

Public Participation Policy and Public Involvement in the
Transportation Planning Process
Goldsboro Urban Area

Prepared for:
GOLDSBORO METROPOLITAN PLANNING ORGANIZATION (MPO)
Transportation Advisory Committee (TAC)
Transportation Coordinating Committee (TCC)

Prepared by:
City of Goldsboro Planning Department



Amended:

February 9th, 2012

PUBLIC INVOLVEMENT IN THE PLANNING PROCESS
GOLDSBORO URBAN AREA

Study Area Profile and the Planning Process

The City of Goldsboro, Village of Walnut Creek, County of Wayne, Town of Pikeville, and the North Carolina Department of Transportation in cooperation with the various administrations within the U.S. Department of Transportation, participate in a continuing transportation planning process in the Goldsboro Urban Area as required by Section 134 (a), Title 23, United States Code.

The United States Department of Transportation, through the Federal Highway Administration (FHWA) requires:

“...each urbanized area, as a condition to the receipt of Federal capital or operating assistance, has a continuing, cooperative and comprehensive transportation planning process that results in plans and programs consistent with the comprehensive planned development of the urbanized area”

These federal regulations require that a single agency responsible for the implementation of the urban transportation planning process in each urban area. This agency is designated as the Metropolitan Planning Organization (MPO) for the urban area. In the Goldsboro Urbanized Area this function is filled by the Transportation Advisory Committee (TAC) and is advised by the Technical Coordinating Committee (TCC). The TAC members are elected officials appointed by their board or council to serve as the city’s representative. The TCC are members of the individual cities’ staffs that review the technical aspects of planning – particularly highway planning.

The Technical Coordinating Committee is made up of representatives from the following:

- Wayne County Chamber of Commerce
- Wayne County Economic Development Representative
- GATEWAY Transportation System Representative
- Goldsboro-Wayne Airport Authority
- Seymour Johnson Air Force Base
- NCDOT Division 4 Office (Project Manager and Division Engineer)
- Village of Walnut Creek
- Town of Pikeville
- City of Goldsboro (MPO Coordinator)
- County of Wayne (County Manager and Planning Director)
- NCDOT District 3 Office (District Engineer and Assistant District Engineer)
- NCDOT Public Transportation Division
- Eastern Carolina Rural Planning Organization
- Federal Highway Administration
- NCDOT Transportation Planning Branch

The Transportation Advisory Committee is made up of the following voting members:

- Goldsboro City Council (2 Representatives and 1 Alternate)
- Wayne County Board of Commissioners (1 Representative and 1 Alternate)
- Village of Walnut Creek (1 Representative)
- Town of Pikeville Board of Commissioners (1 Representative and 1 Alternate)
- Board of Transportation Representative

Goldsboro/Wayne County Public Transportation Authority
Federal Highway Administration
NCDOT Regional Traffic Support Engineer
NCDOT Division 4 Engineer
NCDOT District 3 Engineer
NCDOT Transportation Planning Branch Engineer
City of Goldsboro MPO Coordinator

Among its various functions, the TAC ensures that a continuing, cooperative and comprehensive (3C) planning process exists in the urban area. They are to provide policy direction for the planning process, and to improve communications and coordination between the several Policy Boards.

Executive Orders 12898 Environmental Justice (EJ) and 13166 Limited English Proficiency (LEP) requires Federal Agencies to ensure their programs/services benefit and do not unjustly burden certain populations, and that public involvement (meaningful access, full and fair participation, etc) is a requirement. These Federal orders exist to create the requirement and to direct recipients of financial assistance to conduct some form of public involvement. Since the TAC is a Board of Elected Officials making public policy, it follows that public input is appropriate and there appears to be great latitude for the local area to develop a meaningful method for involving the citizenry which includes those viewpoints of minority, low income and LEP populations.

Transportation Agency & Citizen Involvement

Citizen participation is an important element of the transportation planning process and is achieved by making study documents and information available to the public and by actively seeking citizen participation during the planning process. Involvement is sought through such techniques as goals and objective surveys, neighborhood forums, drop-in centers, workshops, seminars, and public hearings. The TAC plays an important role in ensuring the involvement of the citizens in the planning process. They are the community leaders most involved with transportation planning. They must also be the guiding force in the involvement of the citizens.

The task of educating the public is ongoing. It is the responsibility of the MPO and the local planning staff to educate the community. General information concerning road projects, demographic changes, new or proposed thoroughfares must be given to the community on a routine basis so that it is not a surprise later.

Public Notification of Meetings

The Goldsboro MPO Technical Coordinating Committee and Transportation Advisory Committee meet on a quarterly basis and as the need arises. Notices for such meetings are submitted to the City Clerk for the City of Goldsboro in order to allow for dissemination to various entities including the Goldsboro News-Argus, WGBR Radio WFMC Radio, WTVD Television (Wilson and Durham), WRAL Television, WITN Television, and News Channel 14. Notices of all meetings are given and disseminated at least twenty-four hours in advance.

All such meetings are open to the public and, upon request; comments from the public may be made at the discretion of the Chairman. Any such comments will be recorded and included as part of the official meeting minutes. If a response to comments is requested or required, such responses shall be issued in writing to the appropriate party within ten (10) working days of the meeting.

Other Public Notification

In the case of surveys or workshops to be held, in addition to the above notifications, the City of Goldsboro will publish a non-legal advertisement in the local newspaper (Goldsboro News-Argus) at least ten (10) days in advance of the survey or workshop date.

Press Releases

When appropriate, the Goldsboro Urban Area MPO may periodically issue press releases detailing significant actions. All press releases will be approved by the Chairman of the TAC prior to issuance.

Assurance of Environmental Justice through Participation by Low-Income and Minority Households

The staff will work closely with the City of Goldsboro Community Development Department and GATEWAY (Goldsboro Area Transportation Express of Wayne County) to ensure that those traditionally underserved by existing transportation systems (low-income and minority households) are included within the public participation process through distribution of notices and general information regarding the transportation planning process. The Goldsboro MPO will use the data resource of the U.S. Census Bureau's American Community Survey (ACS) to track the well-being of children, families, and the elderly; determine where to site new transportation systems and other facilities; and evaluate transportation investments for the ability to meet local needs as well as to assess potential impacts.

Adoption of New Documents or Major Amendments to Documents

When new transportation-related documents or major amendments to transportation documents are proposed, such amendment will be made available for public review and comment for a period of at least 30 days prior to adoption. An advertisement will be placed in the local newspaper (Goldsboro News-Argus) indicating that such documents are available for review and indicating the location of such documents for examination. In addition, notice of the meeting date, location and time for consideration of the documents will be given.

In the specific case of proposed amendments to the TIP as they relate to the Goldsboro-Wayne Transportation Authority and the Goldsboro MPO, a legal advertisement will be placed in the local newspaper and advertised at least once, thirty (30) days prior to the meeting. The legal advertisement will indicate that this notification will satisfy the Program of Projects notification for the Goldsboro-Wayne Transportation Authority and the Goldsboro MPO.

If comments are submitted, they will be incorporated into the document for consideration prior to adoption. If the document considered for adoption differs significantly from the original document due to comments or revisions, another 30 day comment period will be scheduled through advertisement in the local newspaper (Goldsboro News-Argus).

Title VI Notice to Public

U.S. Department of Justice regulations, 28 Code of Federal Regulations, Section 42.405, Public Dissemination of Title VI Information, require recipients of Federal financial assistance to publish or broadcast program information in the news media. Advertisements must state that the program is an equal opportunity program and/or indicate that Federal law prohibits discrimination. Additionally, reasonable steps shall be taken to publish information in languages understood by the population eligible to be served or likely to be directly affected by transportation projects.

The City of Goldsboro acting as Lead Planning Agency for the Goldsboro Urban Area hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 *Federal Actions to Address*

Environmental Justice in Minority Populations and Low-Income Populations, Executive Order 13166 *Improving Access to Services for Persons with Limited English Proficiency*, and related nondiscrimination statutes and regulations in all programs and services. It is the City's policy that no person in the United States of America shall, on the grounds of race, color, national origin, sex, age, or disabilities be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program, activities, or services for which Goldsboro Urban Area MPO receives Federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with Goldsboro Urban Area MPO. Any such complaint must be in writing or in person with the Goldsboro Urban Area MPO Title VI Officer within one hundred eighty (180) days following the date of the alleged discrimination occurrence. Title VI Discrimination Complaint forms may be obtained from the Title VI Compliance Officer at no cost by calling 919-580-4327.

For more information regarding civil rights complaints, please contact:

Title VI Compliance Officer
Goldsboro Urban Area MPO
Post Office Drawer A
Goldsboro, NC 27533
919-580-4327

TÍTULO VI COMUNICACIÓN PÚBLICA

El Departamento de Justicia de regulaciones de EU, Código 28 de Regulaciones Federales, Sección 42.405, Difusión Pública del Título VI de la información, exigen que el beneficiario de la ayuda financiera del gobierno federal publique o difunda la información del programa a los medios de comunicación. Los anuncios deben indicar que el programa es un programa de igualdad de oportunidades y / o indicar que la ley federal prohíbe la discriminación. Además, deben tomarse pasos razonables para publicar la información en los idiomas de la población a la cual servirán, o que puedan ser directamente afectadas por los proyectos de transporte.

La ciudad de Goldsboro, actuando como organismo de planificación para el area urbana de Goldsboro notifica públicamente que es política del Departamento asegurar el pleno cumplimiento del Título VI del Acta de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987, la Orden Ejecutiva 12898 Dirección Federal de Acciones para la Justicia Ambiental en Poblaciones minoritarias y poblaciones de bajos ingresos, la Orden Ejecutiva 13166 Mejorar el acceso a los Servicios para Personas con Inglés Limitado, y de los estatutos y reglamentos relacionados con la no discriminación en todos los programas y servicios. La ciudad está comprometido a ofrecer oportunidades de participación significativa en sus programas, servicios y actividades a las minorías, poblaciones de bajos recursos y personas que no dominan bien el idioma Inglés. Además, reconocemos la necesidad de evaluar el potencial de impactos a estos grupos a través del proceso de toma de decisiones, así como la obligación de evitar, minimizar y mitigar impactos adversos en los que son desproporcionadamente altos. Es política del Departamento que ninguna persona en los Estados Unidos, por motivos de raza, color, sexo, edad, nivel de ingresos, origen nacional o discapacidad sea excluido de la participación en, sea negado los beneficios de, o sea de otra manera sujeto a discriminación bajo cualquier programa, actividades o servicios para los que área urbana de Goldsboro MPO recibe asistencia financiera federal.

Cualquier persona que crea haber sido maltratada por una práctica discriminatoria ilegal en virtud del Título VI tiene derecho a presentar una queja formal con área urbana de Goldsboro MPO. Cualquier queja debe ser por escrito o en persona con oficial de título VI del area urbano de Goldsboro MPO, dentro de los ciento ochenta (180) días siguientes a la fecha en que ocurrió la supuesta discriminación. Los formatos de quejas por discriminación del Título VI pueden obtenerse en Oficina de cumplimiento del título VI sin costo alguno o llamando al **919-580-4327**.

Para obtener más información acerca de las quejas de los derechos civiles, póngase en contacto con:

Título VI Oficial de cumplimiento
área urbana de Goldsboro MPO
Post Office Drawer A
Goldsboro, NC 27533
919-580-4327

Title VI Policy Statement

It is the policy of the Goldsboro Urban Area Metropolitan Planning Organization to ensure that no person shall, on the ground of race, color, sex, age, national origin, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other related non-discrimination Civil Rights laws and authorities.



Chuck Allen, Chairperson
Transportation Advisory Committee
Goldsboro Urban Area MPO

Date

2/9/2012

For more information contact:

Title VI Compliance Office
Goldsboro Urban Area MPO
P.O. Drawer A
Goldsboro, NC 27533
919-580-4327
jcollins@ci.goldsboro.nc.us

Título VI Declaración de Política

Es política del la organización de planificación Metropolitana del área urbana de garantizar que ninguna persona, por motivos de raza, color, sexo, edad, origen nacional, o discapacidad, sea excluido de participar en, sea negado los beneficios de, o ser sujeto de otra manera a discriminación bajo cualquier programa o actividad a lo dispuesto en el Título VI del Acta de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987, y cualquier otra relacionada con la no discriminación, derecho civil y las autoridades.



Chuck Allen, Presidente
Comité Consultivo de transporte
área urbana de Goldsboro MPO



Fecha

Para más información contactar:
Oficina de cumplimiento del título VI
área urbana de Goldsboro MPO
P.O. Drawer A
Goldsboro, NC 27533
919-580-4327
jcollins@ci.goldsboro.nc.us

Standard DOT Title VI Assurances

The Goldsboro Urban Area Metropolitan Planning Organization (hereinafter referred to as the “Recipient”) HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the US Department of Transportation and the North Carolina Department of Transportation it will comply with the Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation. Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, age, national origin or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal-Aid Highway Program:

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

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

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal-Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal-Aid Highway program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest

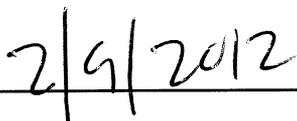
therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient Department of Transportation under the Federal-Aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal-Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.



Chuck Allen, Chairperson
Transportation Advisory Committee
Goldsboro Urban Area MPO



Date

APPENDIX A

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

(1) **Compliance with Regulations:** The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, age, sex, color, disability, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative nondiscrimination on grounds of race, color, or national origin.

(4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Goldsboro Urban Area Metropolitan Planning Organization, North Carolina Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the Goldsboro Urban Area Metropolitan Planning Organization, North Carolina Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Goldsboro Urban Area Metropolitan Planning Organization or North Carolina Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b) cancellation, termination or suspension of the contract, in whole or in part.

(6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraph (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Goldsboro Urban Area Metropolitan Planning Organization, North Carolina Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Goldsboro Urban Area Metropolitan Planning Organization to enter into such litigation to protect the interests of the Goldsboro Urban Area Metropolitan Planning Organization, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

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

(GRANTING CLAUSE)

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

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto state of North Carolina and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the state of North Carolina, its successors and assigns.

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

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits or similar instruments entered into by the Goldsboro Urban Area Metropolitan Planning Organization pursuant to the provisions of Assurance 6(a).

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

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

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

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Goldsboro Urban Area Metropolitan Planning Organization pursuant to the provisions of Assurance 6(b).

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

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

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

DISCRIMINATION COMPLAINT PROCESS

INTRODUCTION

The complaint procedures outlined herein apply to the Goldsboro Urban Area Metropolitan Planning Organization (MPO) and other primary recipients and sub-recipients of Federal financial assistance. These procedures cover discrimination complaints filed under Title VI of the Civil Rights Act of 1964, Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, and other nondiscrimination authorities relating to any program, services, or activities administered by the Goldsboro Urban Area MPO and its sub-recipients, consultants, and contractors.

Goldsboro Urban Area MPO will make every effort to obtain early resolution of complaints at the lowest level possible. Complaints of alleged discrimination will be investigated by the appropriate authority.

PURPOSE

The purpose of the discrimination complaint procedures is to describe the process used by the Goldsboro Urban Area MPO for processing complaints under Title VI of the Civil Rights Act of 1964, related statutes and authorities.

FILING OF COMPLAINTS

1. **Applicability** – The complaint procedures apply to the beneficiaries of the Goldsboro Urban Area MPO's programs, activities, and services, including but not limited to the public, contractors, subcontractors, consultants, and other sub-recipients of federal and state funds.
2. **Eligibility** – Any person or class of persons who believes that he/she has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities, based upon race, color, sex, age, national origin, or disability may file a written complaint with Goldsboro Urban Area MPO Title VI Compliance Officer. The law prohibits intimidation or retaliation of any sort. The complaint may be filed by the affected individual or a representative and must be in writing.
3. **Time Limits and Filing Options** – A complaint must be filed no later than 180 calendar days after the following:
 - The date of the alleged act of discrimination; or
 - The date when the person(s) became aware of the alleged discrimination; or
 - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

Title VI complaints may be submitted to the following entities:

- **Goldsboro Urban Area MPO**, Title VI Compliance Officer, P.O. Drawer A, Goldsboro, NC 27533-9701; 919-580-4327
- **North Carolina Department of Transportation**, Office of Civil Rights, Title VI/EO Contract Compliance Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
- **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070

Federal Highway Administration, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8th Floor, E81-314, Washington, DC 20590, 202-366-0693 / 366-0752

Federal Highway Administration, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010

Federal Transit Administration, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590

Federal Aviation Administration, Office of Civil Rights, 800 Independence Avenue, SW, Washington, DC 20591, 202-267-3258

➤ **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228

4. Format for Complaints – Complaints shall be in **writing** and **signed** by the complainant(s) or a representative and include the complainant’s name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing (see “Complaint Form”). Complaints will be accepted in other languages including Braille.

5. Complaint Basis – Allegations must be based on issues involving race, color, national origin, sex, age, or disability. The term “basis” refers to the complainant’s membership in a protected group category.

Protected Categories	Definition	Examples
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White
Color	Color of skin, including shade of skin within a racial group	Black, White, light brown, dark brown, etc.
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person’s accent is also covered by national origin.	Mexican, Cuban, Japanese, Vietnamese, Chinese
Sex	Gender	Women and Men
Age	Persons of any age	21 year old person
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic

INTERNAL COMPLAINT PROCESS

The following measures will be taken to resolve Title VI complaints:

1. A formal complaint must be filed within 180 days of the alleged occurrence as mentioned above. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant’s name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin, sex, disability, age), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.
2. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Goldsboro Urban Area MPO Title VI Compliance Officer. Under these circumstances, the complainant will be interviewed, and the Title VI Compliance Officer will assist the Complainant in converting the verbal allegations in writing.
3. When a complaint is received, Goldsboro Urban Area MPO Title VI Compliance Officer will provide written acknowledgment to the Complainant, within ten (10) days by registered mail.
4. If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

5. Within fifteen (15) business days from receipt of a complete complaint, Goldsboro Urban Area MPO will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Title VI Compliance Officer or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
 - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b. If the complaint is to be investigated, the notification shall state the grounds of the Goldsboro Urban Area MPO's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. When Goldsboro Urban Area MPO does not have sufficient jurisdiction, the Title VI Compliance Officer or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
7. If the complaint has investigative merit, the Title VI Compliance Officer or his/her authorized designee will assign an investigator. A complete investigation will be conducted, and an investigate report will be submitted to the Title VI Compliance Officer within sixty (60) days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the investigator will notify the appropriate authorities, and an extension will be requested.
8. The Title VI Compliance Officer or his/her authorized designee will issue letters of finding to the Complainant and Respondent within ninety (90) days from receipt of the complaint.
9. If the Complainant is dissatisfied with Goldsboro Urban Area MPO's resolution of the complaint, he/she has the right to file a complaint with the:

Office of Civil Rights
 North Carolina Department of Transportation
 1511 Mail Service Center
 Raleigh, NC 27699-1511

10. Complaints filed against the Goldsboro Urban Area MPO will be forwarded to NCDOT Office of Civil Rights for processing and investigation.

PROCESO DE QUEJAS POR DISCRIMINACIÓN

INTRODUCCIÓN

Los procedimientos de quejas presentadas en este documento se aplican al la organización de planificación Metropolitana de área urbana de Goldsboro MPO y otros destinatarios principales y los sub-receptores que reciben ayuda Federal. Estos procedimientos se aplicarán a las quejas por discriminación presentadas en virtud del Título VI del Acta de Derechos Civiles de 1964, Ley de Restauración de Derechos Civiles de 1987, la Sección 504 del Acta de Rehabilitación de 1973, y autoridades de la no discriminación en relación con cualquier otro actividades, programa, o servicios administrados por el área urbana de Goldsboro MPO y sus sub-receptores, consultores y contratistas.

área urbana de Goldsboro MPO hará todo lo posible para obtener pronta resolución de las quejas en el nivel más bajo posible de administración. Denuncias de presunta discriminación serán investigadas por las autoridades competentes. La opción de reunión(es) de mediación informal entre las partes afectadas y el personal de OCR puede ser utilizada para su resolución. Al término de cada investigación, el personal de la OCR informará a cada demandante todas las vías de recurso.

PROPÓSITO

El propósito de los procedimientos de denuncia por discriminación es describir el proceso utilizado por la área urbana de Goldsboro MPO para tramitar las quejas en virtud del Título VI del Acta de Derechos Civiles de 1964, relacionados con los estatutos y las autoridades.

PRESENTACIÓN DE QUEJAS

1. **Aplicación** – Los procedimientos de queja aplican a los beneficiarios de los programas de la área urbana de Goldsboro MPO , actividades y servicios, incluyendo pero no limitando a la opinión pública, contratistas, subcontratistas, consultores y otros sub-receptores de fondos federales y estatales.
2. **Eligibilidad** – Cualquier persona o grupo de personas que crea haber sido objeto de discriminación o represalia prohibida por alguna de las autoridades de Derechos Civiles, basada en la raza, color, sexo, edad, origen nacional o discapacidad, puede presentar una queja por escrito a la Oficina de Derechos Civiles de la área urbana de Goldsboro MPO. La ley prohíbe la intimidación o represalias de ningún tipo. La denuncia podrá ser presentada por la persona afectada o un representante y debe ser por escrito.
3. **Plazos y opciones de presentación** – La queja debe ser presentada a más tardar 180 días naturales después de lo siguiente:
 - La fecha del supuesto acto de discriminación; o
 - La fecha en que la persona(s) se dió cuenta de la supuesta discriminación; o
 - Cuando ha sido un curso continuo de conducta, la fecha en que dicho comportamiento se interrumpió o en el último ejemplo de dicha conducta.

Título VI las quejas podrán presentarse a las siguientes entidades:

- **Goldsboro Urban Area MPO**, Title VI Compliance Officer , P.O. Drawer A, Goldsboro, NC 27533-9701; 919-580-4327
- **North Carolina Department of Transportation**, Office of Civil Rights, Title VI/EO Contract Compliance Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
- **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070
 - Federal Highway Administration**, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8th Floor, E81-314, Washington, DC 20590, 202-366-0693 / 366-0752
 - Federal Highway Administration**, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010
 - Federal Transit Administration**, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590
 - Federal Aviation Administration**, Office of Civil Rights, 800 Independence Avenue, SW, Washington, DC 20591, 202-267-3258
- **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228

4. **Formato de Quejas** – Las denuncias deberán ser **por escrito y firmadas** por el denunciante (s) o un representante, e incluir el nombre del autor, dirección y número de teléfono. Las denuncias recibidas por fax o correo electrónico serán confirmadas y procesadas. Las denuncias recibidas por teléfono serán transcritas y proporcionadas al denunciante para la confirmación o su revisión antes de ser procesadas. (Se consulte). Quejas seran aceptadas en otros lenguajes, incluyendo Braille.
5. **Fundamento de la Queja**– Las denuncias deberán basarse en cuestiones relacionadas con la raza, color, origen nacional, sexo, edad o discapacidad. El término "fundamento" se refiere a la pertenencia del autor de la queja en una categoría del grupo protegido.

Grupo Protegido	Definición	Ejemplos
Raza	Un individuo perteneciente a uno de los grupos raciales aceptados; o la percepción, basada generalmente en las características físicas de que una persona es miembro de un grupo racial.	Afro Americano, Hispano/Latino, Asiático, Indio Americano/Nativo de Alaska, Nativo de Hawai/Islas del Pacífico, Blanco.
Color	Color de piel, incluyendo tono de piel dentro de un grupo racial.	Negro, blanco, moreno claro, moreno oscuro, etc.
Origen Nacional	Lugar de Nacimiento. La ciudadanía no es un factor. La discriminación basada en el idioma o acento de una persona también está cubierta por el origen nacional.	Mexicanos, cubanos, japoneses, vietnamitas, chinos.
Sexo	Género.	Mujer y hombre.
Edad	Personas de cualquier edad.	Personas de 21 años
Discapacidad	Disabilidad física o mental, permanente o temporal, o percibida.	Ciego, alcohólico, para-amputado, epilépticos, diabéticos, artríticos

Goldsboro Urban Area Metropolitan Planning Organization
DISCRIMINATION COMPLAINT FORM

Last Name:		First Name:		<input type="checkbox"/> Male	<input type="checkbox"/> Female
Mailing Address:			City	State	Zip
Home Telephone:	Work Telephone:	E-mail Address			
Identify the Category of Discrimination:					
<input type="checkbox"/> RACE	<input type="checkbox"/> COLOR	<input type="checkbox"/> NATIONAL ORIGIN	<input type="checkbox"/> AGE		
<input type="checkbox"/> RELIGION	<input type="checkbox"/> DISABILITY	<input type="checkbox"/> SEX/GENDER			
Identify the Race of the Complainant					
<input type="checkbox"/> Black	<input type="checkbox"/> White	<input type="checkbox"/> Hispanic	<input type="checkbox"/> Asian American		
<input type="checkbox"/> American Indian	<input type="checkbox"/> Alaskan Native	<input type="checkbox"/> Pacific Islander	<input type="checkbox"/> Other _____		
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.					
Names of individuals responsible for the discriminatory action(s):					
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s), if necessary).					
The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation					
Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attached additional page(s), if necessary).					
Name Address Telephone					
1.					
2.					
3.					
4.					

DISCRIMINATION COMPLAINT FORM

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Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.	
<input type="checkbox"/> US Equal Employment Opportunity Commission _____	
<input type="checkbox"/> Federal Highway Administration _____	
<input type="checkbox"/> US Department of Transportation _____	
<input type="checkbox"/> NCDOT Office of Civil Rights _____	
<input type="checkbox"/> Federal or State Court _____	
<input type="checkbox"/> Other _____	
Have you discussed the complaint with any Goldsboro Urban Area MPO representative? If yes, provide the name, position, and date of discussion.	
Please provide any additional information that you believe would assist with an investigation.	
Briefly explain what remedy, or action, are you seeking for the alleged discrimination.	
**WE CANNOT ACCEPT AN UNSIGNED COMPLAINT. PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.	
_____	_____
COMPLAINANT'S SIGNATURE	DATE
MAIL COMPLAINT FORM TO:	
GOLDSBORO URBAN AREA METROPOLITAN PLANNING ORGANIZATION TITLE VI COMPLIANCE OFFICER P.O. DRAWER A GOLDSBORO, NC 27533-9701	
or call 919-580-4327	
FOR OFFICE USE ONLY	
Date Complaint Received: _____	
Processed by: _____	
Case #: _____	
Referred to: <input type="checkbox"/> FHWA <input type="checkbox"/> NCDOT Office of Civil Rights	Date Referred: _____

Goldsboro Urban Area Metropolitan Planning Organization
FORMATO DE QUEJAS POR DISCRIMINACIÓN

Apellido:		Nombre:		<input type="checkbox"/> Hombre
				<input type="checkbox"/> Mujer
Dirección:		Ciudad	Estado	Código Postal
Teléfono de Casa:	Teléfono de Trabajo:	Dirección de correo electrónico		
Identificar la categoría de la Discriminación:				
<input type="checkbox"/> RAZA	<input type="checkbox"/> COLOR	<input type="checkbox"/> ORIGEN NACIONAL	<input type="checkbox"/> EDAD	
<input type="checkbox"/> RELIGIÓN	<input type="checkbox"/> DISCAPACIDAD	<input type="checkbox"/> SEXO/GÉNERO		
Identificar la Raza del Demandante				
<input type="checkbox"/> Afro Americano	<input type="checkbox"/> Blanco	<input type="checkbox"/> Hispano	<input type="checkbox"/> Asiático Americano	
<input type="checkbox"/> Indio Americano	<input type="checkbox"/> Nativo de Alaska	<input type="checkbox"/> Islas del Pacífico	<input type="checkbox"/> Otra _____	
Fecha y lugar de la acción discriminatoria alegada(s). Por favor, incluya la fecha más antigua de la discriminación y la fecha más reciente de la discriminación.				
Nombre de las personas responsables de la acción discriminatoria (s):				
¿Cómo fué discriminado? Describir la naturaleza de la acción, decisión, o condiciones de la supuesta discriminación. Explicar lo más claramente posible lo que ocurrió y por qué usted cree que su condición de protección (fundamento) fué un factor en la discriminación. Incluya de qué manera otras personas fueron tratadas de manera diferente a usted. (Si es necesario adjunte páginas adicional (es)).				
La ley prohíbe la intimidación o represalias contra cualquier persona porque él o ella ha tomado medidas, o ha participado activamente, para garantizar los derechos protegidos por estas leyes. Si usted siente que ha sido víctima de represalias, además de la supuesta discriminación, por favor explique las circunstancias a continuación. Explique qué medidas tomó usted que cree que fueron la causa de las supuestas represalias.				
Nombre de las personas (testigos, compañeros de trabajo, supervisores, u otros) que podemos contactar para obtener información adicional y apoyar o aclarar su queja: (Adjuntar pagina(s) adicional(es), si es necesario).				
Nombre Dirección Teléfono				
1.				
2.				
3.				
4.				

FORMATO DE QUEJAS POR DISCRIMINACIÓN

Página 2

¿Ha presentado o tiene intenciones de presentar una queja con respecto a cualquiera de las siguientes cuestiones planteadas? En caso afirmativo, indique la fecha de presentación. Marque todas las que aplican.

- US Comisión de Igualdad de Oportunidades de empleo _____
- Administración de Carreteras Federales _____
- US Departamento de Transporte _____
- NCDOT Oficina de derechos civiles _____
- Corte Federal o Estatal _____
- Otros _____

¿Ha discutido la denuncia con algún representante de Goldsboro Urban Area MPO? En caso afirmativo, indique el nombre, puesto, y fecha de la discusión.

Por favor proporcione cualquier información adicional que considere usted pueda ayudar a una investigación.

Explique brevemente qué remedio, o acción, está usted buscando debido a la supuesta discriminación.

**** NO PODEMOS ACEPTAR QUEJAS SIN FIRMAR. POR FAVOR INCLUYA SU FIRMA Y FECHA EN EL SIGUIENTE FORMATO.**

FIRMA DEL SOLICITANTE

FECHA

ENVÍE SU FORMATO DE QUEJA A:

GOLDSBORO URBAN AREA METROPOLITAN PLANNING ORGANIZATION
TITLE VI COMPLIANCE OFFICER
P.O. DRAWER A
GOLDSBORO, NC 27533-9701

FOR OFFICE USE ONLY

Date Complaint Received: _____

Processed by: _____

Case #: _____

Referred to: FHWA NCDOT Office of Civil Rights Date Referred: _____

Review of Public Participation Policy

The adopted Public Participation Policy will be reviewed on an annual basis and readopted as necessary (after a minimum of 45 days for public comment) in order to assure that the process provides full and open access to all.

This document was adopted by Transportation Advisory Committee (TAC) upon recommendation of the Technical Coordinating Committee (TCC) on this the 9th day of February, 2012.



Chuck Allen, Chairman
Transportation Advisory Committee
Goldsboro MPO

This Policy does not in any way preempt any public involvement activities conducted by the North Carolina Department of Transportation or any local governmental unit with the Goldsboro Urban Area MPO region.