



# SouthEastern Arizona Governments Organization



## Title VI Update and Implementation Report

Relating to Transportation Planning and Improvements

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## I. OVERVIEW

### **SEAGO**

The SouthEastern Arizona Governments Organization (SEAGO) is a regional planning agency which performs and coordinates a variety of functions. Established in 1972, SEAGO is a 501(c)3, nonprofit organization whose mission is to assist local governments in seeking cooperative solutions to area wide problems; to provide a forum for regional policy development and serve as a coordinating link between municipal, county, tribal, state, and federal agencies. SEAGO is one of six Arizona Councils of Governments (COGs).

SEAGO serves the four counties of Cochise, Graham, Greenlee, and Santa Cruz. SEAGO's programs focus on issues that often cross jurisdictional boundaries. Originally a planning entity, SEAGO's operational scope has expanded considerably since its inception to include planning as well as project programming and implementation activities in the areas of housing, economic development, social services, transportation, the environment, and public transit.

The SEAGO Transportation Program assists member entities and other organizations with programs administered through the Arizona Department of Transportation (ADOT). Each community within the region is eligible for funding for transportation infrastructure or public transit projects from various programs, which is often done through competitive application processes. SEAGO's Transportation Program conducts the processes through which ADOT administered funding sources are accessed and provides technical support, data, and other information to communities or organizations within the SEAGO region when applying for ADOT or transportation related grants.

### **SEAGO/ADOT Relationship**

State transportation agencies such as ADOT are the principal recipients of Federal-aid Highway Funds for transportation planning and infrastructure improvements. ADOT has the authority to delegate project administration and management to subrecipients and Local Public Agencies (LPAs) including "any city, county, township, municipality, or other political subdivision that may be empowered to cooperate with the State transportation department in highway matters" (23 CFR 635.102).

As described above, SEAGO receives planning funding from ADOT to perform a defined annual scope of work that consists of assisting ADOT in carrying out certain transportation related planning activities within the four-county SEAGO region. Because SEAGO is a subrecipient of federal funding through ADOT, SEAGO is considered an LPA. As an LPA, SEAGO is required to carry out its transportation planning duties and obligations in accordance with all applicable federal requirements.

One such requirement is Title VI of the Civil Rights Act of 1964, which requires outreach to underserved groups. Among other requirements, Title VI specifically mandates that "No person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance." (42 USC 2000d)

Unlike LPAs implementing transportation infrastructure or public transit projects, these planning activities have a limited impact on the underserved populations protected under Title VI. For example, an LPA who is providing public transit services might adversely impact underserved populations when making decisions such as which routes to cut in response to reductions in funding and the need to improve efficiencies, whereas SEAGO's administration of the application and ranking process through which public transit providers are awarded ADOT funding would have a much narrower exposure to adversely impacting underserved populations.

Although adverse impacts on underserved populations from SEAGO's planning activities will be limited in most cases, this does not relieve the agency from its obligation to comply with Title VI requirements. To that end, SEAGO has developed a Title VI Implementation and Public Participation Plan, which sets forth how SEAGO will ensure underserved populations are provided meaningful opportunities to become involved in the transportation planning process within the SEAGO region. This Title VI Report and Update describes the progress SEAGO has made in implementing the Title IV Implementation and Public Participation Plan.

## II. SUMMARY OF PUBLIC OUTREACH AND INVOLVEMENT ACTIVITIES

### **Targeted Public Involvement Activities**

Underserved populations are less likely to become involved in the transportation planning process unless a special effort is made to reach out to them. These populations include, but are not limited to:

- Minority (Hispanic and/or non-white) community members.
- Low-Income community members.
- Physically and mentally challenged community members.
- People who may rely on alternative transportation.
- People with limited English proficiency.
- Aging individuals.

By making a reasonable effort to include these populations, SEAGO ensures that the opportunity exists for the interests and input of all residents to be given equal consideration.

SEAGO's Title VI Implementation and Public Participation Plan includes a Public Participation Toolbox which is a comprehensive listing of various public outreach activities that may be utilized to enhance public participation. There are numerous and varied techniques/activities to provide the opportunity for public involvement. Any combination and number of these may be used depending on the scope of the specific plan, program, or project. As funding permits, SEAGO selects from the various activities to provide the most effective public participation in each particular situation.

Due to the current limitations of planning resources, SEAGO has chosen to focus on public outreach activities required by law and those most likely to reach underserved populations, while preserving resources that may be needed to provide special accommodations to include these individuals during the planning process, such as translation of materials for Limited English Proficiency (LEP) individuals, or those who are hearing and visually impaired.

Therefore, during the preceding year, public outreach and involvement consisted of the following activities selected from the Toolbox:

- E-mail – This has been used extensively to communicate notices of meetings or public hearings to SEAGO’s membership, the general public and underserved populations (more specifics below).
- Contact Lists – SEAGO has developed a Title VI contact distribution list which consists of individuals and agencies that serve the underserved populations protected under Title VI. Notices of all SEAGO meetings, including the SEAGO Executive Board, the Administrative Council, the Technical Advisory Committee (TAC), and any committees or subcommittees thereof, are distributed via e-mail to the Title VI Contact list so that they are provided the opportunity to participate in and/or comment on SEAGO planning activities. The e-mail notice asks the providers serving underserved populations to inform those individuals they serve of the opportunity to participate, the date, time, and location of the event.
- Internal Communications – In addition to transportation planning, SEAGO functions as the four-county Area Agency on Aging, which provides a wide range of services to the aging individuals in the region. This connection provides a unique opportunity to involve this underserved sector in SEAGO planning activities.
- Meetings – Underserved populations are invited to participate in all SEAGO meetings (see Contact List [above] and Public Notice [below] for details). To facilitate participation, a call-in number is provided for individuals who are unable to attend the meetings in person.
- Newsletter – SEAGO currently produces a newsletter that is distributed to a broad range of stakeholders and service providers, many of which serve underserved populations protected under Title VI.
- Press Releases – Press releases are used when a study or plan is available for public comment, and to notify the general public of the opportunity to comment, and when activities such as public hearings will be held.
- Public Meetings/Hearings – The Title VI Contact distribution list is used to inform underserved populations of any public meetings or hearings.
- Public Notices – These are a requirement for all SEAGO meetings, which are conducted in compliance with the Arizona Open Meeting Law. As discussed above, public notices are also distributed to the Title VI Contact distribution list. Public notices include reasonable accommodations for individuals with disabilities, or with special needs, e.g. sign language interpreters. SEAGO includes a the name of the SEAGO Title VI Coordinator as the point of contact person, telephone number, e-mail address, and the deadline for response from those with special needs. SEAGO typically distributes notices of meetings at least a week in advance of any meetings. Notices for public hearings are distributed at least 45 days in advance of the date of the hearing.
- Website Notices – All notices of SEAGO meetings, public hearings or public comment periods are posted to the SEAGO website.

The following is a list of the meetings and other activities that were open to the public or open for public comment during the last year:

- 45-day public comment period on the DRAFT regional Transportation Improvement Plan (TIP). The purpose of this activity was to solicit public comment on the DRAFT TIP.

- One (1) Public Transit Project Prioritization Workshop, the purpose of this event is to prioritize Regional FTA Section 5310 transit projects applying for Coordinated Mobility Grants in FY15.
- Four (4) Advisory Council on Aging (AAA) meetings, held quarterly at various locations throughout the region. The purpose of these meetings is to make recommendations to the Administrative Council and Executive Board relating to programs administered by the SEAGO AAA, including public transportation funding for senior citizens in the SEAGO region.
- Four (4) Cochise County Transit Coordination meetings, held monthly in Cochise County. The purpose of these meetings is to enhance coordination, leverage resources and increase efficiencies among the public transit providers, and to provide information and technical assistance to the providers who need it.
- Four (4) Santa Cruz County Transit Coordination meetings held monthly in Santa Cruz County. The purpose of these meetings is to enhance coordination, leverage resources and increase efficiencies among the public transit providers, and to provide information and technical assistance to the providers who need it.
- Six (6) Technical Advisory Committee (TAC) meetings, held bi-monthly in Benson, Arizona. The purpose of these meetings is to include local governments in the regional transportation planning process. These communities compete for local project funding from the federal Surface Transportation Program, the Highway Safety Improvement Program, the Transportation Enhancement Program, and other federal aid highway programs. The TAC ranks funding applications, approves TIP amendments, recommends transportation planning policies and procedures, and discusses successes and challenges at these meetings. All recommendations from the TAC are forwarded to the Administrative Council and Executive Board for final consideration.
- Four (4) Administrative Council meetings, held in February, May, August and November in Benson, Arizona. The purpose of these meetings is to conduct SEAGO business, including recommending to the Executive Board the approval of funding applications, TIP approvals and other business relating to SEAGO programs.
- Four (4) Executive Board meetings, held in February, May, August and November at various locations throughout the region. The purpose of these meetings is to conduct SEAGO business, including the approval of funding applications, TIP approvals and other business relating to SEAGO programs.
- Four (4) combined Administrative Committee and Executive Committee meetings held telephonically. These committees are comprised of the officers of the Administrative Council and Executive Board. The purpose of these meetings is to conduct business in between regularly scheduled meetings of the Administrative Council and Executive Board, including recommending to the Executive Board the approval of funding applications, TIP approvals and other business relating to SEAGO programs.

### **General Public Involvement Activities**

In addition to the above, meetings and hearings are scheduled to provide the best opportunity for attendance by the general public and the underserved populations protected under Title VI whenever possible. The meeting locations are convenient and ADA accessible. In addition to general meetings, events and activities, reasonable efforts are made to reach those who are particularly affected, the underserved, or others who request SEAGO come to them. These options are open to any group or individual and it is the policy of SEAGO to go where people are

whenever possible. Locations and meeting times for these activities are designed according to the specific needs.

In order to help citizens better understand Transportation Planning, efforts are made to show how presented information specifically relates to the public in both the near future as well as long-term. Visualization enhancements such as color, animation, physical props, pictures, 3-D models, etc. are incorporated as appropriate and as budgets allow. Technical and policy information from SEAGO is written so that it is clear and understandable to the public. All relevant information is open for public consideration. Staff are made available to answer questions at meetings and respond to phone questions in a timely manner.

Opportunities for input vary depending on the project, program, or plan. For larger projects, such as a regional transportation plan, several rounds of public participation may be appropriate. A complete record of public comments is retained for public review. In specific cases, identified by federal regulations, public comments may be a part of the final document.

All transportation planning decisions are made by one or more groups of elected or appointed officials. The Technical Advisory Committee (appointed officials for transportation infrastructure) or the Review Panel (appointed officials for public transit projects) make recommendations for project funding which are then passed on to the Administrative Council (appointed officials), whose recommendation is finally voted on by the Executive Board (elected officials). Through this process, there are multiple public meetings which allow comments to be collected. Prior to each key decision point, ample opportunity is offered for input and that input is shared with the decision-makers. The final decision, however, is the responsibility of the elected officials, which is based on recommendations of the appointed officials and consideration of all related information.

### **III. SEAGO LANGUAGE ASSISTANCE PLAN**

Demographic information from the April 1, 2010 Census indicates that approximately 43 percent of the region's population are Hispanic or Latino of any race. According to the American Community Survey (5-year selected population tales, Table DP-2), there were 69,569 people in the SEAGO region (or approximately 31% of the region's population) who reported that they spoke Spanish in the home. Of those individuals, only 29,863 (or approximately 12.5% of the region's population) reported that they spoke English less than very well.

This data indicates that while a large number of individuals in the region are Spanish speaking, the percentage of those who may be rated as Limited English Proficiency (LEP) is relatively small. This data also suggests that there are an abundance of Spanish speaking individuals available to assist other Spanish speakers with issues of public interest, such as understanding activities and proposed projects that may impact their quality of life.

SEAGO assists persons with limited English proficiency to actively participate in the transportation planning process. In order to ensure effective communication, SEAGO makes every effort to provide Spanish translators and document translation, where feasible, upon timely request. SEAGO also provides assistance to other LEP populations or individuals who are hearing or visually impaired, upon timely request. These materials and services, i.e. special translations, interpretation or sign language services, large prints, Braille, audio/video cassettes

(as appropriate), will be produced when required. However, due to the time and expense required to develop such materials or services, this will only be done upon request and a minimum of two weeks' notice must be provided to ensure timely arrangements or preparation of such services or materials.

Careful consideration is given to the potential impacts from SEAGO's specific planning activities to the underserved populations. Only when the scope of a proposed project or plan has the potential to significantly impact individuals with language barriers or special needs will pertinent materials or services be prepared in alternative formats without having been specifically requested, i.e. special language translations, interpretation or sign language services, large print, Braille, audio/video, etc.

#### **IV. PUBLIC PARTICIPATION DATA**

There has been extensive participation on the part of public transit providers who serve the underserved populations in coordination meetings held by SEAGO in Cochise and Santa Cruz Counties. Similar levels of participation have been experienced at coordination meetings held by local mobility managers in the region. However, there has been no known participation from the underserved populations that these agencies serve.

#### **V. TITLE VI COMPLAINT PROCESS**

Any person who believes that he or she, either individually, as a member of any specific class of persons, or in connection with any minority contractor, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 by SEAGO may file a Title VI complaint. Individuals wishing to file a complaint are encouraged to use the SEAGO Title VI Complaint Form provided as Appendix E.

SEAGO contact information for filing such complaints is as follows:

**Randy Heiss, Executive Director**  
**SouthEastern Arizona Governments Organization**  
**1403 W. Highway 92**  
**Bisbee, AZ 85603**

A person may also file a complaint directly with the Arizona Department of Transportation Civil Rights Office at 1135, N. 22nd Avenue, Mail Drop 154A, Phoenix, Arizona 85009, or the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

SEAGO will investigate complaints received no more than 180 days after the alleged incident. The complaint must be (a) unequal treatment because of race, color, national origin, gender, age and/or disability, or (b) noncompliance with Title VI rules or guidelines adopted thereunder. Once the complaint is received, SEAGO will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

SEAGO has 45 days to investigate the complaint. If more information is needed to resolve the case, SEAGO may contact the complainant. The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, SEAGO can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

Within 60 calendar days of the acceptance of the complaint, the investigator will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 15 days after the date of the letter or the LOF to do so.

SEAGO will immediately notify ADOT's Civil Rights Office of any transit related complaints and provide a copy of the final investigation report to their Civil Rights Office.

A formal complaint must be filed within 180 calendar days of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct. This timeframe is prescribed by 49CFR 21.11(b).

The complaint must meet the following requirements:

- a. Complaint shall be in writing and signed by the complainant(s) and must include complainant(s) name, address, and phone number. The Title VI Coordinator or a liaison will assist the complainant with documenting the issues if necessary.
- b. Present a date of the alleged act of discrimination; date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct.
- c. Present a detailed description of the issues including names and job titles of those individuals perceived as parties in the complained-of-incident.
- d. Allegations received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or e-mail transmittal for SEAGO to be able to process it.
- e. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign, and return to SEAGO for processing.
- f. Within 45 calendar days of the acceptance of the complaint, the SEAGO investigator will prepare a draft investigative report. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
- g. SEAGO's final investigative report with the preliminary findings and a copy of the complaint will be forwarded by certified mail to either ADOT, FHWA (Arizona Division



office Civil Rights Specialist), FTA or FAA or NHTSA, within 60 calendar days of the acceptance of the complaint, per 23 CFR 200.9(b)(3).

A complainant dissatisfied with USDOT's final agency decision may file action with the appropriate US District Court.

#### **VI. TITLE VI COMPLAINTS, INVESTIGATIONS, OR LAWSUITS FILED**

SEAGO maintains data on any complaints, investigations or lawsuits relating to discrimination filed against SEAGO and reports on the status and outcome of such incidences annually. During the period from August 1, 2014 through August 1, 2015, there were no complaints, investigations or lawsuits relating to discrimination filed against SEAGO.

#### **VII. PENDING APPLICATIONS FOR FEDERAL ASSISTANCE**

SEAGO reports the federal funding sources that it receives direct funding from each year. SEAGO currently applies annually for federal funds directly from the U.S. Department of Commerce. SEAGO also receives federal pass through funding from a number of state agencies, including but not limited to ADOT, Arizona Department of Housing, and the Arizona Department of Economic Security.

#### **VIII. COMPLIANCE REVIEWS/COMPLIANCE STATEMENT**

SEAGO reports any compliance reviews performed during the preceding year and the status of SEAGO's compliance with Title VI requirements. No compliance reviews have been performed during the preceding year and we are believed to be in substantial compliance with the spirit of the law.

#### **IX. PLAN EVALUATION/REVISIONS**

SEAGO evaluates the Title VI Implementation and Public Participation Plan annually and reports any new practices or changes to be implemented the following year. In spite of the limited participation during the past year from underserved populations, we believe that the public outreach activities we have employed are adequate to provide meaningful opportunities to participate in SEAGO planning activities, and are appropriate given current funding limitations. However, the following administrative changes to the Plan should be noted:

##### **Limited English Proficiency Plan**

New to this year's plan is a 4-factor analysis that was conducted in an effort to determine the estimated needs of **Limited English Proficient** persons in the four-county SEAGO Region. The results of the analysis have identified specific activities to be taken by SEAGO to address the LEP needs of our region.

## **List of Member Communities**

### **Executive Board**

The member agencies of SEAGO are represented on the Executive Board by elected officials and by Private Sector Representatives appointed by the Executive Board members in accordance with Economic Development Administration requirements. It is the function of the Executive Board to act as a policy body, coordinating transportation planning and related implementation activities within the four-county SEAGO region. The current Executive Board membership is shown in the table below with the changes highlighted:

<b>Community</b>	<b>Executive Board Representative</b>
Cochise County	Hon. Ann English, Supervisor
City of Benson	Hon. Toney King, Mayor
<b>City of Bisbee</b>	<b>Hon. Ron Oertle, Mayor</b>
City of Douglas	Hon. Danny Ortega, Mayor
Town of Huachuca City	Hon. Ken Taylor, Mayor
<b>City of Sierra Vista</b>	<b>Hon. Rick Mueller, Mayor</b>
City of Tombstone	Hon. Armando Villa, Council Member
City of Willcox	Hon. Gerald Lindsey, Council Member
Private Sector Representative	Rep. Mark Schmitt, Cochise County
<b>Private Sector Representative</b>	<b>Vacant</b>
Graham County	Hon. Danny Smith, Supervisor
<b>Town of Pima</b>	<b>Hon. Tom Claridge, Mayor</b>
City of Safford	Hon. Richard Ortega, Council Member
Town of Thatcher	Hon. Bob Rivera, Mayor
San Carlos Apache Tribe	Hon. Terry Rambler, Tribal Chairman
<b>Private Sector Representative</b>	<b>Vacant</b>
Greenlee County	Hon. David Gomez, Supervisor
Town of Clifton	Hon. Luis Montoya, Council Member
Town of Duncan	Hon. Billy Waters, Mayor
<b>Private Sector Representative</b>	<b>Rep. Dustin Robinette, Greenlee County</b>
Santa Cruz County	Hon. Rudy Molera, Supervisor
<b>City of Nogales</b>	<b>Hon. John Doyle, Mayor</b>
Town of Patagonia	Hon. Ike Isakson, Mayor
<b>Private Sector Representative</b>	<b>Rep. Tony Sedgwick, Santa Cruz County</b>

### **Administrative Council**

The member agencies of SEAGO are also represented on the Administrative Council. The Administrative Council is comprised of the city, town, county, and tribal government managers or their designees. It is the function of the Administrative Council to provide recommendations to the Executive Board regarding business and policy matters of SEAGO. The current Administrative Council membership is shown in the table below with changes highlighted:

<b>Community</b>	<b>Administrative Council Representative</b>
<b>Cochise County</b>	<b>Jim Vlahovich, Administrator</b>
City of Benson	William Stephens, Manager
City of Bisbee	Jestin Johnson, Manager
City of Douglas	Carlos De La Torre, Manager
Town of Huachuca City	Tammy Mitchell, Clerk/Administrator
City of Sierra Vista	Charles Potucek, Manager
<b>City of Tombstone</b>	<b>Vacant</b>
City of Willcox	Tedmond Soltis, Manager
Graham County	Terry Cooper, Manager
Town of Pima	Jeff McCormick, Manager
City of Safford	Horacio Skeete, Manager
Town of Thatcher	Terry Hinton, Manager
San Carlos Apache Tribe	Marvin Mull, Planner
Greenlee County	Kay Gale, Administrator
<b>Town of Clifton</b>	<b>Ian McGaughey, Manager</b>
Town of Duncan	John Basteen, Manager
Santa Cruz County	Carlos Rivera, Manager
City of Nogales	Shane Dille, Manager
Town of Patagonia	Dave Teel, Manager

#### Technical Advisory Committee

The SEAGO Technical Advisory Committee (TAC) is the transportation advisory committee to the Administrative Council and Executive Board. The voting members of the TAC are comprised of an appointed representative from each public works department of each member entity (or the local equivalent), and an ADOT representative. The TAC has the authority, and primary responsibility to conduct technical reviews regarding all work activities of the Work Program; to recommend project awards; and to advise the Administrative Council and Executive Board on appropriate actions to be taken for the overall transportation planning policies and direction of the region. The 2010 Census triggered the creation of several new Metropolitan Planning Areas in Arizona. One of those is the Sierra Vista MPO which now administers its own transportation planning process. As a result, the City of Sierra Vista is no longer officially represented on the SEAGO TAC. The current TAC membership is shown in the table below with changes highlighted:

<b>Community</b>	<b>TAC Representative</b>
Cochise County	Karen Lamberton, Transportation Planner
City of Benson	Brad Hamilton, Public Works Director
City of Bisbee	Tom Klimek, Public Works Director
City of Douglas	Lauren Ortega, Public Works Director

Town of Huachuca City	Vacant
City of Tombstone	Armando Villa, Council Member
City of Willcox	Gary Adams, Public Works Supervisor
Graham County	Michael Bryce, County Engineer
Town of Pima	Jeff McCormick, Manager
City of Safford	Randy Petty, City Engineer
Town of Thatcher	Heath Brown, Town Engineer
San Carlos Apache Tribe	Charlie Russell, Director, Transportation Dept. Mgr.
Greenlee County	Phil Ronnerud, County Engineer
Town of Clifton	Ian McGaughey, Manager
Town of Duncan	John Basteen, Manager
Santa Cruz County	Jesus Valdez, Deputy Public Works Director
City of Nogales	Juan Guerra, City Engineer
Town of Patagonia	Dave Teel, Manager
ADOT	Mark Hoffman, ADOT MPD

**Ethnicity and Gender Statistics for SEAGO Committees**

The current ethnicity and gender of SEAGO’s primary committees is shown in the table below with changes highlighted:

SEAGO Committees	ETHNICITY				GENDER	
	White	Hispanic	Native American	Other	Male	Female
Executive Board	13	8	1	0	21	1
Administrative Council	14	3	1	1	17	2
TAC	13	4	1	0	16	2

**X. DEMOGRAPHIC COMPOSITION OF THE SEAGO REGION**

A table containing the demographic composition of the SEAGO region’s population begins on the following page.

**Demographic Composition  
of the SEAGO Region**

Geographic Area	Total Population	Race								Hispanic or Latino (of any race)
		One Race							Two or More Races	
		Population - One Race	White Alone	Black or African American, Alone	American Indian or Alaska Native, Alone	Asian, Alone	Native Hawaiian and Other Pacific Islander, Alone	Some Other Race, Alone		
<b>Cochise County Total</b>	<b>131,346</b>	<b>126,071</b>	<b>103,085</b>	<b>5,465</b>	<b>1,589</b>	<b>2,525</b>	<b>418</b>	<b>12,989</b>	<b>5,275</b>	<b>42,543</b>
<b>PLACES</b>										
Benson, City	5,105	4,922	4,481	51	49	37	8	296	183	1,126
Bisbee, City	5,575	5,370	4,696	80	81	26	8	479	205	2,019
Douglas, City	17,378	16,926	11,848	483	296	81	10	4,208	452	14,353
Huachuca City, Town	1,853	1,753	1,429	119	26	38	15	126	100	364
Sierra Vista, City	43,888	41,373	32,695	3,951	467	1,781	269	2,210	2,515	8,527
Tombstone, City	1,380	1,333	1,269	6	9	9	1	39	47	288
Willcox, City	3,757	3,643	2,539	43	48	25	7	981	114	1,883
<b>TOTAL PLACES</b>	<b>78,936</b>	<b>75,320</b>	<b>58,957</b>	<b>4,733</b>	<b>976</b>	<b>1,997</b>	<b>318</b>	<b>8,339</b>	<b>3,616</b>	<b>28,560</b>
<b>Graham County Total</b>	<b>37,220</b>	<b>36,172</b>	<b>26,827</b>	<b>683</b>	<b>5,376</b>	<b>200</b>	<b>52</b>	<b>3,034</b>	<b>1,048</b>	<b>11,320</b>
<b>PLACES</b>										
Pima, Town	2,387	2,300	2,086	9	15	3	3	184	87	500
Safford, City	9,566	9,210	7,789	116	153	85	5	1,062	356	4,166
Thatcher, Town	4,865	4,698	4,143	87	88	35	11	334	167	1,052
San Carlos Apache Tribe	4,780	4,612	19	1	4,591	0	1	0	16	152
<b>TOTAL PLACES</b>	<b>21,598</b>	<b>20,820</b>	<b>14,037</b>	<b>213</b>	<b>4,847</b>	<b>123</b>	<b>20</b>	<b>1,580</b>	<b>626</b>	<b>5,870</b>
<b>Greenlee County Total</b>	<b>8,437</b>	<b>8,117</b>	<b>6,514</b>	<b>89</b>	<b>195</b>	<b>46</b>	<b>5</b>	<b>1,268</b>	<b>320</b>	<b>4,040</b>
<b>PLACES</b>										
Clifton, Town	3,311	3,140	2,342	28	109	23	3	635	171	1,991
Duncan, town	696	671	563	8	12	0	1	87	25	235
<b>TOTAL PLACES</b>	<b>4,007</b>	<b>3,811</b>	<b>2,905</b>	<b>36</b>	<b>121</b>	<b>23</b>	<b>4</b>	<b>722</b>	<b>196</b>	<b>2,226</b>
<b>Santa Cruz County Total</b>	<b>47,420</b>	<b>46,467</b>	<b>34,835</b>	<b>179</b>	<b>328</b>	<b>255</b>	<b>15</b>	<b>10,855</b>	<b>953</b>	<b>39,273</b>
<b>PLACES</b>										
Nogales, City	20,837	20,338	14,933	75	140	126	4	5,060	499	19,793
Patagonia, Town	913	903	801	2	20	0	0	80	10	387
<b>TOTAL PLACES</b>	<b>21,750</b>	<b>21,241</b>	<b>15,734</b>	<b>77</b>	<b>160</b>	<b>126</b>	<b>4</b>	<b>5,140</b>	<b>509</b>	<b>20,180</b>
<b>TOTAL SEAGO REGION</b>	<b>224,423</b>	<b>216,827</b>	<b>171,261</b>	<b>6,416</b>	<b>7,488</b>	<b>3,026</b>	<b>490</b>	<b>28,146</b>	<b>7,596</b>	<b>97,176</b>

Source: U.S. Census Bureau, 2010 Census  
2010 Census Redistricting Data  
(Public Law 94-171) Summary File  
Tables P1 and P2

## XI. TITLE VI NOTICE TO THE PUBLIC

The following updated notice regarding Title VI compliance is posted on our website and at the SEAGO offices:

### **Title VI Notice to Public**

The SouthEastern Arizona Governments Organization (SEAGO) hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964 and all related acts and statutes. Title VI and related statutes prohibiting discrimination in Federally assisted programs require that no person in the United States of America shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice regarding SEAGO programs has a right to file a formal complaint with SEAGO. A person may also file a complaint directly with the Arizona Department of Transportation Civil Rights Office at 1135, N. 22nd Avenue, Mail Drop 154A, Phoenix, Arizona 85009, or the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

Any such complaint shall include the following information:

- a. Complaint shall be in writing and signed by the complainant(s) and must include complainant(s) name, address, and phone number. The Title VI Program Manager or a liaison will assist the complainant with documenting the issues if necessary.
- b. Date of the alleged act of discrimination; date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct.
- c. Present a detailed description of the issues including names and job titles of those individuals perceived as parties in the complained-of-incident.

The complaint must be submitted to the The Title VI Program Manager or a liaison within one hundred eighty (180) days following the date of the alleged occurrence.

For more information regarding civil rights complaints, please contact:

**Randy Heiss, Executive Director**  
**SouthEastern Arizona Governments Organization**  
**1403 W. Highway 92**  
**Bisbee, AZ 85603**  
**(520) 432-5301 Ext. 202**

If information is needed in another language or alternate format, contact Randy Heiss at 520-432-5301, or [rheiss@seago.org](mailto:rheiss@seago.org).

Si esta información es necesaria en otro idioma o alternativo formato, deben ponerse en contacto con Randy Heiss al número (520) 432-5301, o [rheiss@seago.org](mailto:rheiss@seago.org).

## XII. SEAGO ASSURANCES

### General Assurances

The *SouthEastern Arizona Governments Organization (SEAGO)* HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the Arizona Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, that no person in the United States shall, on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) of the Regulations.

### Specific Assurances

#### **Federal-aid Highway Program Assurance**

More specifically and without limiting the above general assurance, SEAGO hereby provides the following specific assurances with its Federal-aid Highway Program.

1. That SEAGO agrees that each “program” and each “facility” as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That SEAGO shall insert the following notifications in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal-aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

*“The SouthEastern Arizona Governments Organization, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, gender, age, or disability in consideration for an award.”*

3. That SEAGO shall insert the clauses of Appendix A of this assurance in every contract subject to this Act and the Regulations.

4. That SEAGO shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where SEAGO receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where SEAGO receives Federal financial assistance in form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
7. That SEAGO shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by SEAGO with other parties: (a) for the subsequent transfer of real property acquired or improved under Federal Aid Highway Program; and (b) for the construction or use of or access to space on, over, or under real property acquired, or improved under Federal Aid Highway Program.
8. That this assurance obligates SEAGO for the period during which Federal financial assistance is extended to the program, except where the federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates SEAGO or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which SEAGO retains ownership or possession of the property.
9. SEAGO shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. SEAGO agrees that the United States has right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

### **Federal Transit Administration Assurance**

SEAGO HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

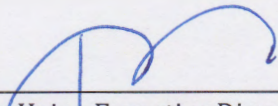
1. No person on the basis of race, color, national origin, gender, age, or disability, will be subjected to discrimination in the level and quality of transportation planning services and transit-related benefits.



2. SEAGO will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1, and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. SEAGO will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transportation Administration and/or the U.S. Department of Transportation.

### Certification

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to SEAGO by the Department of Transportation under the Federal-aid Highway Program/Federal Transit Grant Program, and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in the interest and other participants in these same Federal-aid programs. The person whose signature appears below is authorized to sign this assurance on behalf of SEAGO.

By  \_\_\_\_\_  
Randy Heiss, Executive Director  
SouthEastern Arizona Governments Organization

Date: July 31, 2015



## APPENDIX A

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

- (1) **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, or sex in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, or sex.
- (4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information,

and its facilities as may be determined by the *Arizona Department of Transportation* or the *Federal Highway Administration and Federal Transit Administration* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the *Arizona Department of Transportation*, or the *Federal Highway Administration and Federal Transit Administration* as appropriate, and shall set forth what efforts it has made to obtain the information.

- (5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the *Arizona Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration and Federal Transit Administration* may determine to be appropriate, including, but not limited to:
- a) withholding of payments to the contractor under the contract until the contractor complies, and/or
  - b) cancellation, termination or suspension of the contract, in whole or in part.
- (6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontract. or procurement as the *Arizona Department of Transportation* or the *Federal Highway Administration and Federal Transit* may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the *Arizona Department of Transportation* to enter into such litigation to protect the interests of the *Arizona Department of Transportation*, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.



## APPENDIX B

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

### (GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the *Arizona Department of Transportation* will accept title to the lands and maintain the project constructed thereon, in accordance with *Title 23, United States Code* the Regulations for the Administration of *Federal Aid for Highways and Transit* and the policies and procedures prescribed by *Federal Highway and Transit Administrations* of the Department of Transportation and Federal Transit Administration, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. .2000d to 2000d-4), and the Civil Rights Restoration Act of 1987 (Public Law 100.259) does hereby remise, release, quitclaim and convey unto the *Arizona Department of Transportation* all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

### (HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto *Arizona Department of Transportation* and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a

purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the *Arizona Department of Transportation*, its successors and assigns.

The *Arizona Department of Transportation*, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [and]\* (2) that the Arizona Department of Transportation shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of -the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (Public Law 100.259) and as said Regulations may be amended and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.\*

*\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.*



## APPENDIX C

**The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the *Arizona Department of Transportation pursuant to the provisions of Assurance 7(a)*.**

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation Effectuation of Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (Public Law 100.259) and as said Regulations may be amended.

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

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

That in the event of breach of any of the above nondiscrimination covenants, *Arizona Department of Transportation* shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest

in and become the absolute property of *Arizona Department of Transportation* and its assigns.

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

The (grantee, licensee, lessee, permittee, etc. as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that (1) no person on the ground of race, color, national origin, or sex shall be excluded from participation in, denied the benefits of, or he otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of, race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations. Department of Transportation, Subtitle A, Office of the Secretary. Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964), and the Civil Rights Restoration Act of 1987 (Public Law 100.259) and as said Regulations may be amended.

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

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

**[Include in deeds]\***

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

*\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.*