



Memo

From: Jen Higginbotham (MPO)
Date: December 12, 2018
Re: Draft Public Involvement Plan 2019 update

The included draft 2019 Public Involvement Plan (PIP) update will be available for public review and feedback through February 1, 2019. If you have any comments to submit, you may submit them to Jen Higginbotham:

- By phone at 317.327.7587
- By email at jen.higginbotham@indympo.org
- Or by mail to, or in person at, the Indianapolis Metropolitan Planning Organization (MPO) office at 200 E Washington St, Suite 2322, Indianapolis, IN 46204.

This updated PIP will be reviewed for approval by the Indianapolis Regional Transportation Council's Policy Committee during a **public hearing** at their regular meeting on February 20, 2019 at 9:00AM at MIBOR Realtor Association, 1912 N Meridian St, Indianapolis, IN 46202.

This draft includes the following changes from its previous version.

- (page 20) Updated Special Note for CIRTAs, as requested by the Federal Transit Administration
- (page 32) Updated public comments received (to be added after February 1, 2019)
- (page 33) New Appendix G: Language Access Plan, which identifies needs for engaging with residents who have limited English proficiency. In response, the MPO will create a dedicated Spanish page on the website which will include contact information and Spanish translations of critical plans and policies
- Based on recommendations from the 2018 Federal Highway Administration and Federal Transit Administration review of the MPO, the PIP has been updated to include the following public engagement techniques, which staff were already employing for some projects, but which were not included in the PIP's list of options:
 - (page 8) Information about using paid Facebook promotions for some public engagement activities
 - (page 9) The use of street teams for some public engagement activities

Indianapolis Metropolitan Planning Organization

Public Involvement Plan

Approved XXXXXXXXXX | PUBLIC REVIEW DRAFT



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Prepared in cooperation with:
State of Indiana
Indiana Department of Transportation
Federal Highway Administration

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Introduction

Every Urbanized Area with a population of 50,000 or more (as defined by the US Census Bureau) is required by federal regulations to have a designated Metropolitan Planning Organization (MPO). The Indianapolis MPO and the Indianapolis Regional Transportation Council (IRTC) create transportation plans, establish regional policies, provide guidance documents, and conduct a competitive federal grant program that helps fund many of Central Indiana's largest transportation projects including transit, active transportation, and roadway improvements.

The MPO has developed this Public Involvement Process¹ (PIP) to ensure all segments of the public have an opportunity to be involved in regional transportation planning and programming at all stages of the processes. Specifically, as the federal guidance specifies, the following groups must be given an opportunity to be engaged in these processes:

- general public
- affected public agencies
- representatives of public transportation employees
- freight shippers
- providers of freight transportation services
- private providers of transportation
- representatives of users of public transportation
- representatives of users of pedestrian walkways and bicycle transportation facilities
- representatives of the disability community
- other interested parties

This PIP is used by the MPO to ensure early and continuing public involvement as part of its planning and programming processes. It also ensures that the public has access to adequate and timely public notice of public participation activities, time for public review and comment at key decision points, a reasonable opportunity to comment on the MPO's products, and reasonable access to information about transportation issues and processes.

This PIP establishes a minimum threshold for public involvement for MPO directed planning. In practice, the MPO often goes above and beyond these minimum requirements.

The MPO's planning and programming products include:

- the **Public Involvement Plan** (PIP) – refer to page 10 for information on plan update and input
- the **Long Range Transportation Plan** (LRTP) – refer to page 10 for information on plan development and input
- the **Transportation Improvement Program** (TIP) – refer to page 12 for information on program development and input
- other transportation planning products such as regional freight network planning, pedestrian and bikeways planning, transit route and transit oriented development planning, etc.

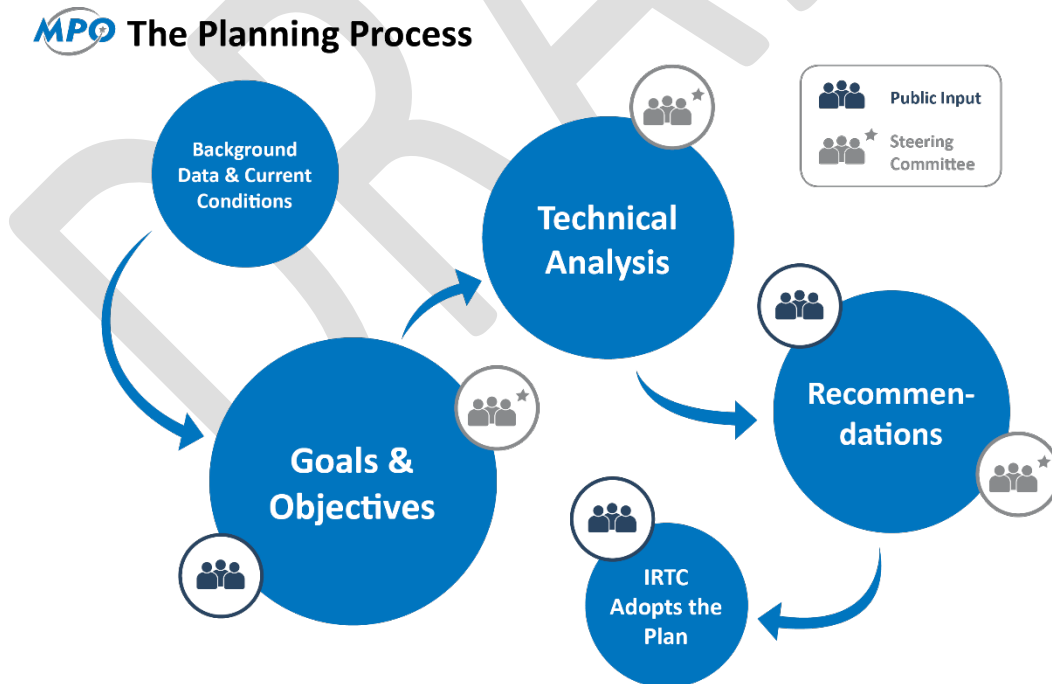
¹ As required by "[23 CFR 450.316](#)" of the Code of Federal Regulations (Appendix C of this document). The MPO is designated to receive federal transportation funding from the Federal Highway Administration and the Federal Transit Administration.

The Planning Process

The MPO creates plans and policies for transportation at the regional level. These plans and policies generally build on the plans created by Central Indiana’s local communities, but also consider the benefits and impacts of transportation improvements at the regional level. These plans include the MPO’s Long Range Transportation Plan, the Regional Bikeways Plan, the Central Indiana Transit Plan, and others. The MPO’s planning process generally consist of:

1. Gathering background information to get a feel for the current conditions of an area and to see how it's changed over time
2. Getting public input and feedback on goals and objectives for the project and the project's outcomes
3. Technical analysis that helps to form the plan's recommendations
4. Public input and feedback on the plan’s recommendations
5. Adoption of the plan by the Indianapolis Regional Transportation Council (IRTC) during a public hearing

Most planning work at the MPO also involves a steering committee for each project. These are residents and people from various agencies and organizations in the effected communities, who help guide the project's goals and recommendations.

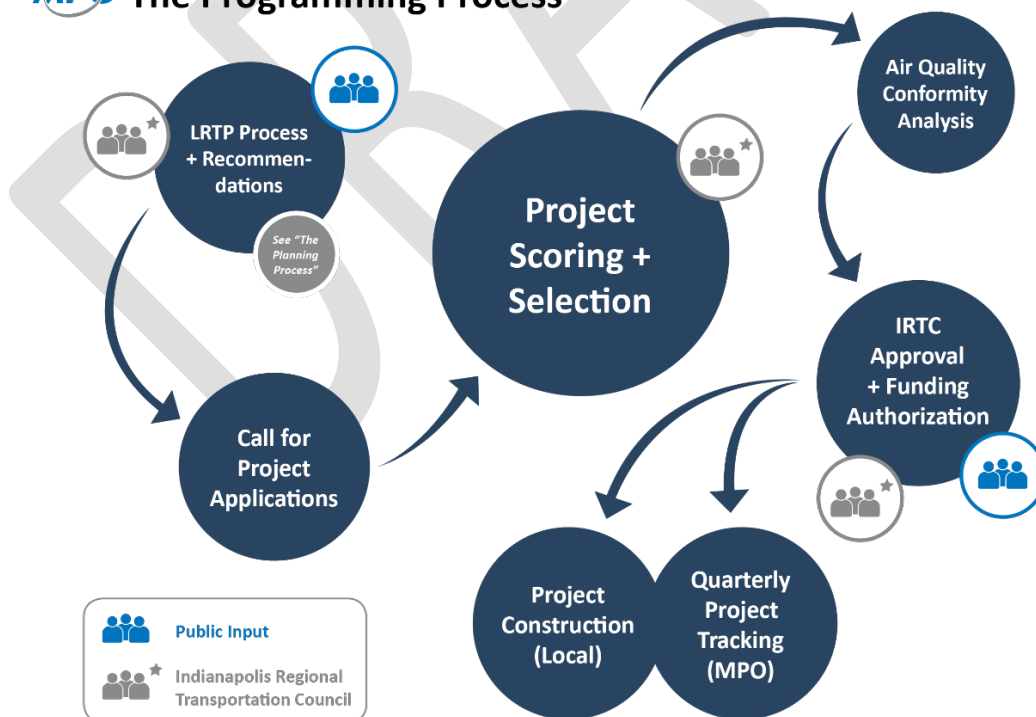


The Programming Process

The Indianapolis MPO receives an annual allocation of federal funds and operates a program to select which projects to fund with federal money. Using existing plans, direction from the IRTC Policy Committee, and public input, the MPO helps fund the projects that provide Central Indiana with the highest regional transportation benefit. The MPO’s programming process generally consists of:

1. **Creating Scorecards.** We use best practices, federal guidelines, and IRTC input to determine the best selection criteria for each funding category.
2. **Issuing a Call for Projects.** We announce a call for projects to IRTC members, provide an outline of money available for the funding call, and a deadline.
3. **Reviewing submitted projects.** Towns, cities, and counties all submit projects for funding; they self-score their projects. We double-check the scoring and rank/recommend projects based on their score.
4. **Asking for Public Comment.** The IRTC and public provide input on the list of recommended projects.²
5. **Seeking Approval.** We put a final list together and submit to the IRTC for final approval.
6. **Tracking Projects.** Every project is tracked to ensure the project meets its deadlines and will be able to spend its allocated money. Check out [MiTIP](#) for the current list of projects.

MPO The Programming Process



² It is worth noting that this should not be the first opportunity for public input. Before the local communities (IRTC members) submit applications to the MPO’s Call for Projects, the project in question should have been included as part of a community’s thoroughfare plan, comprehensive plan, capital improvement program, or other publically vetted, approved community plan.

Goals of the PIP

The Public Involvement Plan is intended to provide all interested parties, including local public agencies and planning partners, with information on how the MPO actively engages the public in the transportation planning and programming processes. An effective public involvement plan requires MPO staff to both provide information to and gather information from the public. This exchange should occur for all MPO plans and programming activities, including special planning projects.

Goals for planning and programming processes are to:

1. Obtain understanding of transportation needs through public engagement.
2. Engage the public in transportation decision-making early and often.
3. Provide to the public reasonable access at key decision points during the development of MPO plans and programs.
4. Ensure full and fair participation in the transportation decision making process.
5. Provide timely and adequate notice to the public about meetings and plans.
6. Seek out and consider the needs of those traditionally underserved by existing transportation systems, who may also face challenges accessing employment and other services, including:
 - a. Low-income (households below the poverty line);
 - b. Minority population (population reporting a race and ethnicity other than White, Non-Hispanic);
 - c. Limited-English proficiency (households reporting low English proficiency for all members over age 14);
 - d. Senior population (population age 65 or over);
 - e. Zero-car households (occupied housing units with no vehicle available);
 - f. Persons with disabilities (population aged 16-64 reporting a disability); and
 - g. Low educational attainment (population over age 25 with no high school diploma or GED).
7. Seek out and consider the needs of those who are geographically nearest to the project and therefore a higher potential for direct impact from the project.

All MPO plans and processes will track the type and amount of public involvement methods used, and feedback received.

Public Involvement Procedures

The following are some of the procedures and techniques that the MPO uses for gathering public input.

Scheduling and Noticing Procedures

The MPO develops and updates its planning and programming documents on a regular basis. There are various minimum public input and public noticing periods based on the type of planning document. The

table in Appendix A summarizes the minimum input and noticing periods for the MPO's planning and programming core products (LRTP, TIP, PIP).

IRTC Meetings

Core products of the MPO (like the LRTP, TIP, PIP) as well as other significant regional planning products, will be reviewed and approved by the Indianapolis Regional Transportation Council (IRTC). This board includes representatives of all counties and municipalities in Central Indiana's Metropolitan Planning Area (MPA), who are dues-paying members of the MPO in good standing. The public may submit comments about MPO products that impact or affect their local jurisdiction to their IRTC representative, or directly to MPO staff. A current list of IRTC members can be found at <https://www.indympo.org/who-we-are/irtc/members>.

Open Meetings

Notifications, cancellations, and any special announcements for regular meetings conducted by the MPO (such as meetings of the IRTC Policy, Technical, and Administrative committees) will be listed on the MPO website, the MPO's Facebook and Twitter pages, at the MPO office, and an email will be sent to subscribers of the MPO's teMPO newsletter. All meetings posted on the MPO website are open for the public to attend. Exceptions to this policy are only permitted as allowed by the Open Door Law (IC 5-14-1.5 – Appendix D).

Meeting Accessibility

The transportation needs and opinions of persons with disabilities shall be included in the transportation planning process.³ The planning process will be made accessible to such persons by ensuring that all public meetings are held at convenient and accessible locations and times. When possible, public meetings are held at facilities accessible by transit. All standing IRTC meetings will be accessible by transit.

Individuals needing special accommodations to participate in meetings or individuals with limited English proficiency should contact MPO staff at least three (3) working days prior to the scheduled meeting in order to accommodate their needs. Please call 317-327-5136 to notify MPO staff. Individuals can also contact Relay Indiana for special accommodations (dial 711 or email info@relayindiana.com).

Coordination with Statewide Transportation Planning

The Indianapolis MPO consistently engages the Indiana Department of Transportation (INDOT) in its planning processes. As part of this coordination effort, MPO staff reaches out to INDOT for participation in planning processes and updates on INDOT plans and programs. INDOT is apprised of MPO activities through participation on the IRTC Technical and Policy Committees. INDOT is a voting member of the IRTC Technical and Policy Committees.

³ In accordance with the Americans with Disabilities Act of 1990

Methods of Public Outreach & Advertisement

Public outreach is essential to the planning and transportation programming process. A variety of engagement techniques and tools should be used to ensure transparency and increase opportunities for the public to participate. All MPO plans and processes will track the type and amount of public involvement methods used, and feedback received. What follows are some of the best practice techniques for generating meaningful public input into planning and transportation programming processes:

Public Hearings

Federal law requires the provision of public hearings for the creation of and amendments to specific MPO documents. These public hearings provide the general public and other interested parties with an opportunity to have their position heard. Public hearing procedures will be in accordance with Appendix B of this Public Involvement Plan.

Public Notices

Public notices, issued to major news publications, will be issued for meetings or documents available for public comment in accordance with the minimum advertising periods as set forth in this Public Involvement Plan. (See Appendix A)

- The Indianapolis Star and Indianapolis Recorder shall be the MPO's Newspapers of Record. The MPO will advertise in other publications as needed, on a case-by-case basis.
- For projects and services potentially affecting identified areas of concern with limited English proficiency, the MPO will include information about requesting language services written in Spanish as well as in English.

The Indianapolis MPO Website

Advertisements for public hearings, public review periods, public forums, review draft availability, and other occurrences will be posted to the MPO's website. The website also houses individual project pages (<https://www.indympo.org/whats-underway>) where updates and drafts of planning products will be posted for public review, and comments on individual products can be made. Documents identified in the Language Access Plan will be posted to the Spanish language page on the MPO webpage. Comments about any MPO products can also be submitted to the MPO using the general comment form at <https://www.indympo.org/contact-us>. MPO policies, procedures, and approved products can be found at:

- <https://www.indympo.org/whats-completed>
- <https://www.indympo.org/whats-underway/irtip>
- <https://www.indympo.org/whats-underway/lrtp>
- <https://www.indympo.org/how-we-work/mpo-policies-procedures>

Email Newsletter

The Indianapolis MPO utilizes its email newsletter, *teMPO*, to distribute news stories, public meeting notices, and other important information to its members and interested citizens and agencies.

Social Media

The Indianapolis MPO uses Facebook as its primary social media presence (www.facebook.com/indympo). The MPO also uses Twitter (www.twitter.com/indympo). The Indianapolis MPO Facebook and Twitter pages share information on current planning activities and distribute news and information about our member agencies, many of whom have an active presence on social media.

- The MPO, on a project-by-project basis, may decide to employ paid promotion for Facebook posts. Demographic criteria can be applied to promoted posts to ensure that opportunities are promoted to populations who are traditionally underserved (such as non-white, low income, limited English, etc.). Alternatively (or concurrently), location data can be applied to promoted posts to ensure that people who live in certain areas (such as where a particular project or meeting is taking place) have the best chance at seeing the message via social media.
- When posting messages about documents available for public comment, it will be noted that, though the MPO reads and considers all comments made on MPO Facebook and Twitter posts, only comments that are submitted to the MPO's Facebook or Twitter accounts in direct messages will be part of the official public comment record for a product that is out for public review and feedback.
- As available, the MPO may also work with local governments who have access to other platforms like NextDoor, etc.

Visualization Techniques

Attempts will be made to employ visualization techniques to describe locations and/or design of proposed planning or construction projects. These may include the following formats: project location maps, photographs, narrative project descriptions, charts, illustrations, graphics, diagrams, and sketches. In particular, the Metropolitan Indianapolis Transportation Improvement Program (MiTIP) website (<https://mitip.indympo.org>) represents the current Indianapolis Regional Transportation Improvement Program (IRTIP). This website is immediately and automatically populated with updated information whenever a change is made. This website provides the user with the most up to date information available and provides project specific search capabilities.

Staff will continue to monitor and investigate developing technologies to improve the MPO's visualization process.

Public Forums

Public forums are used to engage the public for specific planning activities. They may be in the form of advertised meetings or open houses, or may take place at regularly scheduled community meetings for neighborhoods, community development groups, or other interested / affected organizations. The intent of public forums is to disseminate and gather information in an informal setting. These forums may be conducted in a specific planning area for a location-based project, or may be spread throughout the region, depending on the geographic scale of the project.

Advisory Groups

As necessary for planning processes, the MPO will use an advisory group (aka steering committee, stakeholder, etc.) to guide staff during key decision points and in forming recommendations. An advisory group would not replace public input, but would provide an additional resource during the process. Advisory groups will include representatives key to the process (residents, employers, social welfare organizations, etc.).

Presentations

Presentations will be given by staff at appropriately scheduled public meetings or to organizations or agencies with specific interest in particular projects, either as preliminary outreach or as requested by the organizations. Whenever possible, the MPO will plan to post online a recording of a given presentation so that those who cannot participate in person can stay informed and provide feedback via survey, email, phone, or mail.

Surveys

One helpful tool for gathering public input is surveys. Surveys can take many shapes, sizes, and methods of deployment: online, paper, by telephone, and in-person. The MPO uses surveys to gather information from the public on specific planning activities and uses the information to inform the planning process. Another use is to survey the members of the IRTC at key points in a planning process. Survey results are shared with the IRTC and are considered integral parts of a successful planning process. When requested, a survey may be translated into Spanish for people with limited English proficiency.

Street Teams

The MPO may choose to hire or organize street teams on a project-by-project basis. These teams can visit well-trafficked establishments (such as grocery stores, salons, places of worship, community centers, public fairs/festivals, etc.) to share information about a current project or upcoming public engagement opportunity.

Interested Citizens/Agencies

The MPO uses its email newsletter, the teMPO, as the main form of communication with interested citizens and agencies. The MPO uses the teMPO to disseminate information about transportation plans, policies, and activities. The MPO strives to include organizations that represent low-income, minority, and other traditionally underserved populations as subscribers of the teMPO. Subscribers of the teMPO will be continually examined for inclusiveness and usefulness, and opportunities to subscribe to the email newsletter will be offered to all individuals who take an interest in participating in the MPO's transportation planning and programming processes. Anyone who wishes to subscribe to the teMPO newsletter can sign up at <http://www.indympo.org/whats-underway/get-involved/tempo-newsletter>.

The MPO attempts to ensure that teMPO subscribers include representatives of the following:

- Traffic agencies

- Private providers of transportation services
- Ridesharing agencies
- Parking agencies
- Transportation safety agencies
- Traffic enforcement agencies
- Commuter rail operators
- Airport and port authorities
- Freight companies
- Railroad companies
- Environmental organizations
- Neighborhood associations
- Local Health Departments
- Other City, County, and Municipal departments
- Advocacy Groups
- Interested citizens
- Public/Private/Parochial/Charter Schools
- Employers
- Organizations representing the interests of:
 - Older Adults
 - Minority populations
 - Transportation agency employees
 - Users of various modes of transportations
 - Persons with disabilities
 - Economically disadvantaged persons
 - Others underserved by the transportation system

Availability of Information

All documents seeking public comment will be posted to project pages on the MPO website at <https://www.indympo.org/whats-underway> and advertised via the teMPO email newsletter and social media. MPO staff will make printed materials available to the public upon request. When appropriate, a charge may be levied for copies of publications. The charge will cover the cost of production and, if applicable, the cost of mailing the materials. All such materials are available for viewing at the MPO office at no cost.

Public Involvement Plan

A minimum public comment period of forty-five (45) calendar days will be provided before an initial or revised Public Involvement Plan (PIP) is adopted by the MPO/IRTC. Meetings during which the IRTC will consider adoption of a PIP will include a public hearing in accordance with Appendix B of this Public Involvement Plan. Copies of the approved PIP will be provided to the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) for informational purposes and will be posted to the

MPO's website. The MPO will review the PIP concurrent with the development of each new Transportation Improvement Program (generally every four years) and initiate a process to amend the existing or adopt a new PIP as necessary.

Long Range Transportation Plan (LRTP) Public Involvement

The Long-Range Transportation Plan (LRTP) for the Indianapolis Metropolitan Planning Area (MPA) serves as the comprehensive plan for transportation investment to support the safe and efficient movement of people and goods within the Indianapolis region through the plan's 20-year horizon. The LRTP is the MPO's primary transportation policy document. It establishes the purpose and need for major projects, identifies activities to address major transportation issues, and prioritizes investments in the transportation system.

The LRTP must be fiscally constrained (activities are prioritized relative to realistic projections of available financial resources through the next 20 years); it identifies policies, strategies, and projects for the future; it focuses at the systems level, including roadways, transit, non-motorized transportation, and intermodal connections; it must be consistent with the statewide long-range transportation plan; and it must be reviewed and updated every four years in air quality attainment or non-attainment areas.

Simply put, the LRTP analyzes proposed transportation investments within the next 20 years, considers the impact of these projects on regional travel patterns, congestion, and air quality, and assigns them a priority for funding.

New LRTP

The development of a new Long Range Transportation Plan (LRTP) can take several months, if not longer, depending on the scope. Throughout the long range planning process, the public will be engaged at key stages of development.

Once the New LRTP is in final draft form, a comment period of thirty (30) calendar days will be provided for public review, including the associated air quality conformity analyses. If the final draft LRTP differs significantly from the version that was made available for public comment, a second public comment period of at least fifteen (15) calendar days will be held before final approval by the IRTC Policy Committee.

LRTP Amendments

Between the approval of each new LRTP, there are occasions that require amending the LRTP. This could be due to new planning requirements, new air quality conformity regulations, project schedule changes, or similar reasons. A comment period of fifteen (15) calendar days will be provided for public review of any amendment to the LRTP, including the associated Air Quality analysis.

Approval of the LRTP

The IRTC Policy Committee is the approval body of the Indianapolis MPO. The Policy Committee reviews and approves new LRTPs or LRTP amendments at its regularly scheduled meetings only after all reviewing agencies have reviewed the LRTP and Air Quality Conformity Analysis, the public has reviewed and provided comments, and the IRTC Technical Committee has reviewed and approved the document. The final document will be available on the MPO's website. Meetings during which the IRTC will consider adoption of a new LRTP or LRTP amendment will include a public hearing in accordance with Appendix B of this Public Involvement Plan.

LRTP Public Comments

For every public input opportunity for the LRTP, MPO staff will provide specific instructions on how to provide public comment. Copies of the draft new or amended LRTP will be available in the MPO's office and on the MPO's website.

For a New LRTP, flyers announcing the public review and comment period and the availability of the draft New LRTP will be posted at selected public libraries and local government offices within the Indianapolis MPA.

Comment periods for both new and amended LRTPs will be announced in the public notice section of the Indianapolis Star, the Indianapolis Recorder, on the MPO's website, on MPO social media accounts, and as part of the MPO's email newsletter, the teMPO. Press releases will be sent to all major news publications in the region.

Those members of the public wishing to address comments to the Indianapolis Regional Transportation Council Policy Committee or any committee thereof will be given the opportunity to comment at the noticed public hearings.

All significant public comments, or a summary of similar comments, will be discussed with both the IRTC Technical Committee and Policy Committee prior to approval. When significant comments of a substantive nature are received during the designated comment period, they will be included in the appendix of the final document.

Indianapolis Regional Transportation Improvement Program (IRTIP) Public Involvement

The Indianapolis Regional Transportation Improvement Program (IRTIP) includes the federally funded transportation improvements proposed by government and transportation agencies in the Indianapolis Metropolitan Planning Area over a four-year period. The MPO and IRTC are responsible for managing the various federal funding programs through their project selection process.

The IRTIP provides a schedule by which to coordinate federal project implementation among jurisdictions and agencies; a guide for implementation of other short- and long-range transportation plans; an aid to financial programming and administration; and a source of information for the public.

Simply put, Central Indiana counties and municipalities compete for federal funding, and those that succeed are included in the TIP for future funding. Any proposed project that would expand a facilities capacity (like widening a roadway, adding lanes, new roadways, etc.) would need to be included and evaluated in the LRTP before it is eligible to compete for the federal funding.

New IRTIP

A comment period of thirty (30) calendar days will be provided for public review of the draft 4-year IRTIP, including the associated Air Quality analysis. If the final draft IRTIP differs significantly from the version that was made available for public comment, a second public comment period of at least fifteen (15) calendar days will be held before final approval by the IRTC Policy Board.

IRTIP Amendment

A comment period of at least ten (10) calendar days will be provided for public review of an IRTIP amendment.

IRTIP Illustrative List

A comment period of at least ten (10) calendar days will be provided for public review of the IRTIP Illustrative List. The MPO will annually develop the Illustrative List of Projects that have anticipated implementation dates beyond the 4-year timeframe of the regular IRTIP. This will be in addition to the IRTIP, and these projects will eventually be adopted into the IRTIP once their construction dates are within the IRTIP's 4-year timeframe.

IRTIP Administrative Amendment

No public review is required for administrative amendments of the IRTIP. Administrative amendments are approved by the MPO Executive Director under authority of the IRTC Policy Committee.

Administrative amendments are minor in nature; yet still require an amendment as opposed to a modification. Administrative amendments may be approved for exempt (from air quality conformity requirements) projects where public involvement on the overall project has already taken place. An example of this type of amendment includes but is not limited to:

- A construction phase is programmed in the current IRTIP but preliminary engineering or right-of-way phases were overlooked and need to be added to the IRTIP.
- A project from a previous IRTIP needs to be amended into the new version of the IRTIP.
- INDOT preservation projects (air quality conformity exempt) that do not involve Right of Way acquisition.

All administrative amendments will be posted on the MPO's website at <http://www.indympo.org/whats-underway/irtip>.

IRTIP Administrative Modification

No public review is required for administrative modifications of the IRTIP. All modifications will be posted on the MPO's website at <http://www.indympo.org/whats-underway/irtip>.

Modifications are minor changes to projects or the IRTIP that do not require IRTC or Executive Director approval, or public review. These include but are not limited to general editorial corrections, changes to projects that do not involve significant change in the use of MPO competitive funds such as minor cost increases, moving fiscal years within the active years of the current IRTIP, minor scope changes that do not change the overall project impact or air quality.

IRTIP Emergency Amendment

A comment period of at least ten (10) calendar days will be provided for public review of proposed emergency amendments to the IRTIP. Upon confirmation of the meeting details (location, time, etc.), the draft emergency amendments will be emailed to members of the IRTC Technical and Policy Committees, posted to the MPO website, and shared on the MPO's social media accounts and via the teMPO email newsletter. Final action will be taken by the Administrative Committee at its regularly scheduled meeting, or at a special meeting called by the Chair. The public notice of the ten (10) day comment period concluding in a public hearing at the Administrative Committee meeting will be made in accordance with Appendix A of this PIP. Any public comments received will be provided to the Administrative Committee prior to the committee's vote.

These are amendments that require approval by the IRTC and must include public review outside of the regular formal amendment process. Emergency amendments must be made available during an advertised ten (10) day public comment period, concluding in a public hearing.

Approval of the IRTIP

The IRTC Policy Committee is the approval body of the Indianapolis MPO. The Policy Committee reviews and approves the new, amended, or illustrative list of the IRTIP at its regularly scheduled meetings only after all reviewing agencies have approved the IRTIP and Air Quality Conformity Analysis, the public has reviewed and provided comments, and the IRTC Technical Committee has reviewed and approved the document. Meetings during which the IRTC will consider adoption of the IRTIP will include a public hearing in accordance with Appendix B of this Public Involvement Plan. The final document will be available on the MPO's website.

IRTIP Public Comments

For every public input opportunity for the IRTIP, MPO staff will provide specific instructions on how to provide public comment. Copies of the draft new, amended, or illustrative list of the IRTIP will be available in the MPO's office and on the MPO's website. Flyers announcing the public review and comment periods and the availability of the new IRTIP will be posted at selected public libraries and local government offices within the Indianapolis MPA. Comment periods will be announced in the public notice section of the Indianapolis Star, the Indianapolis Recorder, on the MPO's website, on MPO

social media accounts, and as part of the MPO's email newsletter, the teMPO. Press releases will be sent to all major news publications in the region.

Those members of the public wishing to address comments to the Indianapolis Regional Transportation Council Policy Committee or any committee thereof will be given the opportunity to comment at the noticed public hearings.

All significant public comments, or a summary of similar comments, will be discussed with both the IRTC Technical Committee and Policy Committee prior to approval. All comments received during the designated comment period will be included in the appendix of the final document.

For further information on IRTIP amendments and modifications, please visit <https://www.indympo.org/whats-underway/irtip>.

Public Involvement in Special Planning Studies

As planning or programming projects arise (other than the PIP, TIP, and LRTP), a project may use this PIP or develop a specific public involvement process that is appropriate for the project. Public comment periods and notices of public hearing for project-specific processes will be advertised in the Indianapolis Star, the Indianapolis Recorder, on the MPO's website, on MPO social media accounts, and as part of the MPO's email newsletter, the teMPO. Press releases will be sent to all major news publications in the region. Draft documents will be posted on the MPO's website for review by the public.

Contact

Those seeking more information about our planning activities can contact the Indianapolis Metropolitan Planning Organization, 200 East Washington Street, City-County Building, Suite 2322; Indianapolis, IN 46204-3310

Phone: 317.327.5136; or call 711 for Relay Indiana

Fax: 317.327.5950

Website: www.IndyMPO.org

Appendix A: Reference for Minimum Noticing

The following table was created to provide clarity on the required notice for meetings or public hearings for each of the MPO’s planning activities. All notices for public meetings and public hearings will be posted to the MPO’s website.

Regular IRTC Meetings	Dates	Notice for Meeting or Public Hearing	Notes
Indianapolis Regional Transportation Council (IRTC) Meetings			
IRTC Technical and Policy Committees’ Meetings	Typical schedule is February/March, May, June, August, October, and December	Minimum 7 calendar days’ notice of meetings and agendas posted on MPO website	
IRTC Administrative Committee	The Administrative Committee typically meets 10 days prior to the Technical and Policy meetings.	Minimum 7 calendar days’ notice of meetings; Emergency Meetings require only two (2) working days’ notice ⁴	
** NOTE: Individuals needing special accommodations to participate in meetings or individuals with limited English proficiency should contact MPO staff at least three (3) working days prior to the scheduled meeting in order to accommodate their needs. Call 317-327-5136 or 711 for Relay Indiana.			

Plan or Process	Minimum Official Public Comment Period	Minimum Notice for Meeting or Public Hearing	Notes
Public Involvement Plan (PIP)			
New or Updated PIP	45 calendar days	Public Hearing held at regularly scheduled IRTC Policy Committee meetings	A written response to public comments received will be included in the appendix
Long Range Transportation Plan (LRTP)			
New LRTP	30 calendar days -- Second review period of 15 calendar days if draft changes greatly based on public comment	Public Hearing held at a regularly scheduled IRTC Policy Committee meeting	A written response to public comments received will be included in the appendix
LRTP Amendment	15 calendar days	Public Hearing held at a regularly scheduled IRTC Policy Committee meeting	A summary of public comments will be provided to the IRTC

⁴ In Accordance with the Indiana Open Door Law (IC 5-14-1.5 – Appendix D)

Plan or Process	Minimum Official Public Comment Period	Minimum Notice for Meeting or Public Hearing	Notes
Indianapolis Regional Transportation Improvement Program (IRTIP)			
New IRTIP	30 calendar days -- Second review period of 15 calendar days if draft changes greatly based on public comment	Public Hearing held at a regularly scheduled IRTC Policy Committee meeting	A written response to public comments received will be included in the appendix
IRTIP Amendment	10 calendar days	Public Hearing held at a regularly scheduled IRTC Policy Committee meeting	A summary of public comments will be provided to the IRTC
IRTIP Amendment (Illustrative projects list)	10 calendar days	Public Hearing held at a regularly scheduled IRTC Policy Committee meeting	A summary of public comments will be provided to the IRTC
IRTIP Administrative Amendment	No public review required	No public hearing required	
IRTIP Administrative Modifications	No public review required	No public hearing required	
IRTIP Emergency Amendment	10 calendar days	Consideration and final decision to take place during an emergency meeting of the IRTC Administrative Committee	A summary of public comments will be provided to Administrative Committee members
Other Plans and Activities			
Other Plans and Activities	Specified within the specific PIP's for Other Plans and Activities		
<p>** NOTE: Individuals needing special accommodations to participate in meetings or individuals with limited English proficiency should contact MPO staff at least three (3) working days prior to the scheduled meeting in order to accommodate their needs. Call 317-327-5136 or 711 for Relay Indiana.</p>			

Appendix B: Public Hearing Procedures

Scheduled Public Hearings

Public hearings are held by the MPO prior to a decision point. They may occur at a regularly scheduled meeting of the IRTC, a special meeting that may be called according to the MPO By-Laws, or at an advance public hearing. Advance public hearings may be held in cases where a large amount of public comment is anticipated to allow for proper recording and dissemination of comments to IRTC members prior to a voting meeting. A public hearing gathers community comments and positions from all interested parties for public record and input into decisions. Public hearings shall be open to the public and persons desiring to be heard shall have the right to give testimony, in accordance with these rules.

MPO staff or the project sponsor shall be allowed time to introduce the resolution and explain the relevant details of the proposal to the IRTC and those present.

A maximum of 20 minutes for supporters and 20 minutes for remonstrators shall be allotted for a total of no more than 40 minutes of testimony per resolution that requires a public hearing. That time will be used for the presentation of evidence, statements, and argument. Testimony may alternate between support and opposition. Individuals wishing to speak must sign-in at the meeting. Each individual speaker may have a maximum of two (2) minutes to speak to allow for multiple people to comment within the allotted time. The MPO encourages groups with similar views to appoint a single presentator to speak on behalf of the group. If this presentator wishes to present for longer than two minutes, they should make prior arrangements with the MPO to do so.

After testimony is given as specified above, supporters and remonstrators, respectively, shall be permitted five minutes each (for a total of no more than 10 minutes per resolution) for rebuttal that shall include only evidence, statements or arguments in rebuttal of previously presented testimony.

The Chair of the IRTC shall have the authority to cut off repetitious and irrelevant testimony, and also shall have authority to extend the periods of time specified above when it is in the interest of affording a fair hearing to all interested parties. Every person appearing at the hearings shall abide by the order and directives of the IRTC Chair. Discourteous, disorderly or contemptuous conduct shall be regarded as a breach of privileges extended by the IRTC and shall be dealt with by the Chair as deemed fair and proper.

Individuals who cannot attend but wish to submit their comments to be read during the meeting, must submit them to staff at least two days prior to the meeting via mail or direct email to a staff member, or via www.indympo.org/contact-us. Comments submitted during an official public comment period will be included as an appendix to the draft document being considered for approval at a public hearing. Draft documents for consideration are distributed to IRTC members one week prior to each meeting.

Advance Public Hearing Procedure

Advance public hearings may be offered to organize proceedings in situations where the public would benefit from additional opportunities to comment on MPO Resolutions.

Location:

Consideration for the location of the advance public hearing may be based on the following factors:

- Availability of Location
- Ability of Location to hold the anticipated number of persons attending
- Accessibility by public transit
- Access by and/or coordination with security personnel
- Buildings where firearms are prohibited
- ADA Accessibility

Physical Set-up:

The facility shall have adequate equipment for those speaking to be heard and/or recorded. There should be adequate provision for visual displays such as a computer projector, transparency projector or display boards as necessary. Dual podiums are encouraged but not required. Dual podiums allow for public comment to effectively alternate from each podium to afford equal opportunity to both those in support and those in opposition to a resolution.

Organization:

Persons wishing to speak during the advance public hearing should sign in with the following information: first name, last name, address, contact (email and/or phone) and whether they are in support or opposition to the resolution. The MPO will call a list of names, in the order that they signed in, to form a line at the podium(s) for public comment. Members of the public will be given between 2 and 5 minutes of time to speak based on the number of people present and wishing to speak.

Individuals who cannot attend but wish to submit their comments to be read during the meeting, must submit them to staff at least two days prior to the meeting via mail or direct email to a staff member, or via www.indympo.org/contact-us.

Posting of procedure:

To provide the public with adequate instruction on how the meeting will be organized, the MPO will post the hearing procedure where appropriate at the hearing location and shall prepare a statement to be read at the beginning of the hearing that covers this information as well.

Decision:

Final decisions will not be made at Advance Public Hearings. Comments will be recorded and included with packet information to the IRTC Policy Committee for their consideration at the final public hearing, at which public comment will also be allowed and either a final approval decision will be made or the consideration will be continued to a future IRTC Policy Committee meeting.

Appendix C: Shared Public Involvement Plan

This PIP serves as the Public Involvement Plan for the Indianapolis Metropolitan Planning Organization (MPO), the Indianapolis Public Transportation Corporation (IndyGo), and the Central Indiana Regional Transportation Authority (CIRTA). As necessary, any of the three agencies will go beyond the minimum requirements of this PIP to execute their specific agency's duties.

Special Note for IndyGo

As required by the Federal Transportation Administration (FTA), the following note will be included in all Transportation Improvement Program (TIP) publications produced by the MPO:

"The public participation process described herein is used to satisfy the public participation process for the Program of Projects (POP) for the following Federal Transit Administration (FTA) grantee: Indianapolis Public Transportation Corporation. Pursuant to Indianapolis Public Transportation Corporation Resolution No. 2002-09 adopting the Public Participation Process of the Indianapolis Metropolitan Planning Organization, this publication complies with the requirements of the public participation process as set forth."

Special Note for CIRTA

As required by the Federal Transportation Administration (FTA), the following note will be included in all Transportation Improvement Program (TIP) publications produced by the MPO:

"The public participation process described herein is used to satisfy the public participation process for the Program of Projects (POP) for the following Federal Transit Administration (FTA) grantee: Central Indiana Regional Transportation Authority. Pursuant to Central Indiana Regional Transportation Authority Resolution No. 2018-12-06 adopting the Public Participation Process of the Indianapolis Metropolitan Planning Organization, this publication complies with the requirements of the public participation process as set forth."

Appendix D: Federal Code

23 CFR 450.316 - Interested parties, participation, and consultation.

- (a) The MPO shall develop and use a documented participation plan that defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.
- (1) The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:
- (i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;
 - (ii) Providing timely notice and reasonable access to information about transportation issues and processes;
 - (iii) Employing visualization techniques to describe metropolitan transportation plans and TIPs;
 - (iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;
 - (v) Holding any public meetings at convenient and accessible locations and times;
 - (vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;
 - (vii) Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
 - (viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that 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;
 - (ix) Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and
 - (x) Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.
- (2) When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR part 93), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.
- (3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan

shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the World Wide Web, to the maximum extent practicable.

- (b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, metropolitan transportation plans and TIPs shall be developed with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:
 - (1) Recipients of assistance under title 49 U.S.C. Chapter 53;
 - (2) Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and
 - (3) Recipients of assistance under 23 U.S.C. 204.
- (c) When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.
- (d) When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.
- (e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under § 450.314.

Appendix E: Indiana Open Door Law

Indiana Code Title 5, Article 14, Chapter 1.5

IC 5-14-1.5

Chapter 1.5. Public Meetings (Open Door Law)

IC 5-14-1.5-1

Purpose

Sec. 1. In enacting this chapter, the general assembly finds and declares that this state and its political subdivisions exist only to aid in the conduct of the business of the people of this state. It is the intent of this chapter that the official action of public agencies be conducted and taken openly, unless otherwise expressly provided by statute, in order that the people may be fully informed. The purposes of this chapter are remedial, and its provisions are to be liberally construed with the view of carrying out its policy. As added by Acts 1977, P.L.57, SEC.1. Amended by P.L.67-1987,

SEC.1. IC 5-14-1.5-2

Definitions

Sec. 2. For the purposes of this chapter:

(a) "Public agency", except as provided in section 2.1 of this chapter, means the following:

- (1) Any board, commission, department, agency, authority, or other entity, by whatever name designated, exercising a portion of the executive, administrative, or legislative power of the state.
- (2) Any county, township, school corporation, city, town, political subdivision, or other entity, by whatever name designated, exercising in a limited geographical area the executive, administrative, or legislative power of the state or a delegated local governmental power.
- (3) Any entity which is subject to either:
 - (A) budget review by either the department of local government finance or the governing body of a county, city, town, township, or school corporation; or
 - (B) audit by the state board of accounts that is required by statute, rule, or regulation.
- (4) Any building corporation of a political subdivision of the state of Indiana that issues bonds for the purpose of constructing public facilities.
- (5) Any advisory commission, committee, or body created by statute, ordinance, or executive order to advise the governing body of a public agency, except medical staffs or the committees of any such staff.
- (6) The Indiana gaming commission established by IC 4-33, including any department, division, or office of the commission.
- (7) The Indiana horse racing commission established by IC 4-31, including any department, division, or office of the commission.

(b) "Governing body" means two (2) or more individuals who are:

- (1) A public agency that:
 - (A) is a board, a commission, an authority, a council, a committee, a body, or other entity; and

- (B) takes official action on public business.
- (2) The board, commission, council, or other body of a public agency which takes official action upon public business.
- (3) Any committee appointed directly by the governing body or its presiding officer to which authority to take official action upon public business has been delegated. An agent or agents appointed by the governing body to conduct collective bargaining on behalf of the governing body does not constitute a governing body for purposes of this chapter.
- (c) "Meeting" means a gathering of a majority of the governing body of a public agency for the purpose of taking official action upon public business. It does not include any of the following:
- (1) Any social or chance gathering not intended to avoid this chapter.
 - (2) Any on-site inspection of any:
 - (A) project;
 - (B) program; or
 - (C) facilities of applicants for incentives or assistance from the governing body.
 - (3) Traveling to and attending meetings of organizations devoted to betterment of government.
 - (4) A caucus.
 - (5) A gathering to discuss an industrial or a commercial prospect that does not include a conclusion as to recommendations, policy, decisions, or final action on the terms of a request or an offer of public financial resources.
 - (6) An orientation of members of the governing body on their role and responsibilities as public officials, but not for any other official action.
 - (7) A gathering for the sole purpose of administering an oath of office to an individual.
 - (8) Collective bargaining discussions that the governing body of a school corporation engages in directly with bargaining adversaries. This subdivision only applies to a governing body that has not appointed an agent or agents to conduct collective bargaining on behalf of the governing body as described in subsection (b)(3).
- (d) "Official action" means to:
- (1) receive information;
 - (2) deliberate;
 - (3) make recommendations;
 - (4) establish policy;
 - (5) make decisions; or
 - (6) take final action.
- (e) "Public business" means any function upon which the public agency is empowered or authorized to take official action.
- (f) "Executive session" means a meeting from which the public is excluded, except the governing body may admit those persons necessary to carry out its purpose.
- (g) "Final action" means a vote by the governing body on any motion, proposal, resolution, rule, regulation, ordinance, or order.
- (h) "Caucus" means a gathering of members of a political party or coalition which is held for purposes of planning political strategy and holding discussions designed to prepare the members for taking official action.

(i) "Deliberate" means a discussion which may reasonably be expected to result in official action (defined under subsection (d)(3), (d)(4), (d)(5), or (d)(6)).

(j) "News media" means all newspapers qualified to receive legal advertisements under IC 5-3-1, all news services (as defined in IC 34-6-2-87), and all licensed commercial or public radio or television stations.

(k) "Person" means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity. As added by Acts 1977, P.L.57, SEC.1. Amended by Acts 1979, P.L.39, SEC.1; P.L.33-1984, SEC.1; P.L.67-1987, SEC.2; P.L.8-1993, SEC.56; P.L.277-1993(ss), SEC.127; P.L.1-1994, SEC.20; P.L.50-1995, SEC.14; P.L.1-1998, SEC.71; P.L.90-2002, SEC.16; P.L.35-2003, SEC.1; P.L.179-2007, SEC.1; P.L.103-2013, SEC.1. IC 5-14-1.5-2.1

"Public agency"; certain providers exempted

Sec. 2.1. "Public agency", for purposes of this chapter, does not mean a provider of goods, services, or other benefits that meets the following requirements:

(1) The provider receives public funds through an agreement with the state, a county, or a municipality that meets the following requirements:

(A) The agreement provides for the payment of fees to the entity in exchange for services, goods, or other benefits.

(B) The amount of fees received by the entity under the agreement is not based upon or does not involve a consideration of the tax revenues or receipts of the state, county, or municipality.

(C) The amount of the fees are negotiated by the entity and the state, county, or municipality.

(D) The state, county, or municipality is billed for fees by the entity for the services, goods, or other benefits actually provided by the entity.

(2) The provider is not required by statute, rule, or regulation to be audited by the state board of accounts. As added by P.L.179-2007, SEC.2.

IC 5-14-1.5-3

Open meetings; secret ballot votes; member participating by electronic means of communication Sec. 3.

(a) Except as provided in section 6.1 of this chapter, all meetings of the governing bodies of public agencies must be open at all times for the purpose of permitting members of the public to observe and record them.

(b) A secret ballot vote may not be taken at a meeting.

(c) A meeting conducted in compliance with section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication does not violate this section.

As added by Acts 1977, P.L.57, SEC.1. Amended by P.L.38-1988, SEC.6; P.L.1-1991, SEC.35; P.L.179-2007, SEC.3; P.L.134-2012, SEC.10.

IC 5-14-1.5-3.1
Serial meetings

Sec. 3.1.

(a) Except as provided in subsection (b), the governing body of a public agency violates this chapter if members of the governing body participate in a series of at least two (2) gatherings of members of the governing body and the series of gatherings meets all of the following criteria:

(1) One (1) of the gatherings is attended by at least three (3) members but less than a quorum of the members of the governing body and the other gatherings include at least two (2) members of the governing body.

(2) The sum of the number of different members of the governing body attending any of the gatherings at least equals a quorum of the governing body.

(3) All the gatherings concern the same subject matter and are held within a period of not more than seven (7) consecutive days.

(4) The gatherings are held to take official action on public business. For purposes of this subsection, a member of a governing body attends a gathering if the member is present at the gathering in person or if the member participates in the gathering by telephone or other electronic means, excluding electronic mail.

(b) This subsection applies only to the city-county council of a consolidated city or county having a consolidated city. The city-county council violates this chapter if its members participate in a series of at least two (2) gatherings of members of the city-county council and the series of gatherings meets all of the following criteria:

(1) One (1) of the gatherings is attended by at least five (5) members of the city-county council and the other gatherings include at least three (3) members of the city-county council.

(2) The sum of the number of different members of the city-county council attending any of the gatherings at least equals a quorum of the city-county council.

(3) All the gatherings concern the same subject matter and are held within a period of not more than seven (7) consecutive days.

(4) The gatherings are held to take official action on public business.

For purposes of this subsection, a member of the city-county council attends a gathering if the member is present at the gathering in person or if the member participates in the gathering by telephone or other electronic means, excluding electronic mail.

(c) A gathering under subsection (a) or (b) does not include:

(1) a social or chance gathering not intended by any member of the governing body to avoid the requirements of this chapter;

(2) an onsite inspection of any:

(A) project;

(B) program; or

(C) facilities of applicants for incentives or assistance from the governing body;

(3) traveling to and attending meetings of organizations devoted to the betterment of government;

(4) a caucus;

- (5) a gathering to discuss an industrial or a commercial prospect that does not include a conclusion as to recommendations, policy, decisions, or final action on the terms of a request or an offer of public financial resources;
- (6) an orientation of members of the governing body on their role and responsibilities as public officials, but not for any other official action;
- (7) a gathering for the sole purpose of administering an oath of office to an individual; or
- (8) a gathering between less than a quorum of the members of the governing body intended solely for members to receive information and deliberate on whether a member or members may be inclined to support a member's proposal or a particular piece of legislation and at which no other official action will occur.

(d) A violation described in subsection (a) or (b) is subject to section 7 of this chapter.

As added by P.L.179-2007, SEC.4.

IC 5-14-1.5-3.5

Electronic meetings of political subdivisions; statutory authorization required

Sec. 3.5.

- (a) This section applies only to a governing body of a public agency of a political subdivision.
- (b) A member of the governing body of a public agency who is not physically present at a meeting of the governing body but who communicates with members of the governing body during the meeting by telephone, computer, video conferencing, or any other electronic means of communication:
 - (1) may not participate in final action taken at the meeting unless the member's participation is expressly authorized by statute; and
 - (2) may not be considered to be present at the meeting unless considering the member to be present at the meeting is expressly authorized by statute.
- (c) The memoranda prepared under section 4 of this chapter for a meeting in which a member participates by using a means of communication described in subsection (b) must state the name of:
 - (1) each member who was physically present at the place where the meeting was conducted;
 - (2) each member who participated in the meeting by using a means of communication described in subsection (b); and
 - (3) each member who was absent.

As added by P.L.134-2012, SEC.11.

IC 5-14-1.5-4

Posting agenda; memoranda of meetings; public inspection of minutes

Sec. 4.

- (a) A governing body of a public agency utilizing an agenda shall post a copy of the agenda at the entrance to the location of the meeting prior to the meeting. A rule, regulation, ordinance, or other final action adopted by reference to agenda number or item alone is void.
- (b) As the meeting progresses, the following memoranda shall be kept:
 - (1) The date, time, and place of the meeting.

- (2) The members of the governing body recorded as either present or absent.
 - (3) The general substance of all matters proposed, discussed, or decided.
 - (4) A record of all votes taken by individual members if there is a roll call.
 - (5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.
- (c) The memoranda are to be available within a reasonable period of time after the meeting for the purpose of informing the public of the governing body's proceedings. The minutes, if any, are to be open for public inspection and copying.

As added by Acts 1977, P.L.57, SEC.1. Amended by P.L.38-1988, SEC.7; P.L.76-1995, SEC.1; P.L.2-2007, SEC.99; P.L.134-2012, SEC.13.

IC 5-14-1.5-5

Public notice of meetings

Sec. 5.

- (a) Public notice of the date, time, and place of any meetings, executive sessions, or of any rescheduled or reconvened meeting, shall be given at least forty-eight (48) hours (excluding Saturdays, Sundays, and legal holidays) before the meeting. This requirement does not apply to reconvened meetings (not including executive sessions) where announcement of the date, time, and place of the reconvened meeting is made at the original meeting and recorded in the memoranda and minutes thereof, and there is no change in the agenda.
- (b) Public notice shall be given by the governing body of a public agency as follows:
- (1) The governing body of a public agency shall give public notice by posting a copy of the notice at the principal office of the public agency holding the meeting or, if no such office exists, at the building where the meeting is to be held.
 - (2) The governing body of a public agency shall give public notice by delivering notice to all news media which deliver an annual written request for the notices not later than December 31 for the next succeeding calendar year to the governing body of the public agency. The governing body shall give notice by one (1) of the following methods, which shall be determined by the governing body:
 - (A) Depositing the notice in the United States mail with postage prepaid.
 - (B) Transmitting the notice by electronic mail, if the public agency has the capacity to transmit electronic mail.
 - (C) Transmitting the notice by facsimile (fax).
 - (3) This subdivision applies only to the governing body of a public agency of a political subdivision described in section 2(a)(2), 2(a)(4), or 2(a)(5) of this chapter that adopts a policy to provide notice under this subdivision. Notice under this subsection is in addition to providing notice under subdivisions (1) and (2). If the governing body adopts a policy under this subdivision, the governing body of a public agency shall give public notice by delivering notice to any person (other than news media) who delivers to the governing body of the public agency an annual written request for the notices not later than December 31 for the next succeeding calendar year. The governing body shall give notice by one (1) of the following methods, which shall be determined by the governing body:

(A) Transmitting the notice by electronic mail, if the public agency has the capacity to send electronic mail.

(B) Publishing the notice on the public agency's Internet web site at least forty-eight (48) hours in advance of the meeting, if the public agency has an Internet web site. A court may not declare void any policy, decision, or final action under section 7 of this chapter based on a failure to give a person notice under subdivision (3) if the public agency made a good faith effort to comply with subdivision (3). If a governing body comes into existence after December 31, it shall comply with this subsection upon receipt of a written request for notice. In addition, a state agency (as defined in IC 4-13-1-1) shall provide electronic access to the notice through the computer gateway administered by the office of technology established by IC 4-13.1-2-1.

(c) Notice of regular meetings need be given only once each year, except that an additional notice shall be given where the date, time, or place of a regular meeting or meetings is changed. This subsection does not apply to executive sessions.

(d) If a meeting is called to deal with an emergency involving actual or threatened injury to person or property, or actual or threatened disruption of the governmental activity under the jurisdiction of the public agency by any event, then the time requirements of notice under this section shall not apply, but:

(1) news media which have requested notice of meetings under subsection (b)(2) must be given the same notice as is given to the members of the governing body; and

(2) the public must be notified by posting a copy of the notice according to subsection (b)(1).

(e) This section shall not apply where notice by publication is required by statute, ordinance, rule, or regulation.

(f) This section shall not apply to:

(1) the department of local government finance, the Indiana board of tax review, or any other governing body which meets in continuous session, except that this section applies to meetings of these governing bodies which are required by or held pursuant to statute, ordinance, rule, or regulation; or

(2) the executive of a county or the legislative body of a town if the meetings are held solely to receive information or recommendations in order to carry out administrative functions, to carry out administrative functions, or confer with staff members on matters relating to the internal management of the unit. "Administrative functions" do not include the awarding of contracts, the entering into contracts, or any other action creating an obligation or otherwise binding a county or town.

(g) This section does not apply to the general assembly.

(h) Notice has not been given in accordance with this section if a governing body of a public agency convenes a meeting at a time so unreasonably departing from the time stated in its public notice that the public is misled or substantially deprived of the opportunity to attend, observe, and record the meeting.

As added by Acts 1977, P.L.57, SEC.1. Amended by Acts 1979, P.L.39, SEC.2; P.L.67-1987, SEC.3; P.L.8-1989, SEC.22; P.L.3-1989, SEC.29; P.L.46-1990, SEC.1; P.L.251-1999, SEC.4; P.L.90-2002, SEC.17; P.L.200-2003, SEC.1; P.L.177-2005, SEC.14; P.L.134-2012, SEC.14.

IC 5-14-1.5-6

Repealed

(Repealed by P.L.1-1991, SEC.36 and P.L.10-1991, SEC.10.)

IC 5-14-1.5-6.1

Executive sessions

Sec. 6.1.

(a) As used in this section, "public official" means a person:

- (1) who is a member of a governing body of a public agency; or
- (2) whose tenure and compensation are fixed by law and who executes an oath.

(b) Executive sessions may be held only in the following instances:

- (1) Where authorized by federal or state statute.
- (2) For discussion of strategy with respect to any of the following:
 - (A) Collective bargaining.
 - (B) Initiation of litigation or litigation that is either pending or has been threatened specifically in writing. As used in this clause, "litigation" includes any judicial action or administrative law proceeding under federal or state law.
 - (C) The implementation of security systems.
 - (D) The purchase or lease of real property by the governing body up to the time a contract or option to purchase or lease is executed by the parties.
 - (E) School consolidation.

However, all such strategy discussions must be necessary for competitive or bargaining reasons and may not include competitive or bargaining adversaries.

- (3) For discussion of the assessment, design, and implementation of school safety and security measures, plans, and systems.
- (4) Interviews and negotiations with industrial or commercial prospects or agents of industrial or commercial prospects by the Indiana economic development corporation, the office of tourism development, the Indiana finance authority, the ports of Indiana, an economic development commission, the Indiana state department of agriculture, a local economic development organization (as defined in IC 5-28-11-2(3)), or a governing body of a political subdivision.
- (5) To receive information about and interview prospective employees.
- (6) With respect to any individual over whom the governing body has jurisdiction:
 - (A) to receive information concerning the individual's alleged misconduct; and
 - (B) to discuss, before a determination, the individual's status as an employee, a student, or an independent contractor who is:
 - (i) a physician; or
 - (ii) a school bus driver.
- (7) For discussion of records classified as confidential by state or federal statute.
- (8) To discuss before a placement decision an individual student's abilities, past performance, behavior, and needs.

(9) To discuss a job performance evaluation of individual employees. This subdivision does not apply to a discussion of the salary, compensation, or benefits of employees during a budget process.

(10) When considering the appointment of a public official, to do the following:

(A) Develop a list of prospective appointees.

(B) Consider applications.

(C) Make one (1) initial exclusion of prospective appointees from further consideration.

Notwithstanding IC 5-14-3-4(b)(12), a governing body may release and shall make available for inspection and copying in accordance with IC5-14-3-3 identifying information concerning prospective appointees not initially excluded from further consideration. An initial exclusion of prospective appointees from further consideration may not reduce the number of prospective appointees to fewer than three (3) unless there are fewer than three (3) prospective appointees.

Interviews of prospective appointees must be conducted at a meeting that is open to the public.

(11) To train school board members with an outside consultant about the performance of the role of the members as public officials.

(12) To prepare or score examinations used in issuing licenses, certificates, permits, or registrations under IC 25.

(13) To discuss information and intelligence intended to prevent, mitigate, or respond to the threat of terrorism.

(14) To train members of a board of aviation commissioners appointed under IC 8-22-2 or members of an airport authority board appointed under IC 8-22-3 with an outside consultant about the performance of the role of the members as public officials. A board may hold not more than one (1) executive session per calendar year under this subdivision.

(c) A final action must be taken at a meeting open to the public.

(d) Public notice of executive sessions must state the subject matter by specific reference to the enumerated instance or instances for which executive sessions may be held under subsection (b). The requirements stated in section 4 of this chapter for memoranda and minutes being made available to the public is modified as to executive sessions in that the memoranda and minutes must identify the subject matter considered by specific reference to the enumerated instance or instances for which public notice was given. The governing body shall certify by a statement in the memoranda and minutes of the governing body that no subject matter was discussed in the executive session other than the subject matter specified in the public notice.

(e) A governing body may not conduct an executive session during a meeting, except as otherwise permitted by applicable statute. A meeting may not be recessed and reconvened with the intent of circumventing this subsection.

As added by P.L.1-1991, SEC.37 and P.L.10-1991, SEC.8. Amended by P.L.48-1991, SEC.1; P.L.37-2000, SEC.1; P.L.200-2003, SEC.2; P.L.4-2005, SEC.28; P.L.229-2005, SEC.2; P.L.235-2005, SEC.84; P.L.101-2006, SEC.3; P.L.179-2007, SEC.5; P.L.2-2008, SEC.20; P.L.98-2008, SEC.3; P.L.120-2008, SEC.1; P.L.139-2011, SEC.1; P.L.24-2012, SEC.1; P.L.103-2013, SEC.2.

Appendix F: Public Comments on the PIP

This appendix will be updated to include any public comments made during this update.

Public Comment Period

The document was shared for an official public comment period between December 12, 2018 and February 1, 2019. Comments received are as follows:

- Name – Comment

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Appendix G: Language Access Plan

Courts have interpreted Title VI's prohibition of discrimination on the basis of national origin to include discrimination based on limited English proficiency (LEP). Under Title VI (and the Safe Streets Act), recipients are required to provide LEP individuals with meaningful access to their programs and services. Providing "meaningful access" will generally involve some combination of services for oral interpretation and written translation of vital documents.

Sub-recipients likewise are covered when Federal funds are passed through from one recipient to a sub-recipient. Coverage extends to a recipient's entire program or activity, i.e., to all parts of a recipient's operations. This is true even if only one part of the recipient receives the Federal assistance.

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English can be limited English proficient, or "LEP," entitled to language assistance with respect to a particular type of service, benefit, or encounter.

The federal guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to people's lives.
4. The resources available to the recipient and costs.

After conducting a Four-Factor Analysis recipients of federal funds adopt a Language Access Plan (LAP) that presents the recipient (the MPO) responsibilities, policies, and strategies for providing language assistance services to Limited English Proficiency (LEP) persons.

Indianapolis Metropolitan Planning Area (MPA) Four-Factor Analysis

The Indianapolis MPA includes 8 counties with 11 cities and 22 towns. The four-factor analysis is conducted at a county level to determine if there are particular areas where providing language assistance is important, even if the LEP population in the entire MPA is limited.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.

The 2017 ACS 1-year estimate of the population for the counties in the MPA (entire counties, including outside MPA boundaries) was 1,846,379. Of this population, 7 percent identified as Hispanic. Not all people of Hispanic origin speak Spanish as their primary language or are LEP persons. The 5-year ACS estimates identify the LEP population by household for each county (aggregated for the MPA). This

includes all households with LEP, not just Spanish-speaking households. A "limited English speaking household" is one in which no member 14 years old and over (1) speaks only English or (2) speaks a non-English language and speaks English "very well." In other words, all members 14 years old and over have at least some difficulty with English.

County	Households	LEP Households	LEP Household Percent
Boone	23427	174	0.7
Hamilton	111443	1482	1.3
Hancock	26680	22	0.1
Hendricks	55744	445	0.8
Johnson	53713	396	0.7
Marion	365472	14502	4
Morgan	25655	36	0.1
Shelby	17309	218	1.3
MPA Total	679443	17275	0.0

The USDOT does not provide a threshold for the percentage of a county that is LEP before providing language access services is needed. The percentage of LEP households in the counties of the Indy MPA is limited, so the services provided would be primarily based on the other factors. In order to identify the appropriate services, the next level of analysis considers the language(s) spoke by the LEP population. In the Indianapolis MPA there are approximately 11,000 households who are LEP and speak Spanish as their primary language. This is the language with the largest share of LEP households, second is Asian/Pacific Island languages with approximately 3,700 LEP households. On an individual language basis, that group would be considerably smaller.

Factor 2: The frequency with which LEP individuals come in contact with the program.

Planning

The MPOs planning activities include public engagement as a component of the decision-making process. During this process, LEP people may come into contact with public notices, invitations to participate (online and in person), and draft plans for review and comment. Plans affecting Marion, Shelby, Hamilton, Boone, and Hendricks counties are most likely to engage Spanish-speaking LEP persons.

These plans include the Long Range Transportation Plan (LRTP), Transportation Improvement Plan (TIP), Public Involvement Plan (PIP), Title VI Policy, Regional Bicycle Plan, Regional Pedestrian Plan, transit planning efforts, and Local Public Agency (LPA) planning projects.

Historically the greatest encounter with LEP persons in planning has been related to transit planning and public education campaigns for the Indy Connect initiative, which includes planning for rapid transit routes, the Marion County Transit Plan (and referenda), and community engagement around transit in surrounding counties. During these efforts, the MPO:

- directed phone calls from Spanish speaking people to a Spanish-language voicemail system and a Spanish-speaking member of the staff reviewed the message and returned the calls,
- offered and supplied Spanish language translators at public meetings, and
- translated some of the more heavily used written materials into Spanish.

Programs

Programming includes funding transportation projects like sidewalks, multi-use paths, travel lanes, bridges, roundabouts, and new road construction. Funding for these projects is awarded to LPAs, who work with their staff and consultants to design and construct the project. It is unlikely that the MPO would come directly into contact with a LEP person in the course of project work, but the LPA and/or their consultant may during any public outreach component of a project or if a project involves acquiring temporary or permanent easements or right-of-way (ROW) from a LEP property owner.

Partnerships

The MPO relationships with IndyGo and the Central Indiana Regional Transportation Authority (CIRTA) can create instances where LEP persons may encounter programs funded, in part, with MPO allocated resources. IndyGo maintains its own Title VI policy and Language Access Plan (LAP) as part of its Public Engagement Plan (PEP) and has resources available online and at the Julia M. Carson Transit Center in Spanish. CIRTA has its Title VI notice online in four languages other than English, including Spanish. Educational campaigns for transit, bicycle, and pedestrian planning, Safe Routes to School, Knowzone Action Days, and similar topics are other opportunities for LEP populations to encounter the MPO, directly or indirectly.

Factor 3: The nature and importance of the program, activity, or service provided by the recipient to people's lives.

MPO programs, activities, and services may have a positive or negative impact on the lives of LEP people in central Indiana, and the impact may range from minimal to significant depending on the program, activity, or service.

In a direct way, most of the MPO programs, activities, and services have the ability to impact LEP people by providing access to public input and education information. When the MPO takes actions to advertise input opportunities in Spanish, offer translation or interpretation services, and receive (and respond to) comments in Spanish, opportunities to improve the lives of LEP persons are improved or there are opportunities to mitigate programs, activities, or services that may negatively impact them. The degree of impact is typically meaningful, but has limited (if any) direct impact on people.

Indirectly, through funding projects, the impacts of the MPO may be more significant and have a financial impact on LEP persons. These could include:

- Changing (improving or decreasing) bus routes, frequency, or stops.
- Adding bike lanes or sidewalks, multi-use paths or trails.

- Removing parking or travel lanes to accommodate shared transportation or multi-modal infrastructure.
- Adding travel or auxiliary lanes.
- Property acquisition (temporary or permanent easements, purchasing ROW, or fee-simple property acquisition) to accommodate transportation system changes.
- Installing sound walls.
- Changing interchange/intersection configurations.
- Changing traffic patterns, which may increase or decrease access to, or the time it takes to reach, jobs, school, and basic services.
- New road construction.
- Creating opportunities for contract work or working for contractors.

Factor 4: The resources available to the recipient and costs.

The Indianapolis MPO has accommodated LEP people in the recent past by:

- Contracting with engagement specialists as needed on a project-by-project basis to engage with traditionally underserved people, including the LEP population.
- Maintaining a Spanish voicemail for Indy Connect (free)
- Having a bilingual (English and Spanish) person on staff who can speak with and return calls to Spanish-speaking people interested in engaging with the MPO.
- Translating surveys (on a project-by-project basis) into Spanish to facilitate participation in public input opportunities by LEP Spanish readers.
- Maintaining the IndyConnect.org website and its Spanish landing page.
- Providing in-person translation and interpretation services on an as-requested basis.
- Translating some major documents into Spanish and distributing them during community events that center around Hispanic/Latino heritage or to agencies who regularly engage with LEP people.

However, there are limited areas of concern for LEP in the Indianapolis MPA and it is not practical to provide all services in Spanish (or other languages besides English) for all programs, projects, and services. Additional steps the MPO is taking to engage the LEP population for critical programs, projects, and services are included in the Language Access Plan (LAP).

Language Access Plan

To improve access to MPO programs, projects, and services, for LEP persons, the Indianapolis MPO will implement the following activities to the extent practical:

1. Develop a Spanish language webpage on the Indianapolis MPO webpage at www.indympo.org that includes critical documents like the Title VI policy and complaint form, the Public Involvement Plan (PIP), a summary of the Long Range Transportation Plan (LRTP), and the MPO Frequently Asked Questions (FAQ) book. The MPO will provide services using qualified translation and/or interpretation consultants.

2. Publish notices for public comment and review for projects affecting LEP areas of concern in English and Spanish. The MPO will provide services using qualified translation and/or interpretation consultants.
3. Include information in Spanish about requesting translation or interpretation services for public engagement opportunities on public engagement marketing materials. The MPO will provide services using qualified translation and/or interpretation consultants.
4. Provide translation of key documents or interpretation at meetings upon request at least three (3) working days prior to the meeting. The MPO will provide services using qualified translation and/or interpretation consultants.
5. Work with Local Public Agencies (LPAs) and their consultants to ensure that one-on-one interaction, especially legal documents regarding property, with LEP persons is conducted with appropriate interpretation and translation services.
6. Incorporate activities of the LAP into the PIP.

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