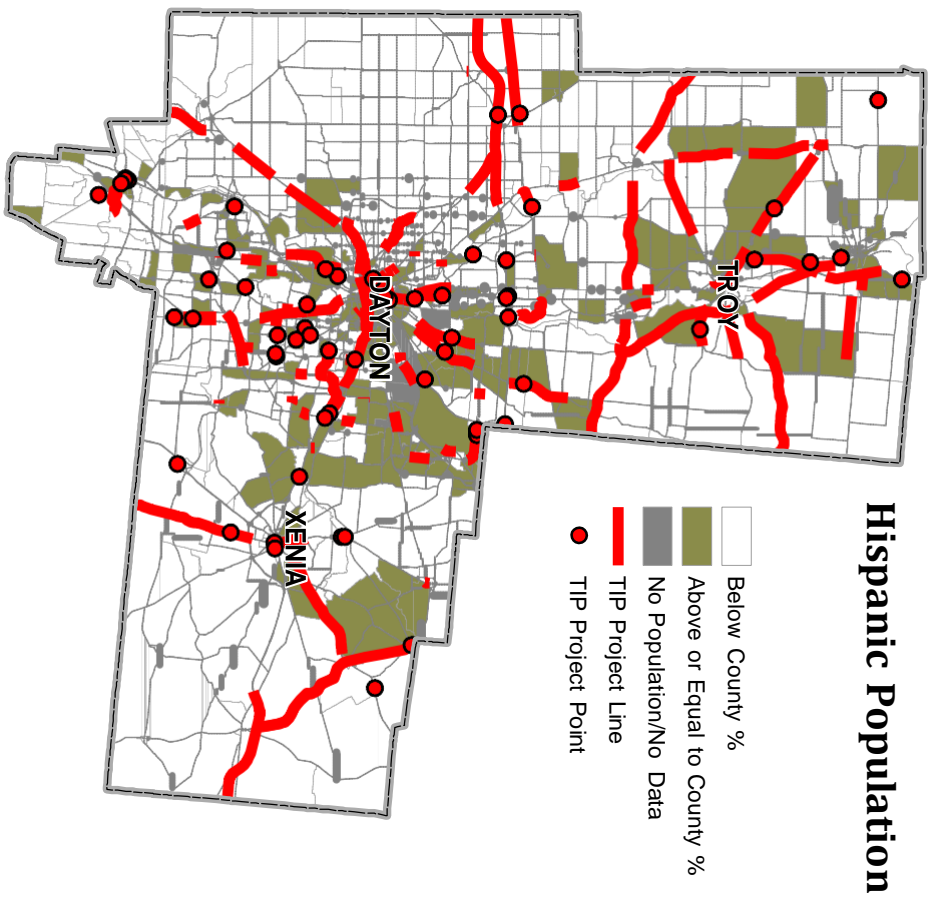
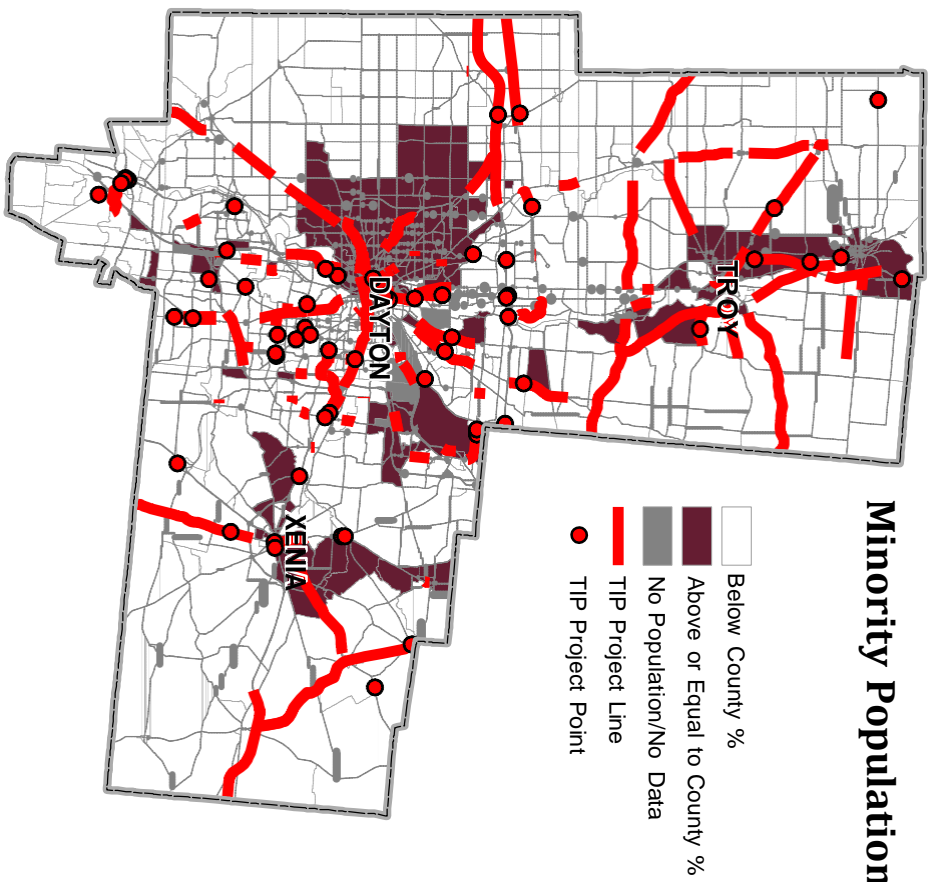
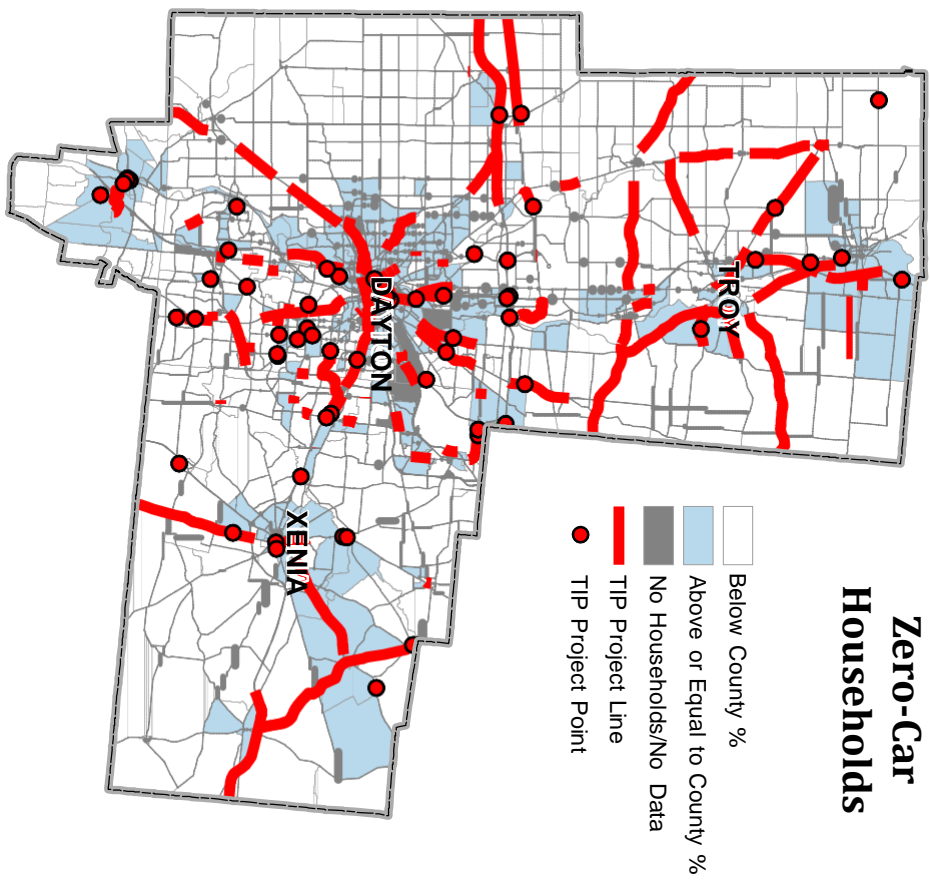
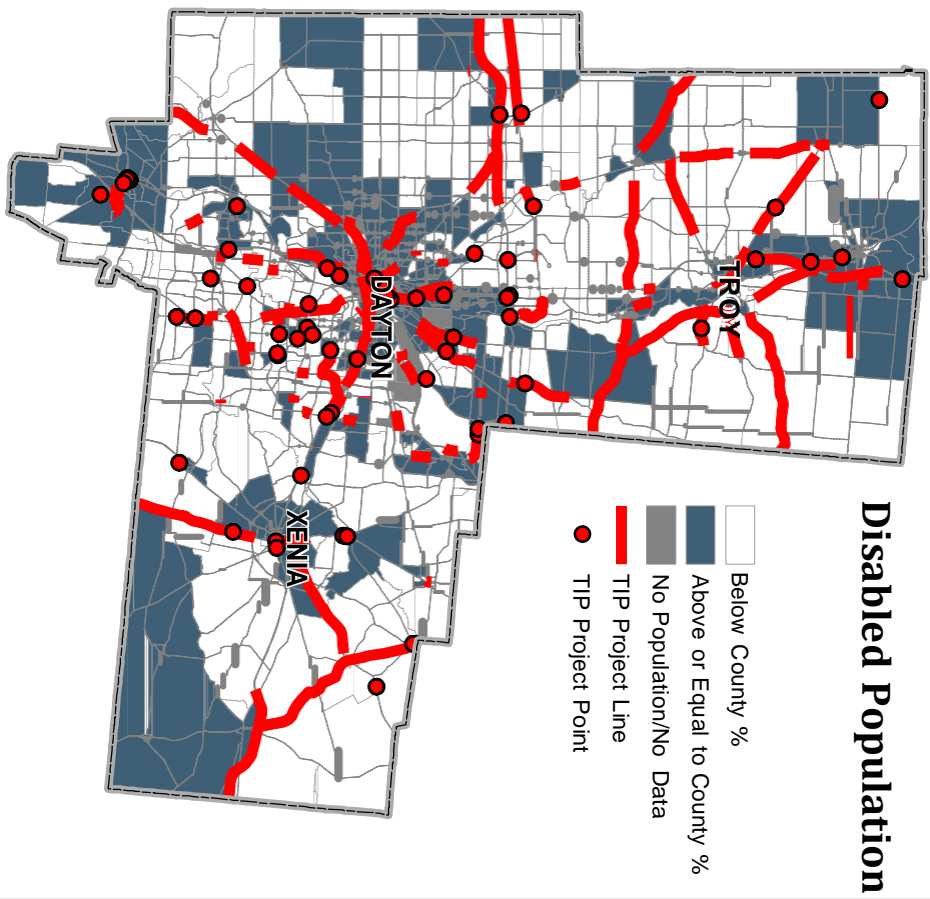
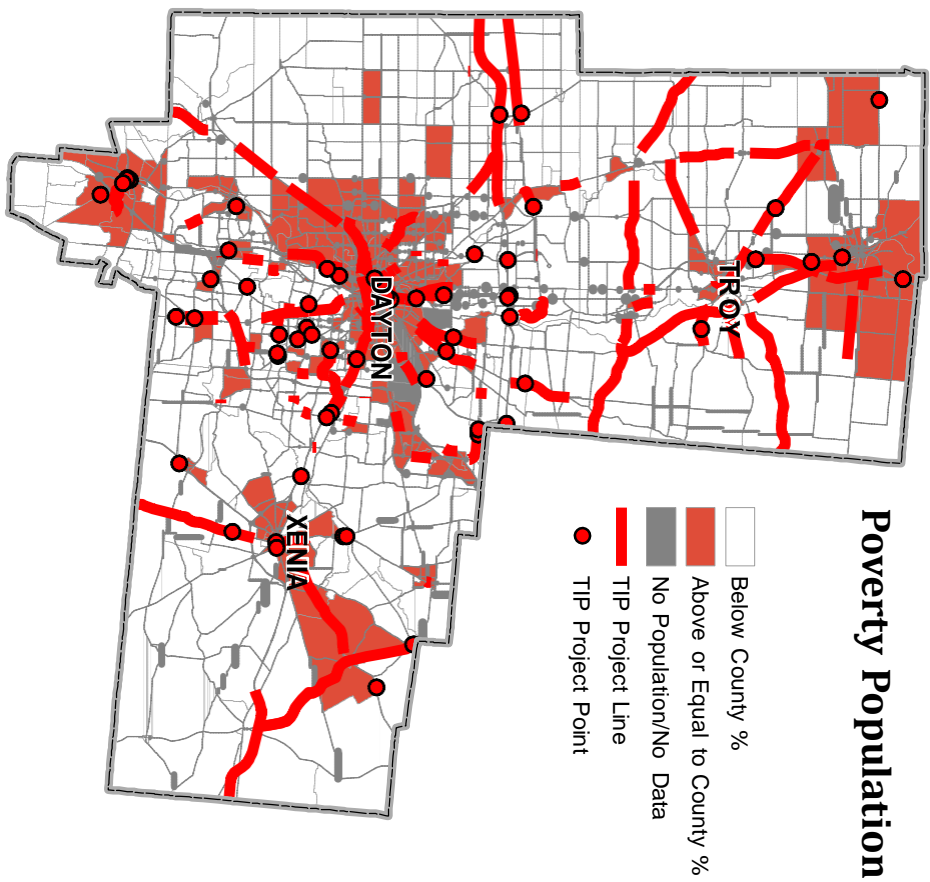
Note: * Because of the changes to the definition, the 2010 ACS disability data should not be compared to the previous 2000 disability data. (see Section C).

Source: 2000, 2010 Census; 2008-2012 American Community Survey

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- G. Demographic maps for the distribution of State and Federal funds in aggregate for public transportation projects.

MVRPC analyzed the distribution of Transportation Improvement Program (TIP) projects with respect to environmental justice populations (low-income and minority) as well as other target populations (such as elderly and disabled) deemed of interest to the transportation planning process using data summarized at the Traffic Analysis Zone (TAZ) level. All TIP projects, with the exception of area-wide programs and projects, slated for construction during SFY 2021-2024, were overlaid on top of the region's six target population maps for analysis. TAZ's with an above or equal to county average population threshold for each target population were identified as focus areas. The analysis was conducted to assure that the focus areas are receiving a proportionate share of TIP project funds relative to the region's general population. Maps displaying the distribution of each environmental justice population and other target populations are included.



Map 2.1
Distribution of Target
Populations by TAZ

Source: U.S. Census 2010, ACS 2008-2012

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H. Analysis of MPO transportation system investments that identifies and addresses disparate impacts

MVRPC's 2040 LRTP includes a community impact assessment. In part, the assessment is conducted to ensure that socially disadvantaged population groups do not bear an unreasonable or inequitable share of the costs associated with planning processes and initiatives.

MVRPC's approach to Community Impact Assessment includes:

- Defining target populations. MVRPC's target population groups include minorities, persons in poverty, disabled, elderly, Hispanic, and zero-car households.
- Identifying target areas. MVRPC defines areas of high concentration at the Traffic Analysis Zone (TAZ) level to utilize the travel demand model in conducting tests for adverse impacts. County average percentages for each selected population are used to determine if a given TAZ falls above or below the county's threshold for each target population.
- Conducting tests for adverse impacts. Using data from the regional travel demand model and the results of step 2 above, MVRPC studied the impact that the proposed plan projects have on work commuting times, accessibility to major facilities, and transit availability for both targeted and non-targeted population groups. When possible the impact of two build scenarios (projects in the TIP only and all projects in the Plan) were compared to existing conditions. According to the findings of the technical analyses, disadvantaged populations were largely unaffected by the 2040 LRTP in comparison to the general population.
- Additional public participation efforts to fully engage diverse population groups.

The TIP also includes an assessment, by funding amount, of the aggregate impact the short-range transportation projects have on the various target populations. According to the SFY2021-2024 Final TIP report published in April 2020, minority target areas will receive the fewest projects and least cost allocation, while elderly target areas receive the greatest number of projects and highest cost allocation. The same report concluded there is no disparate impact on environmental justice and other target populations because "the minority areas are still served by a majority of total projects with a majority of the total costs".

6. Process to ensure non-discrimination in the method of administration

A. Selection criteria for funding projects

MVRPC has program policies and procedures for FAST Act funding for Surface Transportation Program funds; Congestion Mitigation and Air Quality funds; and Transportation Alternative funds. MVRPC uses the following requirements for project selection and priority:

- Metropolitan Planning Organizations (MPO) are responsible for developing a Long Range Transportation Plan (LRTP) and a Transportation Improvement Program (TIP). The TIP must be consistent with the LRTP and must include all projects in the metropolitan area that are proposed for federal funding. States are required to develop a State Transportation Improvement Plan (STIP) which is consistent with MPO TIPs.

Miami Valley Regional Planning Commission Title VI Program Procedures Description

- MPOs with populations over 200,000 like MVRPC are considered Transportation Management Areas (TMA) which are responsible for project selection of all highway and transit projects in consultation with the state. The exceptions are selected by the state in cooperation with the MPOs.
- TIPs must be prioritized and include a financial plan demonstrating how projects are to be funded. The TIP must demonstrate that full funding can be reasonably anticipated in the time period contemplated for completion of the project.
- MPOs are required to provide a reasonable opportunity for public comment on the LRTP and TIP.
- All project sponsors must know and implement the U.S. Department of Transportation Standard Title VI Assurances and Nondiscrimination Provisions, which states “No person in the United States shall, on the grounds of race, color, national origin, sex, age, disability, low-income status, or limited English proficiency, 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 FHWA”.

B. DBE Participation Process

MPO planning projects that are bid out are evaluated for a DBE goal by ODOT’s Office of Small and Disadvantaged Business Enterprise’s Goal Committee prior to soliciting bids. If a DBE goal is assigned by the committee, bid advertising will include the assigned goal.

MVRPC uses the following means to help increase DBE participation:

- Arranging solicitations and specifications in ways that facilitate DBE and small business participation, including encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces.
- Providing information about RFPs directly to DBEs and other small businesses via the Ohio DOT RFP Bulletin Board.
- Placing bid notices in and through minority-focused media, journals, and associations, as appropriate and available.
- Providing technical assistance and other services, including assistance in developing acceptable bid packages, addressing cash flow, and scheduling problems, etc.
- Communicating information on specific contracting opportunities (e.g., including DBEs and small businesses on bidder mailing lists)
- Distributing DBE information to potential prime contractors, strongly encouraging them to utilize minority subcontractors when submitting their proposal packages.

C. Agency Consultant Contracting

MVRPC provides assistance for minority contractors as part of the consultant selection process for planning work. Examples are:

Miami Valley Regional Planning Commission Title VI Program Procedures Description

- The Agency's contract bid process encourages DBE participation.
- MVRPC utilizes DBE Directories from Ohio DOT.
- Information about RFPs is made available directly to DBEs via the Ohio DOT Bulletin Board.
- Notices for both Bids and RFPs are placed in and through minority owned media, journals, and associations as appropriate and available.
- Both Requests for Bids and RFPs are posted on MVRPC's web site.
- All proposers are strongly encouraged to utilize minority subcontractors when submitting their proposal packages. In addition, award contracts also contain clauses encouraging the use of DBE contractors, vendors, and suppliers. MVRPC has actively awarded contracts that included small and minority business as subcontractors.
- Title VI assurances and provisions are included on all consultant contracts.

MVRPC attempts to assure that all consultants comply with Title VI provisions by incorporating the ODOT-prescribed language requirements for contractors and subcontractors into its contractual agreements. Subcontracts with minority vendors are monitored through contractor invoices to insure that the vendors are being utilized as stated in the contract and also to insure that they are being paid in a timely fashion.

7. Requirements for Primary Recipients

The Specialized Transportation Program (Section 5310) is a Federal Transportation Administration (FTA) program designed to improve transportation options for the elderly and individuals with disabilities through the coordination and expansion of transportation services. Funds are available each federal fiscal year and are distributed through a competitive application process.

MVRPC receives an annual allocation of funds designed to support the special transportation needs of seniors and individuals with disabilities. When an MPO receives funds directly from FTA and then passes funds through to sub recipients, the MPO becomes a primary recipient under the DOT Title VI regulations and is responsible for monitoring the compliance of its sub recipients with Title VI, unless that sub recipient is also an FTA direct recipient.

MVRPC requests applicants to respond to questions for *Title VI general reporting* as well as *Title VI data collection* at the time of application. Also, applicants are required to affirm the truthfulness and accuracy of certifications and assurances made to FTA and MVRPC.

For compliance, MVRPC will require sub recipients to submit an annual memorandum, and the memo will satisfy periodic reporting of Title VI reporting requirements. The memorandum will request sub recipients to provide updates on public outreach activity, non-English communications, any Title VI investigations or complaints received, DBE utilization, the impact of grantee service provision on minority/disabled population and the employment make up of transit system personnel.

**Miami Valley Regional Planning Commission
Title VI Program Procedures Description**

8. Title VI Complaint Procedure and Complaint Form

The Miami Valley Regional Planning Commission (MVRPC) strongly opposes the discrimination of any person for any reason, including race, color, national origin, age, gender, disability, or proficiency in English.

These procedures cover all external complaints regarding MVRPC's programs and activities filed under Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the grounds of race, color, or national origin. These procedures also cover external complaints regarding MVRPC's programs or activities filed under other related non-discrimination laws that additionally prohibit discrimination on the basis of disability, sex, or age.

Complaint Procedure

- A. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by Title VI or other non-discrimination laws may file a written complaint with the MVRPC Executive Director. A formal complaint must be filed within 180 calendar days of the alleged occurrence. However, the complainant has the right to also file a complaint with the State DOT Division of Opportunity, Diversity and Inclusion and with the appropriate federal agency.
- B. Upon receipt of a complaint, the complaint will be logged and FHWA, Headquarters Civil Rights (FHWA, HCR) as well as ODOT's Division of Opportunity, Diversity, and Inclusion will be promptly notified.
- C. Complaints filed with MVRPC in which MVRPC is named as the Respondent shall be forwarded to ODOT: ATTN: Title VI Coordinator for processing.
- D. Complaints received by ODOT or FHWA, HCR filed against Federal-aid sub-recipients of MVRPC may be sent to MVRPC for investigation.
- E. Complaints filed with MVRPC against its recipients shall be processed by MVRPC in accordance with FHWA approved procedures as required pursuant to 23 CFR 200.
- F. A final determination of Title VI or other non-discrimination complaints will be made by the Federal Highway Administration in coordination with ODOT's Division of Opportunity, Diversity and Inclusion and MVRPC.
- G. Once a complaint determination becomes final, the parties will be properly notified of the resolution of the complaint, including recommendations to remedy any discriminatory practice – if such practice is identified, and any appeal rights.

For more Information regarding the MVRPC complaint process, please contact:

Brian O. Martin
Executive Director
10 N Ludlow St., Suite 700
Dayton, OH 45402
937.223.6323
bmartin@mvrpc.org

| Miami Valley Regional Planning Commission Complaint Form | |
|--|--|
| NAME (Complainant): | PHONE: () |
| HOME ADDRESS (Include City, State and ZIP): | E-MAIL (If Applicable): |
| Basis of Discriminatory Action(s): _____ Race _____ Color _____ National Origin _____ Sex _____ Age _____ Disability _____ Limited English Proficiency (LEP) | |
| Date of Alleged incident: | Location and position of person(s) who alleged discriminated against you if known: |
| <p>Explain briefly and clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include how you feel other persons were treated differently than you. Please attach additional pages as needed or any additional written material about your complaint.</p> | |

**Miami Valley Regional Planning Commission
Discrimination Complaint Procedures**

What other information do you think is relevant to this complaint?

How can this issue or issues be resolved to your satisfaction?

**Miami Valley Regional Planning Commission
Discrimination Complaint Procedures**

Please list below the names, addresses, phone numbers and job titles of person(s) we may contact for additional information about your complaint (witnesses, fellow employees, **supervisors**, others):

JOB TITLE

| |
|------------|
| Signature: |
|------------|

Date: _____

| Miami Valley Regional Planning Commission Formulario de Reclamos | |
|--|---|
| NOMBRE (Reclamante): | TELÉFONO: () |
| DIRECCIÓN DOMICILIO (Incluya ciudad, estado, y código postal): | CORREO ELECTRÓNICO (si procede): |
| Causa(s) de la discriminación (marque todos los que correspondan): _____ Raza _____ Color _____ Nacionalidad _____ Género _____ Edad _____ Discapacidad _____ Dominio limitado del idioma inglés (LEP) | |
| Fecha de la presunta discriminación: | Lugar y título de la persona que discriminó contra usted: |
| Explique lo más claro posible qué ocurrió y por qué cree que fue discriminado. Describa a todas las personas involucradas y porque piensa que ha sido tratado diferente a otras personas. Incluya el nombre y la información de contacto de las personas que lo discriminaron (si las conoce). Si necesita más espacio, utilice el reverso de este formulario. | |

**Miami Valley Regional Planning Commission
Discrimination Complaint Procedures**

Incluya toda la información que crea relevante:

En su opinión como se puede resolver este problema a su satisfacción:

**Miami Valley Regional Planning Commission
Discrimination Complaint Procedures**

Incluya el nombre y la información de contacto de personas a las que podamos contactar para adquirir más información. (testigos, compañeros de trabajo, supervisores, y otros contactos relevantes):

| NOMBRE | DIRECCIÓN | TELÉFONO | TÍTULO |
|--------|-----------|----------|--------|
| | | | |
| Firma: | | Fecha: | |

**Miami Valley Regional Planning Commission
Title VI Program Procedures Description**

9. Limited English Proficiency (LEP) Analysis Framework

A. Number and proportion of LEP in the service population for programs

As part of an ongoing update process, MVRPC examined the Limited English Proficiency (LEP) populations within its Metropolitan Planning Organization (MPO) boundaries using *2010 American Community Survey: Language Spoken at Home by the Ability to Speak English* datasets.

Of the 37,919 individuals who do not speak English as their primary language in the household, approximately 86% speak English well with 14% being Limited English Proficiency individuals, who do not speak English well or do not speak English at all. When comparing LEP individuals to the total general population, less than 1% of the total population 5 years or older in the Miami Valley are not proficient in English.

The largest percentages of individuals who do not speak English as the primary language in the household in the Miami Valley speak Spanish. Approximately 13,800 speak Spanish, comprising 36.4% of all LEP individuals in the Region. Other languages include Other Indo-Euro, Asian/ Pacific Isles, and all Other.

Overall, our region has primarily English (95.2%) and the largest non-English is Spanish (1.75%) that together represent 97% of the region population. As a result, MVRPC provides Spanish translation services and advertising in Spanish.

Limited English Proficient (LEP) Persons in the Miami Valley

| County | Speaks English "Well" | Percent Speaks English Well | Total LEP: Speaks English "Not Well" | Percent LEP: Speaks English "Not Well" |
|---------------|-----------------------|-----------------------------|--------------------------------------|--|
| Greene | 7,948 | 90.8% | 805 | 9.2% |
| Miami | 2,098 | 84.7% | 380 | 15.3% |
| Montgomery | 21,241 | 84.1% | 4,017 | 15.9% |
| Warren* | 1,263 | 88.4% | 167 | 11.6% |
| Total: | 32,550 | 85.8% | 5,369 | 14.2% |

Source: 2006-2010 American Community Survey 5-Year Estimates

* Warren County includes Census block groups in the vicinity of the cities of Carlisle, Franklin, and Springboro.

**Miami Valley Regional Planning Commission
Title VI Program Procedures Description**

B. Frequency with which LEP individuals come into contact with your programs

MVRPC programs are primarily transportation planning grants and LEP contact is limited to public participation outreach conducted by MVRPC. MVRPC has an ongoing public participation process that engages our region's population. Individuals do not apply for the transportation projects but will have an interest because of potential transportation projects in their community or region.

MVRPC only provides a FTA grant administration service that publicizes availability of funding for FTA grants and MVRPC performs all application reviews and ranking. MVRPC does not provide any FTA program services or equipment purchases or transit operations. MVRPC is not a transit agency.

Individuals do not apply for the FTA grants. Because of the nature of the FTA grant requirements, these grants are typically awarded to transit agencies that operate and provide all transit services.

C. Your programs importance to LEP persons

Because LEP persons do not directly receive project funding, the impact of our programs to LEP persons would be limited to the potential improvement or changes to transportation projects in the next few years or even as far in the future as several decades. MVRPC administration of the FTA grant process has no direct importance to LEP persons, because individuals can not apply for these grants per FTA requirements.

D. Resources available to the recipient

MVRPC provides a language translation feature for our web site and we advertise in both English and in Spanish for all public involvement using public posters, regional news media, a Spanish community publication, the Latino Community Connection a local Hispanic Community-based outreach organization and East End Community Services a nonprofit organization serving East Dayton communities. As part of periodic public advertising, MVRPC invites all eligible applicants to apply for these grants, review and make comments and provide MVRPC contact information. A translation service is available for all public meetings upon request. MVRPC has a written public participation plan that includes these notices of language services assistance, advertising notices in Spanish, as well as specific methods of communications, participation plan elements and responsibilities for conducting an effective public participation process.

10. Resolution Ensuring Equity, Diversity, and Inclusion in all MVRPC Staff, Committee, and Board of Director Actions

On October 1, 2020, the Board of Directors for the Miami Valley Regional Planning Commission unanimously passed a resolution ensuring equity, diversity, and inclusion in all MVRPC staff, committee, and Board of Directors actions.

COVER MEMO AND RESOLUTION STARTS ON NEXT PAGE.



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MEMORANDUM

To: MVRPC Board of Directors
From: Brian O. Martin, AICP, Executive Director
Date: September 21, 2020
Subject: Resolution Ensuring Equity, Diversity, and Inclusion in all MVRPC Staff, Committee, and Board of Directors Actions

The purpose of this memo is to provide answers to questions that I've received since we last discussed the MVRPC resolution on equity, diversity, and inclusion in order to clarify the agency's intentions with the attached resolution. In doing so, I hope to receive your support so that our Region can make a strong statement to the world, other regions in Ohio, and locally. When I say this resolution applies to MVRPC, what I mean is the resolution applies to the agency's hiring and business practices and board actions.

For clarification, I submit the following information:

1. The attached resolution applies to MVRPC staff, hiring and business practices, Board of Directors and other committee decisions.
2. The resolution does not require adoption of a similar resolution or statement by our members. We do encourage all members to make similar statements when they are ready to do so. Every member organization is encouraged to adopt similar resolutions and action steps to increase diversity on its boards or in its hiring practices. In so doing, our region becomes more equitable and more desirable.
3. MVRPC is here to help you along the way to increase diversity, inclusion, and equity. Through the work of MVRPC's Institute for Livable and Equitable Communities, we will provide you with a menu of options based upon sound research and best practices from communities and academia within and beyond our Miami Valley. Working with all member jurisdictions, we will be effective in increasing diversity and inclusion throughout the Region and you will see the benefits in your local community or business.
4. As Executive Director, I serve at the pleasure of the Board of Directors. During my tenure, I have had 6 reviews of my performance conducted by the Executive Director's Review Panel. During each review, we discuss accomplishments for the year and we agree on a set of broad goals for the upcoming year. The MVRPC Executive Committee receives an update on the review and provides feedback on the goals and approves any recommended salary adjustment.
5. MVRPC's responsibilities are far broader than transportation planning and funding. Since 1964, the agency has taken positions on the issues that bind our communities together into the Miami Valley Region. We have adopted resolutions that support all aspects of quality of life including clean drinking water, our expansive trail network, fair share of federal and state funding, ensuring

maintenance of the transportation network, clean air, and other broad concerns that impact all communities and residents of the region. Equity and improved opportunity for all is a very important regional concern during this heightened era of social unrest and the COVID-19 pandemic. MVRPC's Vision, Mission, and Goals are aspirational and broad for our Region.

You may read the agency's Strategic Plan and Bylaws and Constitution to learn more.

- The agency's strategic plan: <https://www.mvrpc.org/sites/default/files/StrategicPlan.pdf>
- The agency's Bylaws and Constitution: <https://www.mvrpc.org/sites/default/files/mvrpcconstbylaw.pdf>

6. The MVRPC Board of Directors represents and advocates for a better Miami Valley Region, sets policy, and promotes cooperation to benefit the entire region. Your local entities may choose to follow the recommendations from MVRPC or you may choose to create your own policy or statement.
7. The reference to Racism as a Public Health Crisis has been removed from the amended resolution. The statement in the motion to table the resolution included opposition to the mention of Racism as a Public Health Crisis. While the data and research released by the state of Ohio shows that racism and public health are linked, the agency doesn't need to mention or support this position to accomplish the equity, diversity, inclusion and race goals. To learn more, please read the Governor's letter inside of "Ohio's Executive Response: A Plan of Action to Advance Equity" <https://coronavirus.ohio.gov/static/MHSF/Executive-Response.pdf>.

The State of Ohio has firmly committed to its position and MVRPC should also take action to increase equity, diversity, and inclusion as well as denounce racism. The attached amended resolution takes this action.

8. Lastly, as the current president of the Rotary Club of Dayton, recently I had the pleasure of hosting and interviewing on Zoom teleconference General Arnold Bunch, Jr. from WPAFB as our club's speaker. General Bunch, leader of the Air Force Materiel Command (AFMC), mentioned Diversity and Inclusion as a top 5 goal for AFMC and the communities in the Miami Valley to ensure that all airmen and employees are treated fairly in their communities. As you are all well aware, WPAFB is the largest single site employer in our Region as well as the state and aligning goals with their command is critical.

In July 2017, MVRPC published the Miami Valley Equity Regional Profile. In October 2017, MVRPC launched the Miami Valley Equity Initiative and in 2019, it launched the Institute for Livable and Equitable Communities (ILEC). In 2020, we held our first meeting of the Regional Equity Initiative (REI), an effort that is charged with developing strategies and funding initiatives that reduce racism and increase access to opportunity for all.

Adoption of the attached resolution will further support the agency's work in this area. It will confirm that the MVRPC Board of Directors is highly supportive of MVRPC, the Miami Valley, and our partners in this work. It confirms that collectively, the Miami Valley denounces all forms of discrimination and racism and it works to increase equity, diversity, and inclusion in all communities. The staff will proudly work with all Miami Valley communities, businesses, and organizations to assist each and every one with designing the custom approaches to assist with reaching their equity, diversity and inclusion goals as well. Please contact me if there are any additional questions as you read the attached resolution.



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RESOLUTION

Ensuring Equity, Diversity, and Inclusion in all MVRPC Staff, Committee, and Board of Directors Actions

WHEREAS, the Miami Valley Regional Planning Commission is designated as a Voluntary Association of Local Governments by Ohio Revised Code Section 713.21; and

WHEREAS, the Miami Valley Regional Planning Commission was formed in 1964 through the cooperation of locally elected officials from Greene, Miami, Preble, and Montgomery Counties and later to include Carlisle, Franklin, Springboro, and Franklin Township in Warren County; and

WHEREAS, in addition to units of local government, the MVRPC Board of Directors is made up of other government organizations, business, education, and community regional interests and it serves as the policy and decision making body for the Miami Valley Region through which local governments work cooperatively to guide important regional matters on behalf of the residents and businesses of the Miami Valley Region; and

WHEREAS, the Equity Regional Profile published by the Miami Valley Regional Planning Commission in July 2017 found that systemic, institutionalized segregation based upon race was implemented by the Federal Housing Authority from 1910 through 1950 through housing covenants to keep African Americans and immigrants from living in any part of the Miami Valley besides the west side of Dayton; and

WHEREAS, this practice of institutional and systemic segregation and racism has harmed certain neighborhoods as better jobs, education, health, food, and housing opportunities have been located in other parts of the Miami Valley and have allowed those who could move to these areas to have increased access to opportunity; and

WHEREAS, racism causes persistent discrimination and disparate outcomes in many areas of life including housing, economic opportunity, infant mortality, employment, food access, environmental protection, and criminal justice; and an emerging body of research demonstrates that racism itself is a social determinant of health; and

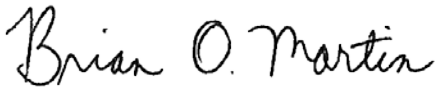
WHEREAS, the MVRPC Board of Directors and its partners formed the Institute for Livable and Equitable Communities on September 5, 2019 which dedicated funding for staff, programs, and projects that address racism and other disparities, increase access to opportunity, and improve livability for Older Americans throughout the Miami Valley; and

WHEREAS, numerous MVRPC governmental and associate members have adopted or considered adopting diversity, inclusion, equity, and antiracism policies including the City of Dayton, Village of Yellow Springs, Montgomery County, City of Piqua, City of Trotwood, City of Fairborn, City of Oakwood, Greater Dayton Area Chamber of Commerce, Dayton Development Coalition, University of Dayton, Sinclair College, Dayton Metropolitan Library, Greater Dayton Regional Transit Authority, Five Rivers Metroparks, and others.

NOW THEREFORE BE IT RESOLVED, that Miami Valley Regional Planning Commission's Board of Directors hereby:

1. Denounces discrimination of any group or in any form based upon race, income, jurisdiction, ability, national origin, age, religion, sexual preference or gender;
2. Directs the Executive Director to work with requesting member organizations to increase equity, diversity, and inclusion in their communities and organizations;
3. Requests that the Executive Director develop proactive policies, training programs, and other strategies that increase the understanding of racism, equity, access to opportunity, and diversity among MVRPC staff, boards, committees, and communities;
4. Encourages all members in their own time to develop letters, statements or resolutions and implement activities that increase equity, diversity, and inclusion in their communities;
5. Encourages all MVRPC member local governments and organizations to utilize any policies or tools developed to this end so that MVRPC through its Institute for Livable and Equitable Communities shares this information with members, tracks national best practices, and develops strategies to assist member local governments and organizations;
6. Advocates and supports the continued active involvement of the Institute for Livable and Equitable Communities as the regional and community entity that works to address racism, increase equity, provide access to opportunity, and increase livability in the communities and organizations of the Miami Valley;
7. Supports the agency's involvement in local, state, and federal purchasing programs that ensure fairness and equal opportunity programs for minority and women owned businesses;
8. Directs the Executive Director to develop a business plan, metrics, and provide annual updates to the Board of Directors on the success of these programs, projects, and policies prepared to address racism and increase diversity, inclusion, and equity throughout the Miami Valley Region.

BY ACTION OF THE Miami Valley Regional Planning Commission's Board of Directors.



Brian O. Martin, AICP
Executive Director



Chris Mucher, Chairperson
Board of Directors of the
Miami Valley Regional Planning
Commission

10/1/2020
Date



MIAMI VALLEY

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RESOLUTION OF SELF-CERTIFICATION OF THE METROPOLITAN TRANSPORTATION PLANNING PROCESS

WHEREAS, the Miami Valley Regional Planning Commission is designated as the Metropolitan Planning Organization (MPO) for the Dayton Urbanized Area (Greene, Miami and Montgomery Counties and the jurisdictions of Carlisle, Franklin, Springboro and Franklin Township in Warren County) by the Governor of the State of Ohio, acting through the Ohio Department of Transportation, in cooperation with local elected officials for the Urbanized Area, and as evidenced in the Agreement of Cooperation, Number 32968 between ODOT and the MVRPC; and

WHEREAS, the federal regulations published as 23 CFR 450.336 requires MVRPC, as the MPO for the Dayton Urbanized area, to self-certify through its Board of Directors (MVRPC's policy board) in conjunction with the Transportation Improvement Program update, that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with the following applicable requirements:

- (a) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- (b) In non-attainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
- (c) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (d) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- (e) Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
- (f) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (g) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- (h) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (i) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- (j) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Miami Valley Regional Planning Commission certifies that the Metropolitan Planning Organization's metropolitan transportation planning process complies with the metropolitan planning requirements as set forth above.

BY ACTION OF THE Miami Valley Regional Planning Commission's Board of Directors.

Brian O. Martin, AICP
Executive Director

Chris Mucher, Chairperson
Board of Directors of the
Miami Valley Regional Planning Commission

May 7, 2020
Date