

2007 UPDATE OF  
2002 PUBLIC INVOLVEMENT PLAN

*for*

Indian River County  
MPO

*Produce by MPO in cooperation with  
Florida Department of Transportation and  
Federal Highway Administration*

**2007 Update  
of 2002 Public Involvement Plan for  
Indian River County MPO**

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# 2002 Indian River County MPO Public Involvement Plan Update

## Introduction

One of the most important activities that the Indian River County MPO or any planning organization undertakes is public involvement. By involving the general public in plan development, project selection, and program development, the MPO can ensure that its activities can meet the needs and expectations of the public. To provide a framework for public involvement, the MPO developed public involvement procedures soon after the MPO was created.

In 1995, the MPO adopted its first ever Public Involvement Plan. Since that time, revised Federal and State guidance on MPO Public Involvement coupled with new techniques and technologies have prompted the Indian River County MPO to update the Public Involvement Plan. This is that update.

## Organization

**Part I** of the Public Involvement Plan Update consists of a brief summary of the **1995 Indian River County MPO Public Involvement Plan**. The 1995 Plan established a Vision for MPO public involvement in the County. The plan then identified strategies pertaining to the MPO and its Committees, MPO Projects, MPO Activities, and Distribution of Information. Those strategies were intended to realize the Vision.

**Part II** of the Public Involvement Plan Update consists of an **Evaluation** of the 1995 Plan. In Part II, the MPO summarized actions and accomplishments completed with respect to the strategies identified in the 1995 plan. Those strategies were then evaluated in terms of A) whether or not the strategy contributed to the Vision for Public Involvement in Indian River County; and B) whether or not the strategy was appropriate. Part II also contains an overall assessment of the effectiveness of MPO public outreach efforts. Consistent with revised Federal and State guidance on MPO public involvement, this evaluation forms the basis of the 2002 Public Involvement Plan Update.

**Part III** is the **2002 Public Involvement Plan Update**. The 2002 Plan Update differs from the previous plan in a number of significant ways. Most notably, the Plan Update includes a procedure for an ongoing evaluation of MPO public involvement efforts. Since an effective evaluation is not possible without some measurable target or end, objectives for effective public involvement are identified. Drawing upon the evaluation in Part II, a number of new strategies are included to enable the MPO to meet its public involvement objectives. These include using new technologies; employing effective practices of other MPOs; and incorporating suggestions from the MPO's advisory

committees and the general public. Also new to 2002 Plan is a procedure for considering and responding to public comment received.

## I. 1995 MPO PUBLIC INVOLVEMENT PLAN

Federal and state guidance on public participation and a desire to ensure that all plans and projects reflect the values of the community prompted the Indian River County MPO to develop and adopt its first ever Public Involvement Plan in 1995. The 1995 Public Involvement Plan contained a Vision Statement of what the MPO would attain through its public involvement efforts. The Vision Statement is restated here:

**Through the MPO's public involvement process, Indian River County will maintain a well informed public which feels it has opportunities to contribute meaningful input into decisions concerning the area's transportation system.**

The Plan also contained a number of strategies for public involvement that applied to the MPO and its Committees, MPO Projects, Recurring Activities, and Distribution of Information.

### **The MPO and Its Committees**

The 1995 Public Involvement Plan provided a summary of the authority, responsibilities and composition of the MPO and its advisory committees. It then identified numerous strategies for public involvement with respect to the MPO and its committees. Briefly summarized, the strategies included:

- Maintaining a CAC board that reflects the diversity of the MPO area.
- Conducting open, advertised and accessible meetings that are conducive to discussion and a diversity of opinions.
- Establishing cooperation between the various advisory committees; and
- Providing concise, understandable committee reports that are available at local libraries.

### **Projects**

The 1995 Public Involvement Plan noted that the MPO undertakes various long-term projects. Recognizing the significant opportunities for public involvement during project development, the plan contained several strategies for public involvement with respect to projects. These included:

- Presenting proposed scopes of work, interim work products and final work products at public committee meetings for public comment;
- Announcing upcoming projects via the media and innovative methods such as electronic bulletin boards and newsletters;
- Documenting public involvement activities as a component of MPO projects; and
- Presenting proposed scopes of work early to ensure coordination between the MPO and its advisory committees.

## **Recurring Activities**

The 1995 Public Involvement Plan identified several annually-recurring activities undertaken by the MPO. As examples of annually recurring activities, the plan cited development of the Transportation Improvement Program (TIP) and preparation of the Unified Planning Work Program (UPWP).

Strategies for improving public involvement during the course of annually recurring activities included:

- Actively promoting the education of the public with regard to the recurring activities of the MPO so the public is aware of opportunities to become involved;
- Making copies of draft and final products available for public review and comment;
- Coordinating public involvement activities required by recurring activities with the MPO's other public involvement activities; and
- Documenting all public participation as a component of reports.

## **Distribution of Information**

The 1995 Public Involvement Plan indicated that the MPO develops information, ranging from major plan updates to basic transportation system data, that should be provided to the public. Strategies for distributing information promptly and efficiently to the public included:

- Establishing local libraries as repositories of MPO information;
- Coordinating public involvement activities with various agencies, including environmental agencies and FDOT;
- Issuing an annual report of MPO activities;
- Involving the media in the distribution of information in a variety of ways, from the postings in the "traffic update" section of the local newspaper to publication of agendas and meeting notices; and
- Seeking innovative ways to distribute information to the public, including the use of computer bulletin boards.

## **Conclusion**

The 1995 Plan concluded with a documentation of the public involvement activities that occurred in developing the plan and regulations concerning MPO public involvement.

## II. EVALUATION OF 1995 MPO PUBLIC INVOLVEMENT PLAN

Since the adoption of the 1995 MPO Public Involvement Plan, federal and state guidance has changed to place an added emphasis on evaluation of public involvement practices and techniques. The following is a formal evaluation of the 1995 MPO public involvement plan.

### Evaluation Matrix of Plan Strategies:

For purposes of updating the 1995 Public Involvement Plan, the MPO has evaluated each of the identified strategies of the 1995 Plan. The results are contained in the attached tables. A brief summary of any actions or accomplishments completed with respect to the strategy was prepared. Individual strategies were evaluated in terms of A) whether or not the strategy contributed to the Vision for public involvement in Indian River County; and B) whether or not the strategy was appropriate.

### The Public Involvement Plan Update:

In light of the evaluation of the strategies in the 1995 Public Involvement Plan, the MPO has made a determination of whether or not to maintain each strategy. If the determination to maintain the strategy was made, the MPO then determined whether or not to revise the strategy to make it more effective.

Finally, the MPO has considered whether or not each group of strategies, taken as a whole, were effective in promoting public involvement. Where the existing strategies were judged to be ineffective, new strategies were considered. Sources of new strategies included best practices of other MPOs, new technologies, and feedback from the public.

These determinations form the basis of the Public Involvement Plan update.

### The MPO and its Committees:

STRATEGY	ACTION/ ACCOMPLISHMENT	DID THE STRATEGY CONTRIBUTE TO THE VISION FOR PUBLIC INVOLVEMENT IN THE COUNTY?		WAS THE ORIGINAL STRATEGY APPROPRIATE ?		SHOULD THE STRATEGY BE MAINTAINED, DELETED, OR REVISED?
		YES	NO	YES	NO	
The CAC will maintain its composition of members that adequately reflect the geographic, cultural, and social composition of the MPO area, and will involve those that have been traditionally under-represented in planning.	CAC membership reflects a broad cross-section of the community and was expanded to include at-large representation by the minority and disabled communities.	X		X		Revise; Clarify to indicate that the CAC is not a self-appointed board.

		<b>DID THE STRATEGY CONTRIBUTE TO THE VISION FOR PUBLIC INVOLVEMENT IN THE COUNTY?</b>		<b>WAS THE ORIGINAL STRATEGY APPROPRIATE ?</b>		
Among committee members, consensus on issues will be sought but not required.	A diversity of opinions have been expressed at committee meetings.	X		X		Revise wording to make strategy action oriented.
All MPO and advisory committee meetings will be open to the public, and public discussion and input will be sought prior to making decisions.	All meetings have been open to the public.	X		X		Revise wording to make strategy action oriented
In each staff report, the MPO will receive a committee status report listing the activities of the committees, the outcomes of any meetings, and minutes of meetings as available.	Committee Status Reports contained in 100% of all agendas.	X		X		Revise wording to make strategy action oriented.
In each staff report, the advisory committees will receive a status report listing the actions of the MPO with regard to committee recommendations. Committees will also receive MPO agendas so that members are informed of MPO activities.	MPO actions reported on 100% of committee status reports.	X		X		Revise wording to make strategy action oriented.
MPO staff will notify the media of each MPO and advisory committee meeting, as well as the items to be discussed at the meetings.	Staff has notified the media of MPO and committee meetings, and provides the media with agenda packages.	X		X		Maintain.
MPO staff will make available the minutes of MPO and advisory committee meetings for public review at local libraries and on other information systems.	Minutes sometimes made available at public libraries.	X		X		Revise; Minutes were not consistently kept on file at public libraries. Staff will improve implementation efforts; seek out new forums for distribution.
MPO staff reports written for MPO and committee review will be concise and easy to understand.	Staff reports are reviewed for clarity.	X		X		Maintain.
To involve the public in the definition of projects, staff will present proposed scopes of work at public committee meetings.	The Scopes of Work for the Long Range Plan Update and two TDP Major Updates have been presented to all committees.	X		X		Maintain.
To promote coordination, the respective chairpersons of the MPO, CAC, TAC, and BAC will meet periodically with MPO staff to discuss upcoming issues.	Chairs of the MPO and its advisory committees have met regularly. Joint meetings of the three boards have also been held to contribute to coordination opportunities.	X		X		Maintain.

**Overall Assessment -**

Since adoption of the 1995 PIP, the MPO and its committees have conducted the transportation decision making process in an open, cooperative and effective manner. Contributing to that effective decision making has been the composition of the MPO and its committees, a composition which has closely reflected the geographic and cultural diversity of the county. To enhance that diversity and ensure representation from traditionally under-served groups, the MPO recently added at-large minority community and disabled community representatives to the Citizens Advisory Committee (CAC).

In the past, committee members were active participants who regularly provided input that ultimately became incorporated into major plans and projects. This was made possible because MPO agendas and advisory committee agendas have been prepared to be understandable to the general public and committee members. Also, information on committee activity has been distributed among a wide array of information outlets, including the media, Web Site, and e-mail.

While the committee structure, agenda materials and coordination between committees have all been effective, the MPO and its committees have not had more than occasional attendance by the general public and have not received a large amount of feedback directly from the general public at its meetings. This is indicative of a need for even more proactive techniques to accommodate public input at public meetings and for improved outreach efforts.

As a result of new federal and state guidance, the role of the MPO and its committees with respect to public outreach has changed since 1995. The MPO and its committees must adopt new more proactive techniques to monitor the effectiveness of their public involvement efforts and include all segments of the public in their decision making.

**Projects:**

STRATEGY:	ACTION/ ACCOMPLISHMENT	DID THE STRATEGY CONTRIBUTE TO THE VISION FOR PUBLIC INVOLVEMENT IN THE COUNTY?		WAS THE ORIGINAL STRATEGY APPROPRIATE?		SHOULD THE STRATEGY BE MAINTAINED, DELETED, OR REVISED?
		YES	NO	YES	NO	
		MPO staff will strive to inform the media of upcoming projects so that interested citizens and officials may have the opportunity to become involved as early as possible.	Announcements of MPO projects were regularly made in the local newspaper.	X		
Draft scopes of work and draft work products will be available for public review at MPO offices.	Copies made available at MPO offices.	X		X		Revise wording to make strategy action oriented.
To promote coordination between advisory committees and the MPO, MPO staff will present conceptual	Conceptual scopes of work were presented to the MPO for early review.	X			X	Revise; Presenting conceptual scopes to the MPO for early

STRATEGY:	ACTION/ ACCOMPLISHMENT	DID THE STRATEGY CONTRIBUTE TO THE VISION FOR PUBLIC INVOLVEMENT IN THE COUNTY?		WAS THE ORIGINAL STRATEGY APPROPRIATE?		SHOULD THE STRATEGY BE MAINTAINED, DELETED, OR REVISED?
		YES	NO	YES	NO	
scopes of work for upcoming projects to the MPO for early review.						review does not necessarily promote coordination. Present scopes for early review to advisory committees before the MPO.
A public involvement section documenting the public participation for the project will be a component of final reports for projects.	Public involvement sections have been prepared for all projects.	X		X		Revise wording to make strategy action oriented.
MPO staff will seek out innovative methods to inform the public of project activities and allow the public to review and comment on project reports	The MPO has developed a number of innovative methods, including web site postings, project-specific newsletters, and consensus building workshops for major projects.	X		X		Maintain.
The MPO will use public committee meetings to allow the public to review and comment on interim and final work products.	The public has been welcomed to all committee meetings. Except for structured workshops, this strategy has yielded relatively little feedback.	X		X		Revise; include a standing "public discussion" agenda item on all future committee agendas.

**Overall Assessment -**

The MPO has received a good deal of public feedback during the course of project development, with most of the participation coming during organized project outreach efforts such as consensus building workshops, surveys, and interviews. During Long Range Transportation Plan development, the public completed 85 surveys, and hundreds of citizens organized to modify a plan alternative, which was ultimately changed in response to citizen concerns. Overall public participation in quantitative terms rose markedly since the previous LRTP Update in 1995.

With respect to MPO projects, relatively little public involvement came in the form of unsolicited participation by members of the general public, indicating that general public outreach and meeting notice efforts could be improved. Despite its availability, the MPO received relatively little public participation during the development of the Scope of Services for major projects like the LRTP.

**Recurring Activities:**

STRATEGY:	ACTION/ ACCOMPLISHMENT	DID THE STRATEGY CONTRIBUTE TO THE VISION FOR PUBLIC INVOLVEMENT IN THE COUNTY?		WAS THE ORIGINAL STRATEGY APPROPRIATE?		SHOULD THE STRATEGY BE MAINTAINED, DELETED, OR REVISED?
		YES	NO	YES	NO	
The MPO will use public committee meetings to allow the public to review and comment on interim and final work products related to recurring activities.	Interim and final work products reviewed at public meetings.	X		X		Maintain.
A public involvement section documenting the public participation for the development of the recurring activities (such as the Transportation Improvement Program and Unified Planning Work Program) will be a component of all final reports.	Public Involvement Sections included in all plans.	X		X		Revise wording to make strategy action oriented.
MPO staff will actively promote the education of the public with regard to the recurring activities of the MPO, so that the public is aware of the opportunities to become involved.	N/A		X		X	Delete. Strategy lacks specific activities. Education of the public is a part of the MPO's Vision for public involvement.
Copies of draft and final products of recurring activities will be made available for public review and comment.	Copies made available for review.	X		X		Revise; Expand outlets and techniques for making final products available.
MPO staff will coordinate public involvement activities required by recurring activities with the MPO's other public participation programs.	Public involvement gathered at the project level was incorporated into recurring activities.	X		X		Maintain.

**Overall Assessment –**

The MPO has consistently received valuable input into recurring activities from its advisory committees. Outside of board member input, however, the MPO has received relatively little public feedback on recurring activities. This is an indication that normal promotional and outreach activities associated with recurring activities (e.g. advertisement of board agenda items) have not been by themselves completely successful in eliciting a widespread public response. Products of MPO recurring activities, however, have been among the most sought-after MPO materials, and the MPO has effectively distributed these materials to the public.

**Distribution of Information:**

STRATEGY:	ACTION/ ACCOMPLISHMENT	DID THE STRATEGY CONTRIBUTE TO THE VISION FOR PUBLIC INVOLVEMENT IN THE COUNTY?		WAS THE ORIGINAL STRATEGY APPROPRIATE?		SHOULD THE STRATEGY BE MAINTAINED, DELETED, OR REVISED?
		YES	NO	YES	NO	
The MPO may issue an annual or biannual report describing MPO activities. This report may be coordinated with other reports such as a roadway level of service report for the CMS.	Not accomplished.		X		X	Delete. Replace with MPO newsletter and "State of the System" report.
MPO staff will seek innovative ways to distribute information to the public, including the use of community computer bulletin board systems such as IRENE.	Distribution of information expanded to include Web Site.	X		X		Revise; Reflect new technologies.
Where feasible, the MPO will coordinate its public involvement activities with those of the Public Information Office of the Florida Department of Transportation.	MPO staff has coordinated extensively with FDOT.	X		X		Maintain.
The media will be used to distribute information and notify the public that information is available from the MPO, with special emphasis placed on a periodic traffic update section of the local newspaper. MPO staff will request that the media publish agendas for MPO meetings and MPO committee meetings.	The MPO has taken out advertisements and notified local media of all agendas and major project activity.	X		X		Revise wording to make strategy action oriented.
Local libraries will serve as repositories of information.	Documents deposited at local libraries.	X		X		Revise; expand access opportunities and make action oriented.
To streamline environmental review processes, the MPO will keep environmental agencies and organizations informed of upcoming studies and construction projects.	MPO staff coordinates with environmental agencies.	X		X		Maintain.
Requests for information will be handled as promptly as possible.	Requests for information handled promptly; usually logged and tracked for follow-up.	X		X		Revise wording to make strategy action oriented.

**Overall Assessment –**

The MPO has implemented most of its distribution of information strategies. In accordance with the strategies in the plan, information has been distributed in a timely and efficient manner. Overall, however, strategies contained in the plan provide for minimal levels of public outreach.

With the exception of local newspaper announcements and advertisements, current public involvement activities fail to provide for widespread dissemination of MPO information. As a result, the MPO receives relatively few public comments on MPO plans and documents. To address this situation in the future, the MPO will engage in a more proactive course of public involvement activities, to include additional distribution outlets, publication of a newsletter, and distribution of surveys.

With regards to innovative techniques referenced in the plan, the MPO has incorporated several advances in technology into its public outreach efforts. An example of the use of new technology is the establishment of the MPO web site. Currently, agendas, reports, work products and minutes are posted to the web site. Another example of the use of new technology is the expanded use of e-mail. E-mail is used to issue MPO committee meeting announcements to all county employees and is also used to respond to citizen requests.

In the past, the Indian River County MPO has regularly coordinated with FDOT on a number of issues. With respect to project development, this has involved MPO staff assisting FDOT and its consultants in providing public notice and responding to questions from the general public. For example, the MPO has worked closely with FDOT and its consultants on providing public notice for the widening of SR 60, the resurfacing of A1A and US 1, and the initiation of the 82<sup>nd</sup> Avenue PD&E Study. Public involvement activities performed in conjunction with FDOT have resulted in suggestions that have helped improve projects.

The media has been an integral part of the MPO's Public Involvement strategies. Of particular note is the local newspaper's transportation section which has provided an effective forum for MPO commentary and project updates. On a weekly basis, local media is informed of upcoming meetings, and that information is published. In addition to meeting announcements, advertisements are regularly placed by the MPO.

Local libraries and the County Administration Building serve as outlets to distribute MPO documents to the public. In addition to these traditional distribution outlets, the MPO has utilized innovative outlets like Public Transit Buses on a project specific basis.

The MPO has engaged in extensive coordination activities with State and County environmental agencies on an ongoing basis. These activities have included appointing environmental agency representatives to the MPO's advisory committees; providing data; reviewing draft and final plans; and attending a variety of meetings.

In cooperation with the County Planning Department, the Indian River County MPO records and responds to all transportation inquiries. These inquiries come in on a daily basis from virtually all sectors of the community as well as from public agencies and businesses. The MPO then responds to these public information requests by mail, telephone, fax or e-mail. In the past year, the MPO has also made itself available to citizens concerned about proposed projects and has successfully mitigated or minimized the impact of proposed projects through this technique.

Due primarily to lack of consistent staffing levels, some of the strategies or components of strategies have not been implemented by the MPO, most notably preparation of an annual or biannual report.

Taken as a whole, the MPO has consistently complied with distribution of information strategies specified in the Public Involvement Plan. In the future, the MPO must adopt a more proactive approach to information distribution in order to address some of the low participation rates already noted and better fulfill its vision of an informed public.

### III. 2002 MPO PUBLIC INVOLVEMENT PLAN

#### A. Introduction & Vision:

To ensure that transportation systems meet the needs of those that use them, it is vital that the public participates in transportation planning. In developing its plans and programs, the Indian River County Metropolitan Planning Organization (MPO) provides numerous opportunities for public input. The MPO's Public Involvement Plan serves as a guide to further guarantee the active involvement of citizens and those affected by MPO decisions.

Federal and state regulations require that all MPOs develop a public involvement process through which public participation in transportation decision-making is actively solicited. Some of the specific regulations that apply to MPO public participation are listed below.

- **23 CFR 450, Section 316 (b)(1)** contains requirements such as providing the public with timely information about transportation issues, plans, and programs; providing adequate public notice and time for public review of transportation activities; and granting explicit consideration and response to public input received.
- **Title VI** of the Federal Civil Rights Act of 1964, mandates non-discrimination by race, color or national origin in connection with programs and activities receiving federal financial assistance.
- **Executive Order 12898 on Environmental Justice** (1994) requires measures to avoid disproportionately high adverse environmental effects of federal programs through full and fair participation of low-income and minority communities.
- **Chapter 286, Florida Statutes** (a.k.a. Florida Sunshine Law) requires public access to governmental meetings at the state and local level and requires meetings of boards and commissions to be open to the public, adequately noticed, and recorded via minutes.

In addition, the Public Involvement Plan has been developed in consideration of FDOT's **Community Impact Assessment** process, a five-step methodology advocated by FDOT to identify community needs, analyze impacts and identify solutions.

It is the intent of the Indian River County MPO to comply with and, wherever possible, exceed minimum federal and state standards for public participation. To this end, the MPO's Public Involvement Plan provides a process that is applicable to all MPO functions and activities.

#### Vision

A vision statement is a brief description of what the community hopes to achieve through planning. In the words of the third Florida Environmental Land Management Study Committee, "a vision shows where we want to go; a plan explains how we will get there." As it relates to the MPO's Public Involvement Plan, the vision statement serves to define the end result of the MPO's public participation process. Because it keeps overall, long-range goals in view, the vision is important. With the vision statement, the MPO is reminded of the purpose of this Public Involvement Plan, and the MPO avoids fragmentary or reactionary approaches to solving transportation problems.

In the 1995 Public Involvement Plan, the MPO developed a vision statement that served to define the end result of the MPO's public participation process. After extensive public feedback, the vision statement has been revised to reflect the active role that the MPO will assume in public involvement and to provide appropriate guidance for the MPO's Public Involvement Plan Update.

The MPO will maintain and distribute information and provide public involvement opportunities as necessary in order to achieve the following:

**A well-informed public that feels it has opportunities to contribute meaningful input to decisions concerning the area's transportation system.**

## **B. Strategies for Public Involvement:**

To improve the overall effectiveness of its public involvement practices, the MPO has evaluated its 1995 Public Involvement Plan, reviewed the best practices of other organizations, evaluated new technologies, and sought the input of the general public. New strategies for public involvement have emerged as a result of this effort.

The MPO's strategies for public involvement appear in the following sections and follow a brief description of the section heading. Those strategies also identified by the Federal Highway Administration and Florida Department of Transportation as methods used in best practice organizations are denoted with this symbol (↻).

### **a) The MPO and Its Committees**

The Indian River County MPO is the primary agency responsible for transportation planning in the urbanized area of Indian River County. Consisting of nine voting members representing the local governments within the county, the MPO is a legislative authority with the power to develop and adopt plans, and to set priorities for the programming of improvements to the transportation system.

To help make decisions, the MPO uses recommendations from advisory committees. These committees offer input from citizens, bicycle/pedestrian interests, and local technical experts.

#### Technical Advisory Committee

The MPO Technical Advisory Committee (TAC) is composed of technically qualified representatives of agencies responsible for the transportation system in the Vero Beach Urbanized Area. The TAC has a total of eighteen voting members. Committee duties include the coordination of transportation planning and programming activities, review of all transportation technical studies and reports, and review of work programs and transportation improvement programs. The principal responsibility of the TAC is to provide technical recommendations to the MPO on transportation matters.

## Citizens Advisory Committee

The MPO Citizens Advisory Committee (CAC) consists of eleven members appointed by the MPO governing board. The committee is responsible for providing the MPO with citizen input regarding transportation-related matters.

The composition of CAC membership corresponds to the MPO governing Board membership and includes two at-large members representing the Disabled and Minority communities.

## Bicycle/Pedestrian Advisory Committee

The Bicycle/Pedestrian Advisory Committee (BAC) is composed of bicycling and pedestrian advocates and enthusiasts. While the BAC's major task is the update of the county's bicycle/pedestrian plan, the BAC also provides the MPO with input on enhancement projects and MPO planning activities.

## Objectives

It is the intent of the MPO to achieve the following public involvement objectives with respect to the MPO and Its Committees. For each objective, measures of effectiveness are included. These measures provide the basis for assessment of the objectives. The assessment process is discussed in *Section 5, Plan Evaluation*.

**Objective 1.1:** For each fiscal year beginning in 2002/03, attendance at MPO and Advisory Committee meetings by non-staff and non-committee members will increase by 10% from 2001/02 attendance levels which are projected to be 100 people.

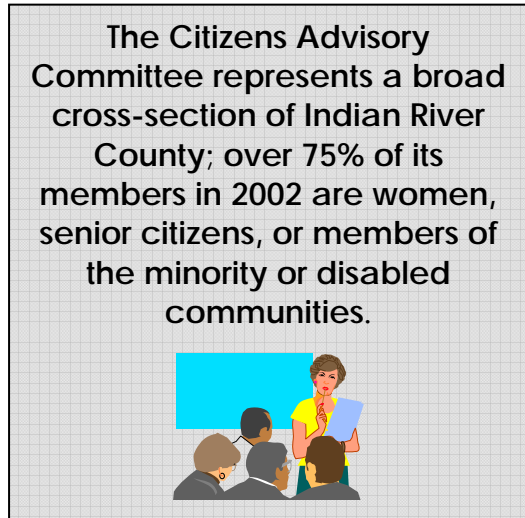
**Measure Of Effectiveness:** Number of non-staff, non-committee member individuals attending MPO and advisory committee meetings during the entire fiscal year.



**Objective 1.2:** For each fiscal year beginning in 2002/03, the number of comments received at MPO and Advisory Committee meetings will increase by 10% from 2001/02 levels which are projected to be 20 comments.

**Measure Of Effectiveness:** The number of comments received at MPO and Advisory Committee meetings during the entire fiscal year.

## Strategies for public involvement in this area

MPO and advisory committee meetings are public forums affording citizens an opportunity to participate in the planning process. To enhance these opportunities, the MPO will implement the following strategies:



- The MPO will appoint members to the Citizens Advisory Committee who adequately reflect the geographic, cultural, and social composition of the MPO area, and will involve those that have been traditionally under-represented in planning such as the senior and low-income communities.
  - The MPO will invite the public to all MPO and advisory committee meetings, and will encourage public discussion and input prior to making decisions at those meetings.
  - To encourage the open exchange of opinions, the MPO will seek, but not require, a consensus on issues.
  - The MPO will establish a standing agenda item that will invite public comment and participation at all public meetings.
  - All MPO and advisory committee meetings will be conducted in ADA-compliant facilities accessible by mass transit.
  - Information will be collected and feedback will be solicited at public meetings via detailed sign-in sheets (Attachment 1), comment cards, and informational displays.
  - The respective chairpersons of the MPO, CAC, TAC, and BAC will meet periodically with MPO staff to discuss upcoming issues.
  - The MPO will prepare and distribute at all MPO meetings a committee status report listing the activities of the committees, the outcomes of any meetings, and minutes of meetings. The MPO will prepare and distribute at all committee meetings an MPO status report listing the actions of the MPO with regard to committee recommendations.
  - MPO staff reports written for MPO and committee review will be concise and easy to understand.
-  MPO staff and consultants will employ the use of electronic presentations, computer imaging, and other media at public meetings.
- At the beginning of the calendar year, MPO staff will provide the local media with an annual calendar of scheduled MPO and advisory committee meetings.
  - One week prior to each MPO meeting, MPO staff will provide the local media with a complete agenda package.
  - MPO staff will distribute the minutes of MPO and advisory committee meetings for public review at local libraries, local government offices, and other public locations. This will allow those unable to attend meetings the opportunity to monitor MPO activities.
  - MPO and advisory committee meeting announcements will be sent via e-mail to county employees.
  - MPO and advisory committee meeting announcements, minutes, and agendas will be posted to the MPO Web Site.
-  MPO and advisory committee meeting announcements will be published in the proposed MPO quarterly newsletter.

**b) MPO Projects and Activities**

On an annual basis, the MPO develops a number of work products in fulfillment of its statutory obligations. Major MPO projects (which include the Long Range Transportation Plan, Bicycle and Pedestrian Plan, and Transit Development Plan Major Update) may involve collecting and analyzing background data, procuring consultant services, and performing extensive public outreach efforts. On an annual basis, the MPO also completes a number of activities in preparation of various MPO work products like the Transportation Improvement Program (TIP). These activities greatly benefit from public involvement but may afford fewer public involvement opportunities than major projects due to their scale and relatively short timeframes for completion.

Long Range Transportation Plan (and other major MPO projects)

The Long Range Transportation Plan (LRTP) is developed by the MPO approximately every five years pursuant to state and federal regulations. The plan provides cost-feasible solutions for the mobility of all residents of the MPO area across a 20-year horizon.

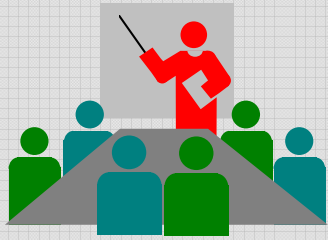
Because of the comprehensive nature of the LRTP, the MPO can engage in a wide variety of specialized public involvement activities in addition to the general strategies for public involvement applicable to all MPO projects.

For example, in accordance with FDOT’s Community Impact Assessment (CIA) methodology, major MPO projects will incorporate a review of community profiles early on to ensure plan alternatives address community concerns. Community Impact Assessments are comprehensive inventories of communities, their values and characteristics.

For the Long Range Transportation Plan and other major MPO projects, the MPO requires the consultant working on the project to create a Public Involvement Component as one of the first tasks in the scope of work. The Public Involvement Component establishes procedures for public involvement specific to the project and ensures that adequate public involvement will be performed throughout the project. Public involvement activities in the Public Involvement Component may include, but are not limited to, strategies described in Section 3, *MPO Communications*. Innovative techniques will be encouraged in order to directly notify the public of upcoming projects, distribute interim and final reports, and solicit feedback on projects.

Final reports for major projects will include a section documenting the participation of the public in developing the project. This section will list the

**During the Long Range Transportation Plan Update (2000), 52 individuals from all segments of the community attended MPO Consensus Building Workshops. Their input was essential in developing a workable plan.**

An illustration showing a person in a red shirt standing at the front of a room, pointing with a pen towards a screen. In front of them, several stylized human figures in green and blue are seated, representing an audience or workshop participants.

proposed opportunities for public input, describe any substantive comments received, and report how substantive comments were handled and considered in the final report.

### Transportation Improvement Program

The Transportation Improvement Program (TIP) is a five-year list of improvement projects that will be undertaken within the MPO area. The projects in the TIP are the direct result of Long Range Plan efforts and the extensive analysis and public outreach that was done therein. The MPO's role with respect to the TIP is focused on the timing of implementing various LRTP alternatives.

Throughout the TIP development process, the MPO will seek public input. This input will begin with the development of a list of priority projects (usually in August/September) that the MPO wants the FDOT to fund in its upcoming Work Program. At public meetings, the MPO advisory committees will develop the priority list. The MPO will then review the list, make any necessary changes based on additional public input, and approve the list for submittal to FDOT.

Further public input in TIP development will occur when FDOT presents its Draft Tentative Work Program (usually in November/December) for review and approval by the MPO. The public and the MPO will review the Work Program to ensure that the projects listed conform to the needs of the community.

Finally, the MPO and its advisory committees will hold another series of public meetings to consider adoption of the TIP. Copies of the draft TIP will be made available on the website and at a number of public outlets prior to the meetings. The public and the MPO will review the TIP for consistency with the Tentative Work Program and community priorities (April/May).

If significant changes to the MPO's adopted TIP are proposed, an opportunity for public comment will be provided. Notice of the discussion of such amendments will be given to the media prior to committee meetings.

### Unified Planning Work Program

The Unified Planning Work Program (UPWP) is the MPO's annual summary of upcoming planning activities. In the Spring of each year, the MPO must submit a UPWP for approval by the Florida Department of Transportation and the Federal Highway Administration. The UPWP is developed at public meetings of the MPO advisory committees and the MPO. Prior to these meetings, copies of the draft UPWP are made available for public review and comment.

In reviewing the proposed draft UPWP, the public and the advisory committees will provide comments to MPO staff about whether or not the UPWP reflects appropriate work activities for the MPO to undertake in light of local needs and state and federal regulations.

### Congestion Management System

The MPO's Congestion Management System (CMS) is a process designed to consider alternatives to traditional approaches to solving traffic congestion problems. The CMS Plan was first developed in

Indian River County in 1997. On an annual basis, the MPO and FDOT determine whether traffic conditions warrant a new CMS analysis. If so warranted, the MPO uses locally-developed performance measures and current transportation data to identify the most congested links on the County highway system. These links are then evaluated on an individual basis to determine if lower-cost treatments of the congested segment could be employed to eliminate or forestall the need for a more costly highway improvement. Ultimately, the CMS process attempts to improve mobility as efficiently and effectively as possible given limited funding while encouraging a high level of local decision making.

**The Indian River County CMS considers community priorities such as hurricane evacuation, safety, and recreational access when selecting corridors for further study.**



The MPO will obtain public input into the appropriateness of performance measures and standards used in prioritizing CMS corridors. The MPO will also seek public comments on proposed CMS solutions. Public involvement will be adequately addressed through the MPO's public meetings and communications strategies.

Annual CMS updates also present an opportunity to inform the public of current transportation conditions in Indian River County via a required "state of the system" report component that will be circulated as part of a proposed MPO newsletter.

Public involvement activities associated with CMS development will be coordinated with other MPO public participation programs to enhance public awareness and efficiently distribute information.

#### Transit Development Plan (TDP) Minor Updates (and other recurring activities)

By state law, major updates of the TDP must be developed every three years in order for the County to remain eligible for state grant funding. On an annual basis, TDP minor updates are prepared and serve as evaluation tools to monitor progress toward major update implementation. For TDP Minor Updates and other recurring activities, public involvement is accommodated at public committee meetings with distribution of meeting agendas and/or work products to be completed through the MPO's communication strategies.

#### Objectives

The MPO seeks to achieve the following public involvement objectives with respect to MPO Projects and Activities. Measures of effectiveness are included to determine achievement of the objective, to be discussed in *Section 5, Plan Evaluation*.

*Objective 2.1:* For each fiscal year beginning in 2002/03, the number of participants at public workshops from traditionally under-served communities (which includes minorities, low income persons, the elderly, disabled persons, geographically dispersed/transient persons, women, children, and under-educated persons) will increase by 15% from the 2001/02 level which is projected to be 20.

Measure Of Effectiveness: Number of participants from traditionally under-served communities during the entire fiscal year.

*Objective 2.2:* For each fiscal year beginning in 2002/03, the number of comments received from all sources relating to MPO projects or activities will increase by 10% from 2001/02 levels which are projected to be 200 comments.

Measure Of Effectiveness: Number of comments received from all sources relating to an MPO project or activity.

#### Strategies for public involvement in this area

- Staff will present proposed scopes of work at public committee meetings.
- The MPO will use public committee meetings to allow the public to review and comment on interim and final work products.
- MPO staff and consultants may employ the use of electronic presentations, computer simulation, and other media at public meetings.
- The MPO may establish special consensus-building workshops, charrettes, discussion groups, or other public meetings during the course of project development. These meetings may be held at various locations throughout the county as appropriate.
- The MPO will include a public involvement section documenting the public participation for the project as a component of final reports for projects.
- To provide information in a concise and understandable format, the MPO will produce an Executive Summary of major improvements for major projects.
- MPO staff will inform the media of upcoming projects so that interested citizens and officials may have the opportunity to become involved as early as possible.
- The MPO will make available draft scopes of work and draft work products for public review at MPO offices.
- MPO staff will seek out innovative methods to inform the public of project activities and allow the public to review and comment on project reports. This may include postings to the MPO Web Site, publication in the proposed MPO newsletter, and the preparation of periodic special edition newsletters, reports or flyers pertaining to the project.
- In developing major projects, the MPO will abide by FDOT's Community Impact Assessment methodology and its stated principles of informing, educating and including the public in the decision making process.
- MPO staff will consider all public feedback obtained during the course of its major projects when undertaking related recurring activities.

### c) MPO Communications

The MPO develops and maintains transportation plans and information that are of interest to and requested by the general public. At the same time, the MPO relies on comments from the public to make sure its plans and activities reflect the values of the community. To fulfill its vision for a well-

**22 of 25 MPOs in the State of Florida publish a newsletter on at least an occasional basis.**



informed public, the MPO will use a variety of techniques to distribute MPO information and publicize MPO activities. Wherever possible, the MPO will use interactive techniques to obtain valuable feedback from the community in the process of distributing information.

Communications strategies cited in this section resulted from evaluating previous plan strategies, identifying best practices of other MPOs, applying new technology, or considering strategies obtained from the public in the development of this plan.

#### Objectives

It is the intent of the MPO to achieve the following public involvement objectives with respect to MPO Communications. For each objective, measures of effectiveness are included. These measures provide the basis for assessment of the objectives. The assessment process is discussed in *Section 5, Plan Evaluation*.

*Objective 3.1:* For each fiscal year beginning in 2002/03, at least 20% of the County's overall population will recognize the MPO or one of its projects or activities.

Measure Of Effectiveness: Percentage of the county's overall population that recognizes the MPO, its projects or activities.

*Objective 3.2:* For each fiscal year beginning in 2002/03, at least 5% of the County's overall population will have been made aware of or actually participated in one of the MPO's public involvement activities.

Measure Of Effectiveness: Percentage of the county's overall population that has been made aware of or participated in a public involvement activity.

*Objective 3.3:* For each fiscal year beginning in 2002/03, at least 30% of the County's traditionally underserved, which includes transportation disadvantaged and minority populations, will recognize the MPO or one of its projects or activities.

Measure Of Effectiveness: Percentage of the county's traditionally underserved population that recognizes the MPO, its projects or activities.

#### Strategies for public involvement in this area

- The Indian River County MPO will produce an MPO newsletter on at least a biannual basis. The newsletter will be produced under the guidance of the Citizens Advisory Committee and include major staff activity and milestones.
- MPO staff will seek innovative ways to distribute information to the public, including the expanded use of the Indian River County Web Site and links to local traffic information sites.
- MPO staff will seek innovative techniques for soliciting public comment and response to MPO activities.
- Staff will explore technologies making MPO and County Web Sites compliant with software standards for impaired users. MPO staff will also explore technology “kiosks” in public locations and publicizing links to the MPO Web Site in areas of public internet access such as the public library home page.
- Where feasible, the MPO will coordinate its public involvement activities with those of the Public Information Office of the Florida Department of Transportation. These coordination activities may include advertising, mailing notices, and holding public hearings. For construction projects, the MPO will coordinate with the Florida Department of Transportation to ensure that the public is adequately involved in the review of Project Development and Environmental (PD&E) Studies.
- The MPO will prepare an annual “State of the System Report” to be distributed in a special newsletter edition.
- Through the media, the MPO will distribute information and notify the public that information is available from the MPO. The MPO will contribute regularly to a periodic traffic update section of the local newspaper. MPO staff will request that the media publish announcements for MPO meetings and MPO committee meetings.
- The MPO will explore additional media outlets, such as regional television networks and public radio stations, to announce major projects and activities via Public Service Announcements (PSA’s).
- The MPO will distribute information at local libraries and other public outlets, such as schools and community centers. The MPO will seek out distribution locations in close proximity to those traditionally under-served in the planning process.
- The MPO will keep environmental agencies and organizations informed of upcoming studies and construction projects.
- Staff will respond to requests for information as promptly as possible.
- The MPO will create a presentation display to be posted in public locations and deployed at major community events. The display will include information on major proposed plans, staff contact information, and upcoming opportunities for public involvement.
- The MPO will distribute postage-free survey cards with public documents to obtain valuable public feedback.
- The MPO will sponsor or participate in one or more annual transportation seminars in conjunction with state and regional agencies.

## C. Consideration of Public Comments Received

Effective public involvement activities will provide staff with a significant amount of valuable data. Consistent with FDOT's Community Impact Assessment (CIA) methodology, these data are essential in analyzing the impacts of proposed projects and identifying solutions. Community characteristics identified and maintained on an ongoing basis in the form of community profiles will enable staff to develop appropriate plans that reflect community values. Public comments collected on MPO plans and projects enable staff to consider the impacts of those plans and projects on the community and to identify solutions.

### Procedure

The MPO provides many opportunities and outlets for public comment. Comments received may be completely unsolicited or collected via a formal communication strategy such as a public workshop or survey. The MPO will log, evaluate, and, if requested, respond to all public comments. The procedure for considering public comments received varies based on the timeliness of the comment with respect to the applicable project or activity. For instance, a suggestion for a transportation project submitted in October may not be evaluated until the annual development of priority lists the following summer. By contrast, comments solicited at a project workshop will likely be considered in an upcoming draft project report.

#### Procedures for Consideration of Public Comments:

- All comments received will be logged and entered into the Public Involvement file for the appropriate project or activity. Comments of a highly generalized nature or involving multiple projects will be maintained in the MPO Public Involvement file.

#### For Comments not pertaining to a Current Project or Activity:

- If a response is requested, the MPO will indicate that the comment will be considered during an upcoming project or activity cycle, such as UPWP development or annual prioritization cycle.
- The MPO will evaluate the comments received as the appropriate project is initiated. Comments that also meet the MPO's qualitative effectiveness criteria (ie represents the opinion of larger populations, contributes to solutions, and/or represents traditionally under-represented communities) are particularly useful to the MPO in weighing those comments with respect to project priorities.
- Staff will summarize comments received and incorporate these into consultant presentations or committee reports to the MPO as appropriate.
- The MPO will evaluate draft and final work products with respect to consideration of public comments received.
- If requested, the MPO will respond with respect to the final disposition of the issue.

#### For Comments pertaining to a Current Project or Activity:

- Staff will perform a preliminary evaluation of the comment. If the comment does not require future MPO action, it will be responded to by staff or routed to the appropriate implementing agency.

- The MPO will evaluate comments received during the course of a current project or activity. Comments that also meet the MPO’s qualitative effectiveness criteria (ie represents the opinion of larger populations, contributes to solutions, and/or represents traditionally under-represented communities) are particularly useful to the MPO in weighing those comments with respect to project priorities.
- Staff will summarize comments received and incorporate these into consultant presentations or committee reports as appropriate.
- The MPO will evaluate draft and final work products with respect to consideration of public comments received.

If requested, the MPO will respond to all comments received with respect to final disposition of the issue.

## **D. Plan Evaluation**

### Introduction

The MPO will evaluate all public involvement activities at appropriate intervals to determine their effectiveness. In the sections of the Plan pertaining to the MPO and Its Committees, MPO Projects and Activities, and MPO Communications, the MPO established objectives for effective public involvement. During the course of Plan evaluation, the level of achievement of each objective will be evaluated based on that objective’s measure of effectiveness. Each strategy will be assessed based on a qualitative determination of whether that strategy was effective.

### Procedure

Each year, an evaluation will be performed to determine to what extent objectives for public involvement have been met by the MPO. The annual evaluation will follow the following procedure:

#### a. Data Collection

At the time intervals specified in Table 5-1, data on public involvement received during the course of each MPO project or activity will be collected, tabulated, and reported on the standardized public evaluation form (Attachment 2). Information on quantities of data will be entered in Section “A” while qualitative information will be entered in Section “B.” The MPO will engage in low-cost methods to collect data that can be useful in later analyzing the effectiveness of its public involvement techniques. Some of these techniques include:

- Monitoring - This will include the installation of web site “counters” to monitor internet traffic; logging all public inquiries; and keeping statistics on public meeting attendance, distribution of materials, and returned mailouts.

- Adoption of a “smart” sign-in sheet to be used at all public meetings (Attachment 1) - From this form, the MPO may be able to identify the geographic composition of attendees and gain some insight into the relative effectiveness of its notification methods. The sign-in sheet also contains areas for commenting on particular issues. This may assist in obtaining comments from respondents uncomfortable with speaking in public.
- Evaluation Surveys - At least once per year, the MPO will conduct phone, mail and internet surveys. Surveys will be conducted for two purposes: to gauge overall public recognition of the MPO, its plans, and projects; and to evaluate public awareness of and response to specific public involvement efforts. The surveys will be conducted in the peak (winter) season.
- Comment Cards - Cards will be distributed with MPO documents to collect feedback on the quality of the material distributed as well as suggestions for improvement.

**b. Data Analysis**

At the end of the Fiscal Year, the MPO will review the project- and activity-specific evaluation forms. Applying measures of effectiveness to the collected data, the MPO will be able to determine how effective the public outreach efforts were in meeting the various objectives. Table 5.1 summarizes quantitative data necessary to evaluate the public involvement objectives.

Table 5-1. Quantitative Measures

<b>The MPO and its Committees</b>	
Recommended period of evaluation:	Annual
Quantitative measures:	Number of non-staff and non-committee members at MPO and Advisory Committee meetings.
	Number of comments received at MPO and Advisory Committee meetings.
<b>MPO Projects and Activities</b>	
Recommended period of evaluation:	At major project or activity milestones; and at project or activity completion.
Quantitative measures:	Number of participants from traditionally underserved communities, including transportation disadvantaged or minority communities, at MPO project or activity workshops.
	Number of comments received from all sources relating to an MPO project or activity.
<b>MPO Communications</b>	
Recommended period of evaluation:	Annual.
Quantitative Measures:	Percentage of the county’s overall population that recognizes the MPO, its projects or activities.

	Percentage of the county’s overall population that has been made aware of or participated in a public involvement activity.
	Percentage of the county’s transportation disadvantaged population that recognizes the MPO, its projects or activities.

c. Public Involvement Plan Review and Update

Where it is determined that the MPO’s public outreach efforts have not resulted in meeting its objectives, the MPO will review its strategies individually using the data collected for each strategy. The MPO will assess the relative contribution of each strategy toward meeting the objective. New strategies may be necessary in order to meet the objective. To obtain new strategies, the MPO will continuously review best practices, suggestions from the public, and the latest technology. The MPO will then take steps necessary to include new strategies in the Public Involvement Plan, including consideration in the UPWP if necessary.

On an annual basis, the MPO will also review its Public Involvement Objectives. Where objectives were not met, the MPO will determine whether its objectives were appropriate and contributed to the vision for public involvement. Objectives may also be added as a result of updated federal or state guidance or a change in local priorities.

## APPENDIX 1

### PUBLIC PARTICIPATION IN DEVELOPING THIS PLAN

This Public Involvement Plan Update was developed through a series of meetings of the MPO and its advisory committees. The following is a timeline of the activities associated with development of the plan update:

- August 9, 1995* After extensive input from the Citizens Advisory Committee (CAC) and after a 45-day public comment period during which many copies of the draft plan were distributed to the general public, the MPO adopted the Indian River County MPO Public Involvement Plan.
- February 2002* MPO staff reviewed the latest requirements for Public Involvement Plans and collected examples of Public Involvement Plan material from other MPOs. Staff also evaluated strategies recommended in the adopted Indian River County MPO Public Involvement Plan. Using this information, staff drafted a Public Involvement Plan Update. At the February 5, 2002 CAC meeting, MPO staff presented its evaluation of the 1995 Public Involvement Plan and recommended new strategies. The CAC collaborated on an updated Vision Statement and commented on the evaluation and update strategies.
- March 2002* After incorporating comments received, staff returned to the CAC on March 12 for a recommendation to the MPO on approval of the draft Public Involvement Plan Update.
- April-June, 2002* After reviewing the draft Public Involvement Plan Update, the MPO began a required 45-day minimum public comment period for the Public Involvement Plan. During the public comment period, the proposed Plan Update was announced in local media and several citizens groups will be contacted.
- July 2002* The MPO Citizens Advisory Committee reviewed the feedback received during the public comment period, and recommended that the MPO adopt the Public Involvement Plan Update.
- July 2002* The Indian River County MPO adopted the Public Involvement Plan Update

## APPENDIX 2

### SOME FEDERAL AND STATE REGULATIONS CONCERNING MPO PUBLIC INVOLVEMENT

#### 23 CFR

##### **450.316 Metropolitan transportation planning process: Elements.**

(b) In addition, the metropolitan transportation planning process shall:

(1) Include a proactive public involvement process that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing involvement of the public in developing plans and TIPs and meets the requirements and criteria specified as follows:

(i) Require a minimum public comment period of 45 days before the public involvement process is initially adopted or revised;

(ii) Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, other interested parties and segments of the community affected by transportation plans, programs and projects (including but not limited to central city and other local jurisdiction concerns);

(iii) Provide reasonable public access to technical and policy information used in the development of plans and TIPs and open public meetings where matters related to the Federal-aid highway and transit programs are being considered;

(iv) Require adequate public notice of public involvement activities and time for public review and comment at key decision points, including, but not limited to, approval of plans and TIPs (in nonattainment areas, classified as serious and above, the comment period shall be at least 30 days for the plan, TIP and major amendment(s));

(v) Demonstrate explicit consideration and response to public input received during the planning and program development processes;

(vi) Seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households;

(vii) When significant written and oral comments are received on the draft transportation plan or TIP (including the financial plan) as a result of the public involvement process or the interagency consultation process required under the U.S. EPA's conformity regulations, a summary, analysis, and report on the disposition of comments shall be made part of the final plan and TIP;

(viii) If the final transportation plan or TIP differs significantly from the one which was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts, an additional opportunity for public comment on the revised plan or TIP shall be made available;

(ix) Public involvement processes shall be periodically reviewed by the MPO in terms of their effectiveness in assuring that the process provides full and open access to all;

(x) These procedures will be reviewed by the FHWA and the FTA during certification reviews for TMAs, and as otherwise necessary for all MPOs, to assure that full and open access is provided to MPO decision making processes;

(xi) Metropolitan public involvement processes shall be coordinated with statewide public involvement processes wherever possible to enhance public consideration of the issues, plans, and programs and reduce redundancies and costs;

(2) Be consistent with Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each State under 23 U.S.C. 324 and 29 U.S.C. 794, which ensure that no person shall, on the grounds of race, color, sex, national origin, or physical handicap, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program receiving Federal assistance from the United States Department of Transportation;

(3) Identify actions necessary to comply with the Americans With Disabilities Act of 1990 (Pub. L. 101-336, 104 Stat. 327, as amended) and U.S. DOT regulations "Transportation for Individuals with Disabilities" (49 CFR Parts 27, 37, and 38);

(4) Provide for the involvement of traffic, ridesharing, parking, transportation safety and enforcement agencies; commuter rail operators; airport and port authorities; toll authorities; appropriate private transportation providers, and where appropriate city officials; and

(5) Provide for the involvement of local, State, and Federal environmental, resource and permit agencies as appropriate.

(c) In attainment areas not designated as TMAs simplified procedures for the development of plans and programs, if considered appropriate, shall be proposed by the MPO in cooperation with the State and transit operator, and submitted by the State for approval by the FHWA and the FTA. In developing proposed simplified planning procedures, consideration shall be given to the transportation problems in the area and their complexity, the growth rate of the area (e.g., fast, moderate or slow), the appropriateness of the factors specified for consideration in this subpart including air quality, and the desirability of continuing any planning process that has already been established. Areas experiencing fast growth should give consideration to a planning process that addresses all of the general requirements specified in this subpart. As a minimum, all areas employing a simplified planning process will need to develop a transportation plan to be approved by the MPO and a TIP to be approved by the MPO and the Governor.

(d) The metropolitan transportation planning process shall include preparation of technical and other reports to assure documentation of the development, refinement, and update of the transportation plan. The reports shall be reasonably available to interested parties, consistent with 450.316(b)(1).

## **Executive Order 12898**

Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

**February 11, 1994**

### **Section 1-1. Implementation**

#### **1-101. Agency Responsibilities**

To the greatest extent practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review, each Federal agency shall 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 in the United States

and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Mariana Islands.

## **Title VI of the Federal Civil Rights Act of 1964**

### **Sec. 2000d. Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin**

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.

*(Pub. L. 88-352, title VI, Sec. 601, July 2, 1964, 78 Stat. 252.)*

## **286.011 F.S.**

### **Public meetings and records; public inspection; criminal and civil penalties.--**

(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.

(3)(a) Any public officer who violates any provision of this section is guilty of a noncriminal infraction, punishable by fine not exceeding \$500.

(b) Any person who is a member of a board or commission or of any state agency or authority of any county, municipal corporation, or political subdivision who knowingly violates the provisions of this section by attending a meeting not held in accordance with the provisions hereof is guilty of a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(c) Conduct which occurs outside the state which would constitute a knowing violation of this section is a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(4) Whenever an action has been filed against any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision to enforce the provisions of this section or to invalidate the actions of any such board, commission, agency, or authority, which action was taken in violation of this section, and the court determines that the defendant or defendants to such action acted in violation of this section, the court shall assess a reasonable attorney's fee against such agency, and may assess a

reasonable attorney's fee against the individual filing such an action if the court finds it was filed in bad faith or was frivolous. Any fees so assessed may be assessed against the individual member or members of such board or commission; provided, that in any case where the board or commission seeks the advice of its attorney and such advice is followed, no such fees shall be assessed against the individual member or members of the board or commission. However, this subsection shall not apply to a state attorney or his or her duly authorized assistants or any officer charged with enforcing the provisions of this section.

(5) Whenever any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision appeals any court order which has found said board, commission, agency, or authority to have violated this section, and such order is affirmed, the court shall assess a reasonable attorney's fee for the appeal against such board, commission, agency, or authority. Any fees so assessed may be assessed against the individual member or members of such board or commission; provided, that in any case where the board or commission seeks the advice of its attorney and such advice is followed, no such fees shall be assessed against the individual member or members of the board or commission.

(6) All persons subject to subsection (1) are prohibited from holding meetings at any facility or location which discriminates on the basis of sex, age, race, creed, color, origin, or economic status or which operates in such a manner as to unreasonably restrict public access to such a facility.

(7) Whenever any member of any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision is charged with a violation of this section and is subsequently acquitted, the board or commission is authorized to reimburse said member for any portion of his or her reasonable attorney's fees.

(8) Notwithstanding the provisions of subsection (1), any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision, and the chief administrative or executive officer of the governmental entity, may meet in private with the entity's attorney to discuss pending litigation to which the entity is presently a party before a court or administrative agency, provided that the following conditions are met:

(a) The entity's attorney shall advise the entity at a public meeting that he or she desires advice concerning the litigation.

(b) The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.

(c) The entire session shall be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the entity's clerk within a reasonable time after the meeting.

(d) The entity shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The session shall commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting shall be reopened, and the person chairing the meeting shall announce the termination of the session.

(e) The transcript shall be made part of the public record upon conclusion of the litigation.