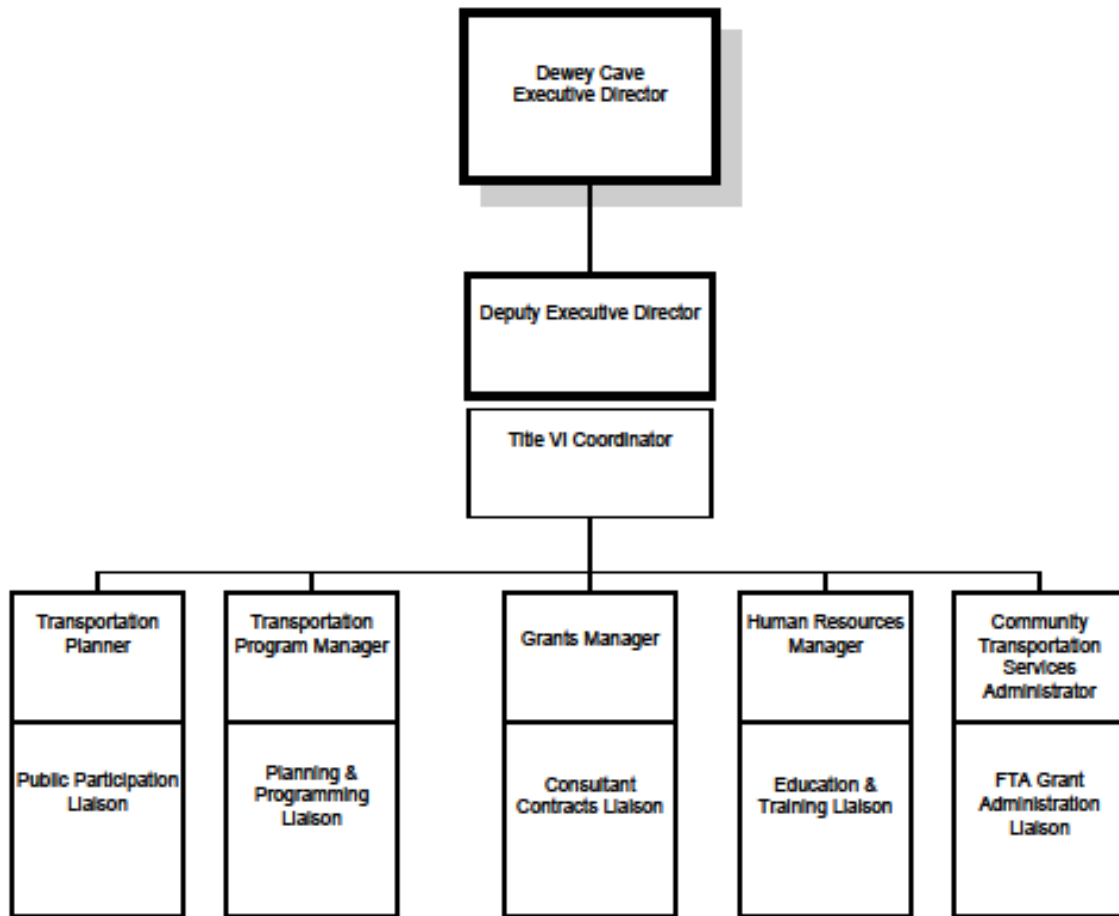


## **Appendix A**

### **MRCOG Title VI Program Organizational Chart**



## **Appendix B**

### **MRCOG Anti-Discrimination Title VI Complaint Procedures**

# Mid-Region Council of Governments Title VI Complaint Procedures

## ***How to file a Title VI Complaint?***

The complainant may file a signed, written complaint up to one-hundred eighty (180) business days from the date of the alleged discrimination. The complaint should include the following information:

- Name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- How, when, where and why you believe you were discriminated against to include the location, names and contact information of any witnesses.
- Other information that you deem significant.

The Title VI Discrimination Complaint form, a representation of which is presented in Appendix C, should be used to submit the complaint information. The complaint must be filed in writing with the Mid Region Council of Governments (MRCOG) at the following address:

Title VI Coordinator  
Mid Region Council of Governments  
809 Copper Avenue NW  
Albuquerque, NM 87102

The MRCOG encourages all complainants to certify mail that is sent through the U.S. Postal Service to ensure that all written correspondence can be tracked easily. An original, signed copy of the complaint must be received by the Title VI Coordinator as soon as possible, but no later than one-hundred eighty (180) business days from the alleged date of discrimination.

## ***What happens to the complaint after it is submitted?***

All written complaints alleging discrimination based on race, color or national origin in a service or benefit provided by MRCOG will be directly reviewed and addressed by the Title VI Coordinator in writing. The MRCOG will provide, to the maximum extent feasible, appropriate assistance to complainants, including assistance to those persons with disabilities, or to those who are limited in their ability to communicate in English. Additionally, MRCOG will make every effort to address all complaints in an expeditious and thorough manner as described below.

A Letter Acknowledging Receipt of Complaint will be mailed within seven (7) business days of receipt of the complaint, a representation of which is presented in Appendix C. At this time, the Title VI Coordinator will conduct a preliminary investigation into the complaint through follow up written interviews with parties involved. Written documentation of the preliminary investigation will be maintained on file in the Title VI Coordinator's office.

The MRCOG may request additional information from the complainant in the Letter Acknowledging Receipt of Complaint. A complainant's failure to provide the requested information may result in the administrative closure of the complaint and no further action will be required by the MRCOG.

### ***How will the complainant be notified of the outcome of the complaint?***

The MRCOG will send a Written Response (refer to Appendix C) to the complainant as to whether the complaint is not substantiated or the complaint is substantiated. MRCOG's Title VI Coordinator will make every effort to send a Written Response to the complainant within ninety (90) business days of receipt of the complaint.

#### **Complaint Not Substantiated**

As presented in Appendix C Written Response - Complaint Not Substantiated, the complainant will be advised of his or her right to:

- 1) appeal within seven (7) business days of receipt of the Written Response and
- 2) within 180 days of the alleged discrimination, file a complaint externally with the New Mexico Department of Transportation, and/or the Federal Highway Administration and/or the Federal Transit Administration of the U.S. Department of Transportation.

The complainant has the right to appeal the Written Response. Appeals in this instance must be submitted to the Title VI Coordinator in writing and must include new information not previously considered in the original complaint. Contingent upon the specifics related to the complaint, appeal investigations may include further findings of fact, and a hearing or other appropriate mechanisms which will result in a final written determination rendered, if feasible, within ninety (90) business days of receipt of the appeal request.

#### **Complaint Substantiated**

In the case where the complaint is substantiated, the Written Response will indicate that remedial efforts are being developed and implemented in order to mitigate disparate treatment. The complainant will be notified in a manner similar to that which is presented in Appendix C Complaint Substantiated, conceivably within ninety (90) business days of receipt of the complaint request.

## **Appendix C**

# **MRCOG Title VI Complaint Forms and Sample Written Responses**



**Mid-Region Council of Governments**

Title VI Coordinator  
809 Copper Avenue NW  
Albuquerque, New Mexico 87102

(505) 247-1750-tel. (505) 247-1753-fax  
[www.mrcog-nm.gov](http://www.mrcog-nm.gov)

**Title VI Discrimination Complaint Form**

(This form is posted in MRCOG website and available from the MRCOG Title VI Coordinator)

**Contact Information**

Name (please print): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Email: \_\_\_\_\_@\_\_\_\_\_

**Discrimination Complaint**

Nature of Discrimination Complaint: \_\_\_\_\_

Date of Alleged Incident: \_\_\_\_\_

You were discriminated because of: O-Race O-Color O-National Origin O-Other

**Explain a briefly and clearly as possible what happened, where it happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please mail or deliver this form to the Title VI Coordinator at the address above.



**Mid-Region Council of Governments**

Title VI Coordinator  
809 Copper Avenue NW  
Albuquerque, New Mexico 87102

(505) 247-1750-tel. (505) 247-1753-fax  
[www.mrcog-nm.gov](http://www.mrcog-nm.gov)

**Sample Letter Acknowledging Receipt of Complaint**

Date

Ms. Jane Doe  
1234 Main St.  
Any City, NM 88888

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against Mid Region Council of Governments alleging \_\_\_\_\_.

An investigation will begin immediately. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by writing to the Mid-Region Council of Governments, 809 Copper Avenue NW, Albuquerque, NM 87102.

Sincerely,

[name]  
Title VI Coordinator  
Mid-Region Council of Governments





## Mid-Region Council of Governments

Title VI Coordinator  
809 Copper Avenue NW  
Albuquerque, New Mexico 87102

(505) 247-1750-tel. (505) 247-1753-fax  
[www.mrcog-nm.gov](http://www.mrcog-nm.gov)

### Sample of Written Response - Complaint Not Substantiated

Date

Ms. Jane Doe  
1234 Main St.  
Any City, NM 88888

Dear Ms. Doe,

The matter referenced in your complaint of \_\_\_\_\_ (date) against the Mid Region Council of Governments (MRCOG) alleging \_\_\_\_\_ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal assistance.

The MRCOG has analyzed the materials and facts pertaining to your case for evidence of the district's failure to comply with any part of the civil rights law. There was no evidence that any part of the law had been violated. I, therefore, advise you that your complaint has not been substantiated and that I am closing this matter in our files.

You have the right to 1) appeal to the MRCOG within seven (7) business days of receipt of this final written decision, and 2) file a complaint externally within 180 days from the date of the alleged discrimination with the New Mexico Department of Transportation and/or the Federal Highway Administration (FHWA) and/or the Federal Transit Administration (FTA) of the U.S. Department of Transportation at:

Federal Transit Administration, Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, Fifth Floor – TRC  
1200 New Jersey Avenue SE  
Washington, DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, please do not hesitate to contact me.

Sincerely,

[name]  
Title VI Coordinator  
Mid-Region Council of Governments



Mid-Region Council of Governments

Title VI Coordinator  
809 Copper Avenue NW  
Albuquerque, New Mexico 87102

(505) 247-1750-tel. (505) 247-1753-fax  
[www.mrcog-nm.gov](http://www.mrcog-nm.gov)

### **Sample of Written Response - Complaint Substantiated**

Date

Ms. Jane Doe  
1234 Main St.  
Any City, NM 88888

Dear Ms. Doe,

The matter referenced in your complaint of \_\_\_\_\_ (date) against the Mid Region Council of Governments (MRCOG) alleging \_\_\_\_\_ has been investigated.

Apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter, was/were identified. Efforts are underway to correct any and all deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. You may be hearing from our office, or from federal authorities, if your services should be needed during the administrative hearing process if required.

Sincerely,

[name]  
Title VI Coordinator  
Mid-Region Council of Governments

## **Appendix D**

### **Title VI Notices to the Public and Employees**

## **Public Notification of Title VI**

(posted in MRCOG reception area, meeting rooms and public areas, including the MRCOG website)

The Mid Region Council of Governments (MRCOG) is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or be subject to discrimination in the receipt of its services or programs on the basis of race, color, national origin or any other characteristics protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Further, under the Americans with Disability Act (ADA) of 1990, no entity shall discriminate against an individual with a physical or mental disability in connection with the provision of transportation service. To obtain more information on the MRCOG's nondiscrimination obligations or Title VI complaint procedure, please contact the MRCOG Title VI Coordinator, Mid-Region Council of Governments, 809 Copper Avenue NW, Albuquerque, NM 87102. For more information visit our website at [www.mrcog-nm.gov](http://www.mrcog-nm.gov) .

## **Employee Notification of Title VI**

(posted on MRCOG's employee bulletin boards and public areas, also referenced in the *MRCOG Personal Policies*)

The Mid Region Council of Governments (MRCOG) is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or be subject to discrimination in the receipt of its services or programs on the basis of race, color, national origin or any other characteristics protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Further, under the Americans with Disability Act (ADA) of 1990, no entity shall discriminate against an individual with a physical or mental disability in connection with the provision of transportation service. If you feel you are being discriminated against at the workplace, you may contact your supervisor or the Human Resources Manager for more information about the Title VI Program and the complaint process.

All employees are expected to consider, respect, and observe this policy in their daily work and duties. If a customer approaches you with a question or complaint about disparate treatment, direct him or her to Title VI Coordinator, who can provide a copy of the Title VI Plan and a Title VI Discrimination Complaint form.

## **Abbreviated Title VI Notice for Publications**

(placed in the title page, table of contents page, or credits and acknowledgments page of MRCOG publications)

The Mid Region Council of Governments 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 Complaint Form, please contact the MRCOG Title VI Coordinator at (505) 247-1750-tel., (505) 247-1753-fax or email [mrcog@mrcog-nm.gov](mailto:mrcog@mrcog-nm.gov) or visit our website at [www.mrcog-nm.gov](http://www.mrcog-nm.gov) .

## **Appendix E**

### **Title VI Assurance and Resolutions Approving This Document**

## TITLE VI CERTIFICATION AND ASSURANCE

### Policy Statement

The Mid Region Council of Governments (MRCOG) is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or be subject to discrimination in the receipt of its services or programs on the basis of race, color, national origin or any other characteristics protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Further, under the Americans with Disability Act (ADA) of 1990, no entity shall discriminate against an individual with a physical or mental disability in connection with the provision of transportation service. To obtain more information on the Mid Region Council of Government's nondiscrimination obligations or the Title VI complaint procedure, please contact:

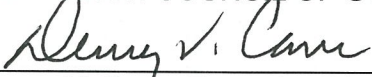
Title VI Coordinator  
Mid-Region Council of Governments  
809 Copper Avenue NW  
Albuquerque, New Mexico 87102  
(505) 247-1750-tel. (505) 247-1753-fax, email: [mrcog@mrcog-nm.gov](mailto:mrcog@mrcog-nm.gov)

### Recipient Certification and Assurance

In accordance with 49 CFR 21.7, the Mid Region Council of Governments (MRCOG) hereby certifies and assures that it will carry out the Title VI Program in compliance with the Civil Rights Act of 1964, 42 U.S.C. Section 2000d *et seq.*, codified in U.S. Department of Transportation (USDOT) Title 49 CFR Part 21 and detailed in Federal Transit Administration (FTA) Circular 4702.1B and Title 23 of the Code of Federal Regulations (CFR) Part 200.

The signatories below are duly authorized to take action on the MRCOG's Title VI Program, which was approved by the MRCOG Executive Board of Directors, on March 13, 2014 as Resolution R-14-05 MTB and approved by the Metropolitan Transportation Board on October 18, 2013 as Resolution R-13-18 MTB and approved by the Mid-Region Rural Transportation Planning Organization Board on February 13, 2014 as R-13-02 MRRTPO.

MID REGION COUNCIL OF GOVERNMENTS

  
\_\_\_\_\_  
Dewey V. Cave, Executive Director  
Mid-Region Council of Governments  
Dewey V. Cave, Executive Secretary  
Mid-Region Metropolitan Planning Organization - Metropolitan Transportation Board

Date: 5-12-14

APPROVED AS TO FORM

  
\_\_\_\_\_  
Larry Horan, MRCOG General Counsel

Date: 5-12-14

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**RESOLUTION**

of the

**METROPOLITAN TRANSPORTATION BOARD**

of the

**MID-REGION COUNCIL OF GOVERNMENTS OF NEW MEXICO**

(R-13-18 MTB)

**ADOPTING THE MRCOG TITLE VI PLAN**

WHEREAS, the Metropolitan Transportation Board is the governing body of the Mid-Region Metropolitan Planning Organization of the Mid-Region Council of Governments; and

WHEREAS, the Metropolitan Transportation Board (MTB) is the Metropolitan Planning Organization (MPO) for the Albuquerque Metropolitan Planning Area (AMPA); and

WHEREAS, the MTB is responsible for carrying out the transportation planning process for the AMPA; and

WHEREAS, the MTB is committed to a policy of non-discrimination and fulfilling the obligations of Title VI of the Civil Rights Act of 1964; and

WHEREAS the MTB is committed to compliance with the Americans with Disabilities Act of 1990; and

NOW THEREFORE BE IT RESOLVED by the Metropolitan Transportation Board of the Mid-Region Council of Governments of New Mexico that the *Mid-Region Council of Governments Title VI Plan* (ATTACHMENT A) is hereby approved as it applies to the transportation planning process and activities within the Albuquerque Metropolitan Planning Area;

26           **AND BE IT FURTHER RESOLVED**, the Metropolitan Transportation Board, in  
27 accordance with 23 CFR 450.334, certifies that the transportation planning process is  
28 being conducted in accordance with all applicable requirements of:

- 29           a) 23 U.S.C. 134 and 135, 49 U.S.C. Section 5303 through 5306 and 5323(1);
- 30           b) Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C.  
31                 7504, 7506(c) and (d) and 40 CFR part 93;
- 32           c) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and  
33                 49 CFR part 21;
- 34           d) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed,  
35                 national origin, sex, or age in employment or business opportunity;
- 36           e) Section 1101(b) of the SAFETEA-LU (Pub. Law 109-59) and 49 CFR part 26  
37                 regarding the involvement of disadvantaged business enterprises in  
38                 USDOT funded projects;
- 39           f) 23 CFR part 230, regarding the implementation of an equal employment  
40                 opportunity program on Federal and Federal-aid highway construction  
41                 contracts;
- 42           g) the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101  
43                 *et seq.*) and 49 CFR parts 27, 37, and 38;
- 44           h) the Older Americans Act, as amended (42 U.S.C. 6101), prohibiting  
45                 discrimination on the basis of age in programs or activities receiving  
46                 Federal financial assistance;
- 47           i) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based  
48                 on gender; and
- 49           j) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part



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27 regarding discrimination against individuals with disabilities.

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PASSED, APPROVED, AND ADOPTED this 18th day of October 2013 by the

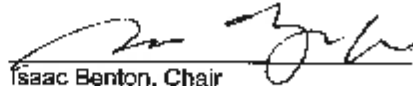
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Metropolitan Transportation Board of the Mid-Region Council of Governments of New

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Isaac Benton, Chair

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Metropolitan Transportation Board

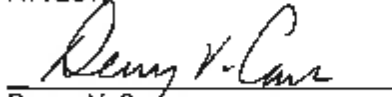
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ATTEST:

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Dewey V. Cave

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Executive Director of the Mid-Region Council of Governments

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Executive Secretary of the Metropolitan Transportation Board

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RESOLUTION  
of the  
MID-REGION RURAL TRANSPORTATION PLANNING ORGANIZATION  
of the  
MID-REGION COUNCIL OF GOVERNMENTS OF NEW MEXICO  
(R-13-02 MRRTPO)  
**ADOPTING THE MRCOG/MRMPO TITLE VI PLAN**

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WHEREAS, the Rural Transportation Planning Organization (RTPO) Committee is the governing body of the Mid-Region Rural Transportation Planning Organization of the Mid-Region Council of Governments; and  
WHEREAS, the RTPO Committee is the Mid-Region Rural Transportation Planning Organization (MRRTPO) for the Rural Transportation Planning Organization Area; and  
WHEREAS, the RTPO Committee is responsible for carrying out the transportation planning process for the Rural Transportation Planning Organization Area; and  
WHEREAS, the RTPO Committee is committed to a policy of non-discrimination and fulfilling the obligations of Title VI of the Civil Rights Act of 1964; and  
WHEREAS the RTPO Committee is committed to compliance with the Americans with Disabilities Act of 1990; and  
NOW THEREFORE BE IT RESOLVED by the Rural Transportation Planning Organization Committee of the Mid-Region Rural Transportation Planning Organization of the Mid-Region Council of Governments of New Mexico that the *Mid-Region Council*

29 of *Governments Title VI Plan* (ATTACHMENT A) is hereby approved as it applies to the  
30 transportation planning process and activities within the Rural Transportation Planning  
31 Organization Area;

32 AND BE IT FURTHER RESOLVED, the Rural Transportation Planning Committee, in  
33 accordance with 23 CFR 450.334, certifies that the transportation planning process is  
34 being conducted in accordance with all applicable requirements of:

35 a) 23 U.S.C. 134 and 135, 49 U.S.C. Section 5303 through 5306 and 5323(1);

36 b) Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C.  
37 7504, 7506(c) and (d) and 40 CFR part 93;

38 c) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and  
39 49 CFR part 21;

40 d) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed,  
41 national origin, sex, or age in employment or business opportunity;

42 e) Section 1101(b) of the SAFETEA-LU (Pub. Law 109-59) and 49 CFR part 26  
43 regarding the involvement of disadvantaged business enterprises in  
44 USDOT funded projects;

45 f) 23 CFR part 230, regarding the implementation of an equal employment opportunity  
46 program on Federal and Federal-aid highway construction contracts;

47 g) the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et*  
48 *seq.*) and 49 CFR parts 27, 37, and 38;

49 h) the Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on  
50 the basis of age in programs or activities receiving Federal financial assistance;

51 i) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based

52 on gender; and  
53 j) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27  
54 regarding discrimination against 50 individuals with disabilities.

55

56 PASSED, ADOPTED, AND APPROVED this 13th day of February 2014, by the  
57 Mid-Region Rural Transportation Planning Organization Committee of the Mid-Region  
58 Council of Governments.

\_\_\_\_\_  
Tommy Mora, Jr. Chair  
Mid-Region Rural Transportation Planning  
Organization Committee

OR

  
\_\_\_\_\_  
Leanne Tapia, Commissioner & Vice-Chair  
Mid-Region Rural Transportation Planning  
Organization Committee

ATTEST:

  
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Dewey V. Cave, Executive Director

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RESOLUTION  
of the  
BOARD OF DIRECTORS  
Executive Board  
of the  
MID-REGION COUNCIL OF GOVERNMENTS OF NEW MEXICO  
(R-14-05 MTB)  
**ADOPTING THE MRCOG TITLE VI PLAN**

WHEREAS, the Board of Directors is the governing body of the Mid-Region Council of Governments (MRCOG); and

WHEREAS, the Board of Directors is responsible for carrying out various administrative activities for the component divisions of the Mid-Region Council of Governments; and

WHEREAS, the Mid-Region Council of Governments is responsible for implementing various regional planning and economic development activities; and

WHEREAS, the Board of Directors is committed to a policy of non-discrimination and fulfilling the obligations of Title VI of the Civil Rights Act of 1964; and

WHEREAS the Board of Directors MTB is committed to compliance with the Americans with Disabilities Act of 1990; and

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Mid-Region Council of Governments of New Mexico that the *Mid-Region Council of Governments Title VI Plan* (ATTACHMENT A) is hereby approved;

AND BE IT FURTHER RESOLVED, the approval of the *Mid-Region Council of Governments Title VI Plan* does not modify or revise the Title VI Report submitted to the

26 Federal Transit Administration (FTA) Region VI on April 1, 2013 to comply with the  
27 requirements of FTA C 4702.1B for the administration of FTA grants and that said Title  
28 VI Report is referenced as Appendix H in the approved *Mid-Region Council of*  
29 *Governments Title VI Plan* (ATTACHMENT A)

30 PASSED, APPROVED, AND ADOPTED this 13 day of March 2014 by the Board  
31 of Directors of the Mid-Region Council of Governments of New Mexico.

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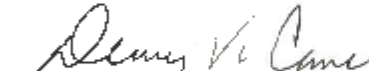
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Philip Gasteyer, Chair  
MRCOG Board of Directors

ATTEST:

  
Dewey V. Cavé

Executive Director of the Mid-Region Council of Governments

# **Appendix F**

## **Public Participation Procedures for the Mid-Region Metropolitan Planning Organization**

The *Public Participation Procedures for the Mid-Region Metropolitan Planning Organization* was adopted June 21, 2013 and is referenced in this *MRCOG Title VI Plan*. The Public Participation Procedures can be viewed on the MRCOG website using this following link:

[http://www.mrcog-nm.gov/images/stories/pdf/transportation/2013PPP\\_Adopted.pdf](http://www.mrcog-nm.gov/images/stories/pdf/transportation/2013PPP_Adopted.pdf)

# Appendix G

## MRCOG

### Environmental Justice Atlas and Data Book

The MRCOG *Environmental Justice Atlas and Data Book for the Albuquerque Metropolitan Planning Area* was adopted in 2004 and is based on the 2000 US Census. The Environmental Justice Atlas and Data Book is referenced in this *MRCOG Title VI Plan* and appended to it. It can be viewed on the MRCOG website using the following link:

[http://www.mrcog-nm.gov/images/stories/pdf/transportation/final\\_ejatlas\\_2004.pdf](http://www.mrcog-nm.gov/images/stories/pdf/transportation/final_ejatlas_2004.pdf)

The document is in the process of being updated to reflect the 2010 US Census and the newly expanded boundaries of the Albuquerque Metropolitan Planning Area. Once completed, the updated document will be incorporated into the Metropolitan Transportation Plan (long range plan) and will automatically be updated with each revision of the plan. It will replace the older version.