

# **Title VI Nondiscrimination Plan and Limited English Proficiency Plan**

Rev. August 2022

Regional Planning Commission of Greater Birmingham



This document is posted at  
<https://www.rpcgb.org/nondiscrimination-and-accessibility>

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This document was prepared as a cooperative effort of the U.S. Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Alabama Department of Transportation (ALDOT), and local governments in partial fulfillment of requirements in Title 23 USC 134 and 135, amended by the FAST Act, Sections 1201 and 1202, December 4, 2015. The contents of this document do not necessarily reflect the official views or policies of the U.S. Department of Transportation.

## RESOLUTION

### FY 2022 Title VI Nondiscrimination Plan and Limited English Proficiency Plan

**WHEREAS**, Title VI of the Civil Rights Act of 1964 and U.S. Department of Transportation (USDOT) regulations to implement the law (49 CFR, Part 21) require all recipients and subrecipients of federal transportation funds to establish and maintain a Title VI Program that carries out the regulations and integrates the activities and considerations outlined in the USDOT's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, December 14, 2005); and

**WHEREAS**, in accordance with 23 CFR 450.334(a) the Regional Planning Commission of Greater Birmingham (RPCGB), as the administrative and fiscal agent of the Birmingham Metropolitan Planning Organization (MPO) hereby certifies that the transportation planning process is addressing issues facing the Birmingham metropolitan planning area and is being conducted in accordance with all applicable requirements; and

**WHEREAS**, a Title VI Nondiscrimination Plan and Limited English Proficiency Plan has been developed for the RPCGB, as the administrative and fiscal agent for the Birmingham MPO; and

**WHEREAS**, the RPCGB intends that no person shall, on the grounds of race, color, and/or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, regardless of funding source; and

**WHEREAS**, the RPCGB intends that any agencies or firms with whom it contracts will comply with Title VI as appropriate and will take reasonable steps to ensure such compliance.

**NOW, THEREFORE, BE IT RESOLVED** that the RPCGB endorses the FY 2022 Title VI Nondiscrimination Plan and Limited English Proficiency Plan.

Adopted this 17th day of August 2022.

  
\_\_\_\_\_  
RPCGB Chair, Vice-Chair, Treasurer, or Secretary

  
\_\_\_\_\_  
Charles Ball, Executive Director, RPCGB



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## Purpose

As a designated recipient of Federal Transit Administration (FTA) funds, the Regional Planning Commission of Greater Birmingham (RPCGB) is required to submit a Title VI compliance report to the FTA Region 4 office every three years. The Title VI of the Civil Rights Act of 1964, Nondiscrimination in Federally Assisted Programs. Section 601 of the Act states:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

In addition to the Civil Rights Act, Presidential Executive Order 13166 addresses services to individuals having Limited English Proficiency. To address those requirements, the RPCGB has developed a Title VI Plan, which includes a Limited English Proficiency Plan (LEP). The RPCGB will submit its Title VI Assurance as part of its Certifications and Assurances submission to FTA. The RPCGB will collect Title VI Assurances from subrecipients prior to passing through FTA funds. The RPCGB has a policy not to discriminate against any person with respect to a program, activity, or service. To ensure compliance with this policy, the RPCGB has developed a plan in compliance with Title VI of the Civil Rights Act of 1964 as amended. The plan defines Title VI, includes a written process on how to file a complaint, and describes the investigation and appeal process.

## About the RPCGB

The RPCGB provides planning services, economic development services, and multiple initiatives for six counties and 84 communities throughout central Alabama. Annual dues provided by member governments of these counties and communities make it possible for the RPCGB to provide valuable resources.

The RPCGB works through a consultation process with local governments, citizens, nonprofits, and the private sector in Blount, Chilton, Jefferson, St. Clair, Shelby, and Walker counties. Through this process, opportunities and cost-effective solutions are identified to assure physical and economic growth for everyone.

The RPCGB also serves as the administrative and fiscal agent for:

### **CommuteSmart**

This program is designed to encourage better commuting habits and Alabama Partners for Clean Air, an initiative designed to implement strategies to improve air quality in Jefferson and Shelby Counties.

### **Medicaid Waiver**

This program is designed to allow elderly or disabled individuals who are at risk of nursing home placement to remain in their homes as long as possible. Medicaid Waiver is a program of the Alabama Department of Senior Services (ADSS) and the Alabama Medicaid Agency.

### **Birmingham Metropolitan Planning Organization**

The Birmingham Metropolitan Planning Organization (MPO) provides transportation and community planning services for the Birmingham metropolitan planning area (MPA). The MPA includes all of Jefferson and Shelby counties and a small portion of Blount and St. Clair counties. (See map in Appendix A).

### **ORGANIZATION**

Membership in the RPCGB is open to each unit of local government in Blount, Chilton, Jefferson, Shelby, St. Clair, and Walker Counties.

The Board of Directors is composed of 26 members plus the past chairs still serving in their local elected capacity as members, four of whom shall be the Chair, Vice-Chair, Secretary, and Treasurer of the RPCGB. All members of the Board of Directors and officers are elected by the members of the RPCGB upon recommendation by the nominating committee.

RPCGB bylaws give the Board of Directors the authority to establish committees or groups as it feels are necessary to carry out its objectives. Standing committees include:

#### **Program Budget Committee**

The Program Budget Committee reviews and makes recommendations on the RPCGB Agency Plan, Work Program, and Budget.

#### **Finance Committee**

The Finance Committee reviews and reports on the RPCGB's financial status. Membership is inclusive of the Treasurer, who serves as Chairman of this Committee.

#### **Personnel Committee**

The Personnel Committee reviews and makes recommendations to the Board of Directors on personnel policies and procedures. They serve as the RPCGB Personnel Review Panel and conduct the performance evaluation of the Executive Director.

### **BIRMINGHAM METROPOLITAN PLANNING ORGANIZATION (MPO)**

The RPCGB serves as the administrative and fiscal agent for the MPO. The MPO is a group of local, elected officials, transit operators, and state officials who are responsible for the coordination of a planning process that results in a long-range (25-year) plan and a short-range (4-year) spending plan called the Transportation Improvement Program. The MPO operates under the Infrastructure Investment and Jobs Act (IIJA), the federal law governing surface transportation and infrastructure.

The MPO decides, in cooperation with the Alabama Department of Transportation (ALDOT), what transportation projects are funded with the available local, state, and federal dollars. The MPO publishes priorities for transportation-related projects for various modes such as highways, transit, freight, and bicycle/pedestrian. It is the responsibility of the State, operators of publicly owned mass transit, and the MPO to ensure that the transportation planning and programming process is cooperatively carried out. To that end, the ALDOT, Alabama Department of Environmental Management, MPO, Birmingham-Jefferson County Transit Authority, and Jefferson County Department of Health have entered into an agreement to provide a comprehensive, cooperative, and continuing planning process that describes the roles and responsibilities of each entity within the metropolitan planning process.



Transportation decisions are made through a process involving four committees which are managed by staff of the RPCGB.

**Transportation Citizens Committee (TCC)**

The TCC consists of citizens representing the MPA. It is the primary focal point for local citizens to be involved in the transportation planning process and is tasked with providing the Policy Committee with recommendations concerning regional transportation programs, projects, research, and public outreach.

**Transportation Technical Committee (TTC)**

The TTC consists of administrators, planners, public and private transportation engineers, and subject matter experts. The basic responsibilities of the TTC include collaborating with staff to provide technical recommendations to the MPO in the development of regional transportation plans and programs.

**Advisory Committee**

The Advisory Committee is a subset of the Policy Committee. It provides policy direction and a forum for transportation and air quality decisions, as well as recommendations to the voting membership of the Policy Committee. The Advisory Committee sets the meeting agenda for the Policy Committee.

**Policy Committee**

The Policy Committee makes the final decisions for transportation planning projects and strategies that will support economic vitality, increase the safety and security of the transportation system for motorized and nonmotorized users, increase accessibility and mobility options available to people and freight, protect and enhance the environment, enhance the integration connectivity of the transportation system, promote efficient system management and operation, and emphasize the preservation of the existing transportation system.

The RPCGB understands that diverse representation on the MPO committees helps effect policies that are reflective of the needs of the entire population. FTA Title VI Circular 4702.1B requires that for any recipients who have transportation-related, non-elected planning boards, advisory councils or committees, or similar bodies, their membership must be broken down by race and accompanied by a description of efforts made to encourage participation of minorities on these committees (Appendix A).

Membership on the TCC is geographically representative of the urban area based on population. Membership on the TTC, Advisory, and Policy committees is based on agency representation, and the RPCGB has no control over the racial and ethnic composition of those committees.

All meetings are open to the public. RPCGB encourages participation of all citizens in the regional transportation planning and programming process and will continue to make efforts to encourage and promote diversity. Staff will continue to reach out to community, ethnic and faith-based organizations to connect with all populations. In addition, staff strives to find ways to make participating on its committees convenient. This includes scheduling meetings after work hours and in locations accessible by public transportation. The Public Involvement Plan includes goals and strategies to actively engage minority populations.

## Public Involvement Plan (PIP)

The PIP is a framework for engaging the public in the regional transportation planning and programming process. Effective public involvement is inclusive of the needs of all transportation system users with an emphasis on traditionally underserved populations.

Staff relies on the distribution of printed and electronic materials, electronic communications, RPCGB website, social media, and staff presentations to keep stakeholders informed about its activities and programs. Public involvement is an ongoing activity. It is also an integral part of the 25-year long-range plan and the Transportation Improvement Program. Other strategies that the RPCGB will use to promote inclusive public participation include:

1. Public meetings held throughout the MPA at various stages of plan development with different meeting sizes and formats considered
2. Use of video conferencing for those who may not be able to participate in person
3. Coordination with other state and local planning efforts and public involvement activities
4. Use of advisory committees
5. Special effort is taken to ensure participation by minority populations and those with a disability or language barrier, and to address issues of environmental justice (EJ) at all stages of the planning process. These include holding meetings in places convenient to affected population groups, seeking representation on advisory committees, making translators available when requested, wide distribution of meeting notices and plan information, and utilizing available resources such as neighborhood associations.

The PIP and Limited English Proficiency (LEP) Plan are attached in Appendix B. Under Title VI of the Civil Rights Act of 1964, individuals who do not speak English as their primary language and have a limited ability to read, write, or speak English are entitled to language assistance where language barriers may otherwise prohibit people from obtaining service or information, and may limit participation in the transportation planning process. The LEP Plan includes a Four-Factor Analysis as required by federal guidelines to identify LEP populations within the Birmingham MPA.

## Nondiscrimination Policy

RPCGB is committed to preventing discrimination and to fostering equitability, recognizing the key role that transportation facilities and services provide to the community. RPCGB assures that no person shall, on the grounds of race, color, or national origin as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100-259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. RPCGB further assures that every effort will be made to ensure nondiscrimination in its federally funded program activities. The following are some basic principles that serve as overall objectives in implementing this Title VI plan:

- Make transportation planning and investment decisions that strive to meet the needs of all people
- Enhance the public involvement process to reach all segments of the population and ensure that all groups have an opportunity to have a voice in the metropolitan transportation planning process regardless of race, color, and national origin.

- Provide the community with opportunities to learn about and improve the quality and usefulness of transportation in their lives
- Improve data collection, monitoring, and analysis tools that assess the needs of, and analyze the potential impacts of, transportation plans and programs on Title VI protected populations
- Comply with the requirements of Title VI and accompanying rules and orders

### NOTICE TO THE PUBLIC

Information must be provided to the public regarding the recipient's obligations under U.S. DOT Title VI regulations, and members of the public must be apprised of the protections against discrimination afforded to them by Title VI.

RPCGB's Title VI Notice to the Public is posted on their website at [www.rpcgb.org/nondiscrimination-and-accessibility](http://www.rpcgb.org/nondiscrimination-and-accessibility). The Notice is also posted on the bulletin board in the agency office and attached in Appendix C.

### TITLE VI COORDINATOR

RPCGB is responsible for ensuring the implementation of the overall Title VI Plan. This includes responsibility for ensuring compliance, monitoring, reporting, and education on Title VI issues. RPCGB's Title VI Coordinator is:

Laurel Land  
205-264-8473  
[lland@rpcgb.org](mailto:liland@rpcgb.org)

### COMPLAINTS

RPCGB has developed procedures for investigating and tracking Title VI complaints filed against it, including a complaint form. These procedures and form are available to the public and can be found at: <https://www.rpcgb.org/nondiscrimination-and-accessibility> or by requesting a copy from the Title VI Coordinator.

## Demographic Profile

The population of the Birmingham Metropolitan Statistical Area (MSA) is 1,115,289. To support this large population and diverse demand, the transportation system must provide a mix of transportation choices – walking, biking, transit, and driving – to provide various ways for people to access jobs, recreational facilities, shops, restaurants, and other communities.

From 2010 to 2020, the White population has declined in the Birmingham MSA and the minority population has increased by 7% of the total population. During the same period, the Hispanic population has also increased from 4.3% of the total population to 5.8%. The RPCGB seeks to identify minority populations during the transportation planning and programming process and obtain their input. (See PIP and LEP.)

RPCGB's current Environmental Justice report (Appendix D, adopted on September 11, 2019) identifies Equity Emphasis Areas (EEAs) as census block groups within the MPA having a nonwhite population greater than 50% of the total population or block groups where the estimated median household income is less than \$30,630, which is the amount equal to 150 percent of the poverty status for a family of three. (Poverty guidelines established by the U.S. Department of Health and Human Services in 2017.) Data were derived from the 2017 American Community Survey 5-year estimates.

RPCGB also conducts an analysis of transit service equity as part of its Title VI compliance efforts, also included in the Environmental Justice report.

## Section 5310 Nondiscrimination

The RPCGB passes federal funds to subrecipients without regard to race, color, or national origin and assures that minority populations are not being denied the benefits of or excluded from participation in these programs. Eligible projects to be considered for 5310 funding are determined from a competitive selection process and must be derived from the local Human Services Coordinated Transportation Plan (HSCTP) and meet the intent of the programs. A selection committee reviews and ranks all applications using criteria set forth in the application documents.

The RPCGB helps applicants with how to provide programs and services in a nondiscriminatory manner by:

- Providing technical assistance and education to all potential applicants
- Answering questions about the application process in a manner that does not give any applicant priority over any other applicant

### ADMINISTRATION

The RPCGB passes federal funds to subrecipients without regard to race, color, or national origin. It assures that minority populations are not being denied the benefits of or excluded from participation in this program and, upon request, will provide a record of applications received, a description of the selection process, and the projects selected for funding.

## Subrecipients

Title 49 CFR Section 21.9(b) states that if “a direct recipient extends federal financial assistance to any other recipient, such other recipient shall also submit such compliance reports to the direct recipient as may be necessary to enable the direct recipient to carry out its obligations under this part.” As a direct recipient, RPCGB will assist subrecipients in complying with DOT’s Title VI regulations, including the general reporting requirements. Assistance will be provided to the subrecipient as necessary and appropriate. RPCGB will provide the following information to subrecipients, which may be kept in a central repository and available for all subrecipients:

- Sample notices to the public informing beneficiaries of their rights under DOT’s Title VI regulations, procedures on how to file a Title VI complaint, and the recipient’s Title VI complaint form.
- Sample procedures for tracking and investigating Title VI complaints filed with a subrecipient, and when the direct recipient expects the subrecipient to notify the direct recipient of complaints received by the subrecipient.
- Demographic information on the race and English proficiency of residents served by the subrecipient. This information will assist the subrecipient in assessing the level and quality of service it provides to communities within its service area and in assessing the need for language assistance.

- Any other recipient-generated or obtained data, such as travel patterns, surveys, etc., that will assist subrecipients in complying with Title VI.

## MONITORING

In accordance with 49 CFR 21.9(b), the RPCGB will monitor their subrecipients to ensure compliance with Title VI regulations. If a subrecipient is not in compliance with Title VI requirements, RPCGB understands it is also not in compliance.

1. To ensure Title VI requirements are being followed, RPCGB shall undertake the following activities:
  - a. Document its process for ensuring that all subrecipients are complying with the general reporting requirements as well as other requirements that apply to the subrecipient based on the type of entity.
  - b. Collect Title VI plans from subrecipients and review for compliance. Collection and storage of subrecipient Title VI plans may be electronic.
  - c. At the request of FTA, in response to a complaint of discrimination, or as otherwise deemed necessary by the RPCGB, the RPCGB shall request that subrecipients who provide transportation services verify that their level and quality of service is provided on an equitable basis.
  - d. Each subrecipient contract or agreement will include the Civil Rights clauses and the internet link to the RPCGB Title VI Plan.
  - e. Each subrecipient is required to certify annually that their organization has not had any Title VI complaints or active lawsuits with respect to service or other transit benefits.
  - f. The RPCGB will monitor the flow down of Title VI requirements associated with the subrecipient's third-party contracts.
2. When a subrecipient is also a direct recipient of FTA funds, that is, applies for funds directly from FTA in addition to receiving funds as a direct recipient, the direct recipient reports directly to FTA and the direct recipient is not responsible for monitoring their own compliance. The supplemental agreement signed by both entities in their roles as designated and direct recipient relieves the designated recipient of this oversight responsibility.



# **APPENDIX A**

## **Map of Urbanized Area and Committee Representation**





# BIRMINGHAM MPO AREA

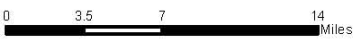
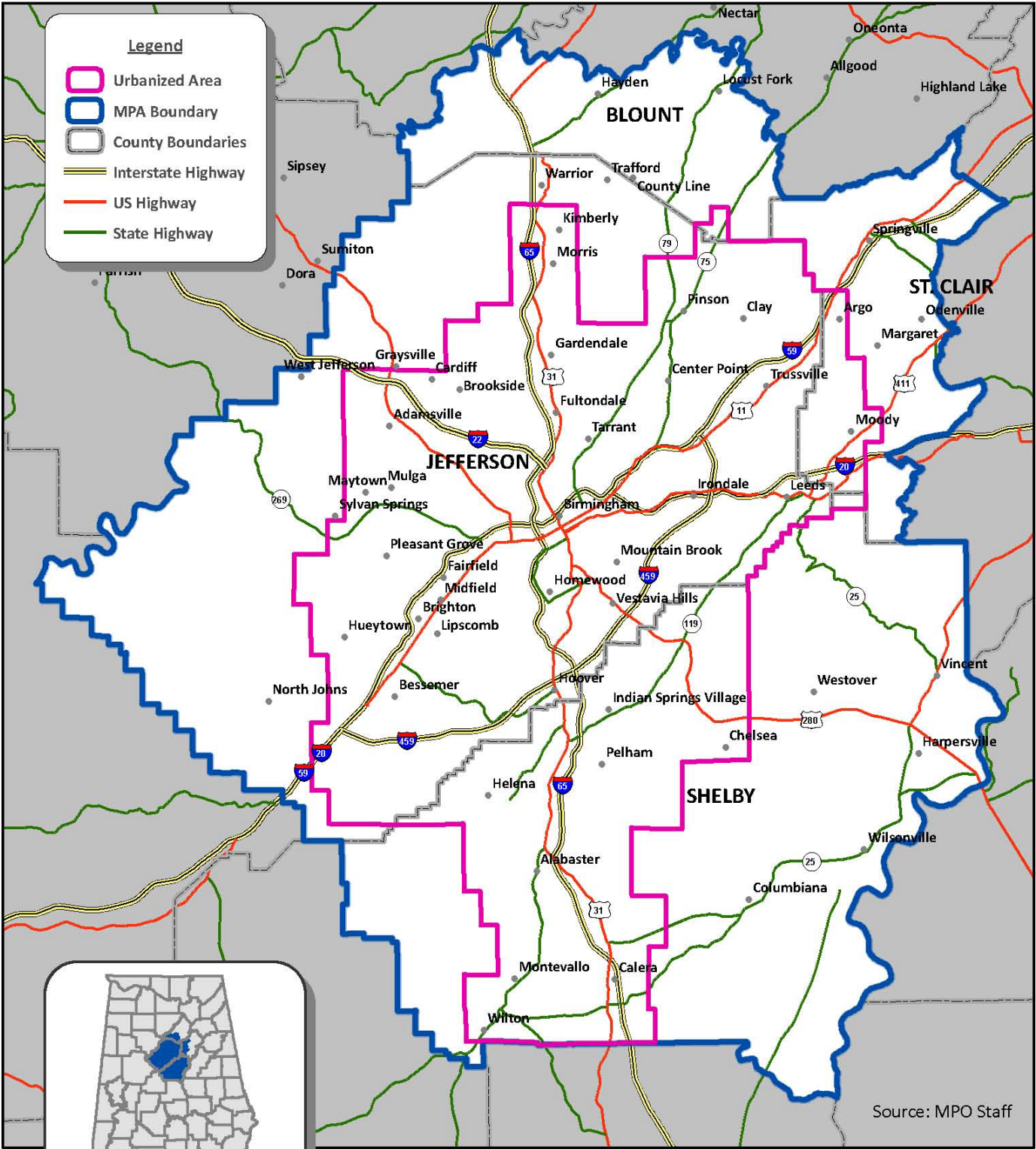
## METROPOLITAN PLANNING AREA

### AND URBANIZED AREA BOUNDARY



**Legend**

- Urbanized Area
- MPA Boundary
- County Boundaries
- Interstate Highway
- US Highway
- State Highway



\*Based on 2010 Census data.  
 May, 2015 - G:\ProjectData\MPO\MPA  
 2010MPAS11.mxd

Source: MPO Staff

## MPO POLICY COMMITTEE 2022

Chair: Stan Hogeland  
 Vice Chair: Fred Hawkins  
 Secretary: Bobby Scott

Title	Last Name	First Name	Representing	Minority
Mr.	Al-Dakka	Jehad	Jefferson County - Hoover	X
Councilor	Alexander	Wardine	City of Birmingham	X
Mr.	Ammons	Steve	Unincorporated Jefferson County	
Mr.	Armstrong	Allen	Blount County Public Transportation	
Mr.	Bittas	Andrè	Shelby County - Pelham	X
Mayor	Brasseale	Jerry	Jefferson County Municipalities - Pleasant Grove	
Mayor	Brocato	Frank	Jefferson County Municipalities - Hoover	
Ms.	Carter	Heather	Unincorporated Jefferson County	
Mayor	Choat	Buddy	Jefferson County Municipalities - Trussville	
Mayor	Cochran	Joe	Jefferson County Municipalities - Pinson	
Mr.	Cole	Randy	Shelby County	
Mayor	Curry	Ashley	Jefferson County Municipalities – Vestavia Hills	
Mayor	Davis	Julio	Jefferson County Municipalities - Graysville	X
Mr.	Eddington	Mike	City of Birmingham	
Mr.	Fowler	James	City of Birmingham	
Mr.	Hanner	Gary	St. Clair County	
Mr.	Hatcher	Chris	City of Birmingham	X
Mr.	Hawkins	Fred	Shelby County - Alabaster	
Ms.	Hester*	Christie	Shelby County	
Mayor	Hogeland	Stan	Jefferson County Municipalities – Gardendale	
Mayor	Holcomb	Larry	Jefferson County Municipalities - Fultondale	
Mr.	Holladay	Scott	Shelby County	
Mr.	Jacks	Tim	St. Clair County Public Transportation	
Commissioner	Knight	Joe	Unincorporated Jefferson County	
Mr.	Leonard	DeJarvis	ALDOT East Central Region	X
Mr.	Markert	Cal	Unincorporated Jefferson County	
Mr.	Martin	Mac	Jefferson County - Hoover	
Mr.	Mitchell	Chaz	City of Birmingham	X
Councilor	O'Quinn	Darrell	City of Birmingham	
Mayor	Perkins	Theoangelo	Jefferson County Municipalities – Harpersville	X
Mayor	Ragland	Johnny	Jefferson County Municipalities - Warrior	
Mr.	Reeves	Chris	Shelby County - Hoover	
Mayor	Richardson	Gary	Jefferson County Municipalities - Midfield	X
Mayor	Scott	Bobby	Jefferson County Municipalities – Center Point	X
Commissioner	Shepherd	Rick	Shelby County Commission	
Mr.	Smith	Theodore	Birmingham-Jefferson County Transit Authority	X
Councilor	Smitherman	Crystal	City of Birmingham	X
Commissioner	Stephens	Jimmie	Unincorporated Jefferson County	
Ms.	Thomas	Katrina	City of Birmingham	X
Mayor	Ware	Steve	Jefferson County Municipalities - Hueytown	
Mr.	Washburn	Nick	Blount County	
Mayor	Webster	Charles	Jefferson County Municipalities - Clay	
Mayor	Woodfin	Randall	City of Birmingham	X

## **APPENDIX B**

### **Public Involvement Plan and Limited English Proficiency Plan**





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# PUBLIC INVOLVEMENT PLAN

## 2022

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# PUBLIC INVOLVEMENT PLAN

This document is posted at:  
[www.rpcgb.org/public-involvement](http://www.rpcgb.org/public-involvement)

For information regarding this document, please contact:  
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May 11, 2022

This plan was prepared as a cooperative effort of the U.S. Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Alabama Department of Transportation (ALDOT), and local governments in partial fulfillment of the Unified Planning Work Program, 23 USC 134 and 135, and 23 CFR 450. The contents of this document do not necessarily reflect the official views or policies of the USDOT.

This Public Involvement Plan sets forth actions for community engagement in an open transportation planning process.

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**RESOLUTION 2022-2**  
**PUBLIC INVOLVEMENT PLAN UPDATE**

**WHEREAS**, pursuant to 23 USC 135 and 135, 23 CFR 450 and 500; and 40 CFR 51 and 93, all Metropolitan Planning Organizations (MPOs) must prepare a Public Involvement Plan (PIP) that describes the process by which all citizens have reasonable opportunities to be involved in the transportation planning process. The PIP further describes the means, methods, and formats used in providing those opportunities; and

**WHEREAS**, an approved PIP is a requirement for receiving federal and state planning financial assistance; and

**WHEREAS**, the Birmingham MPO is responsible for developing and implementing a local Public Involvement Plan and is also responsible for periodically reviewing the effectiveness of procedures and strategies intended to provide full and open access to all citizens; and

**WHEREAS**, the MPO has prepared a PIP update, widely distributed the draft plan, held a public meeting, and provided a 45-day public comment period for review of the draft plan prior to final approval.

**NOW THEREFORE, BE IT RESOLVED** that the Birmingham MPO hereby adopts the 2022 Public Involvement Plan.


Adopted this 11<sup>th</sup> day of May 2022.

**Fred Hawkins**

Digitally signed by Fred Hawkins  
Date: 2022.05.11 15:02:18  
-05'00'

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Chair, Vice Chair, or Secretary  
Birmingham MPO Policy Committee



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Charles Ball, Executive Director  
Regional Planning Commission of Greater Birmingham



## The Birmingham Metropolitan Planning Organization (MPO)

Whether you are driving on I-65, navigating a transfer at the Intermodal Facility, biking along the Red Rock Ridge and Valley Trail System, walking Downtown, or awaiting a shipment, the Birmingham Metropolitan Planning Organization (MPO) is working behind the scenes to help improve mobility. The MPO exists to develop, plan, and facilitate regionally significant, locally relevant, and future-focused transportation.

The MPO consists of 2,262 square miles that include 55 municipalities and 4 counties – all of Jefferson and Shelby counties, and a portion of St. Clair and Blount counties. (See map on the following page.) The Regional Planning Commission of Greater Birmingham (RPCGB) serves as the lead agency for the Birmingham MPO. The MPO coordinates with local, state, and federal officials to develop transportation plans that harmonize the needs of member jurisdictions and distribute federal transportation funding for projects that improve mobility.

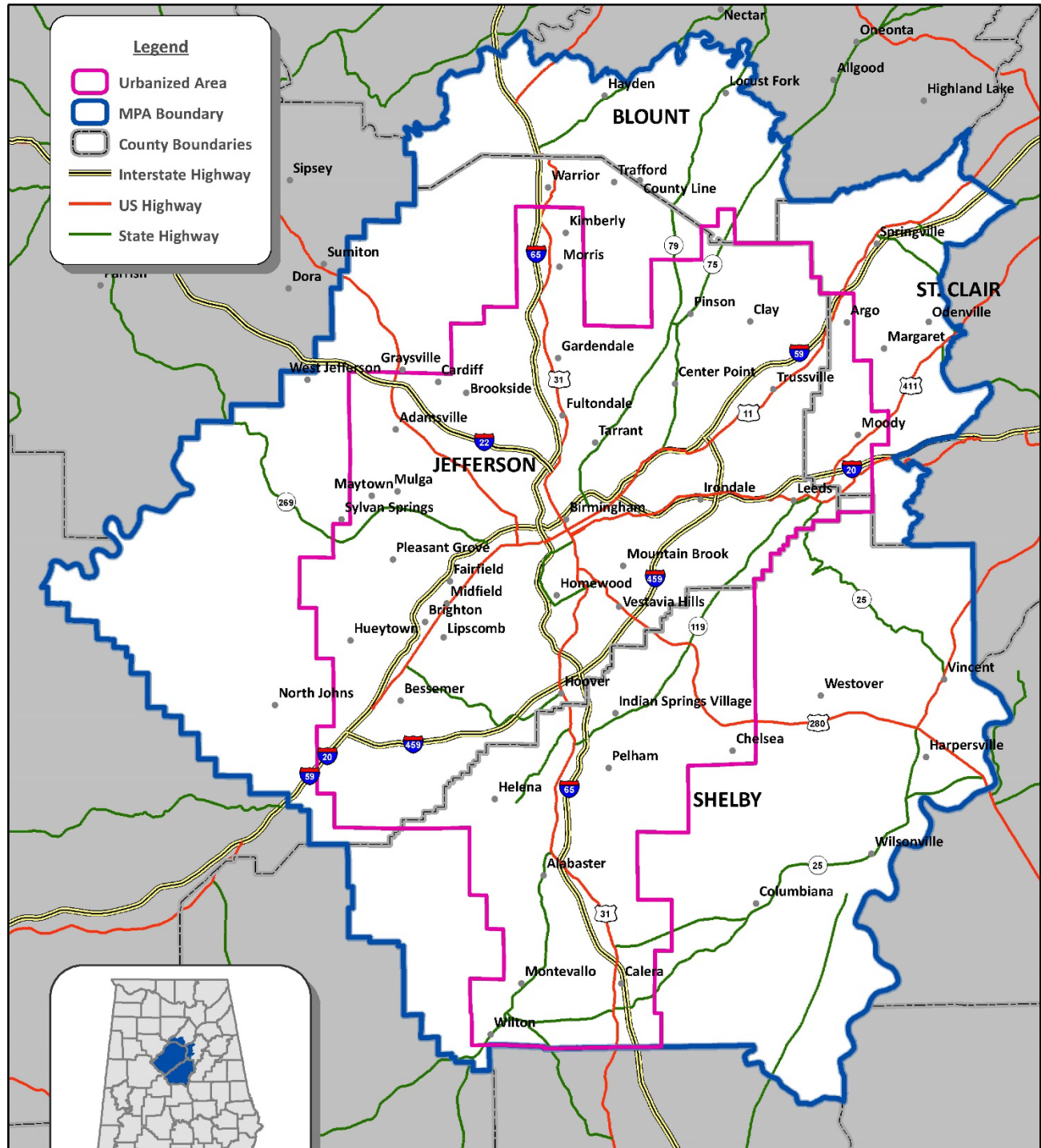
Meaningful and effective public involvement is essential to the successful implementation of any transportation project or program. The incorporation of local and regional concerns, needs, values, and ideas leads to decision-making with more public support.



Whether you are driving on I-65, navigating a transfer at the Intermodal Facility, biking along the Red Rock Ridge and Valley Trail System, walking Downtown, or awaiting a shipment, the Birmingham Metropolitan Planning Organization (MPO) is working behind the scenes to help improve mobility.

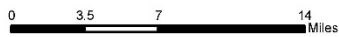
# BIRMINGHAM MPO AREA

## METROPOLITAN PLANNING AREA & URBANIZED AREA BOUNDARY



**Legend**

- Urbanized Area
- MPA Boundary
- County Boundaries
- Interstate Highway
- US Highway
- State Highway



\*Based on 2010 Census data.  
 May, 2013 - G:/ProjectData/MPO/MPA  
 2010MPA8x11.mxd

Source: MPO Staff

## What is Public Involvement?

Public involvement is a process for soliciting input from members of the community on transportation projects and policies. It is a process, not a single event. It consists of a series of activities and actions to inform the public and obtain input from them. Public involvement affords stakeholders (those that have an interest or stake in an issue, such as individuals, interest groups, and/or communities) the opportunity to influence decisions that affect their lives. The MPO gathers input from a wide spectrum of stakeholders, resulting in a wide range of views and concerns. It must balance the input received and then convey how it was considered in making final decisions.

Conducting meaningful public involvement requires seeking public input at specific points in the decision process and on specific issues where input has potential to shape the decision or action. Public involvement is not simply a necessary thing to do; it results in better outcomes and better governance. It contributes to better decisions because there is more complete information to consider, incorporating the best information and expertise of all stakeholders. Decisions are more implementable and sustainable because needs and interests of all stakeholders, including vulnerable/marginalized populations, are considered and stakeholders better understand and are more invested in the outcomes.

As a result, decisions that are informed by the public are viewed as more legitimate and less subject to challenge. Decision-makers who fully understand stakeholder interests also become better communicators and can explain decision rationale in understandable terms and in ways that relate to stakeholders' values and concerns.

### ONGOING INVOLVEMENT

- Attend committee meetings
- Join a committee
- Attend public meetings
- Provide input to staff or committee members
- Take a survey
- Connect via social media
- Subscribe to newsletters

### TARGETED INVOLVEMENT

- Development of planning documents:
  - Unified Planning Work Program
  - Air Quality Conformity Determination
  - Regional Transportation Plan
  - Transportation Improvement Program
  - Public Involvement Plan
- Attend public meetings
- Submit comments/input
- Take a survey
- Connect via social media

## Opportunities for Involvement

The MPO values the ideas and opinions of members of the community and seeks their collaboration for effective decision-making in the development and implementation of its plans and programs. Involvement can be ongoing, as the MPO seeks to carry out day-to-day tasks, or for specific plan/project development, both offering a variety of ways in which to participate.

### Ongoing Involvement

All major actions are subject to review and comment by the following standing committees (see diagram on the following page):

- Transportation Citizens Committee
- Transportation Technical Committee
- MPO Advisory Committee
- MPO Policy Committee

While only the Transportation Citizens Committee is open to the public for membership, attendance at all committee meetings is open to the public and, upon permission from the chair, may allow public comment. MPO staff is always available to receive comments. Committee membership is shown on the following page.

People can also stay abreast of activity through the website ([www.rpcgb.org](http://www.rpcgb.org)), social media, and newsletters.

### Targeted Involvement

The MPO is required to develop and adopt documents to direct local transportation planning. As each document is developed, the public is involved in the process.

#### Unified Planning Work Program (UPWP)

The UPWP is developed annually in cooperation with state and local governments. It establishes work tasks to be conducted in the Metropolitan Planning Area (MPA) and assigns costs for performing those tasks based on allocated federal planning funds.

# MPO COMMITTEES

Transportation Citizens Committee (TCC)
<p>Consists of a maximum of 50 voting members representing:</p> <ul style="list-style-type: none"> <li>· City of Birmingham (12)</li> <li>· S/SE Jefferson County (8)</li> <li>· W/SW Jefferson County (7)</li> <li>· E/NE Jefferson County (5)</li> <li>· N/NW Jefferson County (4)</li> <li>· Shelby County (11)</li> <li>· S Blount County (1)</li> <li>· W St. Clair County (2)</li> </ul>

Transportation Technical Committee (TTC)
<p>Consists of a maximum of 43 voting members that represent:</p> <ul style="list-style-type: none"> <li>· Planners, engineers, public transportation providers, railroad, bike/ped, at-large, economic development, health, local governments, trucking, and safety</li> </ul> <p>And 6 nonvoting members from:</p> <ul style="list-style-type: none"> <li>· Birmingham Business Alliance</li> <li>· ALDOT East Central Region</li> <li>· ALDOT Local Transportation</li> <li>· FHWA</li> <li>· FTA</li> <li>· ADEM Air Division</li> </ul>

Advisory Committee
<p>Is a subset of and sets the agenda for the Policy Committee; consists of 18 voting members that represent:</p> <ul style="list-style-type: none"> <li>· City of Birmingham (3)</li> <li>· Jefferson County (6)</li> <li>· City of Hoover (1)</li> <li>· Shelby County (3)</li> <li>· St. Clair County (1)</li> <li>· Blount County (1)</li> <li>· ALDOT, East Central Region (1)</li> <li>· Birmingham-Jefferson County Transit Authority (1)</li> <li>· Blount County Public Transportation (1)</li> <li>· St. Clair County Public Transportation (1)</li> </ul> <p>And 2 nonvoting members:</p> <ul style="list-style-type: none"> <li>· ALDOT East Central Region</li> <li>· FHWA</li> </ul>

Policy Committee
<p>Consists of 44 voting members that represent:</p> <ul style="list-style-type: none"> <li>· City of Birmingham (9)</li> <li>· Jefferson County (18)</li> <li>· City of Hoover (2)</li> <li>· Shelby County (8)</li> <li>· St. Clair County (2)</li> <li>· Blount County (1)</li> <li>· ALDOT, East Central Region (1)</li> <li>· Birmingham-Jefferson County Transit Authority (1)</li> <li>· Blount County Public Transportation (1)</li> <li>· St. Clair County Public Transportation (1)</li> </ul> <p>And 3 nonvoting members:</p> <ul style="list-style-type: none"> <li>· Joint Legislative Committee</li> <li>· ALDOT Local Transportation</li> <li>· FHWA</li> </ul>

### Air Quality Conformity Determination Report

The Air Quality Conformity Determination report demonstrates that emissions from travel on the MPA transportation system are within acceptable standards for air quality. This report supports the 25-year Regional Transportation Plan and the 4-year Transportation Improvement Program, a list of projects approved for funding based on fiscal constraints.

### Regional Transportation Plan (RTP)

The RTP is a long-range plan that forecasts transportation conditions and provides guidance for making improvements to maintain adequate mobility and accommodate growth. The plan is developed through a comprehensive analysis of highway, public transit, bicycle, pedestrian, and freight movement needs. It is financially constrained (based on revenue forecasts) and serves as the foundation for establishing the Transportation Improvement Program.

### Transportation Improvement Program (TIP)

This four-year plan is a subset of the RTP that assigns available funding to multimodal transportation projects in the MPA for which federal funds are anticipated. Only projects included in the approved TIP can receive federal funding.

The Air Quality Determination Report, RTP, and TIP are developed by gathering comments and opinions regarding need and future development.

### Public Involvement Plan (PIP)

The PIP outlines a proactive public involvement process that supports and encourages early and continuous opportunities for the public to express its views on transportation issues and to become active participants in the transportation decision-making process.

## Methods for Involvement

There are significant benefits to looking at multiple methods to share and distribute information and obtain feedback. No single method is a solution by itself. This multichannel approach helps to reach members of the public that may and may not usually participate.

### Face-to-Face

Face-to-face involvement offers the highest level of dialogue, using various methods used to engage participants.

### Community Meetings

A community meeting can be formatted in many ways and may or may not include a formal presentation, breakout groups, and interactive exercises.

### Open House

An open house is like a community meeting but has a drop-in format, so people can attend according to what is convenient for their schedule. These meetings can be held as a formal, standalone event, or more casually as a pop-up event in a public location or as part of another event.

### Presentations

One benefit of public involvement is educating the community, so they are better equipped to get involved in the process. Creating standard presentations allows staff to easily plug into existing social networks, such as civic groups, religious organizations, advocacy groups, etc.

### Stakeholder Groups

Stakeholder groups can be established around a variety of variables such as business, key issue interests, demographics, etc. Stakeholder groups are especially useful in ensuring that feedback is gathered from people who may be most affected and/or less likely to participate in traditional public involvement methods. These smaller groups are typically informal and provide a higher comfort level for those who dislike large group settings. It also allows staff to ask specific questions and get specific opinions.

### Technology

Technology is a powerful tool for public engagement. It can help change the participation mix for local decision-making. It provides a platform for large-scale citizen review, feedback, and dialogue, and can be conducted through up-to-the-minute news, posts, data, images, etc.

### Social Media

Community members of all ages and backgrounds use social media tools to connect regarding issues they care about. Engagement across various social media platforms increases the diversity of the audience reached.

### Website

The MPO website ([www.rpcgb.org](http://www.rpcgb.org)) is “home base” for organizing information and involving residents. It allows people to access information at their convenience and includes opportunities for feedback through links for surveys, email, etc. Special projects have their own website for more specific information and comments.

### Newsletters

The RPCGB publishes *Roundabouts*, an electronic newsletter that is widely distributed and contains general news, information about projects, upcoming projects, grants, changes in local, state, and federal regulations, and opportunities for involvement. It includes contact information for questions or comments.

### Video Conference

Meetings may include video conferencing when practicable.

### Surveys

Surveys are another way to receive feedback and opinions. They are typically offered online, but paper surveys are also offered at public meetings.





## Procedures for Involvement

Public involvement is a critical portion of the planning process. Procedures used for each subject area are identified below.

### MPO Committees

As mentioned previously, there are four standing committees of the MPO.

Transportation Citizens Committee

Meets the 3<sup>rd</sup> Wednesday of the month at noon

Transportation Technical Committee

Meets the 4<sup>th</sup> Wednesday of the month at 10:00 am

MPO Advisory Committee

Meets the 4<sup>th</sup> Thursday of the month at 1:30 pm

MPO Policy Committee

Meets the 2<sup>nd</sup> Wednesday of the month after the Advisory Committee meeting at 1:30 pm

The Citizens, Technical, and Advisory committees inform the Policy Committee, which is responsible for final decision-making and approval of transportation plans and programs.

MPO Committees	
ACTION	TIMEFRAME
Meeting Notice, Agenda, and Minutes of previous meeting distributed to committee members	At least 10 days prior to meeting
Meeting Notice and Agenda published on RPCGB website and distributed to local media, interested individuals, and representatives of low-income, minority, disabled, and elderly population groups	At least 10 days prior to meeting
Individuals needing special accommodations to notify the RPCGB for special arrangements	At least 3 days prior to meeting
Meeting minutes posted on RPCGB website after committee approval	Within one week after approval

## Public Involvement Meetings

For long-range planning documents that direct project development, public meetings are held to engage a wide audience in information sharing and discussion.

Public Involvement Meetings	
ACTION	TIMEFRAME
Meeting Notice published on RPCGB website and posted at RPCGB offices	At least 10 days prior to meeting
Meeting Notice distributed to committee members, local media, libraries, interested individuals, representatives of low-income, minority, disabled, and elderly population groups, and all parties in MPO database	At least 10 days prior to meeting
Individuals needing special accommodations must notify the RPCGB for arrangements	At least 3 days prior to meeting
Documentation available for review on RPCGB website	At least 1 day prior to meeting
Make presentation with visualizations of important details and draft documentation available for review. MPO staff is available to answer questions.	Day of Meeting
Written comments are encouraged at in-person public meetings and electronically via link on RPCGB website	21 days after meeting date
	Exceptions: 45 days for PIP 60 days for TMA certification
Draft report of public involvement activities, including outreach, record of attendance, copies of materials displayed/distributed, record of comments and responses.	10 days prior to first committee meeting
Policy Committee vote on document(s)	First meeting after public meeting and end of comment period
Approved documents published on RPCGB website	Within one week after approval

## **Measures of Involvement**

Pursuant to 23 CFR §450.316(1), the chart on the following page lists the goals of public involvement, the strategies used to achieve those goals, and the desired outcome.

All meetings will be held in locations that are ADA accessible. Anyone needing an interpreter should notify the MPO at least three days in advance of a meeting so accommodations can be arranged. The Limited English Proficiency Plan is included in the Appendix hereto.

## GOALS, STRATEGIES, AND OUTCOMES OF PUBLIC INVOLVEMENT

Goals	GOAL 1: Have an open planning process that encourages early and continued public participation	GOAL 2: Provide complete and timely notice of meetings using a variety of methods	GOAL 3: Present complete and timely information and documentation	GOAL 4: Encourage public comment and provide appropriate responses	GOAL 5: Make efforts to reach individuals of low-income, minority, disabled, and elderly populations	DESIRED OUTCOMES
Strategies	<b>Strategy 1: Maintain MPO Committees</b>					<b>Quorum to conduct business</b>
	✓					
	<b>Strategy 2: Meetings open to the public and provide the public opportunity to participate in the process</b>					<b>Non-member attendees</b>
	✓			✓	✓	
	<b>Strategy 3: Provide meeting notice and agenda at least 10 days prior to meeting date</b>					<b>Adequate advance notice of meetings</b>
	✓	✓	✓		✓	
	<b>Strategy 4: Send meeting notices to representatives of underserved and sensitive population groups<sup>1</sup></b>					<b>Regular update of mailing list</b>
	✓	✓	✓	✓	✓	
	<b>Strategy 5: Consider inquiries and comments; provide written response when necessary</b>					<b>Publish comments and responses</b>
	✓			✓	✓	
	<b>Strategy 6: Make documentation available for public review and comment</b>					<b>Post documents on website</b>
	✓	✓	✓	✓	✓	
	<b>Strategy 7: Provide clear, easy to understand, and accessible presentations, plans, and documents</b>					<b>Logical documents</b>
	✓		✓		✓	

<sup>1</sup> Includes, but is not limited to, minority, low-income, limited English proficiency, disabled, and elderly persons

## Updates and Amendments

Plan updates and TIP amendments are subject to the following schedule and public involvement process.

DOCUMENT	SCHEDULE	PROCESS
Unified Planning Work Program	Annually	MPO Committees
Air Quality Conformity Determination Report	Every 4 years	Public Involvement
Regional Transportation Plan	Every 4 years	Public Involvement
Transportation Improvement Program	Every 4 years	Public Involvement
Amendments to Transportation Improvement Program	Ongoing; as needed	MPO Committees
Public Involvement Plan	Every 5 years	Public Involvement

### TIP Amendments

The TIP maintains year-to-year fiscal constraints for each of the four plan years. As such, revisions must account for the year funds are expended and must be consistent with the RTP. Changes to the TIP may take one of two forms:

#### Administrative Modification

An administrative modification is a minor revision to the TIP requiring minimal changes to a project, less than a 20% increase in project costs, negligible changes to funding sources of previously included projects, and inconsequential changes to initiation dates. Administrative modifications are conducted through coordination between the MPO and ALDOT and require no official action by the MPO committees. These modifications do not require re-demonstration of fiscal constraint, a conformity determination, or public review and comment.

#### Amendment

An amendment is a substantive change to the TIP. ALDOT has documented the differences between a formal amendment and an administrative modification. A formal amendment is a change that meets one of the following conditions:

- Affects air quality conformity regardless of the cost of the project or the funding source
- Adds a new project or deletes a project or project phase that utilizes federal funds, exceeds the thresholds listed below, and excludes federally-funded statewide program projects

- Adds a new project phase, increases a current project phase, deletes a project phase, moves a project or project phase outside the window of the TIP, or decreases a current project phase that utilizes federal funds when the revision exceeds:
  - \$5 million for ALDOT federally-funded projects
  - \$750,000 for the county highway and bridge program
- Involves a change in the scope of work to a project or project phase that:
  - Results in an air quality conformity reevaluation
  - Results in a change in the scope of work on any federally-funded project that is significant enough to essentially constitute a new project

These thresholds pertain to projects funded with ALDOT-controlled federal funding. The MPO has established a different threshold for the MPO's attributable funding. The threshold for an increase from attributable funds that would require a formal amendment is 20% of the previously approved project phase cost.

## APPENDIX A

### FEDERAL REGULATIONS

Public involvement is determined, in part, by federal rules and regulations. All MPOs must develop a plan for providing reasonable opportunities to be involved in the metropolitan transportation planning process. The following is a summary of federal legislation that directs public involvement matters.

Title 23 United States Code (USC) 134 and 135 establishes planning policy, defines MPO organizational structure, and delineates MPO and state responsibilities in the transportation planning process.

23 Code of Federal Regulations (CFR) 450 provides specific requirements and actions for MPOs and state Departments of Transportation to develop public involvement procedures.

Infrastructure Investment and Jobs Act (Pub. L. 117-58), signed into law on November 15, 2021, is the most recent transportation bill.

Title VI of the Civil Rights Act of 1964 prohibits exclusion from participation in any federal program on the basis of race, color, or national origin.

23 USC 324 prohibits discrimination on the basis of sexual orientation, adding to the landmark significance of 2000d.

Americans With Disabilities Act of 1990 prohibits discrimination on the basis of a disability, specifically in terms of access to the transportation planning process.

Clean Air Act is aimed at reducing smog and air pollution. The 1990 amendment established the State Implementation Plan (SIP), under which states are obligated to notify the public of plans for pollutant control and allow opportunities for input into the process.

Executive Order 12898, often called “Environmental Justice,” requires federal agencies to identify “disproportionately high and adverse human and health environmental effects of its programs

on minority populations and low-income populations” and prohibits actions that would adversely affect a disproportionately high number of people among these populations.

Executive Order 13166 was issued to improve access to federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency.



## APPENDIX B

### FY 2022 LIMITED ENGLISH PROFICIENCY PLAN

The purpose of this plan is to document how the Birmingham Metropolitan Planning Organization integrates people with Limited English Proficiency (LEP) into the transportation planning process. LEP is defined as a person who does not speak English as their primary language and has a limited ability to read, speak, write, or understand English.

This Plan is required by Executive Order 13166, *Improving Access to Service for Persons with Limited English Proficiency*, signed on August 11, 2000. The Order requires recipients of federal aid to ensure accessibility to programs and services for eligible persons who have limited proficiency in the English language. In addition, LEP services are a vital component of compliance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin.

#### FOUR-FACTOR ANALYSIS

Recipients of federal transportation funding are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons, using the following four factors:

#### **Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by MPO**

LEP population is defined as the sum of all individuals who speak a language other than English and speak English less than very well ([www.lep.gov/source-and-methodology](http://www.lep.gov/source-and-methodology)). Data was acquired from the 2019 American Community Survey (ACS) 5-year estimates for the Birmingham Metropolitan Planning Area (MPA).

#### LEP POPULATION IN BIRMINGHAM MPA

Description	Total	Percent
Population age 5 and over	861,828	
LEP Persons	21,126	2.45%
LEP Persons Speaking:		
Spanish	14,449	1.68%
Indo-European	2,144	0.25%
Asian and Pacific Island	3,868	0.45%
Other	665	0.08%

Although the percentage of LEP persons in the MPA is not significant enough to trigger a responsibility to provide services in languages other than English, the MPO is committed to the principles of nondiscrimination and inclusion and will provide an interpreter when notice is given at least three days in advance of a meeting.

**Factor 2: The frequency with which LEP persons come into contact with the programs**

The size of the LEP population is small and Spanish is the most common language spoken. Staff is most likely to encounter LEP individuals through office visits, phone calls, public meetings, and committee meetings. The MPO has had no requests for interpreters or translated program documents. Future interaction is unpredictable. All meeting notices include information about how to request special accommodations.

**Factor 3: The nature and importance of the program, activity, or service provided**

The MPO is responsible for the coordination of the transportation planning process and determines in cooperation with the Alabama Department of Transportation (ALDOT) what projects are funded with available resources. It does not provide direct services. It does not provide direct services. The Birmingham MPO is committed to ensuring all segments of the population have the opportunity to be involved in the transportation planning process. Special efforts are made to involve traditionally underrepresented populations in the planning process. There is no large geographic concentration of LEP individuals in the MPA; 98% speak English fluently.

**Factor 4: The resources available to the MPO and the costs of LEP services**

The Birmingham MPA has local resources that can be used for providing translation assistance, in oral and written form, should the need arise. The MPO also has adequate funding to provide for these services.

**LANGUAGE ASSISTANCE MEASURES**

A person who does not speak English as their primary language and has a limited ability to read, write, speak, or understand English may be entitled to language assistance to participate in the transportation planning process. Language assistance can include oral or written interpretation. The MPO will arrange and pay for these services when interpretation or translation is requested.

**MONITORING**

MPO will update the LEP Plan as required. At a minimum, the plan will be reviewed when the following has occurred:

- Staff has encountered an increased number of LEP person contacts
- Decennial census
- The need for translation services has changed
- New laws or rules
- LEP-related complaints have been received

**ACCESSIBILITY**

This plan will be posted and available for viewing and download on the recipient website at:

[www.rpcgb.org/nondiscrimination-and-accessibility](http://www.rpcgb.org/nondiscrimination-and-accessibility)



## **APPENDIX C**

### **Title VI Notice to the Public, Complaint Procedures and Complaint Form**





## **TITLE VI NOTICE TO THE PUBLIC**

### **Regional Planning Commission of Greater Birmingham**

The Regional Planning Commission of Greater Birmingham (RPCGB) operates its programs and services without regard to race, color, and/or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he/she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the RPCGB.

For more information on the RPCGB's civil rights program and the procedures to file a complaint:

- See [www.rpcgb.org/nondiscrimination-and-accessibility](http://www.rpcgb.org/nondiscrimination-and-accessibility)
- Contact Laurel Land, Title VI Coordinator, at 205-264-8473 or [lland@rpcgb.org](mailto:lland@rpcgb.org)
- Visit the RPCGB at Two 20<sup>th</sup> St N, Suite 1200, Birmingham, AL 35203

A complaint may also be filed directly with the Federal Transit Administration at the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Ave SE, Washington, DC 20590.

If information is needed in another language, please contact Laurel Land at 205-264-8473 or [lland@rpcgb.org](mailto:lland@rpcgb.org).

This Notice is posted on the RPCGB's website at: [www.rpcgb.org/nondiscrimination-and-accessibility](http://www.rpcgb.org/nondiscrimination-and-accessibility) and on the bulletin board at the entrance of the RPCGB offices at Two 20<sup>th</sup> St N, Ste 1200, Birmingham, AL 35203.





## TITLE VI COMPLAINT PROCEDURES

The complaint process provides aggrieved individuals a way to bring forth claims of discrimination regarding programs, activities, and services administered by the Regional Planning Commission of Greater Birmingham (RPCGB) or its subrecipients and funded through federal agencies, in accordance with Title VI of the Civil Rights Act of 1964, as amended.

Title VI §2000d states, “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” Under Title VI, intentional discrimination, as well as disparate impact discrimination (i.e., neutral policy or practice that has a disparate impact on protected groups), is barred.

This process does not preclude staff of the RPCGB from attempting to informally resolve complaints. Intimidation or retaliation of any kind is prohibited by law. This process does not deny the right of a complainant to file formal complaints with other federal agencies or to seek private counsel for complaints alleging discrimination.

### Filing a Complaint

Any person who believes that he/she has been subjected to discrimination based on race, color, or national origin, or who believes he/she has been retaliated against because of filing a complaint of discrimination may file a written complaint.

A complaint must be submitted in writing and must be filed no later than 180 days after:

1. The date of alleged act of discrimination
2. The date when the person became aware of the alleged discrimination, or
3. Where there has been a continuing course of conduct, the date on which that conduct was discontinued, or the latest instance of the conduct.

Complaint forms are available at: [www.rpcgb.org/nondiscrimination-and-accessibility](http://www.rpcgb.org/nondiscrimination-and-accessibility) or by contacting Laurel Land, Title VI Coordinator, at 205-264-8473 or email to [lland@rpcgb.org](mailto:lland@rpcgb.org). Signed complaint forms must be returned via email to: [lland@rpcgb.org](mailto:lland@rpcgb.org) or sent to:

Laurel Land  
Regional Planning Commission of Greater Birmingham  
Two 20<sup>th</sup> St N, Ste 1200  
Birmingham, AL 35203

Upon request, reasonable accommodations will be made for persons who are unable to complete the complaint form due to disability or limited English proficiency. A complaint may also be filed by a representative on behalf of a complainant.

### Process

Within 10 days of receipt, the RPCGB will determine the validity and completeness of a complaint. If it is determined that the complaint warrants an investigation, the RPCGB will send a notice to the complainant by certified mail acknowledging the written complaint and advising of his/her rights under Title VI.

RPCGB will investigate and collect all available information to reach the most informed conclusion and resolution of the complaint.

- RPCGB may contact the complainant for more information to resolve the case
- The complainant has 15 days from the date of the letter to send requested information to the investigator.
- The RPCGB will investigate the allegations and issue a decision within 60 days of the date of receipt of a valid complaint

### **Notice of Determination**

The RPCGB will notify complainant, in writing via certified mail, of the result of the investigation. If the complainant wishes to appeal the decision, he/she has 15 days after the date of the notice of determination to do so. The notification will also include appeal rights.

### **Dismissal**

RPCGB will issue dismissal of a complaint for the following reasons:

1. Complaint was filed untimely
2. Complaint does not allege a basis covered by statutory authority
3. Complaint does not allege harm with regard to covered programs or statutes
4. Complainant requests withdrawal of the complaint
5. Complainant fails to respond to requests for information needed to process complaint or perform investigation
6. Complainant cannot be located after reasonable attempts
7. Complainant fails to accept a reasonable resolution (as determined by the appropriate federal agency)
8. Complainant has filed legal action with the same basis and issues involved in the complaint
9. Same complaint allegations were filed with another federal, state, or local agency

The complaint may be resubmitted provided it has not been more than 180 days since the date of the alleged discriminatory action.

The RPCGB will maintain a record of Title VI investigations, complaints, and lawsuits filed against it. To date, the RPCGB has not had a Title VI investigation, complaint, or lawsuit.



## TITLE VI COMPLAINT FORM

<b>PROFILE</b>			
Name:			
Address:			
Telephone:		Email:	
<b>REPRESENTATION</b>			
Are you filing this complaint on your own behalf?	Yes	No	
If Yes, proceed to the next section			
If No, provide the name and relationship of the person for whom you are complaining			
Name:		Relationship:	
Please explain why you are filing for a third party			
Have you obtained permission from the aggrieved party to file a complaint on their behalf?	Yes	No	
<b>COMPLAINT</b>			
Indicate the basis of your complaint	Race	Color	National Origin
Date of alleged discrimination (month, day, year):			
Describe the alleged discrimination and how other persons or groups were treated differently.			

<b>WITNESS 1</b>			
Name:			
Address:			
Telephone:		Email:	
<b>WITNESS 2</b>			
Name:			
Address:			
Telephone:		Email:	
<b>ACTIONS</b>			
What actions have been taken to attempt to resolve this complaint?			
Have you filed this complaint with another federal, state, or local agency or court?	Yes	No	
If yes, please indicate:			
Date filed:		Name of Agency/Court:	
Outcome, if any:			
Have you ever filed a Civil Rights complaint prior to this one?	Yes	No	
If yes, please indicate:			
Date filed:		Name of Agency/Court:	
Basis of Complaint:			
Outcome:			
How would you like to see this complaint resolved?			

**RELEASE OF INFORMATION**

In the course of an investigation, it will likely be necessary for the MPO to reveal your identity to persons at the organization or institution under investigation. The MPO also has an obligation to honor requests under the Freedom of Information Act. Complainants are protected from retaliation for action or participating in action to secure rights protected by nondiscrimination statues and regulations which are enforced by the Federal Highway Administration (FHWA) of the U.S. Department of Transportation.

**Check one:**

**I CONSENT** and authorize the Regional Planning Commission of Greater Birmingham (RPCGB), as part of its investigation, to reveal my identity to persons at the organization, business, or institution which has been identified by me in my formal complaint of discrimination, as well as to external agencies authorized to receive complaints. I also authorize the RPCGB to discuss, receive, and review materials and information about me with appropriate administrators or witnesses for the purpose of investigating this complaint. In doing so, I have read and understand the information at the beginning of this form. I also understand that the material and information received will be used for authorized civil rights compliance activities only. I further understand that I am not required to authorize this release and do so voluntarily.

**I DENY CONSENT** to have the Regional Planning Commission of Greater Birmingham (RPCGB) reveal my identity to persons at the organization, business, or institution under Investigation or to external agencies authorized to receive complaints. I also deny consent to have the RPCGB disclose any information contained in the complaint with any witnesses I have mentioned in the complaint. In doing so, I understand that I am not authorizing RPCGB to discuss, receive, or review any materials and information about me from the same. In doing so, I have read and understand the information at the beginning of this form. I further understand that my decision to deny consent may impede this investigation and may result in an unsuccessful resolution of my case.

NOTE: Please attach written materials or other information that may be relevant to your complaint.

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date

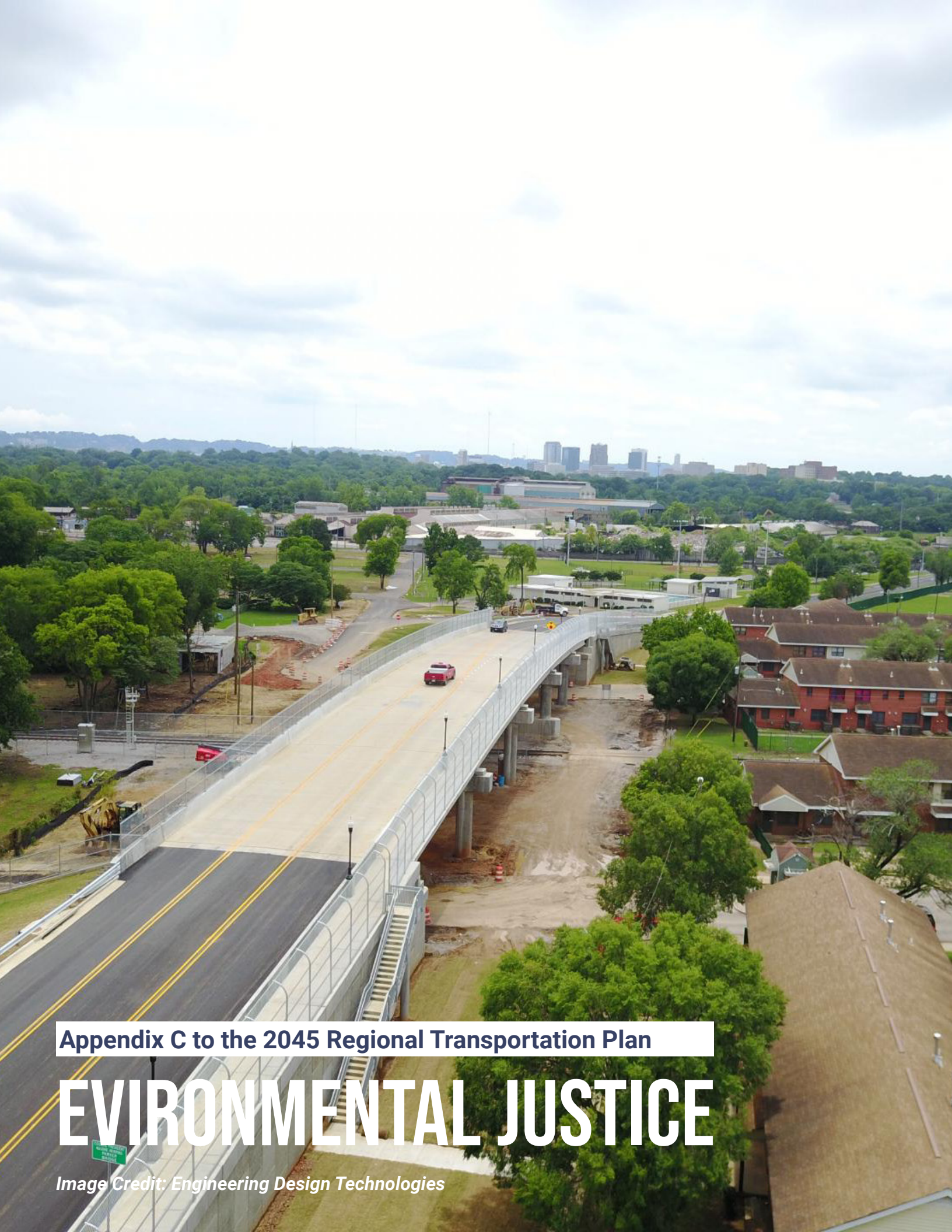


# **APPENDIX D**

## **Environmental Justice Report**







Appendix C to the 2045 Regional Transportation Plan

# ENVIRONMENTAL JUSTICE

Image Credit: Engineering Design Technologies

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### In this appendix:

- Explanation of environmental justice and its relationship to transportation planning
- Equity emphasis areas (EEAs)
- Capacity project impacts in EEAs
- Public participation process
- Public complaint process

## INTRODUCTION

The Birmingham Metropolitan Planning Organization (MPO) represents Jefferson and Shelby counties, and a portion of Blount and St. Clair counties. It is a recipient of federal and state funding for carrying out urban transportation planning for the designated Metropolitan Planning Area (MPA).

Since the 1990s, an emphasis on environmental justice has been an integral part of the transportation planning process for urban regions in the United States. The concept of environmental justice is derived from TITLE VI of the Civil Rights Act of 1964 and other civil rights statutes. It was first put forth as a national policy goal by Executive Order 12898, issued by President William Clinton in 1994. It directs “each federal agency to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations.”

Environmental Justice (EJ) is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies.

To address Executive Order 12898 - Environmental Justice in Minority Populations and Low-Income Populations, the U.S. Department of Transportation (USDOT) responded to the directive with an Order in 1997. The order laid out the following EJ principles to be integrated into federal transportation programs, policies, and activities.

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations

## PURPOSE

The primary purpose of EJ reporting is to carry out the mandate of Executive Order 12898. Properly implemented, EJ principles and procedures improve all levels of transportation decision-making. Implementing EJ principles allows the Birmingham MPO to:

- Identify EJ areas in the metropolitan planning area (MPA) by utilizing census data and mapping technology of Geographic Information Systems (GIS)
- Overlay transportation projects using GIS and determine which projects impact EJ areas
- Determine potential impacts and recommended action items for areas affected by future transportation projects

# TRANSPORTATION DECISION-MAKING

MPOs serve as the primary forum where state DOTs, transit providers, local agencies, and the public develop local transportation plans and programs that address an MPA's needs. MPOs help local public officials understand how EJ requirements improve planning and decision-making.

To certify compliance with and address EJ, MPOs need to:

- Enhance analytical capabilities to ensure that the long-range transportation plan and Transportation Improvement Program (TIP) documents compliance.
- Identify residential, employment, and transportation patterns of low-income and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be distributed fairly.
- Evaluate and, where necessary, improve the public involvement process to eliminate participation barriers and engage minority and low-income populations in transportation decision-making.

## EQUITY EMPHASIS AREAS (EEAS)

The primary task of EJ analysis is identifying concentrations of disadvantaged populations. Those in low income and racial minority groups have the most propensity to receive the harm of environmental injustice. Accordingly, low-income and minority populations are the groups used to identify Equity Emphasis Areas (EEAs).

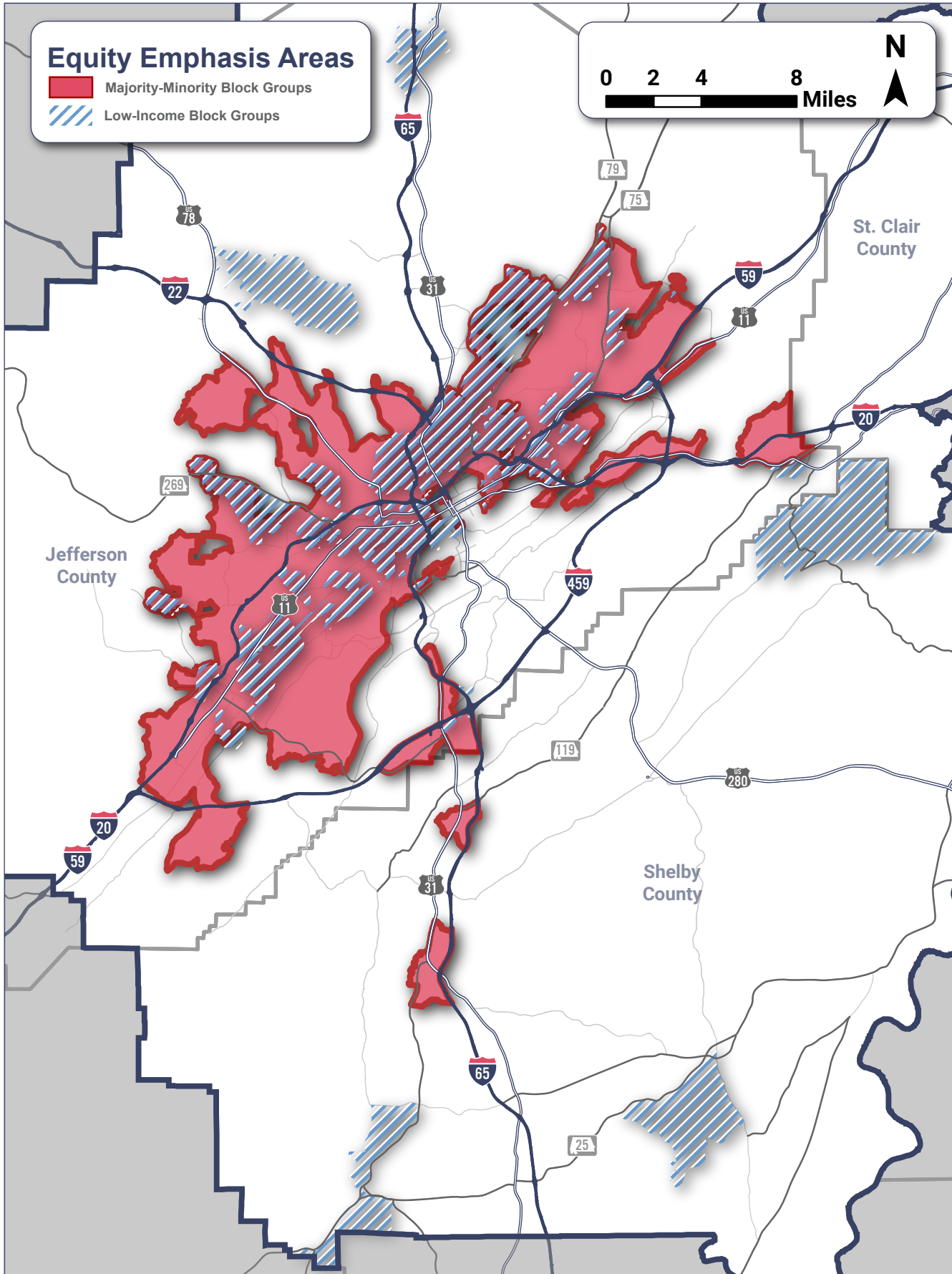
EEAs are census block groups within the MPA having a nonwhite population greater than 50% of the total population or block groups where the estimated median household income is less than \$30,630. This figure represents the amount equal to 150 percent of the poverty status for a family of 3. (Poverty guidelines were published by the U.S. Department of Health and Human Services in the Federal Register on January 31, 2017.) Data were derived from the 2017 American Community Survey 5-year estimates.

In short, equitability is determined by the benefits and burdens being fairly distributed between EEAs and the rest of the region. One way to test equitability is travel time to work. As shown in **Table C.1**, when travel time to work is less than 30 minutes, people in the EEAs have a longer commute than those in other areas. This may be directly affected by the availability and use of transit (see **Table C.2** and **Figure C.2**), bikeability, and walkability in Jefferson County. Notably, more people in non-EEAs have a travel time to work of greater than 30 minutes.

**Table C.1: Travel Time to Work**

Area	<15 Minutes	15-29 Minutes	30-44 Minutes	45-59 Minutes	60> Minutes
<b>Blount Non-EEA</b>	9.2%	17.6%	33.0%	27.1%	13.1%
<b>Jefferson EEA</b>	20.9%	47.3%	22.5%	5.2%	4.1%
<b>Jefferson Non-EEA</b>	23.0%	42.9%	23.8%	6.6%	3.6%
<b>Shelby EEA</b>	31.0%	28.5%	23.8%	11.7%	4.9%
<b>Shelby Non-EEA</b>	19.5%	34.3%	27.9%	11.0%	7.4%
<b>St. Clair Non-EEA</b>	14.7%	29.7%	33.3%	14.7%	7.5%

Figure C.1: Equity Emphasis Areas (EEAs)



Source: RPCGB

**Table C.2: Means of Transportation to Work**

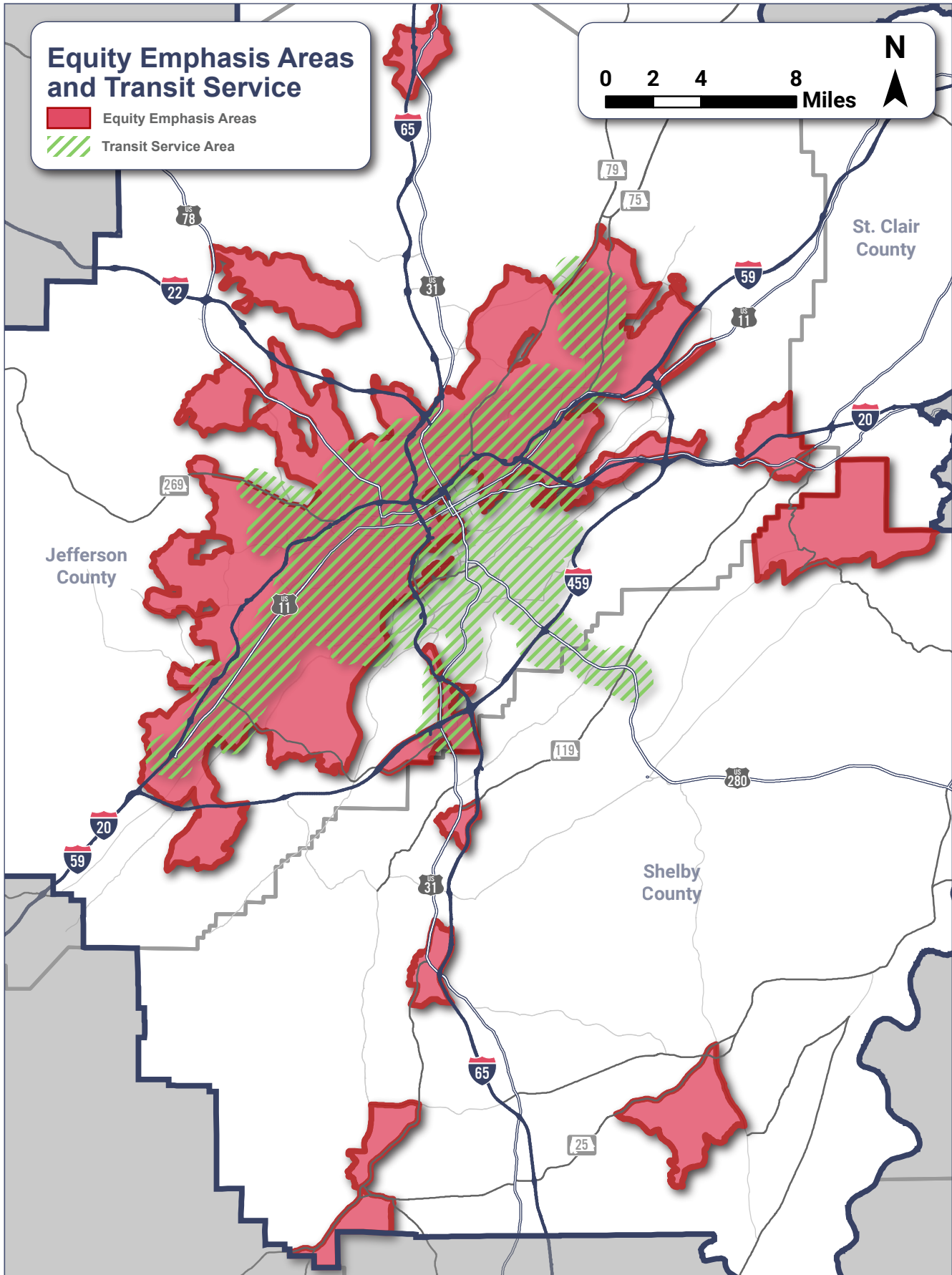
	Car, Truck, Van, or Motorcycle	Public Transport	Bike or Walk	Taxi or Other	Work at Home
<b>Blount Non-EEA</b>	96.4%	0.3%	0.1%	1.4%	2.9%
<b>Jefferson EEA</b>	93.5%	1.8%	1.9%	1.1%	1.7%
<b>Jefferson Non-EEA</b>	94.2%	0.2%	1.2%	0.6%	3.8%
<b>Shelby EEA</b>	89.2%	0.0%	6.2%	2.9%	1.6%
<b>Shelby Non-EEA</b>	93.9%	0.1%	0.5%	0.4%	5.1%
<b>St. Clair Non-EEA</b>	95.3%	0.1%	1.7%	0.8%	3.1%

The primary purpose of the RTP is to provide a vision for satisfying existing and anticipated demands on the transportation system in the Birmingham MPA. Given the area's growth in population and employment, the RTP is a necessary tool for addressing transportation needs. The plan provides a balanced, financially feasible set of transportation improvements to facilitate the movement of people and goods by all modes of transportation. The improvements identified in the RTP, as well as in its associated functional plans, are intended to help alleviate traffic congestion, provide more transportation choices, improve transportation system operations, and meet the region's air quality goals through the future 25-year planning period.

**Figure C.3** shows the non-exempt capacity projects affecting EEAs. **Table C.3** identifies the benefit/burden for projects in or abutting an EEA. **Table C.4** summarizes the impacts of those projects in EEAs.

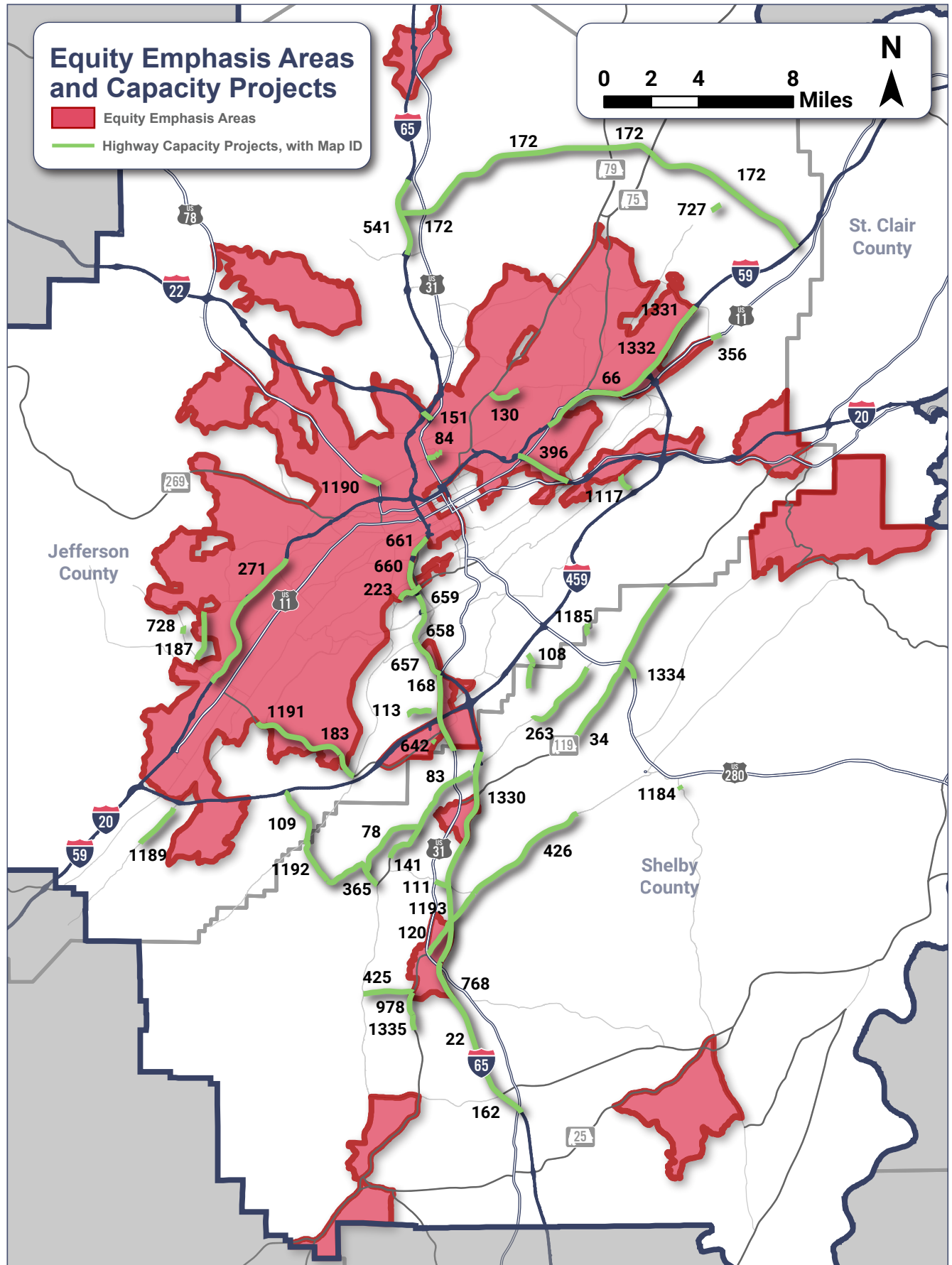


Figure C.2: Equity Emphasis Areas with Transit Service



Source: RPCGB

Figure C.3: Equity Emphasis Areas with Capacity Projects



Source: National Wetlands Inventory and FEMA



**Table C.3: Capacity Projects in Equity Emphasis Areas**

Map ID	Route	Sponsor	Type of Work	Project Description	Benefit/Burden
22	I-65	ALDOT	Additional Roadway Lanes	I-65 add lanes from 0.2 mile south of CR-87 (Exit 234) to SR-3 (US-31) Exit 238 North (8-Ln) (Phase 3)	Will reduce congestion and improve mobility for all including EJ population
66	I-59	ALDOT	Additional Roadway Lanes	I-59 from Mile Post 132.16 @ 1st Ave N to Mile Post 137.19 @ I-459 (4 to 6 Lanes)	Will reduce congestion and improve mobility for all including EJ population
84	Finley Avenue	Birmingham	New Roadways	Finley Ave Extension from SR-3 (US-31:26Th Street) to Shuttlesworth Dr continuing to SR-79	Will improve both pedestrian and vehicular mobility and job access
120	Shelby CR-11	Shelby County	Additional Roadway Lanes	Shelby CR-11 from I-65 to CR 52, widen from 2 to 5 lanes	Will reduce congestion and improve mobility for all including EJ population
130	Tarrant-Huffman Road	Jefferson County	Additional Roadway Lanes	Jefferson County Topics - Tarrant-Huffman Rd (Phase 9)	Will improve mobility of local residents as well as EJ population
151	I-22	ALDOT	New Roadways	I-22 from East of I-65 to US-31	Will connect the I-22 corridor directly to US-31 thereby improving access and travel time
168	US-31	ALDOT	Additional Roadway Lanes	Widen US-31 from Riverchase Pkwy to I-459	Will reduce congestion and improve mobility for all including EJ population
183	SR-150	ALDOT	Additional Roadway Lanes	From MP 4.3 West of Parkwood Rd to Shades Crest Rd (Phase 2)	Will reduce congestion and improve mobility for all including EJ population
271	I-59	ALDOT	Additional Roadway Lanes	18th/19th Street to Valley Rd	Will reduce congestion and improve mobility for all including EJ population
396	I-20	ALDOT	Additional Roadway Lanes	From I-59 to Montevallo Rd (Exit 132B) - Additional lanes and Interchange Modification at I-59	Will reduce congestion and improve mobility for all including EJ population
425	Shelby CR-26	Shelby County	Additional Roadway Lanes	CR-26 (Kent Dairy Rd) from CR-17 To SR-119 (Montevallo Rd), widen from 2 to 5 lanes	Will reduce congestion and improve mobility for all including EJ population
642	Galleria Boulevard	Jefferson County	New Roadways	Galleria Blvd Extension from South Lorna Rd to SR 150	Will improve both pedestrian and vehicular mobility and job access
660	I-65	ALDOT	Additional Roadway Lanes	I-65 Auxiliary lanes from Oxmoor Rd to Greensprings Ave	Will reduce congestion and improve mobility for all including EJ population

Map ID	Route	Sponsor	Type of Work	Project Description	Benefit/Burden
661	I-65	ALDOT	Additional Roadway Lanes	I-65 Auxiliary lanes from Greensprings Ave to University Blvd	Will reduce congestion and improve mobility for all including EJ population
768	I-65	ALDOT	Bridge Widening	Bridge widening on I-65 South of SR-3 (US-31) in Alabaster	Will reduce congestion and improve mobility for all including EJ population
978	SR-119	Alabaster	Additional Roadway Lanes	Add lanes on SR-119 from Butler Rd to CR-26 (Fulton Springs Rd)	Will reduce congestion and improve mobility for all including EJ population
1117	Grants Mill Road	Jefferson County	Additional Roadway Lanes	Grants Mill Road from Old Leeds Rd to Grantswood Rd	Will reduce congestion and improve mobility for all including EJ population
1187	Brooklane Drive	Hueytown	Additional Roadway Lanes	Brooklane Dr. from Allison Bonnett to 19th St/ Hueytown Rd	Will improve both pedestrian and vehicular mobility and job access
1190	US-78	ALDOT	Additional Roadway Lanes	SR-5 (US-78) Add lanes from Finley Blvd to Pratt Hwy (2nd St) (Phase 2)	Will improve both pedestrian and vehicular mobility and job access
1191	SR-150	ALDOT	Additional Roadway Lanes	SR-150 from Morgan Rd at Bessemer to MP 4.3 W of Parkwood Rd (Phase I)	Will reduce congestion and improve mobility for all including EJ population
1193	I-65	ALDOT	Additional Roadway Lanes	I-65 Add lanes from SR-3 (US-31) Exit 238 North to CR-52 Exit 242 (8-Ln) (Phase 2)	Will reduce congestion and improve mobility for all including EJ population
1330	I-65	ALDOT	Additional Roadway Lanes	I-65 Add lanes (Restripe) from Cahaba River Bridges to CR-52 Exit 242 (8-lane)	Will reduce congestion and improve mobility for all including EJ population
1331	I-59	ALDOT	Additional Roadway Lanes	I-59 Add lanes from I-459 to Chalkville Rd (widen to 8 lanes)	Will reduce congestion and improve mobility for all commuters including EJ population

**Table C.4: Summary of Capacity Project Impacts in Equity Emphasis Areas**

	<b>Full Capacity List</b>	<b>In EEAs</b>	<b>Percentage</b>
<b>Number of Projects</b>	52	23	44.2%
<b>Total Miles</b>	136.41	57.87	42.4%
<b>Total Cost</b>	\$2,366,023,544.51	\$558,907,614.86	23.6%

## PLANNING PROCESS

The Birmingham MPO is the designated group of local elected officials responsible for the development of transportation plans. The MPO serves as the primary forum where the Alabama Department of Transportation (ALDOT), transit providers, local agencies, and the public develop local transportation plans and programs to address the needs of the metropolitan area.

The MPO has developed processes that are continually being enhanced to assess the impacts of its transportation planning process on the target populations. These processes include developing criteria for identifying EJ populations and developing analytical tools capable of assessing the impact distribution for all communities served by the MPO. The MPO realizes that it cannot fully meet the needs of communities without the full participation and representation from local citizens and community groups. Effective public involvement techniques not only provide transportation officials with insight from local citizens, but it also alerts them to potential concerns during the planning stages, before project development begins. The MPO recognizes that effective public involvement procedures must be inclusive, representative and provide for equal opportunity from all members of the community, including those from EJ populations.

The MPO has identified EEAs and will ensure proper integration into the transportation planning and project development processes. One technique used to identify protected populations is to create demographic profile maps of low-income and minority populations for the project area. These maps aid planners in understanding and identifying communities that would require special attention. Once planners know where these communities are located, they can be targeted for inclusion in the planning process.

The MPO utilizes a layered GIS-based approach that relies on socioeconomic and transportation-related data at the census block group level to identify impacted populations and community assets (neighborhood associations, churches, landmarks, etc.). The community assets are overlaid on the demographics and income data.

At the start of a planning process, transportation officials must determine whether EEAs are affected. EJ principles are recognized as an important part of the planning process and are considered in the development of both the Regional Transportation Plan (RTP) and the TIP. Both plans follow a detailed Public Participation Plan (PPP). The PPP process is a key component in addressing EJ issues and ensuring full participation by all residents.

The MPO's transportation planning efforts include providing commuters in the MPA with mode choices. Modal options include driving, public transit, cycling, walking, ridesharing and on-demand transportation (e.g., taxi, Uber, Lyft) to serve the needs of every segment of the population, including those who are physically disabled and transportation disadvantaged.

The decision for the mode of choice is in the hands of travelers, but their decisions are affected by services provided. The MPO's transportation program is divided into several areas that deal with congestion, air quality, highway solutions, and the promotion of commuter services, such as ridesharing. Cooperation with other local and federal transportation organizations is a prerequisite for the Birmingham-Jefferson County Transit Authority (BJCTA) in undertaking transit planning and special studies. The BJCTA participates in regional transportation planning by working closely with the MPO in developing the RTP and TIP. The BJCTA is a member of the MPO's Transportation Technical Committee.

When developing the RTP and the TIP, the MPO consults with agencies and officials within the MPA that are affected by transportation (e.g., state and local planned growth, economic development, environmental protection, airport operations, or freight movements) and coordinates, to the maximum extent practicable, with planning activities. Consultation includes available conservation plans or maps and inventories of natural or historic resources.

## PUBLIC PARTICIPATION PLAN

The public has a role in every phase of transportation decision-making. Public involvement is a process by which transportation agencies actively seek out comments and suggestions on transportation projects from all members of the public. It is an extremely vital part of the metropolitan planning process, not only because it is a federal mandate, but also because it results in good transportation decision-making. The PPP is designed to provide the public with an opportunity to participate in, review and comment on transportation programs, policies and procedures.

For the transportation community, involving the public in planning and project development poses a major challenge. Many people are skeptical about whether they can truly influence the outcome of a transportation project. Others believe that transportation plans, at the statewide or metropolitan level, are too abstract and long-term to warrant attention. However, public involvement is a two-way street. In order to participate effectively in transportation project development and planning, citizens need avenues to get information from a transportation agency as well as ways to give information back to the agency. Citizens are necessary to the transportation decision-making process, because when residents are directly involved, new points of view, ideas, and a community perspective are considered, thereby giving decisions more legitimacy. The overall process should convince citizens that active involvement is worthwhile; their input has a direct and meaningful impact on decisions. The MPO PPP seeks out and considers population groups that are traditionally neglected.

The goal of the MPO is to include the public at the earliest stages possible. The MPO has designed a series of meetings with the Transportation Citizens Committee and the Transportation Technical Committee to further educate participants on the transportation process. Prior to each traditional public involvement meeting, information is provided to each community in a timely manner to ensure full participation and attendance from interested citizens. Before the meeting, announcements are posted detailing the time, location and agenda. All documents to be reviewed at the public involvement meeting are made available to the public in electronic and hard copy. At the meeting, various tools such as maps, surveys, handouts, PowerPoint presentations, comment/question cards, and other references are employed to provide attendees with as much information as possible. At the conclusion of each meeting, all comments/questions given by participants are noted and documented by the RPCGB in the meeting minutes.

Barriers to successful public involvement may include, but are not limited to:

- Meeting time and location
- Literacy in various languages
- Mobility
- A citizen's belief in the ability to impact decision making

To overcome barriers to full participation from all citizens, the MPO has offered many different approaches to inform citizens about special events related to transportation projects, policies or programs.

The MPO uses several outreach methods to involve the public in the transportation planning process, including word of mouth, such as public meetings, presentations to civic, community, and business groups, involvement in various local committees, and one-on-one contact. Outreach also includes direct mail,

press releases to print, radio, and television, and the Internet. A calendar of events for all public meetings is posted on [www.rpcgb.org](http://www.rpcgb.org) and is available for public access 24 hours a day. To encourage feedback, the MPO provides a survey form to all participants of public meetings.

The public involvement mailing list is comprised of a variety of categories used to identify individuals and organizations for informing about upcoming meetings and events. The categories include ethnic/minority, neglected, low-income and social service organizations. Information is also distributed to the public through community-based groups, faith-based organizations, libraries, public housing authorities, etc. Announcements are posted in local newspapers. Draft documents are made available to the public at each public involvement meeting and via the RPCGB website.

The MPO developed a Limited English Proficiency (LEP) plan based on Title VI requirements. The LEP plan details how the MPO will work with people who want to be involved in the transportation planning process but possess limited proficiency in the English language. The LEP plan was developed and included in the Public Participation Plan adopted April 2014. The plan also includes a process for filing a complaint, if a person feels there has been discrimination.

### **Complaint Process**

A signed, written complaint may be filed through the Alabama Department of Transportation (ALDOT) 180 days to the date of the alleged discrimination. The complaint should include:

- Your name, address and telephone number
- The name and address of the agency, institution, or department you believe discriminated against you.
- How, why and when you believe you were discriminated against. Include as much specific detailed information as possible about the alleged acts of discrimination and any other relevant information.
- The names of any persons, if known, who the ALDOT Title VI Division could contact for clarity of your allegations.

Complaint must be signed, dated and submitted to:

**Alabama Department of Transportation  
Personnel & Compliance Bureau  
Attention: Cornell L. Tatum, Sr.  
1409 Coliseum Boulevard, Room N-101  
Montgomery, AL 36110**

**Telephone: (334) 242-6943  
Fax: (334) 263-7568  
Toll Free: 1-800-869-3291**

A copy must be submitted to:

**Compliance Officer  
RPC of Greater Birmingham  
2 North 20th Street, Suite 1200  
Birmingham, AL 35203**

Complaint procedures and forms are available at [www.rpcgb.org](http://www.rpcgb.org).



# **APPENDIX E**

## **Minutes of Meeting Approving Title VI Plan**







Board Meeting Minutes  
August 17, 2022

**MEMBERS PRESENT**

Honorable Valerie Abbott, City of Birmingham  
Ms. Eunice Rogers, City of Birmingham, Chair  
Mr. Chester Jolly, City of Warrior, Vice-Chair  
Mr. Jeff Downes, City of Vestavia Hills, Secretary  
Honorable Theoangelo Perkins, Town of Harpersville, Treasurer  
Honorable Robbie Hayes, Shelby County  
Mr. Chad Scroggins, Shelby County  
Honorable Jim Borden, Walker County  
Mr. Andy Alexander, City of Oneonta  
Ms. Sylvia Singleton, Chilton County  
Mr. Brian Muenger, City of Pell City  
Honorable James D. Stewart, City of Irondale

**MEMBERS REPRESENTED BY ALTERNATES**

Honorable Joe Knight, Jefferson County  
Mr. Zach Brooks, Jefferson County

**MEMBERS ABSENT**

Honorable Tommy Bowers, St. Clair County  
Honorable Chris Green, Blount County  
Honorable Ken Gulley, City of Bessemer  
Honorable Eddie Reed, Town of Jemison  
Honorable Jimmie Stephens, Jefferson County  
Honorable Frank Brocato, City of Hoover  
Honorable Patrick McClusky, City of Homewood  
Honorable Sheila Tyson, Jefferson County  
Honorable Wayman Newton, City of Tarrant  
Honorable Brian Puckett, City of Helena  
Honorable Jon Graham, City of Calera  
Honorable Gary Richardson, City of Midfield

**OTHERS PRESENT**

Mr. Brian O'Dell, RPCGB  
Mr. Ray Morris, RPCGB

Ms. Ricki Hall, RPCGB  
Ms. Laurel Land, RPCGB  
Mr. Michael Kaczorowski, RPCGB  
Ms. Tracy Cooper, RPCGB  
Ms. Allison McGuire, RPCGB

### **CALL TO ORDER AND ROLL CALL**

Chairman Rogers called the meeting to order at 10:30 a.m. A quorum was declared by the Chairman.

### **MINUTES**

Minutes from February 16, 2022 stand as written.

### **FINANCE COMMITTEE**

Mr. Brian O'Dell presented the financial reports ending June 30, 2022.

#### **Dues**

The Committee reviewed the Dues Status report for FY2022. A comparison chart was distributed indicating dues collected as of July 31, 2022. 77-member governments have paid \$683,880 during FY 2022 compared to 75-member governments paying \$597,660 for the same period last year (FY2021).

#### **Statement of Net Assets**

Mr. O'Dell presented the Statement of Net Assets Report. The current ratio is 4.24 (A) and the quick ratio is 3.71 (B). Total Current Assets are \$5,335,080 (C), Unbilled Receivables are \$667,243 (D), Total Current Liabilities are \$1,259,720(E), Receivables are \$608,795 (F), Accounts Payable are \$543,684 (G), Deferred Revenues are \$487,491 (H). Mr. O'Dell added that overall, this is a great snapshot of where RPC is at and reflects that we have been operating the organization at a high level for many years.

#### **Budget Summary**

Mr. O'Dell presented the Budget Summary Report. Total Expenditure Variances are \$4,717,052 (J), Salaries/Fringe/Indirect Variances are \$24,880 (K), and Direct Costs and Contract Variances are \$4,692,172 (L). Mr. O'Dell stated that in column J all the projects, except for two, are operating within budget. The two line items, EDA and CARES Act Funding, that are currently over budget is due to timing and we expect those numbers be close to zero at year end. This report is in great shape and indicates how we are doing this year on the programs and the funding sources we have available.

**PROGRAM BUDGET COMMITTEE**

**FY2023 Budget**

Mr. Brian O'Dell presented the FY2023 Budget. Mr. O'Dell explained a few things that we take into consideration when developing the budget. We look at where we are spending 80% of the money and see if there are opportunities there to make significant improvements in the way we are doing things. The personnel cost is one of the most significant expenses that we have. That expense gets a lot of management attention, and we feel it is where it needs to be. The other area of expense that is very large is the rent. RPC is obligated by the terms of the lease so there is not much we can do on that end. However, our lease is coming up soon and it is one of the items we have in our crosshairs of where we have an opportunity to make a significant improvement in our expense situation. Dr. Ray Morris mentioned that our current lease ends in May 2023 and that includes the 3<sup>rd</sup> floor conference room, about half of the 11<sup>th</sup> floor and all of the 12<sup>th</sup> floor. RPC has determined that since Covid we do not need as much office space. We are in exploration now to eliminate the 11<sup>th</sup> floor and the 3<sup>rd</sup> floor conference room and combine everyone on the 12<sup>th</sup> floor. That will save approximately \$150,000 per year in rental expenses. We are still in the negotiation phase now. Dr. Morris added that we have been very happy with the management of the building and the landlord. That cost savings is not reflected in the FY2023 budget that is being presented. We have some time to make budget modifications, etc, once we get the pricing back.

Mr. O'Dell added that the funding sources in the budget are very similar to the previous budget and there were only two major changes. One being the Cares Act funding is out and the other being Brownfields funding is in. We also had an increase in the Medicaid Waiver E&D program due to client increase and inflation calculations.

Mr. Chad Scroggins moved and Mr. Jeff Downes seconded to adopt the FY2023 Budget as presented. Motion passed on a voice vote.

**Retirement Cost of Living Adjustment – COLA**

Dr. Ray Morris explained that we have a Model Resolution included in the packet for a \$11,908 payment to the Retirement Systems of Alabama for the Cost of Living Adjustment that the legislature authorized for retirees. This will give our retirees a \$2 per month/per year of service cost of living adjustment. This will be a one-time bump, so it is very affordable for RPC to manage. Dr. Morris added that this item is already added into the FY2023 Budget that was presented.

Mr. Jeff Downes moved and Mr. Brian Muenger seconded to adopt the Retirement Cost of Living Adjustment as presented. Motion passed on a voice vote.

**Heart of Alabama Rural Planning Organization (HARPO) Planning Work Program**

Ms. Laurel Land presented the Heart of Alabama Rural Planning Organization (HARPO) Planning Work Program. This Program identifies the work that we will be doing in the rural areas of Blount, Chilton, St. Clair and Walker Counties. RPC helps in these rural communities on projects such as feasibility studies, visioning projects, etc. ALDOT has approved for RPC to help each area advertise their state plans rather than them trying to reach everyone.

Mr. Michael Kaczorowski added that the funding for this project is only \$78,875. RPC plans on doing safety studies this year. We will be looking at crash data to help these counties go after safety funds to do some implementation.

Mr. Brian Muenger moved and Mr. Jeff Downes seconded to adopt the HARPO Planning Work Program as presented. Motion passed on a voice vote.

**Revised Title VI Plan**

Ms. Laurel Land presented the Revised Title VI Plan. The Title VI Plan was a requirement when RPC became a direct recipient of Federal Transit Administration funds. This revision is an update to the plan we already have with updated data. This Plan includes Public Involvement Plan, Limited English Proficiency Plan, and the Environmental Justice document. RPC has already completed the Public Involvement Plan along with the Limited English Proficiency Plan and approved those earlier in the year. Those are included in the appendix of the document. The complaint procedure and forms have also been updated. The Environmental Justice piece will be updated when we do the RTP next year. That should complete everything the Federal Transit Administration need from us to continue operating as a direct recipient.

Commissioner Robbie Hayes moved and Mayor Theoanglo Perkins seconded to adopt the Revised Title VI Plan as presented. Motion passed on a voice vote.

**OTHER**

There being no further business, the meeting adjourned at 10:55 a.m.