



GENESEE COUNTY
METROPOLITAN PLANNING COMMISSION

GCMPC MEETING

Tuesday, March 5, 2024
8:00 A.M.

Commissioners

Alan Himelhoch
Chairperson

Mike LaPointe
Vice-Chairperson

Gloria J. Nealy
Secretary

Dr. Beverly Brown

Cheryl Sclater

Jeffrey M. Peake

Lauren Coney

Martin L. Cousineau

Reggie Smith

Tyler Rossmassler

William Brandon

Genesee County Administration Building
1101 Beach Street
3rd Floor - Harris Auditorium
Flint, MI 48502

AGENDA

- I. Call to Order
- II. Roll Call
- III. Minutes
 - ***A. Minutes of the February 6, 2024 Regular Meeting (attached)
- IV. Opportunity for Individuals to Address the Commission
- V. Communications
 - A. Notice of Intent to Prepare a Master Plan - Charter Township of Fenton (attached)
 - B. GCMPC 2023 Accomplishments Report (presentation)
- VI. Committee Reports
- VII. New Business
 - ***A. FPR-01-24-01; 2024-2025 GCCARD Head Start and Early Head Start Grant (attached)

- ***B. FOS-02-24-01; Clayton Township – Mitchell Walker – Application for Farmland Agreement (attached)
- ***C. FOS-02-24-02; Clayton Township – Mitchell Walker – Application for Farmland Agreement (attached)
- ***D. GCMPC Title VI Plan Update (attached)

VIII. Finances

- ***A. Contract, Vouchers and Bills (attached)
- ***B. Commission Expenses and Per Diems (to be distributed)
- ***C. Financial Update (attached)

IX. Old Business

A. Project Status

- ***1. 3-C Transportation Planning – February 2024 Status Report (attached)
- ***2. Environmental Program – February 2024 Status Report (attached)
- ***3. Community Development Program – February 2024 Status Report (attached)
- ***4. American Rescue Plan Act – February 2024 Status Report (attached)
- ***5. Report of the Director – February 2024 Status Report (attached)

B. Commissioner Comments

X. Adjournment

***Indicates Action Item

NEXT MEETING: Tuesday, April 2, 2024

GENESEE COUNTY METROPOLITAN PLANNING COMMISSION
Tuesday, February 6, 2024, 8:00 a.m.

MINUTES

The Genesee County Metropolitan Planning Commission met at 8:00 a.m. on Tuesday, February 6, 2024, in the Harris Auditorium of the Genesee County Administration Building, 3rd Floor, 1101 Beach Street, Flint, Michigan.

I. CALL TO ORDER

Chairperson Himelhoch called the meeting to order at 8:00 a.m.

II. ROLL CALL

Present: Alan Himelhoch, Dr. Beverly Brown, Gloria Nealy, Lauren Coney, Martin L. Cousineau, Mike LaPointe, Reggie Smith, and Tyler Rossmassler.

Absent: Cheryl Sclater, Jeffrey M. Peake, and William Brandon.

Others Present: Janet Cousineau, Nate Henry, Christine Durgan, Sheila Taylor, Jacob Maurer, and Nichole Odette.

III. MINUTES

A. Minutes of the January 9, 2024 Regular Meeting

Motion: Action: Approve, **Moved by** Reggie Smith, **Seconded by** Dr. Beverly Brown, to approve the January 9, 2024 regular meeting minutes as presented.

Motion passed unanimously.

(Approved minutes are on file in the GCMPC office)

Chairperson Himelhoch apologized and stated that he must leave the meeting today at 8:25 a.m. to attend a work meeting. Vice Chairperson LaPointe will Chair the remainder of the meeting.

IV. OPPORTUNITY FOR INDIVIDUALS TO ADDRESS THE COMMISSION

No one spoke at this time.

V. COMMUNICATIONS

There were no Communications.

VI. COMMITTEE REPORTS

There were no Committee Reports.

VII. NEW BUSINESS

There was no New Business.

VIII. FINANCES

A. Contract, Vouchers and Bills

Motion: Action: Approve, **Moved by** Reggie Smith, **Seconded by** Dr. Beverly Brown, to approve the February Contract, Vouchers and Bills for a total \$5,914.44 and to authorize the proper authorities to sign the checks.

Motion passed unanimously.

(Documents on file with minutes)

B. Commission Expenses and Per Diems

Motion: Action: Approve, **Moved by** Martin Cousineau, **Seconded by** Reggie Smith, to approve the Commission Expenses and Per Diems.

Motion passed unanimously.

(Documents on file with minutes)

C. Financial Update

Christine Durgan reviewed the Financial Update ending December 31, 2023.

Motion: Action: Approve, **Moved by** Reggie Smith, **Seconded by** Mike LaPointe, to approve the Financial Update as presented.

Motion passed unanimously.

(Documents on file with minutes)

IX. OLD BUSINESS

A. Project Status

1. 3-C Transportation Planning – January 2024 Status Report

Jacob Maurer stated that staff have been meeting twice monthly with Rowe Professional Services to ensure the US-23 Traffic Study remains on-track for its September completion. Data collection has taken place over the last two months and Rowe is gearing up for the public input process. Staff are finalizing the scope of services for the Safe Streets for All Action Plan Grant and will work with the Purchasing Department to release a bid for consulting services during March. Local units of government will be able to apply for federal safety funding once the Action Plan is in place. Discussion ensued.

Motion: Action: Approve, **Moved by** Reggie Smith, **Seconded** Gloria Nealy, to approve the 3-C Transportation Planning report as presented.

Motion passed unanimously.

(Original on file with minutes)

2. Environmental Program Update – January 2024 Status Report

Sheila Taylor stated that the State of Michigan has called for all counties to develop a Materials Management Plan (MMP). The MMPs will focus more on ways to recycle and raising recycling rates versus the previous Solid Waste Management Plans. Staff are preparing a request for Board approval to initiate the MMP process. The demolition Request for Proposals (RFP) for the former McDonald Dairy site has been released. A mandatory pre-bid walk-through will take place next week, bids are due March 7th. Discussion ensued.

Motion: Action: Approve, **Moved by** Martin L. Cousineau, **Seconded by** Mike LaPointe, to approve the Community Development Program report as presented.

Motion passed unanimously.

(Original on file with minutes)

Chairperson Himelhoch left the meeting at 8:22 a.m. Vice Chairperson LaPointe took over as Chair of the meeting.

3. Community Development Program – January 2024 Status Report

Sheila Taylor stated that 78 projects were received during the 2025-2025 CDBG Call for Projects. Staff are in the process of performing site checks and reviewing applications to ensure projects meet HUD requirements before beginning the environmental review process. HUD will conduct an on-site monitoring of the HOME Program during the first week of March. Home Improvement Program projects for seniors and the Tenant Based Rental Assistance Program will be monitored. Discussion ensued.

Motion: Action: Approve, **Moved by** Martin L. Cousineau, **Seconded by** Reggie Smith, to approve the Community Development Program report as presented.

Motion passed unanimously.

(Original on file with minutes)

4. American Rescue Plan Act – January 2024 Status Report

Christine Durgan stated that last month the Board allocated \$1.6 million to be distributed among the County's 16 Senior Centers for capital improvement projects. Staff, along with County Commissioners, have been meeting with each of the Senior Centers to discuss the application process and project eligibility. The funding must be spent by the end of December. The bid for the County-funded portion of the Ashley Capital Buick City revitalization project was released on January 30th, bids are due March 8th. To date, the Land Bank has completed 258 demolitions utilizing its County allocated funding. Discussion ensued.

Motion: Action: Approve, **Moved by** Dr. Beverly Brown, **Seconded by** Reggie Smith, to approve the American Rescue Plan Act Report as presented.

Motion passed unanimously.

(Original on file with minutes)

5. Report of the Director – January 2024 Status Report

Christine Durgan stated that we are still trying to find a summer intern. Students in Planning or Environmental studies, or a similar line of study, are welcome to apply. The position is posted on the Human Resources website. The Housing Division Manager position vacated by Andy Trudeau should be posted by the end of the week. The GCMPC annual report will be presented at the next meeting.

Motion: Action: Approve, **Moved by** Gloria Nealy, **Seconded by** Reggie Smith, to approve the Report of the Director as presented.

Motion passed unanimously.

(Original on file with minutes)

B. Commissioner Comments

Commissioners made comments at this time.

Gloria Nealy gave an update of the Genesee County Parks and Recreation Commission's meetings and events.

X. ADJOURNMENT

Vice Chairperson LaPointe adjourned the meeting at 8:39 a.m.

Respectfully submitted,
Nichole Odette, Program Services Specialist
Genesee County Metropolitan Planning Commission

CHARTER TOWNSHIP OF FENTON

12060 Mantawauka Drive
Fenton, MI 48430-8817

Vince L. Lorraine, Supervisor
Robert E. Krug, Clerk
John R. Tucker, Treasurer
Mark A. Goupil, Trustee



Phone: (810) 629-1537

Fax: (810) 629-9736

Website: www.fentontownship.org

E-mail: info@fentontownship.org

Kade C. Katrak, Trustee
Robert C. Kesler, Trustee
Christine M. Reid, Trustee

February 13, 2024

NOTICE OF INTENT TO PREPARE A MASTER PLAN FOR THE CHARTER TOWNSHIP OF FENTON

The Charter Township of Fenton, in Genesee County, Michigan, announces its intent to prepare a Master Plan and requests the cooperation of, and comments from, the recipients of this notice. The following local governments, commissions/committees, and utility and transportation agencies/companies are receiving this notice of intent as required by Section 39 of the Michigan Planning Enabling Act (MCL 125.3839):

City of Fenton	City of Linden
Argentine Township	Grand Blanc Township
Holly Township	Mundy Township
Tyrone Township	Genesee County Planning Commission
Grand Trunk Corporation	Consumers Energy

Fenton Township will utilize electronic mail and its website (www.fentontownship.org) for future required submittals regarding the development and approval of the 2024 the Fenton Township Master Plan. Please notify Mike Deem in writing if you prefer to receive hard copies of future communications. Other questions and comments should also be directed to Mr. Deem. His contact information is listed below:

Michael Deem, AICP
Zoning Administrator
Fenton Township
12060 Mantawauka Dr.
Fenton Township, MI 48430
810-629-1537, mdeem@fentontownship.org

RECEIVED
GENESEE COUNTY

FEB 15 2024

METROPOLITAN
PLANNING COMMISSION

RECEIVED
GENESEE COUNTY

FEB 15 2024

METROPOLITAN
PLANNING COMMISSION



GENESEE COUNTY
METROPOLITAN PLANNING
COMMISSION

MEMORANDUM

TO: Members of the Genesee County Metropolitan Planning Commission
FROM: Dru Hajec, Planner
DATE: March 5, 2024
SUBJECT: **FPR-01-24-01; 2024-2025 GCCARD Head Start and Early Head Start Grant**

I. TYPE AND PURPOSE

The Genesee County Community Action Resource Department (GCCARD) is applying for federal assistance to continue operating the Head Start and Early Head Start Programs for the 2024-2025 school year. This is the annual application for the grant that GCCARD has received for over 50 years. GCCARD is requesting federal funding in the amount of \$11,565,736 from the Health and Human Services Administration for Children and Families (HHS/ACF), with a local match of \$2,891,434, for a total project cost of \$14,457,170.

II. POPULATION TO BE SERVED

The Head Start program proposes to serve 318 preschool children and their families throughout Genesee County. Additionally, the Early Head Start (EHS) program proposes to serve 322 income eligible families in Genesee County. This program provides services and community resources to pregnant mothers and parents of infants and toddlers.

III. RELATIONSHIP TO EXISTING PLANS AND POLICIES

GCCARD has continuously operated the Head Start program for over 50 years. Both the Head Start and Early Start programs have strong community resources to assist families in attaining their goals and helping children begin school ready to succeed. The programs provide services related to nutrition, mental health, social services, and family engagement activities.

GCMPC has previously endorsed the Genesee Intermediate School District (GISD) Head Start and Early Head Start programs. GISD operates the Head Start program in the Beecher, Carman-Ainsworth, and Flint School Districts, which are not served by the GCCARD program. GCCARD and GISD work together to discuss grant opportunities and ensure that services are not being duplicated in Genesee County.

Derek Bradshaw, Director Christine Durgan, Assistant Director

IV. PROGRAM DESCRIPTION

Services provided through the Head Start program operate full day, Monday through Thursday, full year, a minimum of 7.5 hours per day, and a home-based option. The classroom option provides ample opportunities for young children to progress in areas established by the program's school readiness goals. Implementation of full school day programming is proposed program-wide to better meet the needs of working families and those furthering their education. Through the home-based option, a visitor goes to the home and works with the parent and child together, giving the parent ideas on activities to support their child's growth and development. Also, through the home-based option, twice monthly the child and parent go to a center for socializing, group activities, and parent education opportunities.

The Early Head Start child development center-based model operates full day, Monday through Thursday, full year, a minimum of 7.5 hours per day. Each classroom has 8 infants and toddlers with a childcare teacher for every four children. The curricula used are the Creative Curriculum for the center-based option. Partners for a Healthy Baby for Pregnant Mothers and Parents as Teachers are used for the home-based program, while the Creative Curriculum Gold Assessment is used for both models. In the home-based model, there are home visits to each family once per week emphasizing the importance of early development of literacy and numeracy skills. Home visits also focus on developmentally appropriate interactions between young children and adults. Twice per month, mother and child are involved in play groups, socializing experiences, and parent education opportunities.

V. RELATIONSHIP OF PROJECT TO PRIOR OR CURRENT GCMPC ACTIONS

GCMPC has endorsed the GCCARD application for federal assistance regarding the Head Start program every year since 1973, as well as the early Head Start Program since 1977.

GCCARD has continuously operated the Head Start program for over 50 years. Both the Head Start and Early Head Start programs have strong community resources to assist families in attaining their goals and helping children begin school ready to succeed. The programs provide services related to nutrition, mental health, social services, and family engagement activities.

VI. ASSESSMENT ON PREVIOUSLY AWARDED GRANTS

At the March 7, 2023 meeting, the GCMPC unanimously voted for \$13,381,736 in project support, of which \$2,676,347 was a local match to continue operating the Head Start Program for the 2023-2024 school year.

Data analysis for the 2022-2023 program year shows families were supported in making progress in obtaining family and personal goals, health needs of children, and progress towards school readiness goals. The following information displays specific statistics regarding services provided to children and families during the previous program year:

Funded Enrollment	885
Actual Enrollment	950
Families Served	825

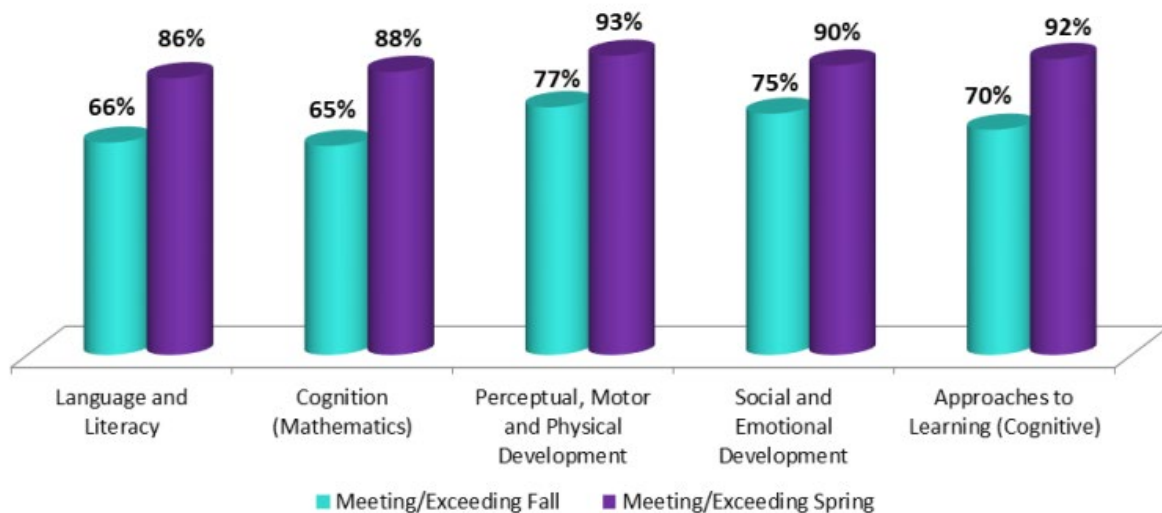
Of the Children Enrolled:

- 86% Obtained complete physicals
- 89% Obtained dental exams/dental care
- 98% Had insurance at year end
- 96% Had up to date immunizations
- Head Start had an average monthly attendance of 86%
- Early Head Start had an average monthly attendance of 83%
- Early Head Start Expansion had an average monthly attendance of 66%

Of the Families Enrolled:

- 93 Received housing assistance
- 761 Received mental health services
- 271 Received emergency intervention
- 823 Received parenting and health education
- 369 Received tobacco health education

School Readiness Goals



VII. STAFF ANALYSIS

The Head Start and Early Head Start programs assist parents and expectant mothers in fulfilling their roles and provide a holistic approach to family development. These coordinated support services allow parents to reach and sustain self-sufficiency, as well as assist children in beginning school with a strong numeracy and literacy

background. Those enrolled will be provided comprehensive health, educational, social, and parental involvement opportunities through a planned program of experience and active participation.

Both programs are designed to provide critical services to the targeted population without duplicating pre-school programs currently provided by other federally funded agencies in the County. GCCARD works with a coordinating council in this effort, ensuring an orderly recruitment and enrollment process so that specific funding requirements are met. Additionally, GCCARD optimizes program services by utilizing area medical and educational facilities, community resources, and by coordinating with other agencies.

VIII. STAFF RECOMMENDATION

Staff recommends that the Genesee County Metropolitan Planning Commission, under authority of the State of Michigan Federal Project Review System, enacted under Executive Order No. 12372, consider at its meeting of March 5, 2024, and endorse the project described as FPR-01-24-01; 2024-2025 GCCARD Head Start and Early Head Start Grant for the following reasons:

1. The proposed program provides critical educational, health, and social services for targeted pre-school children and their families.
2. The proposed program will continue, but not duplicate services already provided in Genesee County.

Link to FPR application:

<http://gcmplc.org/wp-content/uploads/2024/02/FPR-01-24-01-GCCARD-2024-2024-Head-Start-EHS-application.pdf>



MEMORANDUM

TO: Members of the Genesee County Metropolitan Planning Commission

FROM: Daniel Moulton, Planner

DATE: March 5, 2024

SUBJECT: FOS-02-24-01; Clayton Township – Mitchell Walker – Application For Farmland Agreement

I. LEGISLATIVE BASIS FOR GCMPC REVIEW

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as P.A. 116, enacted in 1974, establishes the right of a landowner, if all qualifications are met, to enter into a temporary restrictive agreement where the owner and the state agree to jointly hold the right to develop a parcel of farmland. This covenant is an agreement to not develop the property except as specifically stated within the agreement. The covenant runs with the land and is for a jointly agreed upon length of time (at least 10 years). Upon receipt of an application, the local governing body has 45 days to approve or reject the application. Within this 45-day period, the local governing body must seek comment from a number of bodies including “the county or regional planning commission”. Any comment received is strictly advisory as “these reviewing agencies do not have an approval or rejection power over the application”.

II. STAFF ANALYSIS

The request for comment from the Genesee County Metropolitan Planning Commission was received within the required 45-day period starting at the onset of application.

This parcel is in Clayton Township, T-7N, R-5E, Section 03. This parcel is located on Seymour Road within the block bound by Seymour, Beecher, Potter, and Nichols Roads. This parcel measures 49 acres in size, 41 of which are used for cash crop cultivation. The remaining 8 acres are wooded fencerow. The P.A. 116 agreement is designed to ensure that this parcel remains as an agricultural cash crop enterprise for the next 15 years, and to ensure that the land is not developed for a non-agricultural use.

The Clayton Township Current Zoning Map designates the parcel as Residential Suburban Farm, and large neighboring parcels are also designated as such. In

Derek Bradshaw, Director Christine Durgan, Assistant Director

accordance with the Clayton Township Master Plan 2021 document, Clayton Township "expresses a strong desire to preserve agricultural activity and the rural character of the Township as the predominant future land use." This is consistent with the goals of P.A. 116 and the landowner's desire to protect this parcel.

Preserving the parcel is also consistent with the goals of county-wide planning guidance, such as GCMPC's *A Changing Landscape: 2006 Land Use Analysis and Trends* and the *Genesee: Our County, Our Future* long-range plan. Both plans identify agricultural land as a resource that should be carefully preserved in current and future land use planning.

III. STAFF RECOMMENDATION

Pursuant to the provisions of Public Act 116, staff recommends that the Genesee County Metropolitan Planning Commission submit the following comments to Clayton Township in regards to FOS-02-24-01:

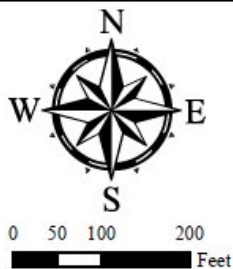
1. This parcel is eligible for Farmland and Open Space preservation. This parcel meets the criteria of being 40 acres or larger in size and a minimum of 51% of the land is used for agricultural purposes.
2. The enrollment of the parcel in P.A. 116 is consistent with the current local and future land use planning for Clayton Township.

IV. MAP OF PARCEL

Please see the following page for a map of parcel #04-03-100-009.



FOS REVIEW FOR CASE NO. FOS-02-24-01



**PARCELS TO BE PROTECTED UNDER P.A. 116
FARMLAND AND OPEN SPACE PRESERVATION**

Parcel 04-03-100-009

49 total acres, 41 in agricultural use

CLAYTON TWP.

Unit of Government

Section #03

Section Number

March 6th, 2024

Date

1 of 2

Map Number



MEMORANDUM

TO: Members of the Genesee County Metropolitan Planning Commission

FROM: Daniel Moulton, Planner

DATE: March 5, 2024

SUBJECT: FOS-02-24-02; Clayton Township – Mitchell Walker – Application For Farmland Agreement

I. LEGISLATIVE BASIS FOR GCMPC REVIEW

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as P.A. 116, enacted in 1974, establishes the right of a landowner, if all qualifications are met, to enter into a temporary restrictive agreement where the owner and the state agree to jointly hold the right to develop a parcel of farmland. This covenant is an agreement to not develop the property except as specifically stated within the agreement. The covenant runs with the land and is for a jointly agreed upon length of time (at least 10 years). Upon receipt of an application, the local governing body has 45 days to approve or reject the application. Within this 45-day period, the local governing body must seek comment from a number of bodies including "the county or regional planning commission". Any comment received is strictly advisory as "these reviewing agencies do not have an approval or rejection power over the application".

II. STAFF ANALYSIS

The request for comment from the Genesee County Metropolitan Planning Commission was received within the required 45-day period starting at the onset of application.

This parcel is in Clayton Township, T-7N, R-5E, Section 12. This parcel is located on Beecher Road on a block bounded by Elms, Calkins, N. Morrish and Beecher Roads. This parcel is 166 acres in size, of which 134 is used for cash crop production. The remaining 32 acres are wooded. The P.A. 116 agreement is designed to ensure that this parcel remains as an agricultural cash crop enterprise for the next 15 years, and to ensure that the land is not developed for a non-agricultural use.

The Clayton Township Current Zoning Map designates the parcel as Residential Suburban Farm, and large neighboring parcels are also designated as such. In accordance with the Clayton Township Master Plan 2021 document, Clayton

Derek Bradshaw, Director Christine Durgan, Assistant Director

Township “expresses a strong desire to preserve agricultural activity and the rural character of the Township as the predominant future land use.” This is consistent with the goals of P.A. 116 and the landowner's desire to protect this parcel.

Preserving the parcel is also consistent with the goals of county-wide planning guidance, such as GCMPC's *A Changing Landscape: 2006 Land Use Analysis and Trends* and the *Genesee: Our County Our Future* long-range plan. Both of these plans identify agricultural land as a resource that should be carefully preserved in current and future land use planning.

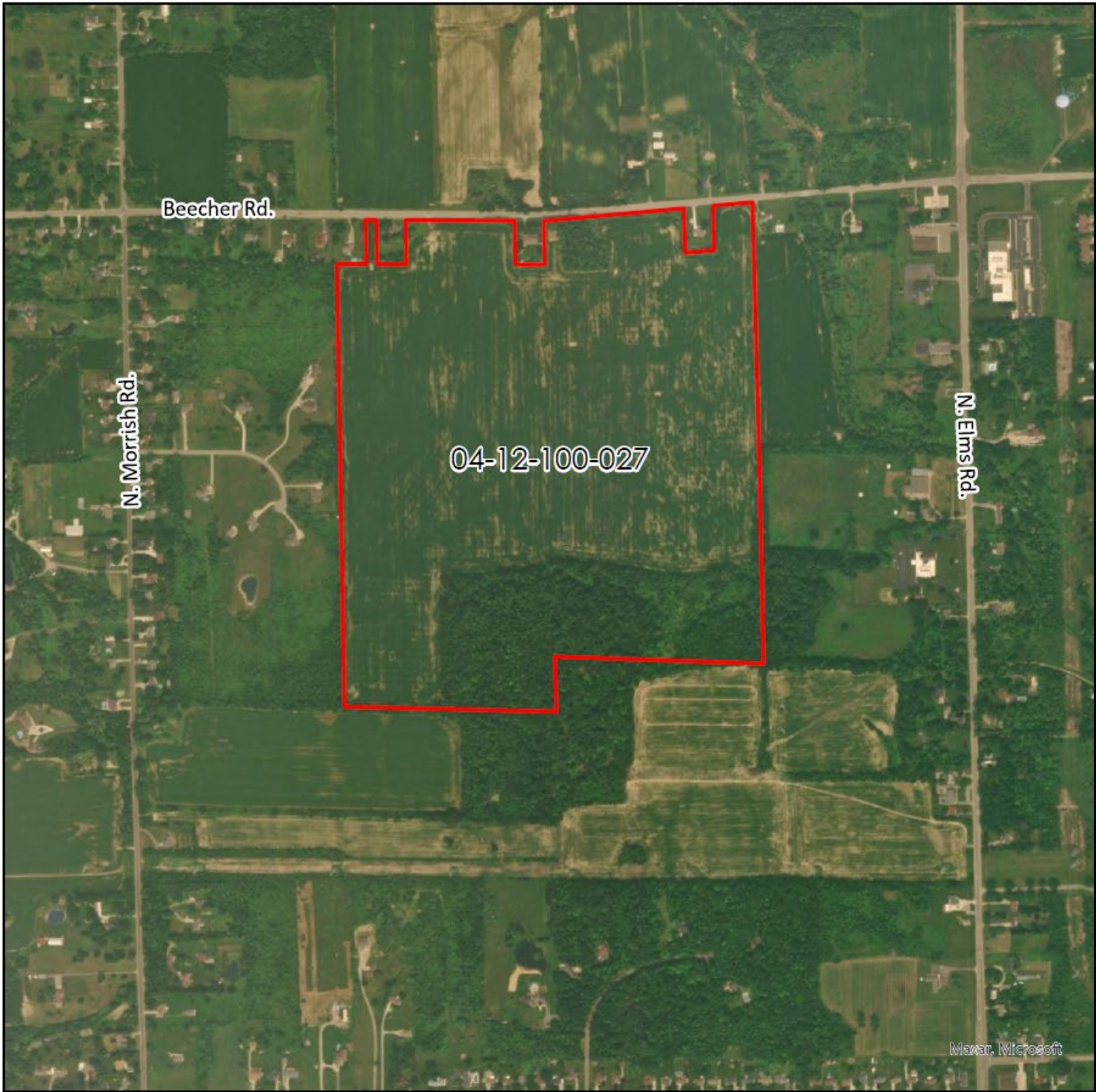
III. STAFF RECOMMENDATION

Pursuant to the provisions of Public Act 116, staff recommends that the Genesee County Metropolitan Planning Commission submit the following comments to Clayton Township in regards to FOS-02-24-02:

1. This parcel is eligible for Farmland and Open Space preservation. This parcel meets the criteria of being 40 acres or larger in size and a minimum of 51% of the land is used for agricultural purposes.
2. The enrollment of the parcel in P.A. 116 is consistent with the current local and future land use planning for Clayton Township.

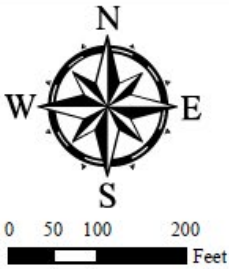
IV. MAP OF PARCEL

Please see the following page for a map of parcel #04-12-100-027.



Maxar, Microsoft

FOS REVIEW FOR CASE NO. FOS-02-24-02



PARCELS TO BE PROTECTED UNDER P.A. 116
FARMLAND AND OPEN SPACE PRESERVATION

Parcel 04-12-100-027

166 total acres, 134 in agricultural use

CLAYTON TWP.
Unit of Government

Section #12
Section Number

March 6th, 2024
Date

2 of 2
Map Number



GENESEE COUNTY
METROPOLITAN PLANNING
COMMISSION

MEMORANDUM

TO: Members of the Genesee County Metropolitan Planning Commission

FROM: Christine Durgan, Assistant Director

DATE: March 5, 2024

SUBJECT: Update to GCMPC Title VI Plan

GCMPC administers several major programs under the Transportation, Community Development, Housing and Environmental divisions. These programs are conducted in a manner that ensures compliance with Federal and State of Michigan Civil Rights legislation, statutes, regulations and executive orders. As a recipient of federal funds, GCMPC must ensure that its programs and activities are free of discrimination and that we have a Title VI Plan for the department. The GCMPC Title VI Non-Discrimination Plan describes how GCMPC complies with Civil Rights legislation and principles. The plan was last updated in 2021.

At the January GCMPC meeting, a draft revised plan was presented. New language was provided by MDOT that requires additional guidance be added about how complaints from the public are to be handled. That language has been incorporated into the plan under Complaint Procedures (pages 15-18). The language has been reviewed by Genesee County Corporation Counsel with no recommended changes.

MDOT does not require a public comment period for the Title VI Plan, because it is an internal document. At this time, staff is requesting GCMPC approval of the revised GCMPC Title VI Non-Discrimination Plan.

Derek Bradshaw, Director Christine Durgan, Assistant Director

**Genesee County
Metropolitan Planning Commission
(GCMPC)**

**Title VI
Non-Discrimination
Plan**

**1101 Beach St., Rm. 111
Flint, MI 48502**

**Title VI Coordinator:
Christine Durgan, Assistant Director
Phone: (810) 257-3010
Fax: (810) 257-3185
E-mail: CDurgan@geneseecountymi.gov**

**Adopted:
October 1, 2013**

**Updated:
February 9, 2021**

**Proposed Update:
March 2024**

Table of Contents

I. INTRODUCTION	1
Discrimination under Title VI.....	3
Limited English Proficiency.....	3
Environmental Justice.....	3
II. GCMPC NON-DISCRIMINATION POLICY STATEMENT	4
III. GCMPC TITLE VI ASSURANCES	5
IV. REGULATORY REQUIREMENTS	7
Related Laws and Statutes.....	8
V. DEFINITIONS	9
VI. STRUCTURE FOR ORGANIZING OVERSIGHT AND COMPLIANCE	11
VII. PROGRAMMATIC ROLES AND RESPONSIBILITIES	12
A. GCMPC Title VI Coordinator/Equal Employment Opportunity Officer.....	12
B. GCMPC Transportation Division.....	13
C. GCMPC Community Development Division.....	13
VIII. TITLE VI PLAN DISTRIBUTION	14
IX. ACCOMPLISHMENTS REPORT	14
X. ANNUAL WORK PLAN	14
XI. COMPLAINT PROCEDURES	15
Complaint Reporting.....	15
Investigations.....	16
Retaliation.....	18
XII. APPENDICES	20
Appendix A – Required Contract Languages.....	21
Appendix B – Transfer of Property.....	22
Appendix C – Permits, Leases and Licenses.....	24
Appendix D – Title VI Complaint Form.....	25
Appendix E – Program Compliance/Program Review Goals for Current Plan Year.....	27
Appendix F – Determine/Distinguish Significant/Non-Significant Effects.....	28

I. Introduction

The Genesee County Metropolitan Planning Commission (GCMPC) was established by ordinance in 1965 and was authorized and empowered by Act 282 of the Public Acts of 1945, as amended (MCLA125.101 et seq.). Many of the day-to-day operations and work activities of federal, state, and local transportation and community development programs are administered by the GCMPC. It consists of eleven members, appointed for three-year terms by the chairperson of the Genesee County Board of Commissioners. Eight county or local elected officials may serve on the GCMPC; of the eight, no more than three may be members of the Board of Commissioners. The GCMPC functions as staff to the Genesee County Metropolitan Alliance also known as “Metro”, the Metropolitan Planning Organization (MPO) for the Genesee County area.

The Metro Alliance is the policy and final decision-making committee for federally funded transportation planning activities in Genesee County. As the MPO, Metro’s primary responsibility is to review and oversee transportation projects, plans, studies, and the processes that make them happen. GCMPC has provided staff and technical resources to the MPO since 1963. This Title VI Plan describes how GCMPC and Metro comply with Civil Rights legislation and principles.

Currently there are three major program divisions administered by GCMPC: Transportation, Community Development and Solid Waste Management. As staff for the MPO, GCMPC is responsible for carrying out all transportation-related planning activities including the preparation of a Unified Work Program (UWP), Transportation Improvement Program (TIP), and the development of the Long-Range Transportation Plan (LRTP). The transportation program receives federal funds through the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).

GCMPC is also responsible for carrying out all planning activities related to the community development program, such as the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships (HOME) Program. These programs receive federal funds through the U. S. Department of Housing and Urban Development (HUD).

Additionally, staff coordinates the Genesee County Solid Waste Management Program, which is guided by the Solid Waste Management Plan. This plan is a requirement of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and is approved by the Michigan Department of Environmental Quality. The Genesee County Solid Waste Ordinance is in place to implement the plan. The local funds collected by the ordinance support the administration of the plan. This program receives no federal funding.

The planning efforts of GCMPC serve all the people within the MPO area including minority populations, low-income populations, the elderly, and persons with disabilities and those who traverse the state of Michigan. As a sub-recipient of federal funds, GCMPC recognizes its responsibility to provide fairness and equity in all its programs, services, and activities, and that it must abide by federal and state civil rights legislation relating to transportation and community development.

Title VI of the Civil Rights Act of 1964 is the overarching civil rights law prohibiting discrimination based on race, color, or national origin, in any program, service or activity that receives federal

assistance. Specifically, Title VI assures that “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activities receiving federal assistance.” Title VI has been broadened by related statutes, regulations, and executive orders. Section 324 of the Federal-Aid Highway Act (the enabling legislation of the FHWA) prohibits discrimination based on sex. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibits unfair and inequitable treatment of persons as a result of projects undertaken with Federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federal-aid recipients and contractors whether those programs and activities are federally funded or not.

In addition to statutory authorities, Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” signed in February of 1994, requires federal agencies to achieve Environmental Justice (EJ) as part of its mission by identifying disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. EJ initiatives are accomplished by involving the potentially affected public in the development of transportation projects within their communities without sacrificing safety or mobility. In 1997, the U.S. Department of Transportation (USDOT) issued its DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations to summarize and expand upon the requirements of Executive Order 12898. Also, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency (LEP),” provides that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

As a recipient of federal financial assistance, GCMPC must provide access to individuals with limited ability to speak, write or understand the English language. GCMPC will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color, or national origin. Therefore, the primary goals of GCMPC’s Title VI Program are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of The Civil Rights Act of 1964 and related regulations and directives.
2. To ensure people affected by GCMPC programs and activities receive the services, benefits and opportunities to which they are entitled without regard to race, color, national origin, age, sex or disability.
3. To prevent discrimination in GCMPC programs and activities, whether those programs are federally funded or not.
4. To establish procedures for identifying impacts in any program, service, or activity that may create an illegal adverse impact on any person because of race, color, national origin, age, sex or disability; or on minority populations, low-income populations, the elderly, and persons with disabilities.

5. To establish procedures to annually review the Title VI compliance within specific program areas within the GCMPC.
6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in a GCMPC service, program, or activity.

Discrimination under Title VI

There are two types of discrimination prohibited under Title VI and its related statutes. One type of discrimination that may or may not be intentional is “disparate treatment”. Disparate treatment is defined as treating similarly situated persons differently because of their race, color, national origin, sex, age, or disability.

The second type of discrimination is “disparate impact”. Disparate impact occurs when a “neutral procedure or practice” results in fewer services or benefits, or inferior services or benefits to members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than the intent.

Limited English Proficiency (LEP)

Genesee County is home to many people from different cultures that may speak different languages. Input from diverse communities is an important part of the transportation planning process as they offer different perspectives and backgrounds, introduce creativity and innovation, and contribute to a strong economy. GCMPC recognizes its responsibility to ensure persons having language barriers are not excluded from participation in, denied the benefit of, or otherwise discriminated against when programs, services or activities designed to improve Michigan’s infrastructure are developed.

GCMPC is committed to ensuring persons having language barriers are made equal participants early in the development stages and through the life of a program, service, or activity and that the public is allowed to provide input on those projects or plans that may have an impact on their wellbeing. It is the intent of GCMPC to ensure fairness, equal opportunity, inclusion, and access by actively seeking input from people who do not speak English or have difficulty communicating in English, regarding quality-of-life issues that directly affect them. The GCMPC LEP Plan is located on the gcmpc.org website, at the bottom of each webpage.

Environmental Justice

GCMPC monitors projects and programs prior to implementation that may have an adverse impact on the public and communities as part of the development of the TIP and LRTP. GCMPC also regularly seeks public involvement and participation to identify, discuss and mitigate potential adverse impacts related to the environment, air quality, congestion and other situations from projects that may concern communities directly or indirectly as part of the planning process. The GCMPC approach to EJ is reviewed during the development of both the TIP and LRTP transportation planning documents. More information about the GCMPC methodology for addressing EJ may be found in those documents, and in the appendices of this document.

II. GCMPC Non-Discrimination Policy Statement

The Genesee County Metropolitan Planning Commission (GCMPC) is committed to ensuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives. GCMPC assures that no person shall, on the grounds of race, color, national origin, religion, sex, age, or disability, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any GCMPC service, program, or activity, whether or not the program, service, or activity receives federal financial assistance. GCMPC further assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on any person, including minority populations, low-income populations, the elderly, persons with disabilities and all affected Title VI populations.

Title VI is a condition of receipt of federal funds. In the event GCMPC distributes federal funds to another entity or sub-recipient (e.g., a contract with a consultant), the sub-recipient will include Title VI assurances in all written agreements and will monitor compliance. GCMPC is responsible for initiating and monitoring Title VI activities and all other responsibilities as required by 23 Code of Federal Regulations (CFR) 200 and 49 CFR 21.

GCMPC will comply with all federal regulations and report complaints of discrimination to the Michigan Department of Transportation (MDOT) Equal Employment Opportunity/Title VI Specialist Officer and any other federal agency responsible for compliance oversight, including the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Department of Justice (DOJ), and other state and federal civil rights anti-discrimination agencies as required by law. Complaints will be responded to and investigated by the FHWA and MDOT Equal Employment Opportunity/Title VI Specialist.

GCMPC hereby agrees that its own employment practices and policies regarding GCMPC employees (any part of whose compensation is reimbursed from federal funds) will be without regard to race, color, national origin, sex, age, disability, weight, sexual orientation, familial status, or religion.

Derek Bradshaw, Director

Date

Christine A. Durgan, Assistant Director
Title VI Coordinator/EEO Officer

Date

III. GCMPC Title VI Assurances

The GCMPC (hereinafter referred to as the "Recipient"), hereby agrees that as a condition to receiving any federal financial assistance from the United States Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 42 USC 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, CFR, Department of Transportation Subtitle A, Office of the Secretary Part 21, Non-discrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of the Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations"), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance, 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.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances to its federally funded programs:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (regarding 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 the Recipient shall insert the following notification 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 (Recipient), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office 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, or national origin in consideration for an award."

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient 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 the Recipient 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 the Recipient receives Federal financial assistance in the 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 the Recipient 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 the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the 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 the Federal Aid Highway Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom it 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. The Recipient agrees that the United States has a right to seek judicial enforcement regarding any matter arising under the Act, the Regulations, and this assurance.

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 the Recipient by the Department of Transportation under the Federal Aid Highway or Transit Program, and also by the Department of Housing and Urban Development under the Community Development Block Grant Program or the HOME Program, and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal Aid Highway or Transit Program, the CDBG Program, or HOME Program. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

Derek Bradshaw, Director

Date

IV. Regulatory Requirements

Title VI of the Civil Rights Act of 1964 and related statutes provide that no person in the United States shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, receiving federal financial assistance. GCMPC, as a recipient and distributor of federal funds must take affirmative steps to ensure that discrimination, as addressed by Title VI does not occur, and must perform the following actions to comply with federal requirements under 23 CFR Part 200 and 49 CFR Part 21:

1. **23 CFR 200.9(b)(2)** – Adequately staff the civil rights unit to effectively implement state civil rights requirements.
2. **23 CFR 200.9(b)(3)** – Develop procedures for prompt processing and disposition of Title VI and Title VII complaints received directly and forward to MDOT for investigation.
3. **23 CFR 200.9(b)(4)** – Develop procedures for the collection of statistical data (race, color, religion, sex, and national origin) of participants in, and beneficiaries of state highway programs, i.e., relocatees, impacted citizens and affected communities.
4. **23 CFR 200.9(b)(5)** – Develop a program to conduct Title VI reviews of program areas, i.e., Transportation Planning, Real Estate, Passenger Transportation, Aeronautics and Freight Services, Highway Development, Office of Business Development, etc.
5. **23 CFR 200.9(b)(9)** – Conduct training programs on Title VI and related statutes.
6. **23 CFR 200.9(b)(10)** – Prepare a yearly report of Title VI accomplishments for the past year **and** goals for the next year.
7. **23 CFR 200.9(b)(11)** – Submit updated Title VI implementing plan to MDOT.
8. **23 CFR 200.9(b)(12)** – Develop Title VI information for dissemination to the general public, where appropriate, in languages other than English.
9. **23 CFR 200.9(b)(13)** – Establish procedures for pre-grant and post-grant approval reviews of state programs and applicants for compliance with Title VI requirements.
10. **23 CFR 200.9(b)(14)** – Establish procedures to identify and eliminate discrimination where found.
11. **Executive Order 12898** – Ensure that Environmental Justice principles are integrated into procedures and programs.
12. **Executive Order 13166** – Ensure that appropriate LEP processes and procedures are implemented.

Related Laws and Statutes

13. **Civil Rights Restoration Act of 1987** – Restores the original intent of Title VI to require that all programs are covered whether they are federally funded or not.
14. **Section 504 of the Rehabilitation Act of 1973** – Prohibits discrimination on the basis of a disability.
15. **Americans with Disabilities Act (ADA) of 1990** – Prohibits discrimination on the basis of a disability.
16. **Section 324 of the Federal-Aid Highway Act** – Prohibits discrimination on the basis of sex.
17. **Uniform Relocation Assistance and Real Property Acquisition Act of 1970**
18. **42 USC 6101** – Prohibits age discrimination in any program receiving federal financial Assistance.
19. **49 CFR Part 21 and 23 CFR Part 200** – Describes U.S. DOT and FHWA prohibitions against discrimination.
20. **Title VII of the Civil Rights Act of 1964** – Prohibits discrimination on the basis of race, color, religion, sex, and national origin.
21. **Michigan's Elliott-Larsen Civil Rights Act** – Prohibits discrimination on the basis of race, color, religion, sex, national origin, height, weight, familial status, marital status, sexual orientation, gender identity, gender expression, and race-based hairstyles.

GCMPC also complies with the following list of authorities and assurances during its administration of programs from the FHWA, FTA and HUD.

- Title I Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309)
- Title IV, Subtitle B, Stewart B. McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371-11378) National Affordable Housing Act of 1990
- Equal Employment Opportunity (EEO) (Executive Order (E.O. 11246 of 1965, as amended by E.O. 11375 of 1967, as supplemented by Department of Labor regulations (41 CFR Part 60)
- Equal Pay Act of 1967
- National Historic Preservation Act of 1966
- Clean Air Act, as amended
- Clean Water Act of 1970 (42 U.S.C. 1857 et seq.)
- Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as amended
- Wetlands Protection Clause, E.O. 11990
- Environmental Protection Agency regulations (CFR Part 15)
- Energy Policy and Conservation Act (Public Law 94-163)
- Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented by Department of Labor regulations (29 CFR Part 3)
- Brooks Act of 1992 (Public Law 92-582)
- Davis/Bacon Act (40 U.S.C. 276a to a-7), as supplemented by Department of Labor (29 CFR Part 5)
- Disadvantaged Business Enterprise (DBE) Program

- Drug Free Workplace Act of 1988
- Fixing America's Surface Transportation Act (FAST Act)
- Michigan Open Meetings Act of 1976
- Persons with Disabilities Civil Rights Act (Michigan Public Act 220 of 1976)
- Natural Resources and Environmental Protection Act (Michigan Public Act 451 of 1994, as amended)

V. Definitions

(As used in Title 32 of the CFR, Highways, part 200.5)

1. **Adverse Effects:** The totality of significant or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to: bodily impairment, infirmity, illness or death; air, noise and water pollution and soil contamination; destruction or disruption of man-made or natural resources; destruction or diminution of aesthetic values; destruction or disruption of community cohesion or a community's economic vitality; destruction or disruption of the availability of public and private facilities and services; vibration; adverse employment effects; displacement of persons, businesses, farms, or non-profit organizations; increased traffic congestion, isolation, exclusion or separation of minority and low- income individuals within a given community or from the broader community; and the denial of , reduction in, or significant delay in the receipt of, benefits of FHWA programs, policies, or activities.
2. **Affirmative Action:** A good faith effort to eliminate past and present discrimination and to ensure that future discriminatory practices do not occur. Actions aimed at addressing the under- representation of minorities and females.
3. **Beneficiary:** An individual and/or entity that directly or indirectly receive an advantage through the operation of a federal program; however, they do not enter into any formal contract or agreement with the federal government where compliance with Title VI is a condition of receiving such assistance.
4. **Citizen Participation:** An open process in which the rights of the community to be informed, to provide comments to the government, and to receive a response from the government are met through a full opportunity to be involved, and to express needs and goals.
5. **Compliance:** The satisfactory condition existing when a recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good faith effort toward achieving this end has been made.
6. **Deficiency Status:** The interim period during which the recipient state has been notified of deficiencies, has not voluntarily complied with Title VI Program guidelines, but has not been declared in non-compliance by the Secretary of Transportation.
7. **Disparate Impact:** Discrimination which occurs as a result of a neutral procedure or practice and such practice, lacks a "substantial legitimate justification." The focus is on the consequences or impact of a recipient's practices rather than the recipient's intent.
8. **Discrimination/Disparate Treatment:** Discrimination which occurs when similarly situated persons are treated differently intentionally, because of their race, color,

national origin, sex, disability, or age, and the decision maker was aware of the complainant's race, color, national origin, sex, disability, or age, and decisions were made (at least in part) because of one or more of those factors.

9. **Disproportionately High and Adverse Effect on Minority and Low-Income Populations** means an adverse effect that: Is predominantly born by a minority population and/or a low-income population will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.
10. **Facility:** Includes all, or any part of, structures, equipment or other real or personal property or interests therein, and the provision of facilities includes the construction, expansion, renovation, re-modeling, alteration, or acquisition of facilities.
11. **Low Income:** a person whose household income (or in the case of a community or group, whose median household income) is at or below the U.S. Department of Health and Human Services guidelines.
12. **Low-Income Populations:** Any readily identifiable group of low-income persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons who may be similarly affected by a proposed DOT program, policy, or activity. Low income is defined by the poverty threshold stipulated by the U.S. Department of Health and Human Services.
13. **Metropolitan Planning Organization (MPO)** (considered a sub-recipient).
14. **Minority:**
 - **Black** – a person having origins in any of the black racial groups of Africa.
 - **Hispanic** – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
 - **Asian or Pacific Islander** – a person having origins in any of the original peoples of the Far East, Southeast Asia, Indian Subcontinent, or the Pacific Islands.
 - **American Indian or Alaskan Native** – a person having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
 - **White** – a person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
15. **Minority Populations:** Identifiable groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons, i.e., migrant workers, Native Americans, and others, who will be similarly affected by a proposed DOT program, policy, or activity.
16. **Non-compliance:** A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all of the Title VI requirements.
17. **Persons:** Where designation of persons by race, color, or national origin is required, the following designations ordinarily may be used: "White not of Hispanic origin," "Black not of Hispanic origin", "Hispanic", "Asian or Pacific Islander", "American Indian or Alaskan Native". Additional sub-categories based on national origin or primary language spoken

may be used, where appropriate, on either a national or a regional basis.

18. **Program Area Officials:** The officials in the FHWA who are responsible for carrying out technical program responsibilities.
19. **Programs, Policies, and/or Activities:** All projects, programs, policies, and activities that affect human health or the environment, and that are undertaken, funded, or approved by FHWA. These include, but are not limited to, permits, licenses, and financial assistance provided by FHWA. Inter-related projects within a system may be considered to be a single project, program, policy, or activity for purposes of this order. In addition, it includes any highway project or activities for the provision of services, financial aid, or other benefits to individuals. This includes education or training, work opportunities, health, welfare, rehabilitation, housing, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other agreements with the recipient.
20. **Recipient:** Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term "recipient" does not include any ultimate beneficiary under any such program.
21. **Regulations and Guidance:** Means regulations, programs, policies, guidance, and procedures promulgated, issued, or approved by FHWA.
22. **State Transportation Agency (STA):** That department, commission, board, or official of any state charged by its laws with the responsibility for highway construction. The term "State" would be considered equivalent to the STA if the context so implies.
23. **STIP:** A five-year, Statewide Transportation Improvement Program (STIP) that includes MDOT's program as well as the Transportation Improvement Programs prepared by the Metropolitan Planning Organizations in Michigan.
24. **Sub-recipient:** A non-federal entity that expends federal awards received from a pass-through entity to carry out a federal program but does not include an individual that is a beneficiary of such a program. A sub-recipient may also be a recipient of other federal awards directly from a federal awarding agency. [Cities, counties, universities, contractors, sub-contractors, and consultants]
25. **TIP:** A three-year, Transportation Improvement Program prepared by a Metropolitan Planning Organization.

VI. Structure for Organizational Oversight and Compliance

The Director of GCMPC is responsible for ensuring all internal program areas and external recipients of federal funds are in compliance with Title VI and related statutes. The Director has appointed the Assistant Director as the Title VI Program Coordinator and EEO Officer (hereinafter referred to as the GCMPC Title VI Coordinator/EEO Officer) for the implementation and management of the Title VI Program. The GCMPC Title VI Coordinator/EEO Officer will

provide oversight for the coordination of the day-to-day administration of the Title VI Program and will report to the Director on all related matters.

VII. Programmatic Roles and Responsibilities

A. GCMPC Title VI Coordinator/EEO Officer

The GCMPC Title VI Coordinator/EEO Officer is responsible for ensuring the implementation of the GCMPC Title VI Plan and ensuring Equal Employment Opportunities. The GCMPC Title VI Coordinator/EEO Officer is responsible for the overall management of the day-to-day administration of the Title VI Plan, including implementing, monitoring, and ensuring GCMPC compliance with the Title VI regulations.

1. Title VI responsibilities:

- a. **Program Maintenance:** Maintain and monitor the Title VI program, plan, policies, and GCMPC activities for compliance and assess the adequacy of administrative procedures, staffing and resources available for Title VI compliance
- b. **Accomplishments and Assurances:** Complete annual Title VI assurances with the Michigan Department of Transportation (Form #0179)
- c. **Contract Language:** Ensure that Title VI provisions and assurances are included as part of federally funded contracts. (In this document, see Section III. GCMPC Title VI Assurances, # 2)
- d. **Ensure that contract opportunities are extended to DBEs as part of the contracting process.** (In this document, see Section III. GCMPC Title VI Assurances, # 2)
- e. **Statistical Information:** Collect voluntary statistical data (race, color, age, sex, disability, and national origin) of participants in and beneficiaries of GCMPC Transportation Plans e.g., citizens, impacted communities and affected communities. The data gathering process will be reviewed regularly to ensure sufficient administration of the Title VI program and inform decisions regarding public participation.
- f. **Training:** The GCMPC Title VI Coordinator/EEO Officer will offer training to GCMPC staff and consultants on an as-needed basis and keep record of those who have received training. The training will provide comprehensive information on Title VI provisions, EJ and LEP awareness.
- g. **Complaints:** Maintain a Title VI complaint form and spreadsheet to record any complaints received. Promptly respond to any complaints and forward the appropriate materials to MDOT and the FHWA who will investigate the claim.
- h. **Title VI Reviews:** Participate in Title VI reviews during MPO FHWA recertification.
- i. **Public Dissemination:** The GCMPC Title VI Coordinator/EEO Officer will make available literature, publications, and brochures to GCMPC employees, contractors, and the public explaining the Title VI program. Public dissemination will include the posting of public statements, inclusion of non-discrimination language in contracts, annually publishing the Title VI Policy Statement in newspapers; and announcements of hearings and meetings in minority newspapers when determined necessary and funding is available.

The Title VI Plan will be made available through the GCMPC website and in hardcopy at the GCMPC office.

- j. **Prevention of Discrimination:** Identify, investigate, and eliminate discrimination when found to exist.

B. GCMPC Transportation Division

GCMPC conducts transportation planning for all of Genesee County. A comprehensive transportation planning process is used incorporating input from the public into various MPO activities. The process further entails the monitoring and collection of varied data pertaining to transportation related issues. GCMPC coordinates transportation planning on the Federal Aid Road Network utilizing input from the public and provides technical support to jurisdictions and agencies when needed. GCMPC also provides staff for the Genesee, Lapeer, and Shiawassee Region V Planning and Development Commission (GLS Region V) as the regional planning agency primarily responsible for transportation planning.

1. Title VI Responsibilities

- a. Assist the GCMPC Title VI Coordinator/EEO Officer in the development of the Title VI Plan.
- b. Ensure all aspects of the transportation planning process comply with Title VI and related statutes, particularly Executive Order 12898, Environmental Justice; Executive Order 13166, Limited English Proficiency, and the ADA of 1990 as Amended.
- c. Ensure the opportunity for participation of a cross section of various social, economic, and ethnic interest groups throughout the public involvement process.
- d. Ensure that all complaints are promptly addressed according to established GCMPC Complaint Procedures.

C. GCMPC Community Development Division

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in any program or activity receiving federal financial assistance from HUD. Program regulations are at 24 CFR Part 1. In addition to enforcing other federal statutes that prohibit discrimination in housing, HUD has a statutory obligation to ensure that families and individuals are not subjected to discrimination on the basis of race, color or national origin by any HUD-funded grantee or sponsor. Title VI covers all HUD housing programs except for its mortgage insurance and loan guarantee programs.

1. Title VI Responsibilities

- a. Assist the GCMPC Title VI Coordinator/EEO Officer in the development of the Title VI plan.
- b. Ensure all aspects of the community development planning process comply with Title VI and related statutes, particularly Executive Order 12898, Environmental Justice;

Executive Order 13166, Limited English Proficiency, and the ADA of 1990 as Amended.

- c. Ensure the opportunity for participation of a cross section of various social, economic, and ethnic interest groups throughout the public involvement process.
- d. Ensure that all complaints are promptly addressed according to established GCMPC Complaint Procedures.

VIII. Title VI Plan Distribution

The GCMPC Title VI Coordinator/EEO Officer is responsible for distributing Title VI information and the Title VI Plan as part of the training process. S/he will make available a copy of the Title VI Plan through the GCMPC website and in hard copy at the GCMPC Office.

IX. Accomplishments Report

At the end of each fiscal year, the GCMPC Title VI Coordinator/EEO Officer will provide MDOT with the Title VI Sub-recipient Annual Certification Form #0179 which is to certify compliance with Title VI of the Civil Rights Act of 1964. All changes to the GCMPC Title VI Plan occurring during the current fiscal year will be reported on this form. Any Title VI complaints incurred during the fiscal year will be forwarded along to MDOT promptly when received.

X. Annual Work Plan

1. Review prior fiscal year accomplishment report to determine upcoming fiscal year's objectives;
2. Conduct training for GCMPC employees and GCMPC contractors as necessary;
3. Record and appropriately respond to and forward complaints as they arise;
4. Collect Title VI information for dissemination, in other languages, where appropriate;
5. Provide information and updates to the Director.
6. Attend Title VI training and updates;
7. Prepare annual fiscal year-based report.

XI. Complaint Procedures

Complaint Reporting for FHWA

1. Introduction

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding GCMPC programs, activities, and services, as required by statute.

2. Purpose

The purpose of the discrimination complaint procedures is to describe the process used by GCMPC for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

3. Roles and Responsibilities

The Title VI Coordinator has the responsibility for assuring that the discrimination complaint process and procedures adhere to FHWA's guidance.

4. Filing a Complaint

The complainant shall make himself/herself reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

Applicability: The complaint procedures apply to the beneficiaries of GCMPC programs, activities, and services, including but not limited to: the public, contractors, sub-contractors, consultants, and other sub-recipients of federal and state funds.

Eligibility: Any person who believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by GCMPC or its sub-recipients, consultants, and contractors on the basis of race, color, national origin (including Limited English Proficiency), sex, age or disability may bring forth a complaint of discrimination under Title VI.

Time Limitation on Filing Complaints: Title VI complaints may be filed with the Michigan Department of Transportation Title VI Coordinator's office. In all situations, the employees of GCMPC must contact the Title VI Coordinator immediately upon receipt of Title VI related complaints. This will be done within ten (10) days of receipt of the complaint.

Complaints must be filed by MDOT within 180 days of the alleged discrimination unless the time for filing is extended by Federal Highway Administration (FHWA.)

Complaints must be in writing and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances

surrounding the claimed discrimination. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

Items that should not be considered a formal complaint: (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

1. An anonymous complaint that is too vague to obtain required information.
2. Inquiries seeking advice or information.
3. Courtesy copies of court pleadings
4. Newspaper articles
5. Courtesy copies of internal grievances

5. Investigation

Allegations of discrimination are taken very seriously and will be investigated in a timely manner. The Title VI Coordinator will gather relevant information in a fair and impartial manner and will submit the complaint to MDOT's Statewide Title VI Coordinator who will forward the complaint to FHWA.

Timeframes for Investigations

For FHWA, there is no regulatory timeframe for completing investigations. However, FHWA strives to complete all tasks within 180 days from the date of acceptance.

For State DOTs that have been delegated an investigation from FHWA, 23 CFR § 200.9(b)(3) provides that State DOTs must complete investigations within 60 days of receipt (meaning the date it receives the delegated complaint from FHWA).

FHWA Investigation Potential Outcomes

First, at any time during the investigation, either FHWA or the respondent may initiate informal negotiations to resolve the issues. The FHWA always strives to resolve Title VI complaints informally, if possible.

In the absence of such negotiations, FHWA Headquarters Office of Civil Rights (HCR) (or an investigator State DOT) will draft a Report of Investigation, which should contain all relevant data and findings, with legal conclusions and potentially include recommendations for action. FHWA is responsible for the final disposition of all complaints, including initiation and conduct of informal negotiations and the issuance of Letters of Finding (LOFs).

There are five potential outcomes for concluding an investigation:

1. The FHWA makes a finding of no violation, and the case will be closed with no further action. The FHWA will issue an LOF stating in sufficient detail the reasons for the determination of no violation.
2. If, by a preponderance of the evidence, FHWA determines the respondent has failed to comply with its Title VI requirements or threatens to fail to comply by action or inaction, then FHWA will inform the respondent and the matter will be resolved by informal means whenever possible.
 - If FHWA informally resolves the matter with the respondent by agreement, then FHWA will hold the complaint in abeyance until the respondent completes its corrective actions. If the corrective actions are completed to the FHWA's satisfaction, then the complaint will be dismissed with no further action.
 - If FHWA cannot informally resolve the matter or the respondent does not complete agreed upon corrective actions, then FHWA may issue a LOF stating that the Recipient is in noncompliance with its Title VI obligations.
3. If FHWA issues a LOF of noncompliance to the respondent, the LOF will request that the respondent provide to FHWA, within 90 days, an action plan that implements the recommendations in the LOF.
4. If FHWA approves the action plan, then the respondent will be given a reasonable amount of time to implement the plan. At the end of the implementation period, FHWA will assess whether the respondent has sufficiently corrected the deficiencies.
5. If FHWA does not approve the action plan, or the respondent is nonresponsive/uncooperative, then FHWA may seek administrative sanctions, including, but not limited to, suspension or termination of Federal funds or any other means authorized by law such as referral to USDOJ for enforcement.
 - If USDOT seeks to suspend or terminate funds, it must provide the respondent with an opportunity for a hearing on the record. If the Secretary of Transportation determines that the respondent has not complied with Title VI and voluntary compliance cannot be secured, USDOT must notify Congress before that finding goes into effect. 49 CFR §21.13(c). All LOFs issued by FHWA are administratively final.

Retaliation:

The laws enforced by this MPO prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint, please contact:

Christine A. Durgan, GCMPC Title VI Coordinator
Genesee County Metropolitan Planning Commission
1101 Beach Street, Room 111
Flint, MI 48502
Phone: 810-766257-3010
Email: cdurgan@geneseecountymi.gov

Reporting Requirements to an External Agency

A copy of the complaint, together with a copy of the investigation report and final decision letter will be forwarded to the MDOT, Civil Rights Program Unit within 60 days of the date the LOF was received.

Records

All records and investigative working files are maintained in a confidential area. Records are kept for three years.

Complaint Reporting for all other GCMPC programs

- a. Any person who believes that he or she, individually, or as a coordinator of any specific group or class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, may file a complaint with GCMPC. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the appropriate funding agency for review and action.
- b. Complaints should be filed within 180 days of the alleged discrimination. If the complainant could not reasonably be expected to know the act was discriminatory within the 180-day period, he/she will have 60 additional days after becoming aware of the illegal discrimination to file the complaint.
- c. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination.
- d. Upon receipt of a Title VI complaint filed against the GCMPC, the complaint and any pertinent information should immediately be forwarded to the funding agency, Civil Rights Program Unit. The GCMPC Title VI Coordinator/EEO Officer will record and keep record of the complaint and forward the complaint to the Genesee County Corporation Counsel for review and inform the GCMPC Director.

Investigations

A complaint may be filed against the recipient, contractor, sub-contractor, consultant, or supplier for illegal discrimination under Title VI and related statutes. Complaints against a sub-recipient will be investigated by the GCMPC Title VI Coordinator/EEO Officer. Allegations of discrimination are taken very seriously and will be investigated in a timely manner. The GCMPC Title VI Coordinator/EEO Officer will gather relevant information in a fair and impartial manner and will submit the report to the appropriate federal agency. This report will include the nature of the complaint, remedy sought, and a summary of the investigative findings and activities. A "GCMPC Complaint Consent/Release Form 0198" shall be provided to all complainants.

Once the investigation has been completed, the GCMPC Title VI Coordinator/EEO Officer in conjunction with the appropriate area will determine the appropriate course of action, and the GCMPC Title VI Coordinator/EEO Officer will prepare a Statement of Agency Decision reflecting the department's final determination. The complainant and appropriate areas shall receive written notifications of the department's decision. If the finding is adverse to the complainant, they will be advised of their avenues for appeal.

Copies of Title VI complaints and investigative reports will be forwarded to the funding agency having jurisdiction within 60 days of receipt and investigation of the complaint. Investigation files are confidential and will be maintained by the GCMPC Title VI Coordinator/EEO Officer. The contents of such files may be disclosed to GCMPC personnel on a need-to-know basis and in accordance with state and federal law. Files will be retained for up to five years.

Retaliation

Retaliation against any individual or group for filing a complaint, acting as a witness, or participating in an investigation is illegal and a subsequent investigation may arise out of a retaliation claim even though the original complaint may be without merit.

XII. APPENDICES

APPENDIX A - [TO BE INSERTED IN ALL FEDERAL-AID CONTRACTS]

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 Regulations relative to nondiscrimination in Federally assisted programs of the Department of Transportation, 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, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulation, including employment practices when the contractor covers a program set for in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issues pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. 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 State Highway Department or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event the contractor's noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. Withholding payments to the contractor under the contract until the contractor complies and/or
 - b. Cancellation, termination, or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor shall include provisions of paragraphs (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt from the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions

for noncompliance: 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 State Highway Department to enter into such litigation to protect the interests of the State, 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 - TRANSFER OF PROPERTY

The following clauses shall be included in 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 State of Michigan, 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 the Department of Transportation and, 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) does hereby remise, release, quitclaim and convey unto the State of Michigan all the right, title and interest of the Department of Transportation in and to said lands described Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE) *

TO HAVE AND TO HOLD said lands and interests therein unto the State of Michigan, and its successors forever, subject, however, the covenant, 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 State of Michigan, its successors and assigns.

The State of Michigan, 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, 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 State of Michigan shall use the 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 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 deed.

*Reverter clause and related language to be used only when it is determined that such a clause is

necessary to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX C - PERMITS, LEASES AND LICENSES

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

The grantee, licensee, lessee, permittee, etc., (as appropriate) for himself, his heirs, personal representative, 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 remain 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, 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, the Michigan 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, the Michigan Department of Transportation shall have the right to re-enter lands and facilities hereon, and the above-described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Michigan 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 purpose of the Title VI of the Civil Rights Act of 1964 and the Civil Rights Act of 1987.

APPENDIX D – TITLE VI COMPLAINT FORM

**Genesee County Metropolitan
Planning Commission
TITLE VI – COMPLAINT FORM**

This form may be used to file a complaint with the Genesee County Metropolitan Planning Commission (GCMPC) for alleged violations of Title VI of the Civil Rights Act of 1964, and related statutes. You are not required to use this form; a letter that provides the same information may be submitted to file your complaint. **Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within 180-day period, you have 60 days after you became aware to file your complaint.**

If you need assistance completing this form, please contact Ms. Christine Durgan by phone at (810) 257-3010 or via FAX (810) 257-3185 or by TDD/TTY through the Michigan Relay Center by dialing 711.

Only the complainant or the complainant's designated representative should complete this form.

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____(home) _____(work)

Individual(s) discriminated against, if different than above (use additional pages, if needed).

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____(home) _____(work)

Please explain your relationship with the individual(s) indicated above: _____

Name of agency and department or program that discriminated:

Agency or department name: _____

Name of individual (if known):

Address: _____

City: _____ State: _____ Zip: _____

Date(s) of alleged discrimination:

Date discrimination began _____ Last or most recent date _____

ALLEGED DISCRIMINATION:

If your complaint is regarding discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

____ Race

____ Religion

____ Color

____ National Origin

____ Age

____ Sex

____ Disability

____ Income

Explain: Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination. (Attach additional sheets, if necessary, and provide a copy of written material pertaining to your case).

Signature: _____ Date: _____

Please return completed form to: Ms. Christine Durgan, GCMPC Title VI Coordinator/EEO Officer; Genesee County Metropolitan Planning Commission; 1101 Beach Street, Room 111; Flint, Michigan 48502-1470; Phone: (810) 257-3010; Fax: (810) 257-3185; E-mail: CDurgan@geneseecountymi.gov

Note: *The GCMPC prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies by the GCMPC. Please inform the person listed above if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.*

APPENDIX E - PROGRAM COMPLIANCE/PROGRAM REVIEW GOALS FOR CURRENT PLAN YEAR

1. The GCMPC's Title VI Plan will be communicated to each Department Head who will review the plan with departmental employees. All GCMPC employees will be trained or made aware of the Title VI and LEP policies and complaint procedures.
2. The GCMPC's Title VI Plan will be published on the main page of the GCMPC's website.
3. Appendix A will be included in all GCMPC contracts as outlined in the Title VI Plan.
4. The language in Number 2 of the GCMPC's Title VI Assurance will be included in all solicitations for bids for work or material subject to the Regulations and in all proposals for negotiated agreements.
5. The procedure(s) for responding to individuals with Limited English Proficiency will be implemented.
6. A review of GCMPC facilities will be conducted in reference to compliance with the American Disabilities Act.
7. The following data will be collected and reviewed by the Title VI Coordinator and included, where appropriate, in the annual report submitted to MDOT.
 - a. **Boards and Commissions:** The number of vacancies; how vacancies are advertised and filled; the number of applicants; the representation of minorities will be evaluated.
 - b. **Public Meetings:** The number of open meetings; how meeting dates and times are communicated to the public and to individuals directly affected by the meeting.
 - c. **Construction Projects:** The number of construction projects and minority contractors bidding, and the number selected; verification that Title VI language was included in bids and contracts for each project.
 - d. **LEP Needs:** The number of requests for language assistance that were requested or required and the outcome of these requests.
 - e. **Complaints:** The number of Title VI complaints received; nature of the complaints; resolution of the complaints.
 - f. **Timeliness of Services:** The number of requests for services; amount of time from request to when service was delivered; number of requests denied.
 - g. **Right of Way/Eminent Domain:** The number of such actions and diversity of individual(s) affected.
 - h. **Program Participants:** Racial data of program participants where possible.

APPENDIX F - DETERMINE/DISTINGUISH SIGNIFICANT/NON-SIGNIFICANT EFFECTS

“Significant” requires considerations of both context and intensity:

- *Context.* This means that the significance of an action must be analyzed in several contexts such as society (human, nation), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the local area rather than in the world as a whole. Both short-and long-term effects are relevant.
- *Intensity.* This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:
 - Impacts that may be both beneficial and adverse. A significant effect may exist even if, on balance, the effect would be beneficial.

“Non-significant effect” means no substantial change to an environmental component, and this has no material bearing on the decision-making process.

Scientific, technical, institutional, the public’s value, and the local economic conditions influence the meaning of significant effect.

If an alternative would provide a beneficial effect, then the alternative would cause no significant adverse effect. If an alternative would provide an adverse effect, the effect might be significant or the effect might be non-significant.

Determinations of “significant” and “non-significant” effects will be made by the Title VI Coordinator.

**GENESEE COUNTY METROPOLITAN PLANNING COMMISSION
CHECK DISBURSEMENT VOUCHER
March 5, 2024**

BRD Printing, Inc.	Annual Report Printing	1,557.23	10353218
CDW Government	Adobe Acrobat License	101.00	ACH #48059
JP Morgan Chase Bank	Battery Recycling Buckets for Senior Centers / Scale to Weigh Batteries / Survey Monkey Annual Fee / Mott Community College Excel Training / Laptop Stand / Issuu Website Annual Fee / Mott Community College Credit \$390 / Lead Abatement Supervisor Training Credit \$600 / Lead Abatement Inspector Training Credit \$500	4,874.14	10352887
Rowe Professional Sevices	US-23 Traffic Study Consultant Services	12,443.07	ACH #47894
Sparkle Buggy Car Wash, Inc.	GCMPC Vehicle Wash	7.00	10353275
Staples, Inc.	Office Supplies	188.57	ACH #48145
Petty Cash	Recycling Conference Parking / Coffee for Meetings / Car Wash / Contractor Meeting Supplies	101.88	N/A
		<u>\$19,272.89</u>	

EXHIBIT I

**GENESEE COUNTY METROPOLITAN PLANNING COMMISSION
BALANCE SHEET
For October 1, 2023 to January 31, 2024**

<u>ASSETS</u>	<u>PLANNING</u>	<u>(RESTRICTED) SOLID WASTE</u>
Cash	445,726	\$1,635,229
Imprest Cash	\$200	\$0
Cash on Hand	-	\$0
Accounts Receivable	\$1,490	\$102,497
Due from Employees	\$0	\$0
Due from Other Governmental Units (Exhibit II, below)	\$184,463	\$0
Prepaid Expenses	\$134	\$37
TOTAL ASSETS	<u>632,013</u>	<u>\$1,737,762</u>
<u>LIABILITIES</u>		
Vouchers Payable	\$0	\$0
Net Pay	\$0	\$0
Deferred Revenue	\$36,529	\$0
TOTAL LIABILITIES	<u>\$36,529</u>	<u>\$0</u>
<u>RESERVES, AND FUND BALANCE</u>		
Assigned -Tech Upgrades	\$20,000	\$0
Assigned -Contractual Disallowances	\$165,000	\$0
Assigned -Contribution to Title IV	\$15,000	\$0
Assigned-Compensated Absences	\$58,349	\$0
Restricted for construction of solid waste recycling facility	\$0	\$750,000
Fund Balance, October 1, 2023	\$359,909	753,874
Excess Revenue Over Expenditures	(22,773)	233,887
Unrestricted fund balance	\$337,136	\$0
Total Reserves and Fund Balance, January 31, 2024	<u>\$595,484</u>	<u>\$1,737,761</u>
TOTAL LIABILITIES, RESERVES, AND FUND BALANCE	<u>\$632,013</u>	<u>\$1,737,761</u>

EXHIBIT II

**GENESEE COUNTY METROPOLITAN PLANNING COMMISSION
Due From Other Governmental Units
For October 1, 2023 to January 31, 2024**

<u>Due from Other Governmental Units</u>	<u>PLANNING</u>	<u>(RESTRICTED) SOLID WASTE</u>
Due from the Federal Gov't FHWA	\$94,708	\$0
Due from the Federal Gov't Rideshare	\$25,420	\$0
Due from GLS Region V	\$64,335	\$0
Total Due from Other Governmental Units	<u>\$184,463</u>	<u>\$0</u>

EXHIBIT III

GENESEE COUNTY METROPOLITAN PLANNING COMMISSION
Statement of Revenue and Expenditures
For October 1, 2023 to January 31, 2024

REVENUE (Exhibit IV)		\$967,838
EXPENDITURES (Exhibit V):		
Personnel Services	\$318,831	
Fringe Benefits	\$191,738	
Consulting Services	\$1,829	
Contracted Services	\$22,975	
Other Services	\$1,654	
Travel	\$108	
Supplies and Office Costs	\$12,780	
Rent and other County department costs	\$202,022	
Transfers Out	\$4,787	
TOTAL EXPENDITURES		\$756,724
EXCESS REVENUE OVER/-UNDER EXPENDITURES		<u>\$211,114</u>

EXHIBIT IV

GENESEE COUNTY METROPOLITAN PLANNING COMMISSION
Revenue Budget Variance Report
For October 1, 2023 to January 31, 2024

<u>Account Number</u>	<u>Revenue</u>	<u>Total Budget</u>	<u>Y-T-D Budget</u>	<u>Y-T-D Actual</u>	<u>Variance</u>
494.000	Solid Waste Permit Fees	6,320	2,107	5,780	3,673
539.000	State Revenue	127,702	42,567	-	(42,567)
504.000	Community Development	710,957	236,986	158,679	(78,307)
523.000	Federal Revenue-FHWA	1,121,589	373,863	176,068	(197,795)
509.000	Federal Revenue -safe streets grant	412,000	137,333		
525.000	Rideshare	100,000	33,333	50,402	17,068
699.000	Transfer In	214,104	71,368	-	(71,368)
674.003	County Appropriation	431,255	143,752	107,814	(35,938)
674.029	Local Contribution	26,658	8,886	-	(8,886)
679.005	ForFeited Employee Contributions	-	-	-	-
618.000	Solid Waste Ordinance Fees	869,247	289,749	238,867	(50,882)
622.001	Inspection Fees	10,000	3,333	-	(3,333)
645.012	Indirect Revenue	607,690	202,563	142,639	(59,925)
645.019	Indirect Revenue-planning	552,086	184,029	22,952	(161,077)
669.007	Interest Earned Revenue	40,000	13,333	36,831	23,498
679.001	Region V	76,220	25,407	27,807	2,400
	Total Revenue Budget	<u>5,305,829</u>	<u>1,768,610</u>	<u>967,838</u>	<u>(663,439)</u>

GENESEE COUNTY METROPOLITAN PLANNING COMMISSION
Statement of Expenditures: Actual vs. Budget
For October 1, 2023 to January 31, 2024

EXHIBIT V

Account Number	Account Name	Budget FY 2022	Expenditures 2022	Budget FY 2023	Expenditures 2023	Budget FY 2024	Expenditures 2024	Variance 2024	Expenditures As % of Total Budget
	Salary & Longevity	1,064,382	50,508	1,124,212	48,165	1,214,453	318,831	895,622	26
	Total Fringe Benefit	723,453	60,081	715,208	50,332	723,508	191,738	531,770	27
724.000	Other Fringes	161,040	0	201,076	76	128,753	71	128,682	0
754.000	Supplies, Office	14,425	775	26,225	26	32,049	5,602	26,447	17
801.004	Service Contracts Gen.	37,130	0	13,178	1,072	14,340	7,178	7,162	50
804.000	Consultants	425,126	0	953,574	0	1,280,384	0	1,280,384	0
835.001	Health Serv. Employees	500	0	500	0	1,200	331	869	0
850.000	Telephone	5,000	280	5,700	259	4,500	1,498	3,002	33
872.027	Indirect cost expense	0	0	86,957	1,279	423,333	18,165	405,168	4
900.014	Advertising	27,200	75	22,300	75	32,625	716	31,908	2
910.005	Training	8,240	0	9,840	0	15,300	2,100	13,200	14
913.001	Travel	3,700	550	6,300	0	11,305	1,994	9,312	18
915.000	Memberships	3,500	0	3,900	0	3,650	1,017	2,633	28
931.000	Repairs	500	0	500	0	500	0	500	0
980.000	Equipment	7,500	0	15,000	0	15,000	0	15,000	0
801.044	Auditing	11,400	0	11,400	0	11,400	0	11,400	0
851.000	Postage	6,250	130	6,400	82	7,000	303	6,697	4
872.006	Waste Collections	250,000	0	451,437	0	303,597	637	302,960	0
872.013	Specialty Waste expense	0	0	8,000	0	0	0	-	0
872.022	Indirect cost -nonproductive	0	0	0	0	182,709	0	182,709	0
907.005	Validated Parking	1,500	0	1,500	0	1,500	108	1,392	7
930.000	Building maintenance & construction	0	0	273,095	0	303,400	0	303,400	0
	Subtotal: Controllable Cost	2,750,846	112,399	3,936,302	101,365	4,710,507	550,288	4,160,219	12
955.074	Transfers Out Other Fringe	21,721	1,405	21,721	745	-	0	-	0
955.075	Transfers Out, Indirect	835,868	5,787	835,868	4,202	214,104	0	214,104	0
957.004	Convenience Copier	2,500	0	2,500	0	3,000	161	2,839	5
957.005	Motor Pool Charges	15,000	851	15,000	2,515	17,500	5,948	11,552	34
958.009	Insurance, General	66,071	66,071	66,071	98,648	113,057	113,057	-	100
958.014	CSA	229,718	19,143	229,718	18,957	247,661	82,554	165,107	33
	Subtotal: Uncontrollable Costs	1,170,877	93,257	1,170,877	125,066	595,322	201,719	393,603	34
	GRAND TOTALS	\$3,921,724	\$205,657	\$5,107,179	\$226,431	\$5,305,829	\$752,007	4,553,821	14



MEMORANDUM

TO: Members of the Genesee County Metropolitan Planning Commission

FROM: Jacob Maurer, Division Manager
Transportation Program

DATE: March 5, 2024

SUBJECT: **3-C Transportation Planning – February 2024 Status Report**

US-23 Corridor Traffic Study

On February 8th, Rowe hosted a virtual US-23 Corridor Steering Committee meeting to provide updates on the study progress and gather input from members. Traffic data collection at intersections along the US-23 Corridor has been completed and they are working on developing a 3-D model that visualizes traffic zones at different times per day.

Rowe has also created a crash heat map that demonstrates the crash type, frequency, and severity of the crash at these intersections. Assessing the crash data will help address alternatives that local agencies can implement into future development to mitigate crashes in the area. Rowe is working on developing a website that will include an interactive online survey for residents and businesses to provide input about what they would like to see around the corridor study area. A preliminary design will be reviewed by early March.

Transportation Improvement Program (TIP)

MDOT released the FY 2026-2029 STIP/TIP Development Schedule to all metropolitan planning organizations. This document will serve as a guide to meet statewide and federal deadlines. The next Genesee County TIP Call for Projects is tentatively scheduled for release in September 2024 with applications due in November 2024.

In February, staff prepared a TIP amendment that changed two FY 2024 Transit GPAs and added one new FY 2026 Local Bridge GPA to the FY 2023-2026 Transportation Improvement Program. The Local Bridge GPA includes 4 new capital preventative maintenance bridge projects. Funding was awarded to the Genesee County Road Commission, the City of Flint, and the City of Linden.

Asset & Data Management

Transportation staff enrolled in and began the Asset Management Champion Program through the Michigan Infrastructure Council (MIC). This program provides staff with a framework for building awareness and developing knowledge of asset management best practices. Staff will soon be able to share case studies from Michigan infrastructure owners.

Derek Bradshaw, Director Christine Durgan, Assistant Director

Transportation Safety Planning

Staff finalized the scope of services for the Safe Streets for All (SS4A) Action Plan Grant and are working with the Genesee County Purchasing Department. The Request for Proposals is anticipated to be released mid-March. Staff will hold a pre-bid meeting prior to receiving consultant proposals, which will be reviewed and scored, followed by an interview to recommend the best candidate. The SS4A Action Plan will be a comprehensive, county-wide safety plan to aid and promote healthy, livable, and safe communities through reductions in traffic fatalities and serious injuries.

Program Management

The next Genesee County Metropolitan Alliance meeting is scheduled for March 20, 2024.



MEMORANDUM

TO: Members of the Genesee County Metropolitan Planning Commission

FROM: Sheila Taylor, Division Manager
Environmental Program

DATE: March 5, 2024

SUBJECT: **Environmental Program Update – February 2024 Status Report**

Solid Waste Program

A Request for Proposals (RFP) was posted on February 2nd and will end on March 7th regarding demolition and abatement of the McDonald Dairy Site where the permanent recycling drop-off center is proposed to be located. A mandatory pre-bid meeting was held on February 15th where potential contractors were able to get more information about the project and walk through the project site. The pre-bid meeting had a great turnout with twenty-nine people representing twenty-five different companies in attendance.

Staff attended a training on February 6th to participate in the Flint River Watershed Coalitions' (FRWC) Flint River GREEN Program for the 2nd year in a row. This program links a Genesee County 6th through 12th grade class with a local mentor who has an environmental related career. The mentor assists the class with conducting and analyzing various water tests that are done on-site at a local stream. The students then attend and share their findings at a Student Summit organized by the FRWC in May. The mentor also visits the class to discuss their environmental career and make connections to the water testing program. This year, staff is paired with Ms. Tracey Groom's class at the Genesee Career Institute. Water testing is conducted in late April/early May.

On February 10th, staff presented to a group of students about household hazardous waste (HHW). This group of high school students is sponsored by MSU Extension and carries out an environmental action project each year. This year, the group chose to learn about hazardous waste spills in local rivers and were interested in learning about GCMPC's HHW programs.

On February 13th and 14th, staff attended the Michigan Department of Environment, Great Lakes, and Energy's (EGLE) Virtual Michigan Materials Management Conference. This conference was held to discuss various topics related to Michigan's recently updated solid waste laws including new requirements for facilities that handle solid waste and the Materials Management Planning process.

Derek Bradshaw, Director Christine Durgan, Assistant Director

Staff has collected all FY 2024 1st quarter reports from waste haulers, landfills, and transfer stations operating in Genesee County. These reports are required to be filled out per the Genesee County Solid Waste Ordinance and were due January 30th. A total of \$258,149.45 in fees were collected for the quarter. The average amount of fees collected over the last four quarters is \$279,763.94.



MEMORANDUM

TO: Members of the Genesee County Metropolitan Planning Commission

FROM: Sheila Taylor, Division Manager
Community Development Program

DATE: March 5, 2024

SUBJECT: **Community Development Program – February 2024 Status Report**

Community Development Block Grant Program (CDBG)

Staff will release a draft of the Program Year 2024 Action Plan during the month of March with a 30-day public comment period. Staff received 2 HOME applications and 10 ESG applications which were reviewed for eligibility and scored. ESG funding recommendations will be brought to the Flint & Genesee County Continuum of Care (CoC) for approval in early March to ensure projects are consistent with community needs regarding homelessness. Staff will also begin the environmental review process for these new project applications. CDBG projects for 2024 were previously reviewed and approved as part of the 2022-2024 CDBG Call for Projects.

During February, staff worked to obtain projects details for the 2025-2027 CDBG Applications received in January. Staff completed site visits for each application to verify project eligibility. The environmental review process will begin this spring, which is a HUD requirement prior to projects receiving final approval.

Staff is also continuing to assist local units of government with Program Year 2023 projects. Several public facility improvement and infrastructure projects are expected to begin in the Spring. Staff will provide guidance for the procurement process and labor documentation required from contractors.

HOME Investment Partnerships Program (HOME)

Through the HOME program staff is currently assisting 8 households with Tenant-Based Rental assistance (TBRA). This program specifically supports young adults aged 18-24 who are either employed or enrolled in an educational program by providing assistance for security deposits, rent, and utilities for up to 24 months.

Home Improvement Program

During February, one Home Improvement Program project was completed totaling \$24,315 in CDBG funds. A roof replacement was completed through the Urgent Repair Program that utilized \$19,758 in CDBG funding. Three homeowner referrals were

Derek Bradshaw, Director Christine Durgan, Assistant Director

submitted to the Consumers Energy Helping Neighbors program to receive new furnaces and/or hot water heaters. Lee Parks, Housing Rehabilitation Inspector II, completed a required Asbestos Inspector Refresher Training Class to retain his certification. Staff presented information on both the HIP and Urgent Repair Programs at the Montrose City Council meeting held on February 20th.

Neighborhood Stabilization Program/Neighborhood Purchase/Rehab/Resale

Work continues at the NSP home located at 4315 Dexel Drive. New vinyl siding has been installed and the plumbing has been roughed and is pending inspection. Drywall repairs are underway, and some of the new flooring has been installed. Staff anticipates the home will be completed by late spring. Following completion, the home will be sold to a low-to-moderate income buyer. Proceeds from the sale will go into the Neighborhood Purchase/Rehab/Resale Program (NPRR) account to be used for the purchase and rehabilitation of another property.



GENESEE COUNTY
METROPOLITAN PLANNING
COMMISSION

MEMORANDUM

TO: Members of the Genesee County Metropolitan Planning Commission

FROM: Christine A. Durgan, Assistant Director

DATE: March 5, 2024

SUBJECT: **American Rescue Plan Act – February 2024 Status Report**

American Rescue Plan Act Local Unit Projects

Following last month's approval of a \$100,000 allocation to every senior center in the county, applications for projects were received from all senior centers by the February 16th deadline. Project applications include building additions, garage construction, furniture, bathroom upgrades, vans, accessibility improvements, new flooring, and doors. Environmental reviews for projects are currently underway, and contracts are being drafted.

ARPA funding was approved for additional community projects in February. These include funding for two existing Genesee County Water and Waste projects in Mundy Township, and a transfer of funds for the Genesee Valley Trail project in Swartz Creek. New projects include allocations to Berston Field House, YMCA, the Food Bank of Eastern Michigan, and the City of Clio.

In February, the Grand Blanc Water Main Blast project got underway. The County Water Extension in the City of Linden spent all county funding, and the project has been closed out. The City of Fenton finished their water main improvements project in January and that project has also been closed out.

Derek Bradshaw, Director Christine Durgan, Assistant Director



GENESEE COUNTY
METROPOLITAN PLANNING
COMMISSION

MEMORANDUM

TO: Members of the Genesee County Metropolitan Planning Commission

FROM: Derek Bradshaw, Director

DATE: March 5, 2024

SUBJECT: **Report of the Director – February 2024 Status Report**

Staffing

We expect to interview six Planning Intern candidates during the month of March. The job description was modified to open the opportunity to more candidates. The University of Michigan – Flint and Michigan State University provided some additional marketing for the position. The Housing Division Manager posting closed on March 1st. We expect to fill the vacancy during the month of March.

GLS Region V

Staff met with the Region's grant coordinator from the Department of Natural Resources in early February to discuss the community Spark Grants and confirm their expectations for Regional Planning Agencies. Staff will soon have access to the MiGrants platform and be able to contact communities in our region to offer technical assistance.

The next GLS Region V meeting will be held on March 26, 2024.

Derek Bradshaw, Director Christine Durgan, Assistant Director