

2017/18

# MPO Public Participation Plan Update



Indian River  
County MPO

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons with questions or concerns about nondiscrimination, or who require special accommodations under the American with Disabilities Act or language translation services (free of charge) should contact Phil Matson at (772) 226-1455 or [pmatson@ircgov.com](mailto:pmatson@ircgov.com).

## 2017/18 PUBLIC PARTICIPATION PLAN UPDATE

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## 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 Participation Plan serves as a guide to further guarantee the active participation of citizens and those affected by MPO decisions.

Federal and state regulations require that all MPOs develop a public participation 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.
- **FDOT Public Involvement Handbook** identifies required public hearings for projects and also best practices for public outreach.

In addition, the Public Participation 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 Participation 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. The MPO will maintain and distribute information and provide public participation 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 Participation**

The MPO's strategies for public participation 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 (🗨️).

### **1) 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 12 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 19 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 14 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 Transportation Disadvantaged 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.

#### Bike Walk Indian River County

Bike Walk Indian River County is non-profit group whose members advocate for safer local walking and bicycling conditions. Although not an official MPO committee, BWIRC members work closely with MPO

staff to identify and address safety issues. During BWIRC monthly meetings, members of the public often attend and discuss safety issues. BWIRC members relay public safety concerns to MPO staff for further investigation.

### Conduct of Public Meetings

Wherever possible, the MPO and all public meetings will be conducted consistent with the principles contained in Chapter 6 of the FDOT Public Involvement Handbook. Those principles include selecting an appropriate venue, time, and format for the meeting; using innovative communication and data gathering techniques; communicating effectively; and recording the meeting.

## **MPO and Committee Public Participation Objectives**

It is the intent of the MPO to achieve the following public participation 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:* Attendance at MPO and Advisory Committee meetings by non-staff and non-committee members will exceed 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:* The number of comments received at MPO and Advisory Committee meetings will exceed 20 comments.

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

### Strategies for public participation in this area

MPO and advisory committee meetings are public forums affording citizens an adequate 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, with a special emphasis on feedback from the traditionally under-represented.
- 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 public transportation.
- 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, visualization techniques 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 a database of interested persons and stakeholders.
- 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.
- Staff will make extensive use of simulators and other visualization techniques to help engage the public.
- The MPO will maintain its A+ rating for transparency by posting all meeting records, documents, and audio/video recordings.

### PUBLIC INVOLVEMENT IN ACTION

Members of the CAC identified a problem. Travel in the City of Fellsmere was plagued by conflicts, particularly at night, when historic downtown traffic mixed with non-motorized traffic. Identifying the main problem as one of visibility, members of the CAC took it upon themselves to organize a bike light installation, bike repair, and bike registration event. Over 250 persons, mostly young persons, in the tiny town took advantage.



## 2. 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) 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 participation but may afford fewer public participation opportunities than major projects due to their relatively short timeframes. These activities form the basis of the Consultative Process by which all stakeholders are provided an opportunity for input in project selection and implementation.

### 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.

Adoption of the Plan and all amendments will be as specified in the MPO Handbook and will include at a minimum 30 days of advertising via web and newspaper, a public hearing and a roll-call vote.

Because of the comprehensive nature of the LRTP, the MPO can engage in a wide variety of specialized public participation activities in addition to the general strategies for public participation 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 Participation Component as one of the first tasks in the scope of work. The Public Participation Component establishes procedures for public participation specific to the project and ensures that adequate public participation will be performed throughout the project. Public participation activities in the Public Participation Component may include, but are not limited to, strategies described in Section (c), *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

During the Long Range Transportation Plan Update (2015), over 200 individuals from all segments of the community attended MPO Workshops as part of the "Campaign Connect" public participation plan. Their input was essential in developing a workable plan.

**The Candidates:** Connecting Indian River County 2040 Long Range Transportation Plan Campaign Connecting Indian River 2040

**The Platform:**

 <p><b>Highway Harry</b> We are going to build more and wider so we can get people to their destination as quickly as possible.</p>	 <p><b>Transit Tony</b> We will limit spending on roadways and provide more public transit service.</p>	 <p><b>Cycle Cindy</b> We will build more bicycle lanes and even consider eliminating lanes for cars so we can have bicycle lanes.</p>	 <p><b>Balanced Betty</b> There is no one-size-fits all solution so we will build the right roadway facilities needed to serve the residents and businesses in the area.</p>	 <p><b>Automated Andy</b> Technology will result in revolutionary changes in how we travel including cars that drive themselves which are safer and reduce congestion.</p>
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public in developing the project. This section will list the 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. Because of the significance of Prioritization in the process, the MPO will take additional measures to obtain input, such as social media outreach. Since many ideas generated by the public during the course of the year are appropriate for inclusion on a priority list, project candidate identification is treated as an ongoing (vs once a year) process.

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). Final TIP adoption and publication is done in a manner consistent with FDOT annual obligations reporting and FTA program of projects reporting.

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. Every two years, 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.

All amendments and modifications will be advertised to the public and adopted at a public meeting as specified in FDOT requirements.

### **Congestion Management Process**

The MPO's Congestion Management Process (CMP) is a process designed to consider alternatives to traditional approaches to solving traffic congestion problems. 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.

The MPO will obtain public input into prioritizing of CMP corridors and strategies for addressing congestion. In fact, many of the more effective CMP strategies implemented were identified by system users. Public participation will be adequately addressed through the MPO's public meetings and communications strategies. Annual CMP updates also present an opportunity to inform the public of current transportation conditions in Indian River County.

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

### **Transit Development Plan (TDP) Updates (and other non-motorized activities)**

By state law, major updates of the TDP must be developed every five 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 Updates and other recurring activities, public participation is accommodated at public committee meetings with distribution of meeting agendas and/or work products to be completed through the MPO's communication strategies. Given the high sensitivity of the transportation disadvantaged public which relies on public transportation, the MPO makes a special emphasis to reach these hard-to-reach segments of the public, such as presenting as part of a Community meeting agenda or event.

### **FDOT Projects**

Chapter 2 of the **FDOT Public Involvement Handbook** states that "FDOT promotes public involvement through all phases of transportation project development." Several manuals and handbooks are available that provide guidance on developing public involvement programs and activities that comply with both state and federal legislation.

The **PD&E Manual** establishes the Department's procedures for complying with state and federal laws for public involvement. The Districts are responsible for conducting public involvement activities for plans (such as the District Work Program) and projects following the procedures and processes established in the PD&E Manual. In addition to District plans and projects, each district planning office has staff that serves as liaisons with their local MPOs.

The **MPO Program Management Handbook** provides guidance to MPOs on their role; how MPO areas are designated, formed, and modified; and on federal and state transportation planning requirements. The MPO cooperates fully with all requirements of the FDOT Public Involvement Process and assists

FDOT in securing venues and promoting its public meetings, provides information and contacts, and supports FDOT as needed.

### Objectives

The MPO seeks to achieve the following public participation objectives with respect to MPO Projects and Activities. Measures of effectiveness are included to determine achievement of the objective.

*Objective 2.1:* 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 exceed 30.

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

*Objective 2.2:* The number of comments received from all sources relating to MPO projects or activities will exceed 250 comments.

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

### Strategies for public participation 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 will 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 participation section documenting the solicitation and incorporation of public comments as a component of final project reports.
- 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.

### 3. 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-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 participation 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:** 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:** 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 participation activities.

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

**Objective 3.3:** 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.

### PUBLIC INVOLVEMENT IN ACTION

*During the CR 510 PD&E process, FDOT staff attended several Wabasso Corridor workshops held by County Staff; met with community leaders on over a dozen occasions; and segmented the project into study areas of environmental and social impact where a different approach other than conventional widening would be applied. The result is a unique project that serves the needs of the traveling public, provides alternatives for the nearby TD populations, and preserves the natural environment. It will feature the first Roundabout in the Northern Treasure Coast.*



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

#### Strategies for public participation 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, Social Media, 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.
- Where feasible, the MPO will coordinate its public participation 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 a "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 participation.
- 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

### Processing Public Comments

The primary objective of any public participation activity is to inform the public and solicit their comments as they relate to transportation improvements. The most common way for the public to relay their ideas and input is through submitting verbal or written comments. The information gleaned from them, if correctly synthesized and catalogued, will serve as an excellent record for future project phases. The amount and types of comments received will help in evaluating the success of the individual public participation activities. A protocol is needed to handle these comments. The following are the MPO procedures for handling public comments:

1. Collection and Documentation:
  - All comments received will be logged and entered into the Public Participation file for the appropriate project or activity. Comments of a highly generalized nature or involving multiple projects will be maintained in the MPO Public Participation file.
2. Acknowledgement and Response
  - If a response is requested, the MPO will indicate that the comment will be considered during an upcoming project or activity cycle.
3. Analysis, Distribution and Incorporation
  - Comments will be acknowledged through a polite and simple email or letter, as appropriate.
  - The MPO will evaluate the comments received as the appropriate project is initiated.
  - 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.
  - 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.

## D. Plan Evaluation

### Procedure

Each year, an evaluation will be performed to determine to what extent objectives for public participation have been met by the MPO. The annual evaluation will be data-driven to the extent possible and will include data collection, data analysis, and a determination of whether or not plan objectives have been met.

<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 participation activity.
	Percentage of the county's transportation disadvantaged population that recognizes the MPO, its projects or activities.

#### Public Participation 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, the FDOT Public Involvement Handbook, and the latest technology.

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

#### Socio-Cultural Effects Evaluation

According to Chapter 4 of the **FDOT Public Involvement Handbook**, The Sociocultural Effects (SCE) Evaluation is the Department's process for identifying and addressing potential effects of transportation projects on people, communities, and community resources. The MPO is the Statewide Leader in Socio-Cultural Effects data development and evaluation, having published the first-ever MPO Socio-Cultural Effects report in 2003. This tool, known as the Community Profile Report, identifies various geographies and communities within the County and assesses their socioeconomic and demographic profiles. Included in this is an assessment of Transportation Disadvantaged populations and key community contacts. It is frequently updated with Census (American Community Survey) data, with the most recent update occurring in 2016.

## APPENDIX 1

### FEDERAL AND STATE REGULATIONS CONCERNING MPO PUBLIC PARTICIPATION

#### 23 CFR

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

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

(1) Include a proactive public participation process that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing participation 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 participation 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 participation 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 participation 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 participation efforts, an additional opportunity for public comment on the revised plan or TIP shall be made available;

(ix) Participation 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 participation processes shall be coordinated with statewide public participation 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.

## APPENDIX 2.

### Incorporation of FDOT Public Involvement Handbook references into the MPO Public Participation Plan

<b>FDOT Public Involvement Handbook Objectives</b>	<b>MPO Public Participation Plan Page Number</b>
Early and continuous public participation	10, 16
Inclusionary practices in activities and notification	5, 6, 10, 11, 17-19
Consideration of the needs of the traditionally underserved and transportation disadvantaged	11, 12, 14, 15
Collaboration with other agencies, local governments, private sector transportation entities, and non-MPO officials	5, 11, 12, 16
Convenient meeting times and locations	5, 6, 15, 17
Reasonable access to information	5, 6, 11, 12, 13, 17-19
Timely notice of public participation activities, including appropriate review and comment periods	6, 10, 13, 14
Acknowledgement and consideration of public comments	12 - 14

**Appendix 3. MPO Public Participation and Objective Achievement 2016**

	<b>Total Community Participation</b>	<b>Minority Community Participation</b>
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<b>MPO and its Committees</b>		
MPO and Advisory Committee Meetings	34	12
MPO and Advisory Committee Meeting Comments	25	5
Community Traffic Safety Team	48	14
Bike Walk Indian River County Meetings	100	10
<i>Total Participation</i>	207	41
<i>Objectives Achieved?</i>	Y	

<b>MPO Projects</b>		
Martin Luther King Trail Opening Ceremony	75	52
Wabasso Neighborhood Meetings	45	41
LRTP Survey	285	N/A
LRTP Workshops	170	48
Fellsmere Property Owners Association Meeting	37	2
<i>Total Participation</i>	612	143
<i>Objectives Achieved?</i>	Y	

<b>MPO Activities</b>		
Bike Rodeos (School)	2915	1399
Bike Rodeos (Public)	450	216
Bike Safety Pre-K	3225	1548
Walk to School/Bike To School Days	200	96
<i>Total Participation</i>	6790	3259
<i>Objectives Achieved?</i>	Y	
<b><i>Total Participation, Meetings, Projects, and Activities</i></b>	<b>7609</b>	<b>3443</b>

<b>Other Outreach Efforts</b>		
Radio programs, newspaper coverage	5	
MPO Correspondence Received	420	
MPO Newsletters Distributed	500	
MPO Website Hits	715,274	
<b>Total Contacts</b>	<b>723,808</b>	