

ENGAGING THE PUBLIC

IN THE
TRANSPORTATION PLANNING PROCESS

Public Participation Plan

for the Metropolitan Planning Organization serving
Tampa, Temple Terrace, Plant City and Unincorporated Hillsborough County



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In accordance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination laws, public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. It is a priority for the MPO that all citizens in Hillsborough County be given the opportunity to participate in the transportation planning process, including low income individuals, the elderly, persons with disabilities and persons with limited English proficiency. For more information, please view the MPO Public Participation Plan.

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FUTURE



Mobility has a tremendous impact on a wide range of activities in Tampa, Temple Terrace, Plant City, Hillsborough County and throughout the Tampa Bay

region. Transportation makes it possible for us to get where we want to go as well as enjoy products and services from all over the world.



The Hillsborough County Metropolitan Planning Organization (MPO) is committed to meaningful public engagement throughout the long range transportation planning process.

Many of the most important decisions regarding a transportation project are made



years before a shovel breaks ground. Early and active participation means greater influence over how millions of

public dollars get spent in our communities. The earlier you get involved, the more influence you can have in the future of this region, your county, your municipality, and especially, your own neighborhood.

The advice and input of a wide range of stakeholders is critical to making good transportation decisions. Stakeholders include individuals and groups alike.

They include citizens, business leaders and groups, environmental and civic organizations, advocacy groups that represent the needs of the underserved and underrepresented - including the low income, minorities, elderly and persons with disabilities.

Each of these stakeholders has a different perspective and set of transportation needs and interests to be considered before the MPO renders a decision on key transportation projects.



The process and the methods used by the MPO to inform the public about transportation issues and engage them in the transportation planning process are called public participation. More than a federal requirement guiding metropolitan transportation planning, public participation is a valued tool used by the MPO with the goal of transportation investments meeting the needs of the public and other stakeholders now and into the future.



You are an important part of the planning process. Your opinion really does count and will help shape the future for the children of Hillsborough County.

PAST

The Federal-Aid Highway Act of 1962 mandated that all urbanized areas with a population greater than 50,000 establish a continuous, cooperative and comprehensive (3C) planning process in order to be eligible for US Department of Transportation funding. The 1973 Federal-Aid Highway Act formalized this process further by mandating the creation of a Metropolitan Planning Organization (MPO) for all areas required to have a 3C planning process.

In 1991, the Intermodal Surface Transportation Efficiency ACT (ISTEA) was signed into law. ISTEA was landmark legislation that introduced a comprehensive approach to address transportation issues by emphasizing innovation, intermodalism and flexibility. The approach begun in



ISTEA was continued in 1998 with the adoption of the Transportation Equity Act for the 21st Century (TEA-21).

In 1998, the Hillsborough County

MPO adopted a *Public Involvement Plan* (PIP). The PIP identified a proactive public participation process for the transportation planning products of the MPO. The process included timely public notices, full access and input to key decisions and supported early and continuing involvement of the community. Since then, several evaluation measures were adopted by the MPO in response to the Federal Highway Administration's suggestion that the MPO develop a mechanism for evaluating the effectiveness of the PIP.

At the onset of the *2025 Long Range Transportation Plan* update, a new *Public Involvement Plan* was adopted by the MPO in 2003 that, for the first time, included

guiding principles on which to build the MPO public outreach efforts. Also, the new PIP included modified goals, objectives, an updated toolkit and a revised evaluation section.

In 2005, the Safe, Accountable, Flexible



and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) was enacted. SAFETEA-LU carries forward a strong federal emphasis on public participation programs.

Pursuant to the passage of Florida's Growth Management legislation, the federal law SAFETEA-LU, and the declaration of the Tampa Bay airshed being in attainment of national

ambient air quality standards, the PIP was amended and renamed the *Public Participation Plan* (PPP) in 2006. Since then, the PPP has been updated biennially.



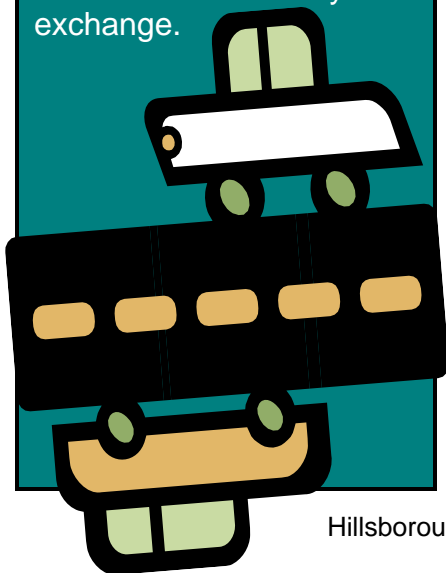
The Hillsborough County MPO has been and continues to be fully compliant with federal and state requirements pertaining to public participation, including: §450.316, §450.322, §450.324, and §450.326 in Chapter 23 of the Code of Federal Regulations; Title VI of the Civil Rights Act of 1964; the Limited English Proficiency Executive Order 13166; Florida Statute 339.175; and The Sunshine Law.

PURPOSE & PRINCIPLES

This *Public Participation Plan* contains the guidelines and expectations for public participation during the transportation planning activities and processes conducted by the Hillsborough County MPO.

In particular, this plan outlines the procedures, tools, and expectations for outreach and education on transportation issues. It also includes the strategies that will consistently be used to engage the public in the MPO's transportation planning process and an array of techniques available to the MPO.

The intended outcome is to define a give-and-take process that is both engaging to the public and informed by public input, creating an environment that fosters a two-way exchange.



The Hillsborough County Metropolitan Planning Organization is a transportation policy-making board comprised of elected officials from local governments and transportation authorities.

Voting Members:

Hillsborough County (4 members)	Aviation Authority
City of Tampa (3 members)	Expressway Authority
Temple Terrace	Port Authority
Plant City	Transit Authority (HART)

Non-Voting Member:

The Planning Commission

The MPO is directly responsible for making sure federal and state dollars spent on existing and future transportation projects and programs are based on a continuing, cooperative and comprehensive planning process. All federally supported transportation projects and programs for Tampa, Temple Terrace, Plant City and Hillsborough County go through this planning process. The obligation to provide information and consider public input in decision-making is explicit in federal regulations.

The *Public Participation Plan* describes the MPO's strategies and techniques to inform and engage the public in transportation planning issues with the purpose of maximizing participation and effectiveness. **The following principles, developed in conjunction with best practice standards for public involvement, guide the PPP:**
Provide opportunities for involvement.

Avenues for involvement will be open, meaningful and organized so as to provide an environment that encourages convenient and comfortable participation. Consideration of needs for accessibility, scheduling, location, format and language of informational materials will be structured to allow informed, constructive exchanges with clear definition of the information being presented. Participants will be provided information so that they more clearly understand the trade-offs and will be encouraged to grapple with the many competing transportation objectives.



Be inclusive of constituencies.

Determine stakeholders and target audience.



Identify strategies to bring the information to these groups. Efforts to reach new and existing constituencies include continuing outreach to those with accessibility issues as well as

minority, low income, elderly, youth communities and neighborhoods or groups that may be affected by proposed projects. Use creative techniques to engage the audience in discussion and interaction throughout the planning process.

Be responsive to participants.

MPO forums will facilitate discussion that directly corresponds to the participants and their available time. Informational materials



should be clear, concise and address the concerns of the participants. Information will be available in sufficient detail to allow

citizens to form and express their independent views. The results of all public involvement activities will be documented and given full consideration in all MPO decision-making as well as conveyed to the implementing agencies for their consideration.

Provide a predictable process.

The planning process will be understandable and known well in advance. This consistency in our process will allow the MPO staff, citizens and officials to plan their time and effectively apply



their resources.

Be creative and flexible. The direction and effectiveness of this program should be reviewed periodically to ensure that it meets the needs of the public and the MPO. This program should continue to evolve and include new avenues of communication to augment the MPO’s public outreach efforts.

Maximize exposure, minimize costs.

The Hillsborough County MPO is committed to coordinate this process with local, federal and statewide public involvement processes wherever possible to enhance public consideration of the issues, plans and programs while reducing redundancies and minimizing costs.

The mission of the Hillsborough MPO is to develop a comprehensive long range transportation plan that supports the mobility needs and economic development of the community by:

- Preserving neighborhoods;
- Protecting the environment;
- Enhancing quality of life;
- Promoting public transportation;
- Cooperating with and coordinating between the community and agencies to enable the plan to work.

Engaging the public in the transportation decision-making process is the vision that drives this *Public Participation Plan*.



We’re listening...

It is a priority for this MPO that all citizens in Hillsborough County be given the opportunity to participate in the transportation planning process, including low income individuals, the elderly, persons with disabilities and persons with limited English proficiency.

REQUIREMENTS

Public participation is integral to good transportation policies, programs and projects. Without meaningful public involvement, there is a risk of making poor decisions or decisions that have unintended negative consequences. More than an agency requirement and more than a means of fulfilling a statutory obligation, meaningful public participation is central to good decision-making. The MPO is responsible for actively involving all affected parties in an open, cooperative and collaborative process that provides meaningful opportunities to influence transportation decisions.



State and federal laws require MPOs to provide transportation projects and strategies that:

1. Support economic vitality, especially enabling global competitiveness, productivity and efficiency, and promote consistency between transportation improvements and state and local anticipated growth and economic development patterns;
2. Increase safety for motorized and non-motorized users;
3. Increase the security of motorized and non-motorized users;
4. Increase the accessibility and mobility options, and enhance integration and connectivity of the transportation



system, across and between modes, for people and freight;

5. Protect and enhance the environment, promote energy conservation, improve the quality of life, while minimizing transportation-related fuel consumption, air pollution and greenhouse gas emissions;
6. Promote efficient transportation system management and operation; and
7. Preserve the existing transportation system.

The Hillsborough County MPO adheres to the provision of Title VI of the Civil Rights Act of 1964, prohibiting discrimination in any program receiving federal assistance. As the MPO develops and conducts its public involvement activities, it strives to seek out and consider the needs and input of the general public, including interested parties and those traditionally underserved by existing transportation systems, such as minorities and persons with limited proficiency in English, who may face challenges accessing employment and other services.

The Federal Highway Administration and Federal Transit Administration encourage MPOs to establish performance standards that include:

- Adequate public notice of opportunities to get involved;
- Early and continuous opportunities to review and comment on key decisions;

- Reasonable public availability of technical and other information;
- Collaborative input on alternatives; evaluation criteria, and mitigation needs; and
- Open public meetings and access to the decision-making process prior to closure.
- Explicit consideration and response to public input.

As a recipient of federal funds, the MPO also conforms to *Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*. The MPO assesses potential effects of its plans on minority and low income populations and strives to avoid disproportionate impacts. Furthermore, the MPO proactively reaches out to such populations and seeks to overcome barriers that may prevent them from participating in the transportation planning process.

In addition to the *Public Participation Plan* and a *Limited English Proficiency Plan* (**Appendix E**), MPOs are required by federal law to develop and adopt a *Long Range Transportation Plan*, a *Transportation Improvement Program* and a *Unified Planning Work Program*.

* See Appendices C and D for requirements, related statutes and rules.



NOTICES

MPO & Committee Meetings

According to the MPO By-Laws:

The Executive Director is responsible for providing written public notice of all MPO meetings, public hearings and committee meetings. Except in case of emergencies, written notice of any meeting shall be given at least five (5) days prior to the meeting. In case of emergency, notice of such meeting shall be given to each member as far in advance of the meeting as possible and by the most direct means of communications. In addition, notice of such emergency meeting shall be given to the media, utilizing the most practicable method. Written notice of any meeting shall state the date, time and place of the meeting, a brief description of the agenda for the meeting, and shall be provided in accordance with the requirements of Florida law and this Public Participation Plan.

MPO staff complies by ensuring that the media and other interested parties are on the MPO's electronic mailing list and receive written notice of all MPO and committee meetings.

Required Public Review

The Hillsborough County Metropolitan Planning Organization is obligated and will ensure reasonable time for public review and comment at key decision points on major documents and plans. These include, but are not limited to, the *Public Participation Plan (PPP)*, *Long Range Transportation Plan (LRTP)*, *Transportation Improvement Program (TIP)* and *Unified Planning Work Program (UPWP)*. The following table highlights requirements for public review periods and notices. The MPO's practice is to meet or exceed these minimum requirements.

Plan or Program	Min. Required Review Period	Min. Public Hearing Notice	Min. Ad(s) Required
PPP	45 days	N/A	1
LRTP Adoption	30 days	10 days	2
LRTP Amendment	15 days	15 days	1
TIP Priorities	30 days	10 days	1
TIP Final	30 days	10 days	1
UPWP	30 days	N/A	No

(N/A – Not applicable; public hearing not required.)

Notifications and Advertisements

Public notices and/or advertisements are placed in accordance with acceptable public review standards. At least one newspaper ad will be placed not less than 10 calendar days in advance of all MPO Public Hearings including the Annual Public Hearing of the Transportation Disadvantaged Coordinating Board (TDCB). In addition, the annual calendar of TDCB meetings and its subcommittees is advertised in the *Florida Administrative Weekly*.

Monthly MPO Board and committee meetings and agendas are posted on the MPO (hillsboroughmpo.org) and Planning Commission (theplanningcommission.org) web sites in the Calendar sections. Regular MPO committee meetings are posted online at least 30 days in advance. Additional notices and schedule changes are promptly noted. Agendas for meetings are emailed and/or mailed out and are available on the MPO web site normally seven days in advance. Meeting minutes are available on the MPO web site with the agenda packet of the next meeting.

MPO Board meetings and the TDCB Annual Public Hearing are advertised, broadcast live and rebroadcast throughout

the month on Hillsborough County's government television channel, HTV. Although it is not possible to track viewers, according to the latest estimates from HTV, there are more than 285,000 viewers with cable access, and a third of cable subscribers watch HTV¹. Closed captioning for televised meetings are linked directly to the MPO web site and are normally available the following day.



Newspaper notices and related news articles appear in newspapers of general circulation such as the *Tampa Tribune*, whose circulation in Hillsborough County reached 257,393 adults on Sundays². These circulation numbers do not include the significant number of people who read the newspaper online. The *Tribune's* parent company also owns a number of local weekly publications, including: *Brandon News & Tribune*, *South Shore News & Tribune*, *Plant City Courier & Tribune*, *South Central News & Tribune*, *Town 'n' Country News*, and *Carrollwood News & Tribune*, that run neighborhood-specific articles and may repeat ads or carry banner ads as appropriate. The combined weekly readership of these publications is about 119,105 readers.



As appropriate, notices may also be placed in two newspapers with target minority



audiences. *La Gaceta*, the nation's only tri-language (English, Spanish, and Italian)

¹ Source, HTV, 2009 Survey Highlights

² Source: Audit Bureau of Circulations, Audit Report for the Tampa Tribune and the Tampa Times for 52 weeks ended December 26, 2010.

newspaper, enjoys pre-dominantly Hispanic readership of its 18,000 weekly circulation as of 2011³. The *Florida Sentinel Bulletin*, a newspaper targeted to the local African-American community, is published twice each week with a 2011 circulation of 23,000⁴.

Depending on the need to engage students, faculty and staff, it may be appropriate to



place ads in student newspapers such as The Oracle (University of South Florida), The Hawkeye (Hillsborough Community College), or The Minaret (University of Tampa).

Advertisements to promote key plans, workshops and special events may also be placed in the *tbt**, a free paper with an aggressive marketing strategy that literally places the TBT in the hands of 45,000 weekday readers and 95,000 on the weekends. For major public outreach efforts, the MPO may also use the *Tampa Bay Times* (formerly the *St. Petersburg Times*) Hillsborough Regional Editions. As of 2010, the Sunday edition of the *Tampa Bay Times* reached an estimated 90,000 Hillsborough County readers⁵.



In compliance with State requirements, the Transportation Disadvantaged Coordinating Board's calendar of meetings is published in the *Florida Administrative Weekly*, which is available on-line at no cost to the public at:

<https://www.flrules.org/default.asp>

³ Source: La Gaceta

⁴ Source: Florida Sentinel

⁵ Source: proposal for tabloid publication for Hillsborough County MPO (June 2010).

PROCEDURES

Public Participation Plan

The MPO makes every attempt to coordinate its public participation process with state and local governments' public involvement processes to enhance public consideration of the issues, plans and programs in keeping with the MPO guiding principles. A new or updated PPP is produced at the onset of each *Long Range Transportation Plan* update with meaningful public input infused into the process.

The PPP requires a 45-day public review and comment period.

- A legal advertisement is placed announcing the 45-day public review period and again 10 days prior to the Public Hearing to approve the PPP
- Notice of the public review and comment period is posted on the MPO web sites
- The PPP Draft is posted on the MPO web site under "Draft Publications" and is available in the Planning Commission Library for public review during regular business hours at least 45 days prior to MPO consideration
- Formal presentations are made to the MPO advisory committees (CAC, TAC and Policy) as an Action Item on the Agenda for review and comment before the MPO Board consideration
- In-person public comment is accepted at each MPO Board and advisory committee meeting
- Review and comment by FDOT and other interested partner agencies

Comments from the public on the PPP will be encouraged and accepted at all meetings and events, by comment card or by contacting the MPO directly via phone (813/272-5940), fax



Hillsborough

(813/301-7172), email (mpo@plancom.org) or by visiting the MPO offices Monday – Thursday from 8:00 a.m. – 5:00 p.m. at:

601 East Kennedy Boulevard
County Center, 18th Floor
Tampa, FL 33602

Once approved, the PPP will be evaluated and reviewed annually by MPO staff, advisory committees and the MPO Board to assure the process provides ongoing full and open



access to all interested parties, conforms to federal transportation regulations, and continues to evolve in response to prior results and as new strategies and technologies are developed. A PPP *Measures of Effectiveness* (MOE) report will be presented to the MPO and its advisory committees – CAC, TAC and Policy – and to the Transportation Disadvantaged Coordinating Board (TDCB) on an annual or bi-annual basis. The MOE will recap, measure and analyze public participation activities, as well as make recommendations to further enhance public participation effectiveness. Comments received will be reflected in the MOE presentation to the MPO for consideration.

PPP Amendment

For major amendments, updates or new PPP documents, the procedures listed above will be followed. Minor changes and additions between LRTP update periods will be implemented through the advisory committee process. Public comment on the PPP will be taken at any time, considered, and implemented with the annual review as appropriate. Creative suggestions are encouraged throughout the process to ensure it is fully accessible and receptive.

Long Range Transportation Plan

The LRTP identifies transportation improvements necessary to maintain adequate mobility and accommodate anticipated growth. The current LRTP includes a comprehensive listing of highway, public transit, bicycle, pedestrian and freight movement needs and identifies cost affordable projects through the year



2035. The *MPO 2035 Plan* integrates transit concepts from the TBARTA (Tampa Bay Area Regional Transportation

Authority) Master Plan and the Hillsborough Area Regional Transit Authority's (HART) Rapid Transit Investment Plan as well as the *MPO Transit Study*. The *2035 Plan* incorporated meaningful public participation as noted in the *MPO 2035 Plan* document and in the *MPO Public Participation Plan Measures of Effectiveness Report*. Major public participation tools are also noted in Appendix B in this document.

Under SAFETEA-LU legislation, the LRTP should make provisions for consulting with state and federal environmental protection, tribal government, wildlife management, land management, and historic preservation agencies. The MPO also participates in Florida's Efficient Transportation Decision Making (ETDM) process which uses a web-based tool to provide information and map data to, and solicit comments from, affected agencies. Other procedures include:

- Coordination with FDOT, HART, the jurisdictions and other partner agencies throughout LRTP development
- Extensive public involvement plan developed and executed to provide early and continuing opportunities to participate in the development of the LRTP needs assessment and cost affordable plan
- Multi-media visualization techniques
- Concerted efforts to identify and engage groups and areas that may have been

under-represented in the past (e.g., low income, minority and disabled populations)

- *Citizens Guide to Transportation Planning* created to lay out the planning process and participation opportunities
- MPO newsletters, web posts, social media, direct mail, email blasts and ads in newspapers are used at various points to notify the public of participation opportunities
- Key draft documents are posted for public review and comment on the MPO web sites
- A 30-day public review and comment period as required, followed by a Public Hearing for MPO adoption of the LRTP
- Two legal advertisements placed:
 - The first announcing the 30-day public review period and announcing the upcoming Public Hearing
 - The second for the 10-day notice of the upcoming Public Hearing
- Notice of the public review period and Public Hearing posted on the MPO web sites
- The Draft LRTP posted on the MPO web sites and is available in the Planning Commission Library for public review during regular business hours at least 30 days prior to MPO consideration
- Formal presentations made to the MPO advisory committees (CAC, TAC and Policy) as an Action Item on the Agenda for review and comment before the MPO Board considered adoption



- In-person public comments accepted at each MPO Board and advisory committee meeting
- Solicited review and comment by FDOT and other interested partner agencies
- Adoption by a roll-call or hand-counted vote of the MPO.



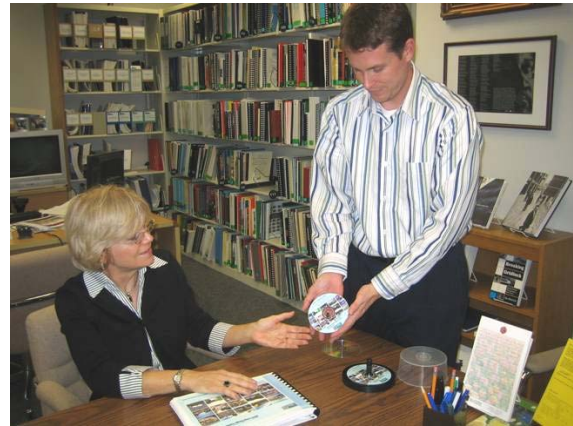
L RTP Amendment

An amendment is a major revision to the LRTP, including adding or deleting a project, major changes in project costs, initiation dates, and/or design concept and scope, such as changing project locations or the number of through traffic lanes. Changes to the LRTP on projects included for illustrative purposes only do not require an amendment.

An amendment requires public review and comment, demonstration that the project can be completed within expected funding, and/or, where appropriate, a finding that the change is consistent with federal transportation conformity mandates. The following outlines public participation procedures for an LRTP Amendment:

- A 15-day public review and comment period is required followed by a Public Hearing for an LRTP Amendment
- One legal advertisement is placed announcing the 15-day review period, availability of the proposed LRTP Amendment on the web and in the Planning Commission Library, and announcing the upcoming Public Hearing

- A good faith effort is made to direct mail or otherwise notify parties directly affected by the proposed LRTP Amendment**
- Notice of the public review period and Public Hearing is posted on the MPO web sites
- The proposed LRTP Amendment is posted on the MPO web site and is available in the Planning Commission Library for public review during regular business hours for at least 15 days prior to MPO consideration
- Formal presentations are made to the MPO advisory committees (CAC, TAC and Policy) as an Action Item on the Agenda for review and comment before the MPO Board considers adoption
- In-person public comments are accepted at each MPO Board and advisory committee meeting
- Review and comment by FDOT and other interested partner agencies are solicited



L RTP Administrative Modification

An administrative modification is a revision to the LRTP for minor changes to the project including project phase costs, funding sources, and/or initiation dates. An administrative modification does *not* require public review and comment, demonstration that the project can be completed based within expected funding, nor a finding that the change is consistent with federal transportation requirements. LRTP Administrative Modifications are executed as follows:

- No public review requirement
- Approved by the MPO Executive Director
- LRTP document is updated with modifications and posted on the MPO web site

*** Where appropriate, provision of notification lists and associated costs for such mailings and advertisements placed are the responsibility of the applicant.*

Transportation Improvement Program

Revised annually to incorporate those projects in the LRTP having the highest priority and an ability to be funded, the TIP contains all transportation projects programmed for the upcoming five years. Projects are grouped by jurisdictional responsibility, indicating the year, funding source and levels for each project phase. From a policy perspective, the TIP is particularly important in that it establishes the priorities for scheduling improvements to the Strategic Intermodal System (SIS), including freight and Intelligent Transportation System (ITS) strategies, federal Interstate highway system, local roadways and MPO priorities concerning transit, pedestrian- and bicycle-friendly environments and transportation demand management programs.



In

September each year, a Public Hearing is held to adopt priorities for programming the new fifth year to be integrated into FDOT's Work Program. The MPO adopts the final *Transportation Improvement Program* at a Public Hearing held the following June to

meet the July 15th state deadline for submittal each year. Steps in the process include:

- Coordinate with FDOT, HART, the jurisdictions and other partner agencies throughout TIP development
- A 30-day public review and comment period before each of the two required Public Hearings, one for MPO adoption of the TIP Priorities (September each year) and one for the final *Transportation Improvement Program* (the following June)
- Two legal advertisements are placed:
 - The first announces the 10-day notice of the TIP Priorities Public Hearing
 - The second is the 10-day notice of the Public Hearing to adopt the final TIP
- Notices of the two Public Hearings are also posted on the MPO web site
- The Draft TIP Priorities and Draft TIP are posted on the MPO web site and is available in the Planning Commission Library for public review during regular business hours for at least 30 days prior to MPO consideration
- Formal presentations are made to the MPO advisory committees, CAC, TAC and Policy, as an Action Item on the Agenda for review and comment before the MPO Board considers adoption of the TIP Priorities and the final *Transportation Improvement Program*
- In-person public comments are accepted at each MPO Board and advisory committee meeting
- Review and comment by FDOT and other interested partner agencies are solicited



- The TIP is published annually and posted on the MPO website. In addition, the website features an interactive version of the TIP that allows users to search and map individual projects listed in the document.

TIP Amendment

A TIP Amendment is a major change to the TIP, including: adding or deleting a project; changes in project phase costs, initiation dates, and/or design concept and scope, such as changing project locations or the number of through traffic lanes; or a cost increase greater than 20% and \$2 million. An amendment requires public review and comment and re-demonstration of fiscal constraint. The following outlines public participation procedures for a TIP Amendment:

- A public review and comment period will coincide with the formal presentations made to the MPO advisory committees (CAC, TAC and Policy) as an Action Item on the Agenda for review and comment before the MPO consideration, which includes posting on the web site one week prior to the CAC meeting (the 1st of these committee meetings each month)
- As appropriate, a good faith effort to direct mail or otherwise notify parties directly affected by the proposed TIP Amendment is made. Provision of notification lists and associated costs for such mailings may be the responsibility of the applicant.
- In-person public comments are accepted at each MPO Board and advisory committee meeting
- Review and comment by FDOT and other interested partner agencies are solicited, with public discussion opportunities among agencies at the TAC meeting
- Approved by a roll call vote of the MPO Board.

Annual Listing of Obligated Projects

To make the project funding process as transparent as possible, no later than 90 days after the end of the program year (i.e., the fiscal year ending September 30th), the MPO along with FDOT, HART and other public transportation operators, develops a list of projects in Hillsborough County – including bicycle and pedestrian projects – for which federal transportation funds were obligated (i.e., funds contractually committed to a project) in the previous program year. Based on the TIP, the list describes the project by name, to/from limits, type, funding source, and amounts obligated to specific project phases. The MPO posts this information each year on its website and puts a copy in the Planning Commission library.

Administrative (Minor) TIP Amendment

A TIP administrative amendment includes: minor changes to a project's costs or to the cost of a project phase; minor changes to funding sources of previously included projects; minor changes to the initiation dates within the same fiscal year; changes to projects that are *not* federally funded; changes to information and projects included for illustrative purposes only; changes to information outside of the TIP period or not required to be included in the TIP per federal regulations; or changes to correct simple or data entry errors. These minor amendments are executed as follows:

- No public review requirement
- Reviewed and approved by the MPO Board with a roll call vote
- TIP document is updated and posted on the MPO web site.



Air Quality Conformity Determination

The MPO and DOT must determine the conformity of the LRTP (including a new regional emissions analysis) no less frequently than every three years. A new TIP must demonstrate conformity before the TIP is approved by the MPO or accepted by DOT. In nonattainment areas (i.e., areas not meeting federal air quality standards), an interagency consultation process is required that engages the MPOs of the nonattainment area, state & local air quality planning agencies, state & local transportation agencies, EPA and DOT in decisions regarding the analysis and forecasting of emissions and development of strategies for reducing emissions.⁶ The Hillsborough MPO participates in a regional consultation process convened by the West Central Florida MPO Chairs Coordinating Committee. The interagency consultation



process should address the emissions model, regional significance, exemption status, and transportation control measures.

Unified Planning Work Program

The UPWP defines the transportation planning activities and products to be developed by the MPO and other transportation planning agencies for a two-year period. Updated biennially (every other year), it is the basis for allocating

⁶ Citations: US Code Title 40: Protection of Environment, 93.105 Consultation. Also Florida Statute 339.175 2(d): "If more than one M.P.O. has authority within a metropolitan area or an area that is designated as a nonattainment area, each M.P.O. shall consult with other MPOs designated for such area and with the state in the coordination of plans and programs required by this section."



federal, state, and local funds for transportation planning activities. UPWP public participation opportunities are included in the process as follows:

- The UPWP requires a 30-day public review and comment period
- The UPWP Draft will be available by March 15th for transmittal to FDOT and federal agencies
- Notice of the public review period to be posted on the MPO web site
- The UPWP Draft is posted on the MPO web site under "Draft Publications" and is available in the Planning Commission Library for public review during regular business hours at least 30 days prior to MPO consideration
- Formal presentations to the MPO advisory committees (CAC, TAC and Policy) as an Action Item on the Agenda for review and comment before the MPO Board considers adoption
- In-person public comment is accepted at each MPO Board and advisory committee meeting

UPWP Modifications

Modifications to the UPWP involving FHWA funds fall into two categories:

1. **Revisions** do not change the FHWA approved PL budget or scope of the FHWA funded work tasks.
2. **Amendments** change the FHWA approved budget, change the scope of the FHWA funded work tasks, or add or delete a work task.

UPWP Revisions are executed as follows:

- Notify the District MPO Liaison and the FHWA within the consultation process prior to its execution by the MPO (no approval is required)
- No public review requirement
- Approved by the MPO Executive Director
- The revised UPWP is posted on the MPO web site

UPWP Amendments must be approved by the FHWA. Since the UPWP is updated biennially, there is likely to be at least one amendment when state and federal budgets are approved each year. UPWP Amendments do not require a public review and comment period; however, the Hillsborough MPO will provide opportunities for public review and comment as follows:

- Draft UPWP Amendment is posted on the MPO web site with the meeting packets seven days prior to each meeting
- Formal presentations to the MPO advisory committees (CAC, TAC and Policy) as an Action Item on the Agenda for review and comment before MPO Board consideration
- In-person public comment to be accepted at each MPO Board and advisory committee meeting

Transportation Disadvantaged Program

Established by the Hillsborough MPO in 1990, the Transportation Disadvantaged Coordinating Board (TDCB) as the Local Coordinating Board (LCB) for Hillsborough County to guide and coordinate transportation services with the goal of improving quality of life for:

- children who are at high risk;
- the elderly;
- those who have physical or mental disabilities; &
- the economically disadvantaged

Public participation is a priority as outreach is targeted to people in our community most in need of services. Created by the TDCB's

Outreach & Awareness subcommittee, the *Ride Guide* is a great example of outreach material consolidating relevant information for the transportation disadvantaged in Pasco, Pinellas and Hillsborough Counties. An annual evaluation of the Sunshine Line (paratransit service) is conducted by the TDCB, including a direct-mail survey of more than 2500 customers of the service. The TDCB is also required to hold an annual public hearing which is advertised at least 10 days prior in the local newspaper. Other forums and public engagement opportunities are used to continue public involvement throughout the year. All meetings of the TDCB and its subcommittees are advertised in the *Florida Administrative Weekly*.

Transportation Disadvantaged Service Plan

In consultation with the Sunshine Line, our Community Transportation Coordinator (CTC), and TDCB, the MPO develops, and annually updates, a Transportation Disadvantaged Service Plan. The TDSP is developed in a manner that assures the local planning agencies responsible for preparing comprehensive plans, have the opportunity to review and comment on it.



The TDSP must be consistent with applicable local government comprehensive plans, the Long Range Transportation Plan, transit development plans, and other local, regional, and state transportation plans. The TDCB's Planning subcommittee, which includes representatives from HART and FDOT, provide input throughout the plan's development. The Planning Commission is also given the opportunity to review and provide comments. Once the TDCB

approves the plan, the MPO Board reviews and approves the Plan before it is forwarded to the Florida Commission for the Transportation Disadvantaged (CTD) for certification.

According to the CTD Handbook, the TDSP planning process must allow representatives of public, private and non-profit transportation; human services providers; and the public to participate.

Stakeholders may include:

- **Transportation planners** – area transportation planning agencies; public transit and ADA transit providers; and private transportation providers such as brokers, taxi operators, vanpool provider and intercity bus operators.
- **Passengers and advocates** – existing and potential riders; protection and advocacy organizations; representatives from independent living centers; advocacy organizations working on behalf of targeted populations.
- **Human service partners** – agencies that administer health, employment or other support programs for targeted populations; job training and placement agencies; housing agencies; health care facilities; and mental health providers.
- **Others** – emergency and security management agencies; tribes and tribal representatives; economic development organizations, faith-based and community based organizations; representatives of the business community (employers); appropriate local or state officials and elected officials; and school districts.

Other MPO Plans & Studies

The MPO often prepares plans and studies focusing on particular sub-areas, corridors or specific project areas. These may be carried out by staff and/or consultants, and the scope and level of detail of such products can vary greatly, as can the level

of public involvement and engagement technique. There are no set requirements but the MPO makes a practice of engaging the community in such plans and studies early and continuously. The MPO strives to identify affected parties and invite them to collaborate as stakeholders. Typical “constituents” are shown on page 19.

Ideally, constituents will be invited to participate throughout the process and help shape the plan or study by:

- Identifying the issues or problem statement;
- Defining goals, objectives and prioritization factors;
- Developing alternative solutions;
- Reaching a consensus on the preferred alternative; and
- Reviewing and commenting on draft plans and studies.

At a minimum, the MPO will provide timely notification of all such plans or studies as they develop in draft form, and allow the public ample opportunity to review and comment on them before being adopted or approved by the MPO. Staff will forward all relevant comments to the MPO board prior to acting, along with a synopsis and response to all pertinent issues.

OPPORTUNITIES

Comments

Beyond receiving public comment, this MPO strives to involve the public, stakeholders and partner agencies to participate throughout the long range transportation planning process. On-line and interactive surveys, electronic “town call” meetings, collaboration through the Internet and social networks, hands-on mapping workshops, planning events and focus groups are among the many opportunities for early and recurring participation. However, there is no need for a meeting or event to be held to provide input. Public comment can be



provided at any time and in a multitude of settings.

Consideration and Response

The MPO recognizes and values public input and, therefore, will review each comment submitted and respond as appropriate. Members of the public are encouraged and welcome to share their thoughts on any topic at every MPO meeting, as well as in writing at any time. A key opportunity for the public to share their innovative thoughts and ideas is during public review and comment periods. Comments submitted during a specific public review and comment period will be provided to the MPO Board with appropriate response or changes before the MPO renders a decision.

Having Your Say

Comments may be provided at any time in writing, online, through a variety of MPO participation opportunities (workshops, focus groups, discussion groups, etc.) and at every regularly scheduled MPO Board or committee meeting. Comments may be submitted via:

Phone: 813/272-5940

Fax: 813/301-7172

Email: mpo@plancom.org

Web: www.hillsboroughmpo.org

www.mpo2035.org

twitter.com/HillsboroughMPO

facebook.com/HillsboroughMPO

U.S. Mail: The Planning Commission/
MPO

601 East Kennedy Boulevard
County Center, 18th Floor
Tampa, FL 33602



The MPO Board and its advisory committees hold regular meetings at which members discuss current planning programs and events. A public comment period on Agenda Items is included at the beginning of MPO Board meetings as well as an opportunity to make comments of general interest at the close of each meeting. This is a very important, regular, on-the-record opportunity to be heard by the MPO Board. For MPO Board meetings and Public Hearings, there are sign in sheets and comment forms located at the entrance of the meeting room. The following is a series of questions to help determine if making comments at MPO meetings is the most effective strategy for getting your message heard and hints about making the greatest impact with your statement:

What do you want to accomplish by making comments at an MPO meeting?

- **Share information with the MPO.** Before doing this, consider if the MPO is already aware of this information. If so, do they need to hear it again? There may be value in repeating information to emphasize a position or opinion, but it can also come across as repetitive and unnecessary.
- **Encourage the MPO to take a particular action.** This is likely to be the most effective use of speaking at an MPO meeting. For example, wanting the MPO to add or remove a particular project from a plan or program, or wanting the MPO to hear a new concept or solution.
- **Discuss an issue with the MPO.** The opportunity for public comment at an MPO meeting is a formal hearing structure rather than an informal dialogue format. The MPO will hear comments, but, with a full agenda to follow, are not likely to engage in extended discussion. The MPO Board is likely to listen, perhaps ask a question, followed by some discussion among members before taking action. Or, they may choose to discuss an issue at greater length at an upcoming Policy Committee meeting.

Does the Hillsborough County MPO have the authority to do what you're asking?

- **Yes.** You want the MPO to consider your comments on an MPO plan like the *Long Range Transportation Plan* or the *Transportation Improvement Program* or some aspect of these documents.
- **No.** The MPO is not an implementing agency. The MPO does not change bus service schedules, for example. Also, once the MPO approves a project in the LRTP or TIP, the how and when become the responsibility of implementing agencies.

What other strategies can be used to accomplish your goals?

- **Talk with MPO members on a one-on-one basis.** Taking advantage of one-on-one opportunities for discussing issues can be very effective. In fact, discussing issues on an informal basis can lay the groundwork for formal input you may want to give later on.
- **Participate at MPO committee and subcommittee meetings.** A great deal of work that supports the MPO's decisions goes on at various committee meetings. Observing these meetings, asking questions and making comments can be a good way to get ideas across.
- **Submit written comments.** Written comments are also a form of public record, and if received on time, can be presented to the MPO Board for perusal in advance of MPO Board meetings.

How do I maximize my opportunity to speak before the MPO Board?

1. Know what you want the MPO to do.
2. Prepare what you want to say.
3. Be brief and use the opportunity wisely.
4. Be creative in your presentation to grab the board members' attention.
5. If you are bringing handouts, have at least 25 copies with you.

Note: *Public comments at MPO Board or advisory committee meetings are normally limited to three minutes but may be extended by a member's request.*

Constituencies

The MPO actively engages the public throughout the transportation planning process. Participation may vary based on level of interest in a particular project or issue. MPO constituencies include:

- The general public (citizens)
- State and local government entities
- Transportation agencies
- Regional planning partners
- Other affected public agencies
- Public transportation employees
- Public transportation users
- Bicyclists
- Pedestrians
- Schools and PTAs
- Freight shippers & transportation providers
- Private transportation providers
- Transportation interest groups
- Civic and advocacy groups
- Community development corporations
- Chambers of Commerce
- Professional organizations and other business entities
- Homeowner and neighborhood associations
- Emergency service providers
- Providers of non-emergency transportation services receiving financial assistance from a source other than title 49, U.S.C, Chapter 53
- Media outlets
- Specialized transportation providers
- Persons with disabilities
- Caregivers for the elderly, children and persons with disabilities
- Low income or other transportation disadvantaged individuals
- Other interested parties

Get Involved Today

Individuals or groups can be involved in the MPO planning process whether or not they are able to attend MPO meetings or events. Visit us online anytime at:


www.hillsboroughmpo.org
www.mpo2035.org



Another easy way to stay on top of MPO programs, events and other transportation news is by subscribing to the MPO “eNews” (electronic newsletters: *Rubber Meets the Road*, *Walk/Bike News*, and *Hillsborough Rides*) mailing list by visiting the “managing your subscription” link on the MPO website (www.hillsboroughmpo.org) or by calling 813/272-5940. Citizens may subscribe to as many of these quarterly publications as they wish.

Committees

In addition to ongoing public input, the MPO receives recommendations from seven standing committees and their sub committees. Providing perspective and insight on projects, plans and policies, the MPO’s advisory committees enhance the board’s commitment to making informed decisions. Representatives for the Citizens Advisory Committee (CAC) are appointed by the MPO. Applicants must be Hillsborough County residents.




You are an important part of the planning process. Your opinion really does count and will help shape the future for the children of Hillsborough County.

MPO
METROPOLITAN PLANNING ORGANIZATION
FOR TRANSPORTATION

The Hillsborough County Metropolitan Planning Organization, also known as the MPO, is a transportation policy-making board comprised of representatives from local and county government as well as transportation authorities. The MPO currently has openings on its Citizens Advisory Committee (CAC). The CAC meets on the second Wednesday of each month at 1:15 p.m. to review transportation plans and proposals and advise the MPO Board before it takes action. The CAC members are volunteers who provide citizen perspective on community values and needs while evaluating long-range transportation proposals and recommending solutions.

For more information on the MPO and CAC, please visit:
www.hillsboroughmpo.org

To be considered for a two-year CAC term, please contact Lucie Ayer, AICP, at 813.273.3774 extension 339 or via email at ayerl@plancom.org. CAC members must reside within Hillsborough County boundaries.



Persons of Hispanic and/or African American descent are encouraged to apply.

To be considered for a two-year CAC term, citizens must be nominated by an MPO Board member. Please contact us by telephone at 813/272-5940 or email mpo@plancom.org.



The following is a list of regularly scheduled MPO Board and committee meetings:

Group Location	Standard Day & Time
MPO Metropolitan Planning Organization Board <i>County Center, 2nd Floor</i>	Monthly 1 st TUE 9:00 a.m.
CAC Citizens Advisory Committee <i>County Center, 18th Floor</i>	Monthly 2 nd WED 1:15 p.m.
BPAC Bicycle/Pedestrian Advisory Committee <i>County Center, 18th Floor</i>	Monthly 2 nd WED 5:30 p.m.
TAC Technical Advisory Committee <i>County Center, 18th Floor</i>	Monthly 3 rd MON 1:30 p.m.
Policy Policy Committee of MPO Board <i>County Center, 18th Floor</i>	Monthly 3 rd TUE 9:00 a.m.
LRC Livable Roadways Committee <i>County Center, 18th Floor</i>	Monthly 4 th WED 9:00 a.m.
ITS Intelligent Transportation Systems <i>County Center, 18th Floor</i>	Bimonthly 3 rd THU 1:30 p.m.
TDCB Transportation Disadvantaged Coordinating Board <i>County Center, 18th Floor</i>	Bimonthly 4 th THU 9:15 a.m.

Subcommittees meet on an as-needed basis.

PLEASE NOTE:

All meeting locations, dates and times are subject to change or cancellation. Visit www.hillsboroughmpo.org to view the current calendar or call 813/272-5940 for more specific information.

ROLES

MPO Staff

Staff to the MPO is provided by the Hillsborough County City-County Planning Commission. Planning consultants may also be used and are considered an extension of staff. The MPO staff provides day-to-day transportation planning expertise to the MPO and carrying out the direction of the MPO Board and its advisory committees⁷. In addition to organizing



effective strategies to engage the public, the MPO staff is responsible for capturing, recording, documenting, and distilling all public input and comments, irrespective of the venue or medium. Most importantly, staff is also charged with informing the MPO board of what the public has said, and formulating an appropriate response, subject to the board's approval.

Citizens Advisory Committee (CAC)

Consisting of fourteen citizen volunteers from across the county, CAC members are appointed by voting MPO Board members, and one representative of the TDCB.

Technical Advisory Committee (TAC)

Staff planners, engineers and program administrators from local government and agencies representing:

- Hillsborough County (2 members)
- City of Tampa (2 members)
- City of Plant City
- City of Temple Terrace
- Tampa Port Authority
- Hillsborough County Aviation Authority
- Hillsborough Area Regional Transit (HART)
- Tampa-Hillsborough Expressway Authority
- School District of Hillsborough County
- Hillsborough County Environmental Protection Commission
- Hillsborough County City-County Planning Commission (2 members)
- Tampa Bay Regional Planning Council
- Florida Department of Environmental Protection, Air Quality Section
- Tampa Bay Area Regional Transportation Authority (TBARTA)

Bicycle/ Pedestrian Advisory Committee (BPAC)

An appointed committee consisting of agency staff and citizen volunteers who have special interest or expertise in bicycle and pedestrian issues, representing:

- Citizens at large (up to 10 members)
- Hillsborough County Public Works and Parks & Recreation Departments
- City of Tampa Parks Department and Transportation Division
- City of Temple Terrace
- City of Plant City
- Hillsborough Area Regional Transit (HART)
- Hillsborough County Environmental Protection Commission
- Hillsborough County City-County Planning Commission
- University of South Florida (USF)

Policy Committee

A subset of at least five MPO members who review agenda items and consider major transportation issues in a less formal setting before making recommendations to the full MPO Board.

Livable Roadways Committee (LRC)

MPO members, architects, planners and interested citizens interested in street-

⁷ Note that the committees composition provided here are illustrative; see MPO By-Laws for official membership.

scaping, beautification, and preservation, representing:

- City of Plant City
- City of Tampa:
 - Parks & Recreation Dept.
 - Public Works Dept.
 - Urban Development Dept.
- City of Temple Terrace
- Hillsborough County Planning and Infrastructure (up to two members)
- HART
- MPO Board Member (appointed by the MPO as chair of the committee)
- Bicycle Pedestrian Advisory Committee
- Hillsborough County City-County Planning Commission
- American Planning Association
- American Society of Landscape Architects
- University of South Florida
- Institute of Transportation Engineers
- New North Transportation Alliance
- Tampa Downtown Partnership
- Urban Land Institute
- Westshore Alliance
- Persons with disabilities
- Neighborhoods
- Transit users
- Citizen advocate for livable communities and/or multimodal transportation

Intelligent Transportation Systems (ITS)

Technically qualified public or semi-public agency representatives involved in programming, planning, engineering and/or implementations of ITS projects within Hillsborough County representing:

- Hillsborough County
- City of Tampa
- Environmental Protection Commission
- Tampa-Hillsborough Expressway Authority
- HART
- City of Plant City
- City of Temple Terrace

Transportation Disadvantaged Coordinating Board (TDCB)

Composed of government, social service agency and appointed citizens representing:

- Elected official serving on the MPO Board (Chair)
- Elderly citizens

- Disabled citizens
- Citizen users of the coordinated transportation system
- Citizens
- Economically disadvantaged persons
- Children at risk
- For-profit transportation industry
- Local public education community
- Local medical providers
- Hillsborough County veterans
- HART Board
- Florida Department of Transportation
- Florida Department of Children & Families
- Florida Department of Education/Division of Blind Services
- Florida Department of Elder Affairs
- Florida Agency for Health Care Administration
- Regional workforce development board



ACCESSIBILITY

Access for All

The Hillsborough MPO recognizes and values the diversity within our county. We also recognize the importance of including those individuals and groups who have been traditionally underserved. Workshops and forums will occur at various locations and times throughout Hillsborough County to give people a variety of participation opportunities. All MPO public meetings and formal events will be held in facilities that are accessible to persons with disabilities.



Upon request, MPO plans will be produced

Government in the Sunshine

in large type or other formats for the visually impaired. MPO websites will conform to the WAI-AA and US Section 508, making use of World Wide Web Consortium standards, including XHTML and CSS. In addition, MPO audio-visual productions will provide

for close-captioning for the hearing impaired.



In Florida, every person has been granted the Constitutional right to inspect or copy any public record, with some exceptions, at both the state and local levels.

Almost all written communication, including e-mails and messages posted to the MPO's social networking sites, fall under the definition of public records. Notices will be placed on these media so that the public is aware that their communications to the MPO are subject to disclosure. All meetings of the MPO Board, advisory committees and subcommittees are governed by the Sunshine Law. This assures accountability and a transportation planning process that is transparent and fully accessible. Excerpts from the *Government-in-the-Sunshine Manual* are available in Appendix D - Section 3, of this document. For more information online, visit:

<http://myfloridalegal.com/sunshine>

Limited English Proficiency (LEP)

Individuals who do not speak English as their primary language AND who have a limited ability to read, speak, write or understand English must be included in the MPO transportation planning process. Therefore, executive summaries for key documents will be made available in Spanish and may be presented in alternative formats, such as brochures or newsletters. Public engagement pieces, like the *Ride Guide: Your Guide to Getting a Ride* in Hillsborough County will be translated into Spanish

Though interpreter services will be made available free of charge, including Spanish and sign language, upon request made at least ten business days prior to MPO Board and committee meetings, workshops, forums or events, the Hillsborough County MPO will make every effort to provide these services with three business days' notice. These and other special accommodations can be made, including transportation to MPO meetings and events for those who qualify as transportation disadvantaged, by calling Michele Ogilvie at 813/273-3774 ext. 317 or by emailing ogilviem@plancom.org at least three business days in advance.

Appendix E in this document contains the complete *Limited English Proficiency Plan* for the Hillsborough County MPO. In order to minimize costs, Planning Commission staff and services provided by Hillsborough County, the local jurisdictions or other agencies will be used whenever possible. Some resources outside the Planning Commission staff include:

**Hillsborough County
Citizens Action Center**

(Multi-lingual "Language Line" assistance for
telephone customers)
813/272-5900

**Hillsborough County Communications
Department – Language Services**

(Translation and interpreter services)
Contact: Luis Lopez Phone: 813/307-8377

Viceversa Language and Music Services

(contact for quotes on services)
Contact: Maria Lopez Cell: 813/417-2961

STRATEGIES

Telling Our Story

Beyond the state and federal requirements, the *Public Participation Plan* describes opportunities and means for the Hillsborough County MPO to tell our story in a language and manner that is meaningful and understood by the public. Framing our story from the perspective of the audience makes MPO plans and programs more relevant and invites participation. Using language and images that capture the attention of the public is our objective.

Traffic is a concept everyone understands. **Congestion management process**, for example, is not. Explaining technical and complex transportation issues or programs in relatable terms has been and continues to be a public participation focal point for this MPO.

Being Cooperative and Creative

Using pictures and other visualizations to tell our story is an excellent way to make planning more relatable. Partnering with the community and other agencies is another way to integrate planning themes with daily life. Using a creative marketing approach for MPO advertisements and collateral pieces helps us meet our communication objective of getting our messages across. Using visual techniques such as still-photo or animated simulations makes it easy for citizens to grasp a future transportation projects and how it may affect them.

Involving the Community

Public participation is an everyday activity of the Hillsborough County MPO. Not only is it explicitly part of major work products and regularly repeated activities, but also it is encouraged throughout the year. The MPO continues to support the following public participation goals:

Public Participation Goals

1. **Visibility.** Raise the awareness of the MPO as a leader in transportation planning for Tampa, Temple Terrace, Plant City and Hillsborough County.
2. **Engagement.** Involve the public in every phase of the transportation planning process.
3. **Notification.** Notify the public when key decisions are being made and provide opportunities for comment.
4. **Responsiveness.** Ensure that issues raised by the public are explicitly considered and responded to.
5. **Communication.** Ensure that all communication media and MPO plans are presented in a format understood by partner agencies and the public.
6. **Resourcefulness.** Be creative - optimize and use resources dedicated to public participation effectively.
7. **User-Friendliness.** Provide user-friendly collateral materials and communicate in a clear, credible, concise and consistent manner. Use visualization techniques to describe plans from citizen perspective.
8. **Ease.** Proactively make it easy for all citizens to get involved and be heard.
9. **Access.** Reach out to inform and engage populations that have potential to be under-represented in transportation decision-making.
10. **Compliance.** Meet or exceed the spirit, intent and requirements of local, state and federal statutes or regulations.

Capturing All Input

Public commentary comes in a wide variety of forms from myriad sources: e-mailed correspondence, scientific or informal polls, remarks offered at community meetings, or statements entered into the record at advertised public hearings.

MPO planners must ensure that all such comments are captured and no input “falls

through the cracks.” Therefore, staff and consultants will make concerted efforts to document and synthesize all comments, regardless of source, so that the MPO board can give them full consideration to issues raised by the public and respond appropriately.

MPO staff and consultants employ tools and standard procedures to retain and manage public commentary. They include:

- Minutes and summaries of all regular MPO and committee meetings to keep track of public speakers and record comments;
- Annual logs to document all MPO public outreach events and meetings, documenting the date, location, number of participants and any issues raised;
- Annual logs of MPO publications and brochures, showing the number of copies produced and their distribution;
- All e-mails sent to mpo@plancom.org are forwarded to the appropriate staff for a response, but in addition, are copied to a public folder to facilitate their compilation and synthesis;
- Public comment compilers such as MPO’s “Client Interaction Database”, which can log the text of people’s comments, including attachments such as scanned letters, track major topics addressed by the commenter (such as mode of transportation, and whether the commenter favors or doesn’t favor investing in that mode) and produce standard reports;
- Social media and networking sources are increasingly popular forms of communication. Input received through such sources can be compiled through the use of archiving software to facilitate records retention and searches for particular people, topics or conversational “threads” across different platforms. The MPO will develop a policy governing the appropriate use of such media;
- Virtually every plan or study initiated by the MPO has a public engagement

component. The specific techniques will vary, but MPO staff and/or consultants are tasked with compiling public comments and documenting how they affected the outcome of the particular plan or study. All major plans, studies and reports should feature a section entitled “What We Heard” from the public and how that affected the outcome. **Appendix F** provides sample language for scopes of work to capture public input, as well as to document an explicit MPO response.

Collaborating with Partners

Public outreach can be time-consuming and costly. The MPO strives to get the most “bang for the buck” by collaborating with other entities to expand its outreach and effectively engage the public. For example, MPO workshops can piggy-backed with efforts by other public agencies and non-governmental organizations. Economies can be achieved through joint promotion and sharing the costs of the setting up workshops, meetings and public events.



Making Use of Technology

The Internet and communication through social networking media have become commonplace. The MPO has taken advantage of them to “get the word out” about plans and programs. New forms of communications technology now give the MPO and the public to engage in a two-way dialogue. “Crowdsourcing” or Web 2.0 technology will enable the MPO to fashion plans in an even more collaborative, rather than reactive, manner. Crowdsourcing is a form of distributed problem-solving. Internet-based tools, such as Wikis, webcasts, photo inventories and on-line

dialogues, allow users to develop documents collaboratively. These can be used, for example, in corridor plans drafted with direct input from community representatives.

Likewise, mobile devices such as “smart phones” have become prevalent. Such technology will enable the MPO to push its messages directly to interested citizens and obtain immediate feedback. One caveat accompanying these new forms of communication is that all messages sent or received are still considered public records, and therefore subject to Sunshine Law requirements governing retention and disclosure. Further, board and committee members are cautioned against using these new media to communicate among themselves on topics likely to arise at their public meetings. (See Appendix D-4 for excerpts from Florida Attorney General’s Advisory Opinion AGO 2009-19).



Involving Diverse Constituencies

The public comprises a wide array of people with different interests, backgrounds and mobility options. Not everyone has the time, ability or motivation to engage in transportation planning. Following are some constituencies that can pose significant challenges to public outreach efforts. Also included are strategies specifically geared to overcoming these challenges.

- **Private sector transportation providers and freight stakeholders** have limited time when it comes to transportation planning. They seek immediate relief to problems that directly affect their drivers

and impose costs on their operations. Slow-downs caused by bottlenecks, turn-movement restrictions and other problems amenable to relatively short-term, low-cost solutions are “low-hanging fruit” that can attract the interest of freight stakeholders. Umbrella groups such as the Florida Trucking Association and proxies such as the Tampa Port Authority can sometimes represent these interests. Inviting freight stakeholders and private transportation providers to annual summits and/or regional meetings to enlist their help in identifying freight and goods movement problems and solutions may be preferred in lieu of monthly meetings. Telephone interviews are another way to obtain their input on specific issues or plans.

- **Persons with mobility impairments** often have difficulty traveling to meeting locations. Specialized transportation such as wheelchair lift-equipped vans provided by the Sunshine Line may have to be scheduled to pick them up and return them home. Another option is to attend events where there are likely to be a large number of disabled persons in attendance, and/or organized by groups that speak for the disabled.
- **Children and students** make up a significant portion of the non-driving public. Consequently, they are major users of bicycle and pedestrian networks. Getting involved with Boys and Girls Clubs, scouts, school and PTA activities such as “teach-in” events is one way to get input from them and their parents or teachers.
- **Low income individuals and minorities** often have limited involvement in transportation planning. They may not have access to a vehicle, not be aware, or not have time to go to a meeting about transportation. Outreach through churches, neighborhood groups, and community fairs has proved to be effective in obtaining input from these constituents.

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EVALUATION

Measures of Effectiveness

Evaluation is necessary to determine the effectiveness of the Public Participation Plan. At what level is the community participating in public involvement opportunities? Are we reaching our target audience and key constituencies? Are our documents effective and informative tools for public awareness? Questions such as these can be analyzed through an evaluation process. New and improved strategies and techniques can be developed to improve the overall performance of the public involvement process. The following are measures of effectiveness considered in the bi-annual evaluation of the process:

Measuring Visibility & Productivity

- Number of MPO publications produced
- Number of MPO newsletters, brochures, *Bicycle Suitability Maps, Ride Guides* and *Citizens Guide to Transportation Planning*, etc., distributed
- Number of newspaper advertisements and public notices placed in publications with readership demographics factored in
- Media inventory of newspaper articles, television and radio coverage
- Number of CCC brochures distributed
- Number of TMO sponsored maps distributed as well as any other sponsorship or advertisement opportunity
- Number of meetings broadcast on Hillsborough County Television
- Number of publications available on the MPO website, at a minimum to include the *Long Range Transportation Plan, Transportation Improvement Program*, and annual list of obligated projects

Measuring Participation Opportunities

- Number of MPO public forums, workshops and community meetings at which displays, presentations, discussions and feedback occurred
- Number and origin of participants at such public forums, workshops and community meetings
- Number of participants at public forums, workshops and community meetings held in historically underserved areas or with such populations.
- Number and origin of participants at monthly MPO and committee meetings
- Number of persons on the MPO mailing list receiving regular agendas
- Number of draft plans, reports, other preliminary documents or surveys posted to MPO website for public comment

Measuring Public Interest & Feedback

- Number of returned comment cards distributed with Newsletters and other MPO publications
- Number of verbal comments received at open forum discussions, public hearings and at any other opportunity for public interaction
- Number of phone, fax, mail and email inquiries or comments cards received
- Number of visitors to the MPO web site

Measuring Input Results

- Number of issues identified through public input and responded to by the MPO
- Percentage of public inquiries responded to within 1 working day
- Documented revisions to plans based on citizen input

Refining PPP Process

- Periodic public involvement process surveys
- Update the *Public Participation Plan* in



conjunction with and at the outset of each
Long Range Transportation Plan update

- Recommendations to enhance the PPP

The PPP *Measures of Effectiveness* report is presented to the MPO Board each year and posted on the MPO web site.

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Appendix A: Transportation Terms and Acronyms

What do all those letters and terms mean?



Accessibility: The opportunity to reach a given end use within a certain time frame, or without being impeded by physical, social or economic barriers. Enhancing mobility is one way of improving access.



ADA – Americans with Disabilities Act of 1990: Federal law that requires public facilities (including transportation services) to be accessible to persons with disabilities. ADA also requires the provision of complementary or supplemental paratransit services in areas where fixed route transit service is operated. The definition of eligibility for accessible services includes persons with mental disabilities, temporary disabilities, and the conditions related to substance abuse. The Act is an augmentation to, but does not supersede, Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination on the basis of disability against otherwise qualified individuals in programs receiving federal assistance.

ADT – Average Daily Traffic: The number of vehicles passing a fixed point in a day, averaged over a number of days.

AMPO – Association of Metropolitan Planning Organizations: A national nonprofit membership organization serving the interests of Metropolitan Planning Organizations nationwide.

Arterial: A class of street serving major traffic movement.

AVO – Average Vehicle Occupancy: The ratio of person trips to vehicle trips; often used as a criteria in evaluating the success of trip reduction programs.

AVR – Average Vehicle Ridership: The number of employees scheduled to start work during specified hours divided by the number of vehicles arriving at the site during those same work hours.



Bikeway: A facility designed to accommodate bicycle travel for recreational or commuting purposes. Bikeways are not necessarily separated facilities; they may be designed and operated to be shared with other travel modes.

BOCC – Board of County Commissioners

BPAC – Bicycle/Pedestrian Advisory Committee: An MPO advisory committee composed of citizen, agency and jurisdictional representatives committed to multi-modal planning, improving bicycle and pedestrian facilities, and education and promotion of the benefits of walking and biking.

CAAA – Clean Air Act Amendments: 1990 amendments to the federal Clean Air Act which classify non-attainment areas and provide rules dealing with air pollution in such areas, specifically bringing transportation decisions into the context of air quality control.



CAC – Citizens Advisory Committee: Citizen volunteers, representing a spectrum of social, economic and jurisdictional interests, who provide input from a citizen's perspective to the MPO Board.

CAP – Commuter Assistance Program: Program funded by the U.S. Department of Transportation (DOT) supporting numerous congestion-reducing programs in order to achieve traffic reduction and air quality goals.

CIA – Community Impact Assessment: A process to evaluate the effects of a transportation action on a community and its quality of life; a way to incorporate community considerations into the planning and development of major transportation projects. From a policy perspective, it is a process for assessing the social and economic impacts of transportation projects as required by the National Environmental Policy Act (NEPA).

CBD – Central Business District: The most intensely commercial sector of a city.

CCC – Chairs Coordinating Committee: Composed of chairpersons from the seven member MPOs (Citrus, Hernando, Hillsborough, Pasco, Pinellas, Sarasota/Manatee Counties and the Transportation Planning Organization representing Polk County) in west central Florida, , FDOT Secretaries from District 1 and District 7, Florida's Turnpike Enterprise and the Regional Planning Councils, the CCC meets quarterly to cooperatively address transportation challenges on a regional, long range basis. www.regionaltransportation.org



CMAQ – Congestion Mitigation and Air Quality Improvement Program: A categorical funding program created under ISTEA, directing funding to projects that contribute to meeting national air quality standards in air quality non-attainment areas.

CMP – Congestion Management Process: A systematic process required under SAFETEA-LU for all Transportation Management Areas (TMAs) to address congestion management through the metropolitan planning process, providing for effective management and operation based on a cooperatively developed and implemented metropolitan-wide strategy of new and existing transportation facilities eligible for funding under title 23 and chapter 53 of title 49 through travel demand reduction and operational management strategies. Required under 23 CFR 500.109 to monitor and evaluate the performance of the multi-modal transportation system, identify causes of congestion, identify and evaluate alternative actions, provide information supporting the implementation of actions, and evaluate the efficiency and effectiveness of those actions.

Comprehensive Plan: The locally adopted land use plan that will guide growth and development.

Conformity: Process to assess the compliance of any transportation plan, program, or project with air quality control plans. The conformity process is defined by the Clean Air Act.

Coordination: When agencies share responsibilities related to transporting clients: carrying others' clients, arranging with other agencies to carry clients, or sharing vehicles or vehicle

support services including maintenance, etc. Example: a provider whose major activity is transporting elderly clients may make midday schedule space to serve clients of another program.



CTC - Community Transportation Coordinator: Contracted by the Florida Commission for the Transportation Disadvantaged Commission to provide cost-effective and efficient transportation services to transportation disadvantaged (TD)

persons. In Hillsborough County, the Board of County Commissioners has been designated as the CTC who operates door-to-door paratransit services as the "Sunshine Line."

CTD – Florida Commission for the Transportation Disadvantaged:

The Florida legislature established the CTD in 1989 to help to ensure the availability of efficient, cost-effective and quality transportation services for persons who due to a physical or mental disability, age or income, are transportation disadvantaged. www.dot.state.fl.us/ctd



CUTR – Center for Urban Transportation Research: A legislatively created research center, located at the University of South Florida (USF), whose purpose is to conduct and facilitate research and serve as an information exchange on issues related to urban transportation in Florida. www.cutr.usf.edu

DEO – Department of Economic Opportunity: Assists Florida communities in meeting the challenges of growth, reducing the effects of disasters and investing in community revitalization.

DEP – Department of Environmental Protection: State agency responsible for the implementation of most of Florida's environmental regulations, including air monitoring and assessment; formerly the Departments of Natural Resources and Environmental Regulation.

DOT – Department of Transportation: Agency responsible for transportation at the local, state, or federal level. For title 23 U.S.C. federal-aid highway actions, this would mean the Federal Highway Administration (FHWA); and for federal-aid transit actions under 49 U.S.C., this would mean the Federal Transit Administration (FTA).

DRI – Development of Regional Impact: A large-scale development which is required to undergo an extra-local review process; the appropriate regional planning council coordinates the review; the appropriate local government makes the approval decision, with the Florida Department of Community Affairs (DCA) retaining appeal authority.

EIS – Environmental Impact Statement: Report detailing any adverse economic, social, and environmental effects of a proposed transportation project for which federal funding is being sought. Adverse effects could include air, water, or noise pollution; destruction or disruption of natural resources; adverse employment effects; injurious displacement of people or businesses; or disruption of desirable community or regional growth.





EJ - Environmental Justice: Derived from Title VI of the Civil Rights Act of 1964, EJ describes the impact of transportation plans or projects on a particular community or population, strives to ensure public involvement of low income and minority groups in decision making to prevent disproportionately high or adverse impacts on these groups, and to assure they receive equal benefits from transportation improvements.

EPA- Environmental Protection Agency: EPA is the federal source agency of air quality control regulations affecting transportation and is responsible for other national environmental issues.

EPC – Environmental Protection Commission: The Board of County Commissioners as designated by state legislation to protect the environment against contaminants of air, water, soil and property, excessive noise and to preserve public health, safety and welfare.

ERH – Emergency Ride Home: Encourages commuters to carpool, use transit, bike or walk to work by guaranteeing them a ride home in case they cannot take the same mode home (e.g., if they need to work late unexpectedly or if an emergency occurs).

ETC – Employee Transportation Coordinator: A person who helps employees at a particular work site use carpooling, vanpooling and other ridesharing programs.



ETDM – Efficient Transportation Decision Making: An integrated approach to transportation decision-making that establishes a systematic approach that integrates land use, social, economic, environmental and transportation considerations; includes active participation from federal, state and local agencies as well as the public; and leads to decisions that provide the highest quality of life and an optimal level of mobility.

ETDM Coordinator: Each district and MPO designates an ETDM Coordinator responsible for full implementation of Florida's ETDM process, overall interagency and public involvement coordination, and ensuring compliance with operating agreements between FDOT and partner agencies.

FDOT – Florida Department of Transportation: State agency responsible for transportation issues and planning in Florida.

Feasibility Study: Refers to systematic evaluations to better assess the desirability or practicality of further developing a proposed action. Such studies are typically performed during the planning stage, or very early in the preliminary development phase when improvement proposals or design concepts need to be more fully investigated.

FEIS – Final Environmental Impact Statement: A document, required under the National Environmental Policy Act (NEPA), prepared for an action that is likely to have significant impact. This document summarizes the major environmental impacts, outlines issues, examines reasonable alternatives, and arrives at a record of decision, identifying the selected alternative for the project.

FHWA – Federal Highway Administration: Division of the U.S. Department of Transportation responsible for administering federal highway programs under title 23 U.S.C.

FIHS – Florida Intrastate Highway System: A statewide network of limited and controlled access highways whose primary function is for high speed and high volume traffic movements; built and maintained by FDOT.

Final Design: The development of detailed working drawings, specifications, and estimates for transportation projects. Final Design follows the receipt of necessary design and/or environmental approval, and it includes right-of-way acquisition, utility relocation, and contract advertisement and award.

Fiscal Constraint: A requirement that all plans be financially constrained - balanced expenditures to reasonably expected sources of funding - over the period of the TIP or LRTP.

Fixed Guideway: A system of vehicles that can operate only on its own guideway constructed for that purpose (e.g., rapid rail, light rail). Also includes exclusive right-of-way bus operations and trolley coaches.

Fixed Route: Term applied to transit service that is regularly scheduled and operates over a set route. Usually refers to bus service.

Florida Administrative Weekly: The publication in Florida where proposed rules, workshops, hearings and final rules are advertised for public notice.



FS – Florida Statutes:

Documents in which Florida's laws are found.

FSUTMS – Florida Standard Urban Transportation Modeling Structure: Computer model used in Florida for transportation planning to simulate existing and future travel patterns; developed by FDOT for long-range urban area transportation modeling.

FTA – Federal Transit Administration: Federal entity responsible for transit planning and programs under title 49 U.S.C.

FTC - Florida Transportation Commission: Created by the 1987 Legislature to serve as the oversight board for the Florida Department of Transportation. Independent from FDOT, the Commission's primary functions are to review major transportation policy initiatives or revisions submitted by the department pursuant to law; recommend major transportation policy to the Governor and Legislature (Commission has recommended policies related to public transit, funding, road jurisdiction, truck weights, and penalties, etc.); serve as an oversight body for the FDOT (Commission assesses performance, monitors financial status, and reviews work program, budget requests and long-range plan); serve as nominating commission in the selection of the Secretary of Transportation (Governor appoints Secretary from among three candidates nominated by the commission).

FTP – Florida Transportation Plan: A statewide, comprehensive transportation plan which establishes long-range goals to be accomplished over a 50 year time frame; developed by Florida Department of Transportation (FDOT); updated every five years

Functional Classification: The process by which streets and highways are grouped into classes, or systems, according to the intended service they provide in serving the flow of trips through a highway network.

Future Land Use Map: Adopted policy map associated with a local government comprehensive plan that illustrates the allocation of future land use categories for a specified planning period (e.g., 10 or 20 years).

FY – Fiscal Year: A budget year runs from October 1st through September 30th for the MPO and the federal government.

GIS - Geographic Information Systems: an information system for capturing, storing, analyzing, managing and presenting data that are linked to locations, often used to produce maps to assist in visualizing transportation as well comprehensive land use plans.



HART – Hillsborough Area Regional Transit: Provides directly, or through arrangements with other organizations, the following services:

- Local fixed route and express bus service
- Vanpool & Guaranteed Ride Home Service
- 100% Wheelchair/Bike Accessible Buses
- Transportation Accessible Program (TAPS)
- Door-to-door Paratransit service
- Travel Planning Assistance
- Circulator Service in South County
- Travel Training
- Employer/Subscription Mini-Bus Service
- Bus Buddy Training



This multi-modal approach is designed to meet the transportation needs of a varied customer base, reduce congestion and improve air quality. Visit www.gohart.org for more information.

HOV – High Occupancy Vehicle: A vehicle carrying two or more people that may travel in lanes designated for high occupancy vehicles as designated.



Highway: Term applies to roads, streets, and parkways, and also includes rights-of-way, bridges, railroad crossings, tunnels, drainage structures, signs, guard rails, and protective structures in connection with highways.

Historic District: A significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

IMS – Incident Management System: A systematic process required under SAFETEA-LU to provide information on accidents and identify causes and improvements to the transportation system to increase safety for all users.

Intergovernmental Agreement: Legal instrument describing tasks to be accomplished and/or funds to be paid between government agencies.

Intermodal Facilities: A facility that serves as a connection point between two or more transportation modes, typically transit and some other mode of transport.



Interstate System: The system of highways that connects the principal metropolitan areas, cities, and industrial centers of the United States. The Interstate System also connects the U.S. to internationally significant routes in Mexico and Canada. The routes of the Interstate System are selected jointly by the departments of transportation for each state and the adjoining states, subject to the approval of the U.S. Secretary of Transportation.

ISTEA – Intermodal Surface Transportation Efficiency Act of 1991: Legislative initiative by the U.S. Congress that restructured funding for transportation programs. ISTEA authorized increased levels of highway and transportation funding and an enlarged role for regional planning commissions and MPOs in funding decisions. The Act also requires comprehensive regional long-range transportation plans extending to the year 2015 and places an increased emphasis on public participation and transportation alternatives.



ITS – Intelligent Transportation Systems: Use of computer and communications technology to facilitate the flow of information between travelers and system operators to improve mobility and transportation productivity, enhance safety, maximize the use of existing transportation facilities, conserve energy resources and reduce adverse environmental effects.

Jurisdiction: A unit of government which exercises certain powers over a place or facility.



Land Use: Refers to the manner in which portions of land or the structures on them are used - commercial, residential, retail, industrial, etc.

Livable Roadways Committee: Citizens and agencies focused on enhance of roadways aesthetically and in terms of usability for people (pedestrians and cyclists) – designing roads for people and multi-modal access, not only for cars.

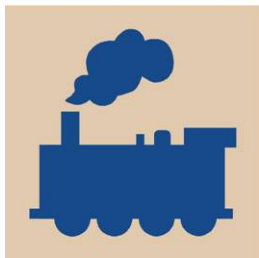
LOS – Level of Service: A qualitative assessment of a transportation facility's operating condition, generally described using a scale of A (little congestion) to E/F (severe congestion).

LRTP – Long Range Transportation Plan: A document resulting from a regional or statewide process of collaboration and consensus on a region or state's transportation system. This document serves as the defining vision for the region or state's transportation systems and services. In metropolitan areas, the plan indicates all of the transportation improvement scheduled for funding over the next 20 years.



Mobility: The ability to move or be moved from place to place.

Mode: Form of transportation, such as automobile, transit, bicycle and walking. **Intermodal** refers to the connections between modes.



Model: A mathematical and geometric projection of activity and the interactions in the transportation system in an area. This projection must be able to be evaluated according to a given set of criteria which typically include criteria pertaining to land use, economics, social values, and travel patterns.



MPO – Metropolitan Planning Organization: The organization designated by law with lead responsibility for developing transportation plans and programs for urbanized areas of 50,000 or more in population. MPOs are established by agreement of the Governor and units of general purpose local government which together represent 75 percent of the affected population of an urbanized area.

MPOAC – MPO Advisory Council: An advisory council (consisting of one member from each MPO) that serves as the principal forum for collective policy discussion in urban areas created by law to assist the MPOs in carrying out the urbanized area transportation planning process.



Multimodal: Refers to the availability of multiple transportation options or modes within a system or corridor.

NAAQS – National Ambient Air Quality Standards: Federal standards that set allowable concentrations and exposure limits for various pollutants.

NEPA – National Environmental Policy Act: Passed in 1969, the federal legislation requiring agencies of the federal government to document the environmental impact of transportation projects. The NEPA process is enforced by regulations of the Council on Environmental Quality (CEQ).

NHS – National Highway System: A federal transportation program authorized by ISTEA that designates nationally significant Interstate Highways and roads for interstate travel,

national defense, intermodal connections, and international commerce. Other eligible activities include bikeways and park-and-ride lots. The NHS is currently being developed as the first component of a larger, intermodal National Transportation System.



NHTSA – National Highway Traffic Safety Administration:

The National Highway Traffic Safety Administration (NHTSA), under the U.S. Department of Transportation, was established by the Highway Safety Act of 1970, as the successor to the National Highway Safety Bureau, to carry out safety programs under the National Traffic and Motor Vehicle Safety Act of 1966 and the Highway Safety Act of 1966. NHTSA is responsible for reducing deaths, injuries and economic losses resulting from motor vehicle crashes. This is accomplished by setting and enforcing safety performance standards for motor vehicles and motor vehicle equipment, and through grants to state and local governments to enable them to conduct effective local highway safety programs. NHTSA investigates safety defects in motor vehicles, sets and enforces fuel economy standards, helps states and local

communities reduce the threat from drunk drivers, promote the use of safety belts, child safety seats and air bags, investigate odometer fraud, establishes and enforces vehicle anti-theft regulations and provides consumer information on motor vehicle safety topics. NHTSA also conducts research on driver behavior and traffic safety to develop the most efficient and effective means of bringing about safety improvements.

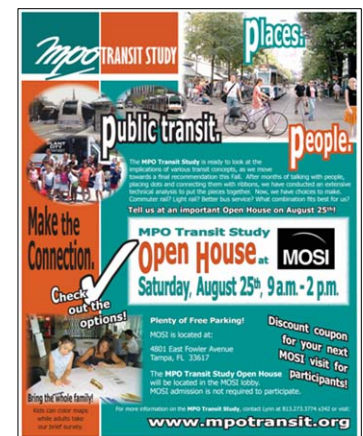
Non-Attainment Areas: Geographic areas that do not meet national ambient air quality standards; ranked by the severity of their problem as marginal, moderate, serious, severe or extreme. In accordance with the Clean Air Act Amendments of 1990, these areas must take specific emission reduction measures.

Open House: An informal, unstructured Public Meeting or Hearing during which information stations with exhibits convey important project information and Department and consultant personnel are available to answer the public's questions.

Operating Entity: The responsible organization for management and operation of a facility (e.g., public, private, quasi-public).

Outreach: Efforts to offer everyone in a community the opportunity to participate in transportation planning.

Ozone: A colorless gas with a sweet odor. Ozone is not a direct emission from transportation sources. It is a secondary pollutant formed when hydrocarbons (HC) and nitrogen oxides (NOx) combine in the presence of sunlight. The ozone is associated with smog or haze conditions. Although the ozone in the upper atmosphere protects us from harmful ultraviolet rays, ground level ozone produces an unhealthy environment in which to live.



Paratransit: Alternatively known as special transportation when applied to social services systems. Applies to a variety of smaller, often flexibly scheduled and routed nonprofit-oriented transportation services

using low-capacity vehicles, such as vans, to operate within normal urban transit corridors or rural areas. These services usually serve the needs of persons that standard mass transit services would serve with difficulty, or not at all. Typical patrons are the elderly and persons with disabilities.

PD&E – Project Development and Environment Study:

Project development is the phase a proposed project undergoes once it has been through the planning process. PD&E is FDOT's name for a corridor study to establish conceptual design for a transportation project and to determine its compliance with federal and state environmental laws and regulations. A PD&E Study is a more detailed analysis of a proposed project's social, economic, and environmental impacts and various project alternatives.

Project: In the context of the ETDM Process, a proposed project is an improvement being considered for inclusion in a Cost-Feasible Long Range Transportation Plan or FIHS Plan. Candidate projects are often referred to as project needs included in a "Needs Assessment" or "Needs Plan." There are several phases of a project as listed below:

- Planning
- Programming
- Project Development
- Design
- Right of Way Acquisition
- Construction



Public Comment: A statement of fact or opinion, especially a remark that expresses a personal reaction or attitude, received at a public meeting, during a public workshop exercise or via phone, fax, discussion, e-mail, online, comment card or letter.

Public Hearing: A hearing designed to afford the public the fullest opportunity to express support of, opposition to, or comment on a transportation project. Documentation is required.

Public Meeting: An announced meeting conducted by transportation officials designed to facilitate public



participation in the decision making process and to assist the public in gaining an informed view of a proposed project during the Transportation Development Process.

Public Participation: The active and meaningful involvement of the public in the development of transportation plans and improvement programs. ISTEA, and further emphasized in subsequent legislation including SAFETEA-LU, require that state departments of transportation and MPOs proactively seek the meaningful involvement of all interested parties, including those traditionally underserved by the current transportation system.

Reverse Commute: Commuting against the main directions of traffic, often referring to the central city to suburb commute.

ROW – Right of Way: Priority paths for the construction and operation of highways, light and heavy rail, railroads, etc.; (ROW) real property that is used for transportation purposes; (R/W) defines the extent of the corridor that can be used for the road and associated drainage.

RPC – Regional Planning Council: A multipurpose organization composed of representatives of local governments and appointed representatives from the geographic area covered by the council, and designated as the primary organization to address problems and plan solutions that are of greater than local concern or scope; currently 11 regional planning councils exist in Florida.



SAFETEA-LU – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users: Signed in to law on August 10, 2005 by President Bush with guaranteed funding for highways, highway safety, and public transportation totaling \$244.1 billion, representing the largest surface transportation investment in our Nation's history. The two landmark bills that brought surface transportation into the 21st century — ISTEA and TEA-21 — shaped the highway program to meet the Nation's changing transportation needs. SAFETEA-LU builds on this firm foundation, supplying the funds and refining the programmatic framework for investments needed to maintain and grow our vital transportation infrastructure. Addressing challenges such as improving safety, reducing traffic congestion, improving efficiency in freight movement, increasing intermodal connectivity, and protecting the environment, SAFETEA-LU promotes more efficient and effective Federal surface transportation programs by focusing on transportation issues of national significance, while giving State and local transportation decision makers more flexibility for solving transportation problems in their communities. SAFETEA-LU continues a strong fundamental core formula program emphasis coupled with targeted investment focusing on safety, equity, innovative finance, congestion relief, mobility, productivity, efficiency, environmental stewardship and streamlining.



Significant Impacts: Any number of social, environmental, or economic effects or influences that may result from the implementation of a transportation improvement; classified as direct, secondary, or cumulative which significantly affect the human environment. The FHWA mandates environmental clearance documents based upon the significance of impacts. In most cases, Environmental Impact Statement (EIS) projects involve significant impacts.

Both context and intensity as described in 40 CFR 1508.27 are important when determining significance.

SIS – Strategic Intermodal System: Established in 2003 to enhance Florida’s economic competitiveness by focusing limited state resources on transportation facilities critical to economy and quality of life. A transportation system made up of statewide and regionally significant facilities and strategic services, including all modes for moving both people and goods and linkages into a single, integrated transportation network.



Smart Growth: Managing development and change to maximize benefits, minimize negative impacts and maintain a strong community quality of life.

SMSA – Standard Metropolitan Statistical Area: A Census Bureau delineation for major metro areas in the U.S.

Social Equity: The provision of affordable, efficient and accessible transportation services to all people regardless of race, ethnicity, income, gender, or disability. A socially

equitable transportation system provides all people with convenient access to meaningful jobs, services and recreational opportunities.

SOV – Single Occupancy Vehicle: A vehicle used to get just one person (the driver) to a destination.

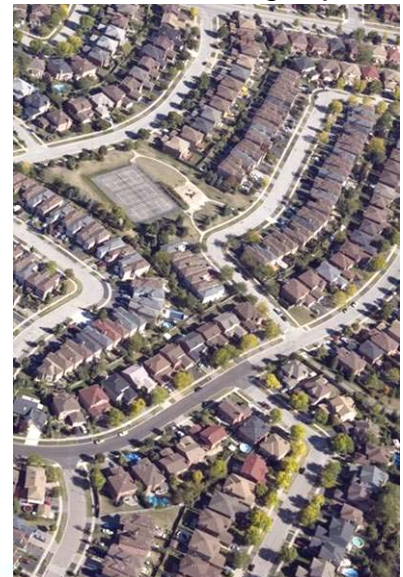
Sprawl: Low-density segregated land use, automobile-dependent development on the fringe of urban areas. Expanding suburbs surrounding a deteriorating urban core. Sprawl often consumes agricultural lands, forest and other open spaces.

Stakeholder: People who may be affected by a project or have an interest in its outcome, including residents, employees, travelers, businesses, modal entities, organizations, etc.

STIP – State Transportation Improvement Program: A staged,

multiyear, statewide, intermodal program that is consistent with the state and metropolitan transportation plans; identifies the priority transportation projects to be done over the next three years; is developed by the Florida Department of Transportation (FDOT) and must be approved by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) at least every two years.

STP – Surface Transportation Program: The STP provides flexible federal funding that may be used by states and localities for projects on any federal-aid highway, including the NHS, bridge projects, transit capital projects, and intracity and intercity bus



terminals and facilities. A portion of funds are reserved for rural areas.

Sunshine Line: Door-to-door paratransit and HART bus passes for elderly, low income and person who are disabled or Hillsborough Healthcare clients primarily for trips to non-Medicaid medical appointments and Hillsborough County Aging Services programs. Call 272-7272 for more information.

TAC – Technical Advisory Committee: A standing committee of most MPOs to provide advice on plans or actions of the MPO from planners, engineers and other staff members (not general citizens).

TAZ – Traffic Analysis Zone: The smallest geographical area routinely used for computer travel simulation. Population, employment, number of dwellings, etc. are estimated in each TAZ for existing and future years and for subsequent use in trip generation. (Rule of thumb, maximum of 10,000 Average Daily Traffic from each TAZ.)



TBARTA – Tampa Bay Area Regional Transit Authority: Created by state legislature in 2007, TBARTA's mission is to improve mobility and expand multimodal transportation options for passengers and freight throughout the seven counties (Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota) in our region. This authority can finance, construct, operate, maintain and manage the transportation system it develops. It can issue bonds against future fares and tolls to get projects moving today and is charged with developing and maintaining a Regional Master Plan. www.tbarta.com

TBARTA Commuter Services: Provides a number of simple and easy-to-use tools to help commuters get where they need to go - all while keeping more cash in their pockets, consuming less fuel, causing less wear and tear on their vehicles, and creating less pollution in the air. Using TBARTA's free online ride-matching program, commuters connect with each other to share the ride in several ways: carpool, vanpool, school pool, and bike buddy. Other commuter services programs include riding transit, teleworking, variable work hours, and the Emergency Ride Home Program. Visit www.tampabayrideshare.org or call 800-998-RIDE (7433).



TBRPC – Tampa Bay Regional Planning Council: Established in 1962 as Florida's first regional planning council, TBRPC is an association of local governments and gubernatorial representatives brought together to coordinate planning for the community's future and provide an opportunity for sharing solutions among the 43 jurisdictions in the Tampa Bay region. The region's four counties, Hillsborough, Manatee, Pasco and Pinellas, are required by law to exercise regional cooperation through membership on the Council. www.tbrpc.org

TBRPM – Tampa Bay Regional Planning Model: See FSUTMS. Cube Voyager technology for the 2035 Long Range Transportation Plan Update.

TD – Transportation Disadvantaged: Those persons, including children as defined in s. 411.202 F.S., who because of physical or mental disability, income status, or inability to drive due to age or disability are unable to transport themselves or to purchase transportation and

have no other form of transportation available. These persons are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, or medically necessary or life-sustaining activities.

TDCB – Transportation Disadvantaged Coordinating Board: Established by the Hillsborough County MPO in 1990, the TDCB is composed of citizen, government and social services representatives who guide and coordinate transportation services with the goal of improving quality of life children who are at high risk; the elderly; those who have physical or mental disabilities; and the economically disadvantaged.

TDLC – Transportation Design for Livable Communities: A more flexible approach to planning and designing highway projects. Once community values have been identified through public involvement and socio-cultural effects evaluation, TDLC provides a way to address or preserve some of those values. FDOT's policy is to consider the incorporation of TDLC when such features are desired, appropriate and feasible. TDLC strategies include landscaping, roadside amenities, pedestrian and bicycle facilities, lighting approaches, interchange designs, and various traffic calming practices.

TDM – Transportation Demand Management: Strategies to reduce peak period congestion which focus on managing travel demand; includes shifting solo drives to carpools or transit, staggered work hours, telecommuting and other similar concepts.



TDP – Transit Development Plan: A short-term (5 years) plan that identifies the intended development of transit, including equipment purchase, system management and operation.

TDSP – Transportation Disadvantaged Service Plan: a three-year implementation plan, with annual updates developed by the CTC and the planning agency which contains the provisions of service delivery in the coordinated transportation system. The plan shall be reviewed and recommended by the local Coordinating Board.



TEA-21 – Transportation Equity Act for the 21st Century: A law enacted in 1998 authorizing federal funding for highway, transit and other surface transportation programs.

TIP – Transportation Improvement Program: A priority list of transportation projects developed by the MPO to be carried out within the five years following its adoption and includes documentation of federal and state funding sources for each project and be consistent with the adopted Long Range Transportation Plan and comprehensive plans.

TMA – Transportation Management Area: A special designation given to all urbanized areas with a population over 200,000 (or other area when requested by the Governor and MPO). These areas must comply with special transportation planning requirements regarding congestion management systems, project selection and certification; requirements identified in 23 CFR 450.300-.336.

TOD – Transit Oriented Development:



A mixed use community or neighborhood designed to encourage transit use and pedestrian activity, containing a rich mix of residential, retail, and workplaces in settings designed for pedestrian convenience and transit accessibility.



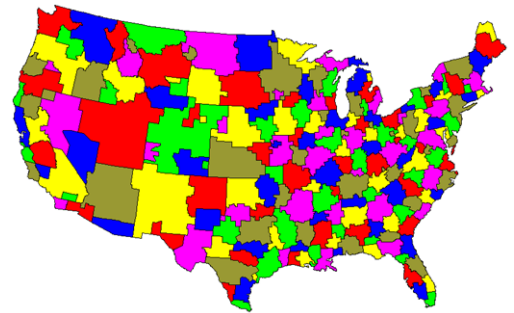
Transportation Enhancements: Improvements related to a particular transportation project that "enhance" or contribute to an existing or proposed facility. Examples of such activities include provision of facilities for pedestrians or cyclists, landscaping or other scenic beautification projects, historic preservation, control and removal of outdoor advertising, archeological planning and research, and mitigation of water pollution due to highway runoff.

Transportation Facilities: Roads, sidewalks, bike lanes, multi-use trails, buses, light rail, commuter rail, transit stations, bus stops, etc.

UPWP – Unified Planning Work Program: Developed by the MPO to identify all transportation programs and planning activities anticipated within the next two years, including the completion schedule, the responsible agency or jurisdiction, and products to be produced.

U.S. Census: Demographic and population data collected every 10 years for the United States government.

U.S.C. – United States Code: Consolidation of the general and permanent laws of the U.S. The Code does not include regulations by the executive branch, state or local governments.



Visualization Techniques: SAFETEA-LU establishes that MPOs "to the maximum extent practicable, employ visualization techniques to describe plans." (Source: SAFETEA-LU, Public Law 109-59) The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) have jointly issued rules for MPOs to follow in order to meet the requirements established in SAFETEA-LU. The FHWA and FTA define "visualization techniques" as "methods employed by states and MPOs in the development of transportation plans

and programs with the public, elected officials, and other stakeholders in a clear and easily-accessible format." This is intended to "promote improved understanding of existing or proposed transportation plans and programs." The FHWA and FTA language is intentionally vague in regards to the types of visualizations that are appropriate or expected. As a result, each MPO is allowed the flexibility to meet visualization requirements in a way that most "appropriately illustrates the projects or plans." Samples of visualization techniques range from photo, PowerPoint or video presentations, brainstorming sketches and visual preference surveys to scale models, renderings, maps, aerials, 3-D imagery and other computer-aided visualization.

VMT – Vehicle Miles Traveled: Key data for highway planning and management, and a common measure of roadway use. Along with other data, VMT are often used in estimating congestion, air quality, and potential gas-tax revenues, and can indicate a general measure of the level of the nation’s economic activity. Often used to track the success of air quality control, energy-saving, and TDM programs with the goal of VMT reduction.



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Appendix B: Strategies Supporting Our Goals

What's in our toolbox?



Strategies & Tools	PPP Goals Supported										Strategy or Tool Description How does this strategy or tool work? Could this strategy or tool work for us in the future?
	1	2	3	4	5	6	7	8	9	10	
	Visibility	Engagement	Notification	Responsiveness	Communication	Resourcefulness	User-Friendly	Proactive	Accessible	Compliant	
Advisory Committees		■		■	■			■	■	■	Make recommendations on projects, plans and policies to assist the MPO Board in making informed decisions from the seven standing committees composed of experts, citizens & special interest groups. The make-up of citizen-based groups should reflect the community's demographic composition.
Alternative Media	■	■	■		■	■	■	■	■		Use non-traditional means such as: automated voicemail, interactive information kiosks, computer graphic presentations, cell phones, pod casts in English and Spanish, etc.
Banners	■		■					■	■		Position logo banners inside and outside MPO events. The public can easily find event locations and news media will capture the banners to reinforce MPO brand recognition in news clips and photographs taken.
Banner Ad & Wraps	■		■		■		■				Highly visible form of advertising an event or plan in general newspapers, community news and student newspapers.
Bicycle Suitability Map	■				■	■	■	■			Reinforces the relevance of the bicycle, pedestrian and safety planning; a great public relations collateral piece distributed through bicycle shops and other locations throughout Hillsborough County.
Business Briefings	■	■		■		■		■		■	Information is brought to a location where members of the business community gather in order to present background, goals, issues & status of a project with ample opportunity for attendee response.
Celebrity Media	■					■			■		Create excitement & appeal to a broader market than might normally take interest in transportation planning by creating PSA spots, videos, etc. with celebrity spokespersons or by having a celebrity attend public workshops to bolster attendance.
Chambers of Commerce	■	■		■	■	■		■	■		Being active in area Chambers of Commerce, including specialized Chambers, raises MPO recognition and provides a variety of opportunities to make presentations to various working groups and transportation committees that ideally represent a broad cross-section of the local business community.
Charrettes		■		■		■		■		■	A meeting format designed to define issues, analyze problems and alternative solutions in a short, intense time-frame to reach consensus on approaches to be taken, usually involving local experts and targeted stakeholders defining values and expectations in the process.
Citizens Guide	■	■	■	■	■	■	■	■	■	■	Produced and distributed in conjunction with the PPP to provide a concise informative tool for citizens on the various ways they can be involved in transportation planning and LRTP updates.
Community Outreach Coordinators		■		■	■	■		■	■		Professionals or volunteers who have extensive knowledge of EJ populations being targeted, relationships with community leaders within that community, and the cultural and linguistic competency in order to engage EJ communities in MPO planning or project management team.
Contests & Games	■					■		■			Intensify community interest and increase community involvement through a game, gimmick or activity created to get the public's involvement in an idea, proposal or project.

Strategies & Tools	PPP Goals Supported										Strategy or Tool Description How does this strategy or tool work? Could this strategy or tool work for us in the future?
	1	2	3	4	5	6	7	8	9	10	
	Visibility	Engagement	Notification	Responsiveness	Communication	Resourcefulness	User-Friendly	Proactive	Accessible	Compliant	
Discussion Facilitation	■	■	■	■	■	■	■	■	■	■	Group problem-solving guided by a trained facilitator who is neutral to the issues that focuses on a specific project or issue. Discussion is structured without controlling content in order to keep the process open with the full spectrum of opinions receiving due consideration, with the facilitator moving the discussion towards consensus and conclusion.
Event Hotline (24-Hour)	■	■	■	■		■		■	■	■	A dedicated and publicized local telephone number available 24 hours a day as an automated system to inform of upcoming public involvement opportunities and to collect recorded comments and/or get information for follow up.
Exhibits & Kiosks	■	■	■					■	■		Inform the community of project activities and opportunities to watch and/or attend in-person meetings or workshops.
Field Reviews					■						On-site visit to facilitate understanding of existing conditions and to communicate proposed activities from an existing conditions viewpoint.
Flexible Database		■		■		■		■	■	■	<ul style="list-style-type: none"> A computer database in which participants, stakeholders and agencies information is entered in a manner that is easily and efficiently sorted and retrieved based on a variety of criteria. Provide a means to track responses and to provide effective & timely responses. An efficient means to achieve contact with the community through targeted mailing lists.
Flyers			■		■		■				Printed announcements of upcoming public meetings or events that are posted and handed out in communities affected by MPO plans.
Focus Groups	■	■	■	■		■	■	■	■	■	A meeting with a defined agenda where a set of questions is posed to participants which guides discussion so that public opinion can be more closely gauged. A facilitator is necessary and the number of participants is normally limited.
Growth & Transportation Options Visioning Tool	■	■	■	■	■	■	■	■	■	■	An interactive visioning tool Flash based program using GIS data, developed in conjunction with Tampa Digital for the Planning Commission to help people better understand the relationship between transportation and land use. It allows users to allocate growth and types of development to building land use scenarios using information on available, developable land, environmentally sensitive land, and population. Users can see instantly the impact it has on transportation choices. This tool has applications in live workshops, at free-standing kiosks and with online participants with easily downloadable results.
HCTV22 & Cable TV	■	■	■	■	■	■	■	■	■	■	<ul style="list-style-type: none"> Broadcast spots that inform the community about events, meetings & other public participation opportunities. Live and rebroadcasts of all MPO meetings in HTV22 with reference to MPO website on banner. The schedule is available from HTV at 813/272-5362.
"Home Games"	■	■	■	■	■	■	■	■	■	■	A method most recently used for the <i>MPO Transit Study's</i> Transit Scenarios Workshops providing the ultimate in proactive participation techniques by providing 'at home' workshops for neighborhood or other stakeholder groups to participate at a time and place most convenient, allowing people to participate who may never have attended a public workshop, having a significant impact on overall number of participants.

Strategies & Tools	PPP Goals Supported										Strategy or Tool Description How does this strategy or tool work? Could this strategy or tool work for us in the future?
	1	2	3	4	5	6	7	8	9	10	
	Visibility	Engagement	Notification	Responsiveness	Communication	Resourcefulness	User-Friendly	Proactive	Accessible	Compliant	
Informational Brochures	■	■	■		■	■	■	■	■	■	Develop & distribute informational brochures regarding current transportation issues. Recent & upcoming brochures include a one-page fold-out map depicting LRTP projects, the Ride Guide, Citizens Guide, Transit Concept for 2050 brochure and a Bicycle Suitability Map. Brochures are made available at public events, through public libraries and in the public area of The Planning Commission offices.
Interactive Displays	■	■		■	■	■	■	■	■	■	The electronic display of information which includes computer graphics, photo mosaics, GIS systems, video brochures, simulations and visualization tools that can be enhanced with interaction, making complex concepts more easily understood.
Leadership Meetings	■	■	■	■		■	■	■		■	Meetings where the public receives the latest project information in an atmosphere where community leaders can respond to current information, assess leadership concerns and needs and rally support for project goals and upcoming activities.
Advertisements	■	■	■		■		■	■	■	■	Advertise public meetings, public hearings, and required public comment and review periods. See the Notices section.
Logos	■	■	■		■		■	■	■	■	Using the MPO Logo or special study logos to create brand recognition through every phase of projects, plans, programs and documentation.
Media Kits & Briefing Packages	■		■			■	■	■	■	■	An informational package to provide general project data to media outlets that will be able to disseminate accurate information to interested audiences in a people-friendly format.
Media (non-traditional)	■	■	■		■			■	■	■	Includes newspapers aimed at ethnic groups, broadcast media serving non-English speakers
Meeting Notices & Agendas		■	■		■	■					Mailed electronically or in hard-copy to all citizens who request them in addition to MPO members and Committee members. Posted on the MPO website. See the Notices section.
Mobile Devices	■	■	■		■	■		■	■	■	Electronic forms of communication can leverage technology through means such as text messaging, email blasts, and twitter to broadcast alerts and public notices to mobile devices and smart phones.
Mobile Exhibits	■	■	■	■	■	■	■	■	■	■	A portable, stationary or interactive display of project background and current information that can be moved community sites or special events to improve awareness and response collection by stakeholders.
Money Game		■		■	■	■	■	■			An active participant form of surveying used to demonstrate how the public would like to see their tax dollars spent. At the onset of a meeting, participants are given \$100 in play money and asked to distribute the money into boxes representing various modes of travel.
Newsgroups	■	■	■	■	■	■	■	■	■	■	Available 24 hours a day for interested and informed stakeholders.
Newspapers	■	■	■	■	■	■	■	■	■	■	An article, advertisement or announcement generates attention, intended to reach a wide audience to announce a project or meeting and/or stimulate interest community interest. Building relationships with reporters to cover relevant transportation planning activities is key. See the Notices section.
Online Communities, i.e. MySpace, Facebook, Yahoo	■	■	■	■	■	■	■	■	■	■	Setting up an online community can generate a new level of interest, particularly with the younger generation who may not typically be interested in long range transportation planning. This can be a good discussion forum as well as a way to broaden notice opportunities.

Strategies & Tools	PPP Goals Supported										Strategy or Tool Description How does this strategy or tool work? Could this strategy or tool work for us in the future?
	1 Visibility	2 Engagement	3 Notification	4 Responsiveness	5 Communication	6 Resourcefulness	7 User-Friendly	8 Proactive	9 Accessible	10 Compliant	
Open House	■	■	■	■	■	■	■	■	■	■	An informal gathering that provides a forum where questions can be asked or submitted and answered in a comfortable atmosphere that encourages open discussion focusing on issues rather than positions, often tailored to specific area needs. Complex projects can be broken down into smaller components for easier understanding.
Participatory Budgeting		■		■		■		■			A democratic form of budget-making for all or part of a municipal or state budget, in which volunteer delegates selected from districts or thematic groups (e.g., health, education, transportation) identify projects, the costs of which are estimated by professional staff. The delegates then review and prioritize projects against available funding and present them to elected officials for final approval.
Partnering with Community Organizations	■	■			■	■	■	■			Reaching out to partner with community based organizations and leaders to promote and hold meetings, facilitate discussions, and obtain feedback on MPO plans.
Personal Interview		■		■					■	■	Face-to-face discussion about project specific topics and issues with key community stakeholders, community and opinion leaders, agency representatives and other interested parties who represent broader community opinions for the purpose of gathering information and opinions early in the planning process or prior to decision-making.
Photo Inventory		■				■		■			<ul style="list-style-type: none"> Assign citizen volunteers to photograph what they like and do not like about their community. Photos are compiled and organized into an inventory of community problems and assets. Smart phones can be used to take photos, transmit them and geo-tag locations for easy mapping later on.
Plain Language		■			■		■		■		MPO plans and presentations should always strive to be clear, concise, free of technical jargon, understandable and inviting to citizens.
Plan Documents	■				■		■			■	Published by the MPO at regular intervals and include the LRTP, TIP and other plans and reports and disseminated according to the guidelines outlined in this PPP.
Postage Paid Comment Cards		■		■		■				■	Accompany the distribution, preferable as an attachment, with all plan documents in order to solicit immediate feedback from the public. Tear-off versions of the card are included in all publications printed for widespread distribution.
PowerPoint Presentations	■	■	■		■	■	■	■	■	■	An excellent tool for reaching out to other agencies and community groups and for presentations to the MPO and its advisory committees, helping to tell our story and explain plans and projects using visuals and allowing for Q&A or discussions.
Press Releases	■	■	■		■	■	■	■	■	■	Press releases are free and can often generate print, television and radio coverage going beyond purchased legal and display ads to encourage participation at MPO activities and events and to help keep people who cannot attend involved and aware.
Project Teams – Citizens Leadership Technical	■	■	■	■	■	■	■	■	■	■	Used most recently for the <i>MPO Transit Study</i> , this was a great avenue to involve citizens, leaders and technical advisors for a specific project to generate excitement, improve communication, and bolster the effectiveness of public participation goal.

Strategies & Tools	PPP Goals Supported										Strategy or Tool Description How does this strategy or tool work? Could this strategy or tool work for us in the future?
	1	2	3	4	5	6	7	8	9	10	
	Visibility	Engagement	Notification	Responsiveness	Communication	Resourcefulness	User-Friendly	Proactive	Accessible	Compliant	
Public Hearings	■	■	■	■	■			■	■	■	Advertised meetings held by the MPO to consider the adoption of the plan or program being presented at which public input is encouraged. All comments, whether written or oral, are formally recorded.
Public Participation Workshops	■	■	■	■	■	■	■	■	■	■	<ul style="list-style-type: none"> Interactive meetings held throughout a defined community to which all community members are invited, information is shared, project questions are asked and answered and awareness is increased. Provide information to the community in a forum that allows people to feel comfortable & encouraged to contribute meaningful feedback to the project team in a non-threatening atmosphere. Held prior to decision-making points in the MPO process.
Periodic Newsletter	■	■	■	■	■	■	■	■	■	■	Produce & distribute a periodic newsletter concerning transportation issues in the county that promotes best planning practices to neighborhood associations, business groups, professional associations, social clubs, chambers of commerce, interest groups, churches, schools and other groups and associations of those traditionally under-served by existing transportation systems. Hundreds of copies are also distributed through the Hillsborough County Public Library system.
Radio & PSAs	■	■	■		■	■	■	■	■	■	<ul style="list-style-type: none"> News releases will be made available to all local radio media. Broadcast spots that inform the community about an event. Inform the community of project activities and opportunities to become more involved. Partner with radio personalities like WFLA's Jack Harris who has consistently supported transit and a better transportation network. Target community reporters at public radio stations such as WMNF and WUSF.
Relationship Building	■	■		■	■	■	■	■	■	■	Building relationships with interagency partners, community leaders, civic groups, faith-based organizations, media, etc. will ensure understanding by the MPO and support all of the public participation goals.
Report Public Comments & Results		■	■	■	■			■		■	Each MPO report developed will include a public and interagency comment section summarizing comments received and any changes made to plans as a result of the comments.
Ride Guide	■	■	■	■	■	■	■	■	■	■	A highly informative, user-friendly collateral piece distributed through human services and transportation agencies throughout Hillsborough County. Printed in large font for the elderly market, it is an excellent tool for the transportation disadvantaged and caregivers.
Scenario Workshops	■	■	■	■	■	■	■	■	■	■	Planners, citizens, technical specialists, community leaders, elected officials doing hands-on planning in a visualization format. Used most recently for the <i>MPO Transit Study</i> with a "Home Game" version.
Signage	■		■		■		■				Making the public aware of public meetings and events by posting signs in the affected areas.
Speakers Bureau					■					■	A presentation to interested groups to provide background information and discuss current issues, allowing ample time for interactive feedback. Upon request, the MPO will give presentations to public, private or citizen groups concerning the MPO plans and activities.
Student Newspapers	■	■	■		■						Articles and notices pertinent to specific school, college and university populations are a good way to engage what can be a hard to reach segment of the community.

Strategies & Tools	PPP Goals Supported										Strategy or Tool Description How does this strategy or tool work? Could this strategy or tool work for us in the future?
	1	2	3	4	5	6	7	8	9	10	
	Visibility	Engagement	Notification	Responsiveness	Communication	Resourcefulness	User-Friendly	Proactive	Accessible	Compliant	
Surveys & Comment Cards	■	■	■	■	■	■	■	■	■	■	Can be used at community events, following presentations, in the newspaper, in the MPO newsletters, accompanying MPO plan documents or direct-mailed to solicit general input from the public or a target audience, or to generate specific technical data. Can also be distributed at the end of MPO events to get feedback on the event itself.
Talking Points	■	■	■		■	■	■				Provides an accurate, uniform message for the MPO and staff to use to address public or media inquiries or when making presentations.
Technical Memos					■						For long-term projects like the LRTP, the MPO staff and/or project consultants prepare technical memoranda concerning the technical and policy issues. Specifically, these document issues methodologically used and data developed as part of the planning process.
Teleconferencing	■	■		■				■	■	■	A telephone or visual communication meeting between interested parties in two or more locations allowing distance-disadvantaged community participants to be involved in the exchange of ideas and discussions, saving time, gas and travel inconveniences.
Telephone Polling		■		■		■		■		■	Telephone interviews with a randomly generated community cross-section or specific sub-section of the community will provide a current sense of community awareness and particular project issues.
The Planning Commission Library	■				■		■			■	A central depository for MPO publications and other transportation related materials. It is open to the public and is located at: The Planning Commission County Center Building, 18 th Floor 601 East Kennedy Boulevard Tampa, FL 33602
Town Call Meetings	■	■	■	■	■	■	■	■	■	■	Town Hall style meetings held as a live telephone conference call providing an opportunity to share information, answer questions and poll thousands of participants. Celebrity host & panelists may be used.
Town Hall Meetings	■	■	■	■	■	■	■	■	■	■	Displaying at events like the BOCC Town Hall Meetings supports all of the PPP goals in various communities throughout Hillsborough County and minimizes costs by partnering with the County's event format.
Translation into Other Languages	■	■	■	■	■	■	■	■	■	■	Speaking the language the people speak to enhance their ability to not only understand the plans, but actually participate in the transportation planning process. Opportunities may exist in more than one language, including sign language, depending on the targeted group or stakeholders in the planning area and may be applied to publications, web site, advertisements, hot line information, customer assistance and presentations. See Accessibility for more information and Appendix E for the MPO's <i>Limited English Proficiency Plan</i> .
Transportation Fairs	■	■	■	■	■	■	■	■	■	■	An event used to create public interest in a transportation project or program usually of one-day duration. The event is actively promoted across multi-media and involves visual displays or technology demonstrations; thus, encouraging community interest in a program or study, keeping the public interested and informed while allowing for casual input and formal feedback opportunities.

Strategies & Tools	PPP Goals Supported										Strategy or Tool Description How does this strategy or tool work? Could this strategy or tool work for us in the future?
	1	2	3	4	5	6	7	8	9	10	
	Visibility	Engagement	Notification	Responsiveness	Communication	Resourcefulness	User-Friendly	Proactive	Accessible	Compliant	
twitter	■	■	■	■	■	■	■	■	■	■	Used as a rapid news source feed to provide information about all MPO plans, programs and events as well as a tool to providing information about other relevant meetings, events and resources. Also, an interactive tool providing 2-way communication for feedback.
Videos	■				■	■	■	■	■		Recorded visual and audio messages for presentation to the community that is easy to understand and visually appealing with the advantage of being used for consistent presentations that can go beyond the capabilities of live presentations or when a live speaker is not available.
Visioning		■		■		■		■		■	A series of meetings focused on long-range issues involving a broad spectrum of people to generate ideas, set goals and priorities and to assist in the formulation of policy direction. Determines parameters of short-range planning activities. Provides a venue for the input of a wide range of ideas and potential solutions.
VISSIM Software	■	■	■	■	■	■	■	■	■	■	Powerful 3-D multi-modal tool applied to simulate future vehicular flows, bicycle and pedestrian traffic, transit operations and conditions at rail stations. Used to model movement and behavior from small surface roads to complex, large-scale transit systems and generate before and after aerial animations of future transportation projects based on existing and future traffic conditions.
Visualization Software Programs	■	■	■	■	■	■	■	■	■	■	Samples of visualization techniques range from photo, PowerPoint or video presentations, brainstorming sketches and visual preference surveys to scale models, renderings, maps, aerials, 3-D imagery and other computer-aided visualization.
Walking Tours & "Walkshops"											Organized group walking tours through a project site or corridor to enable community members to see and or point out problems, assets and resources important to the community. "Walkshops" are mobile workshops geared around group activities, such as photo inventorying and mapping.
Web 2.0 Technology & Crowdsourcing		■		■		■	■				Web 2.0 refers to new Internet programs designed to foster collaboration between users. Crowdsourcing is a form of distributed problem-solving. Internet-based tools, such as Wikis, webcasts, and on-line dialogues, can allow users to develop documents collaboratively, for example, corridor plans drafted with direct input from community representatives.
Web Sites	■	■	■	■	■	■	■	■	■	■	<ul style="list-style-type: none"> 24-hour accessible on-line site with web address http://www.hillsboroughmpo.org where the community can immediately access calendars, agendas, members, interactive maps, links to related sites, general study information and most MPO publications with the opportunity to participate in a survey or email feedback. Visits to the site are tracked. www.mpo2035.org created in conjunction with the 2035 Plan.

Appendix C:

Requirements for Public Involvement

What does it say in FDOT's *Public Involvement Handbook*?



2.0 REQUIREMENTS FOR PUBLIC INVOLVEMENT

2.1 Federal Requirements

The emphasis on public involvement has continued with the passage in 2005 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Previously, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 required states and MPOs to involve the public to a much greater extent in transportation decision-making than under previous law. When ISTEA expired in 1998, it was replaced by the Transportation Equity Act for the 21st Century (TEA-21), which continued to place strong emphasis on public involvement. SAFETEA-LU retains all of the public involvement language from the previous acts and adds new requirements, including the development of an MPO Public Participation Plan in consultation with interested parties; the addition of bicycle and pedestrian facilities users and the disabled as interested parties; public meetings held at convenient times and accessible locations; and the use of electronic methods and visualization techniques to provide information to the public.

These regulations are found in 23 Code of Federal Regulations (CFR), Part 450.210 and 450.316 to guide the development of statewide, local and metropolitan plans and programs. These regulations also include the following:

- Early and continuous public involvement opportunities throughout the planning and programming process;
- Timely information to citizens, affected public agencies, representatives of transportation agencies, private sector transportation entities and other interested parties, including segments of the community affected by transportation plans, programs, and projects;
- Reasonable public access to information;

- Adequate public notice of public involvement activities and ample time for public review and comment at key decision points;
- Explicit consideration and response to public comment;
- Consideration of the needs of the traditionally underserved, including low-income and minority citizens;
- Periodic review of public involvement efforts by the Metropolitan Planning Organization (MPO) to ensure full and open access to all;
- Review of public involvement procedures by the FHWA and FTA when necessary; and
- Coordination of MPO public involvement processes with statewide efforts whenever possible.

The National Environmental Policy Act of 1969 (NEPA) established a national policy for the protection of the environment. NEPA requires the consideration of potential impacts on social and natural resources during transportation decision-making.

In addition, the Americans with Disabilities Act (ADA) requires reasonable efforts be made to accommodate citizens with disabilities who wish to attend public meetings.

Table 2.1 lists federal requirements and provides links to the listed requirements.

Legal Requirements, Policies & Guidance	
Federal	
Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)	Continued and enhanced emphasis on strong planning processes and public involvement http://www.fhwa.dot.gov/hep/23cfr450.htm
23 CFR 450.210 and 450.316	Guides the development of statewide transportation plans and programs; requires early and continuous public involvement www.access.gpo.gov
FHWA/FTA Interim Policy on Public Involvement	Requires effective public involvement processes custom-tailored to local conditions www.fhwa.dot.gov/environment/pi_pol.htm
23 USC 128	Requires public hearings or the opportunity for public hearings for plans for Federal-aid highway projects www.access.gpo.gov/uscode
23 USC 135	Provides for reasonable access to comment on proposed plans www.access.gpo.gov/uscode
National Environmental Policy Act (NEPA)	Requires consideration of impacts on human environments www.fhwa.dot.gov/environment
Title VI of the Civil Rights Act of 1964	Declares that no person shall be excluded from participating in any program receiving federal assistance on the basis of race, color or national origin www.fhwa.dot.gov/environment/title_vi.htm
28 CFR 36 Americans with Disabilities Act	Requires government programs to be accessible to people with disabilities www.usdoj.gov/crt/ada/adahom1.htm
23 CFR 771 Environmental Impact and Related Procedures	Addresses early coordination, public involvement, project development www.access.gpo.gov
Technical Advisory 6640.8A	Guidance for preparing and processing Environmental and Section 4(f) documents www.environment.fhwa.dot.gov/projdev/impta6640.htm
Executive Order 12898 on Environmental Justice	Addresses avoidance of actions that can cause disproportionately high and adverse impacts on minority and low income populations www.fhwa.dot.gov/environment/ejustice/facts/index.htm
49 CFR 24 Uniform Relocation Assistance & Real Property Acquisition Policies Act	Ensures property owners and people displaced by Federal-aid projects are treated fairly, consistently and equitably www.access.gpo.gov
Executive Order 13166 on Limited English Proficiency	Improving access to services for people with limited English proficiency www.fhwa.dot.gov/hep/lowlim/index.htm
President's Council on Sustainable Development	http://clinton2.nara.gov/PCSD


Table 2.1 Legal Requirements, Policies & Guidance – Federal

2.2 State Requirements

Chapter 339.155, Florida Statutes (F.S.), addresses public involvement in transportation planning. It requires that citizens, public agencies and other known interested parties be given the opportunity to comment on the long-range component of the Florida Transportation Plan and before substantive revisions to the plan. It also requires hearings during the development of major transportation improvements.

Chapter 339.175, F.S., requires public involvement in the development of the Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP).

Chapter 286, F.S., commonly known as “The Sunshine Law,” addresses public access to governmental proceedings at the state and local level. The Sunshine Law requires that meetings of boards or commissions be open to the public, reasonable notice of such meetings be given, and minutes taken and made available to the public in a timely manner.



Legal Requirements, Policies & Guidance	
State	
s. 286.011, F.S.	Meetings of public boards or commissions must be open to the public; reasonable notice of such meetings must be given; and minutes of the meetings must be taken.
s. 339.135, F.S.	Public hearings during development of work program
s. 339.155, F.S.	Public involvement during development of Florida Transportation Plan, major transportation improvements and design hearings.
s. 339.175, F.S.	Public Involvement in the development of the Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP).
s. 341.051(2), F.S.	Public involvement during development of public transit plans
s. 335.02(1), F.S.	Public hearings during the designation of facilities as part of the State Highway System.
<i>*To search Florida Statutes, visit www.flsenate.gov/statutes</i>	

Table 2.2 Legal Requirements, Policies & Guidance - State

Public involvement activities support many FDOT programs. Several manuals and handbooks are available to assist in developing comprehensive public involvement/outreach programs:

- **Access Management**

Access Management is the process used to plan the location, design, and operation of driveways, median openings, interchanges, and street connections. Median decisions can be particularly controversial. Sound public involvement strategies can facilitate open communication with affected parties. In 1995, FDOT adopted *Deviations from Median Opening Standards: A Procedure for Engineering Decisions*, which calls for initiating public involvement on median design during PD&E and carrying this through production. For additional information, see the *Public Involvement Handbook for Median Projects* available through the FDOT Systems Planning Office.

- **Florida Scenic Highways**

The Florida Scenic Highway program relies heavily on grassroots public involvement to obtain support in the community for scenic highway designations. The *Florida Scenic Highway Program Manual* provides resources and techniques to design a Community Participation Program (CPP). The CPP is an outreach program designed to heighten awareness, build consensus and foster support of the scenic corridor. For additional information see www.dot.state.fl.us/publicinformationoffice/scenichighway.

- **Transportation Design for Livable Communities**

Chapter 21 of FDOT's *Plans Preparation Manual* addresses Transportation Design for Livable Communities (TDLC), which is a more flexible approach to planning and designing highway projects. Once community values have been identified through public involvement and sociocultural effects evaluation, TDLC provides a way to address or preserve some of those values. The Department's policy is to consider the incorporation of TDLC when such features are desired, appropriate and feasible.

Transportation Design for Livable Communities, also known as Context-Sensitive Design, is based on the consideration of:

- Safety of pedestrians, bicyclists, motorists and public transit users;
- Balancing community values and mobility needs;
- Efficient use of energy resources;
- Protection of the natural and man-made environment;
- Coordinated land use and transportation planning;
- Local and state economic development goals; and
- Complementing and enhancing existing standards, systems and processes.

TDLC strategies include landscaping, roadside amenities, pedestrian and bicycle facilities, lighting approaches, interchange designs and various traffic calming practices. See the *Plans Preparation Manual* or visit the Web site, <http://www.dot.state.fl.us/rddesign/Publications/pub.htm> for additional information.

- **Cultural Resources**

Federal and State historic preservation law requires that the Department take into account the effects of its undertakings upon archaeological and historical resources listed in or eligible for listing in the *National Register of Historic Places*. The *Project Development and Environment Manual, Part 2, Chapter 12: Archaeological and Historical Resources* and the *Cultural Resource Management Handbook* include discussion of the process for coordinating with other agencies, local governments, Native American tribes, the general public, and other “consulting parties” concerning cultural resource evaluations conducted to comply with Federal and State law. Additional information regarding cultural resources can be found at www.dot.state.fl.us/cmo/pubs/cultmgmt/cultmgmt.htm.

- **Roadway Design**

FDOT’s *Plans Preparation Manual* addresses public involvement in the design phase. During this phase, alternatives must be evaluated for potential impact on communities; commitments made in earlier phases must be communicated to designers who are

responsible for carrying them out, and design changes that affect the department's ability to meet those commitments require follow-up with the community.

In addition, the chapter provides a list of potential community impacts that are not identified until the design phase. Community Awareness Plans developed by the districts provide the mechanism for continued public involvement depending on the impact to the community.

Additional information pertaining to public involvement can be found on FDOT's website: www.dot.state.fl.us. Public involvement pages list upcoming opportunities in each district. Information on planning, transportation modes and other topics can also be found at the website.

2.3 District Requirements



Pursuant to s. 339.135(4)(c), F.S., each Florida Department of Transportation district office develops a District Work Program in cooperation with the MPOs and counties within its jurisdiction. These district work programs include, to the maximum extent feasible, the project priorities submitted by MPOs and by the Boards of County Commissioners in non-MPO counties.

Each district office is required to hold a public hearing in at least one urbanized area within its jurisdiction and to make a presentation at a meeting of each MPO in the district to determine if changes (additions, deletions, and revisions) are necessary to projects contained in the District Work Program. Department policy goes beyond this statutory requirement by requiring a public hearing in *each* urbanized area within the district. Non-MPO counties are also invited to these public hearings.



Legal Requirements, Policies & Guidance
FDOT Policies, Procedures, Directives & Manuals
FDOT Environmental Policy (000-625-001-h)
FDOT Public Involvement Opportunities Policy (000-525-050)
FDOT Transportation Design for Livable Communities Policy (000-625-060-b)
FDOT Community Impact Assessment Policy (000-650-015-a)
FDOT Project Development and Environmental Manual
FDOT Median Opening and Access Management Decision Process (625-010-021)
Public Involvement Handbook for Median Projects
Plans Preparation Manual
Florida Scenic Highway Program Manual
Cultural Resource Management Handbook

Table 2.3 Legal Requirements, Policies & Guidance – FDOT Policies, Procedures, Directives & Manuals

2.4 Local Requirements

As city and county governments begin to develop and/or amend their Local Government Comprehensive Plans (LGCP), Florida law requires them to follow procedures providing for effective public participation in the process. This includes providing property owners with notice of all official actions which will impact the future use of their property.

Section 163.3181(2), F.S., states that during consideration of the LGCP or plan amendments, these procedures “shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public hearings, provisions for open discussion, communication programs, information services, and consideration of and response to public comments. Citizen Advisory Committees (CAC) can be used for input and evaluation when LGCPs or plan amendments are developed.”

Subsection 163.3184(15)(b), F.S., requires that at least two advertised public hearings be held on a proposed comprehensive plan or amendment, and prescribes how these hearings will be advertised.

2.5 Metropolitan Planning Organizations (MPOs)/ County Requirements

SAFETEA-LU (23 CFR 450.316) requires MPOs to provide the general public and other interested parties with reasonable opportunities to comment on the proposed TIP and LRTP, which lays out the MPO's priorities for transportation projects. In addition, MPOs must prepare a Public Participation Plan in consultation with the general public and specific "interested parties", use visualization techniques when practicable, employ electronic methods to distribute information to the public, and hold public meetings at convenient times and accessible locations.

Subsection 339.175(16), F.S. requires each MPO to appoint a citizens' advisory committee, representing a cross-section of the community (including minorities, the elderly and the disabled), to provide public input to the transportation planning process.

The "interested parties" as listed in 23 CFR 450.316 are:

- General Public
- Affected Public Agencies
- Public Transportation Employees
- Private Transportation Providers
- Public Transportation Users
- Freight Shippers
- Users of bicycle and pedestrian facilities
- Disabled
- Others as appropriate

Appendix D: Related Statutes and Rules

What exactly do the laws and regs say?



1. Chapter 23 Code of Federal Regulations 450 (excerpts)

Following are excerpts of the federal regulations that relate to the public involvement process for metropolitan transportation planning. Formatting to show key words in **bold** has been added.

§ 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.

§ 450.322 Development and content of the metropolitan transportation plan. (Excerpts)

- (g) The MPO shall **consult**, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the transportation plan. The consultation shall involve, as appropriate:
- (1) Comparison of transportation plans with State conservation plans or maps, if available; or
 - (2) Comparison of transportation plans to inventories of natural or historic resources, if available.
- (i) The MPO shall provide 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 a **reasonable opportunity to comment** on the transportation plan using the participation plan developed under §450.316(a).
- (j) The metropolitan transportation plan shall be published or otherwise made readily available by the MPO for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the **World Wide Web**.

§ 450.324 Development and content of the transportation improvement program (TIP).
(Excerpts)

- (b) The MPO shall provide all interested parties with a **reasonable opportunity to comment** on the proposed TIP as required by §450.316(a). In addition, in non-attainment area TMAs, the MPO shall provide at least **one formal public meeting** during the TIP development process, which should be addressed through the participation plan described in §450.316(a). In addition, the TIP shall be published or otherwise made readily available by the MPO for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the **World Wide Web**, as described in §450.316(a).

§ 450.326 TIP revisions and relationship to the STIP. (excerpts)

- (a) An MPO may revise the TIP at any time under procedures agreed to by the cooperating parties consistent with the procedures established in this part for its development and approval. In non-attainment or maintenance areas for transportation-related pollutants, if a TIP amendment involves non-exempt projects (per 40 CFR part 93), or is replaced with an updated TIP, the MPO and the FHWA and the FTA must make a new conformity determination. In all areas, changes that affect fiscal constraint must take place by

amendment of the TIP. **Public participation procedures consistent with §450.316(a) shall be utilized in revising the TIP, except that these procedures are not required for administrative modifications.**

2. Florida Statutes: Public Transportation Finance & Planning (excerpts)

*Following are excerpts of the state laws that relate to the public involvement process for metropolitan transportation planning. Formatting to show key words in **bold** has been added.*

339.175 Metropolitan planning organization

- (6) POWERS, DUTIES, AND RESPONSIBILITIES.--The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. [163.01](#).
- (c) **Represent all the jurisdictional areas** within the metropolitan area in the formulation of transportation plans and programs required by this section;
- (d) Each M.P.O. shall appoint a **technical advisory committee**, the members of which shall serve at the pleasure of the M.P.O. The membership of the technical advisory committee must include, whenever possible, planners; engineers; representatives of local aviation authorities, port authorities, and public transit authorities or representatives of aviation departments, seaport departments, and public transit departments of municipal or county governments, as applicable; the school superintendent of each county within the jurisdiction of the M.P.O. or the superintendent's designee; and other appropriate representatives of affected local governments. In addition to any other duties assigned to it by the M.P.O. or by state or federal law, the technical advisory committee is responsible for considering safe access to schools in its review of transportation project priorities, long-range transportation plans, and transportation improvement programs, and shall advise the M.P.O. on such matters. In addition, the technical advisory committee shall coordinate its actions with local school boards and other local programs and organizations within the metropolitan area which participate in school safety activities, such as locally established community traffic safety teams. Local school boards must provide the appropriate M.P.O. with information concerning future school sites and in the coordination of transportation service.
- (e) 1. Each M.P.O. shall appoint a **citizens' advisory committee**, the members of which serve at the pleasure of the M.P.O. The membership on the citizens' advisory committee must reflect a broad cross-section of local residents with an interest in the development of an efficient, safe, and cost-effective transportation system. Minorities, the elderly, and the handicapped must be adequately represented.
2. Notwithstanding the provisions of subparagraph 1, an M.P.O. may, with the approval of the department and the applicable federal governmental agency, adopt an alternative program or mechanism to ensure citizen involvement in the transportation planning process.
- (7) LONG-RANGE TRANSPORTATION PLAN.--Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. ... In the development of its long-range transportation plan, each **M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other**

interested parties with a reasonable opportunity to comment on the long-range transportation plan.

(8) TRANSPORTATION IMPROVEMENT PROGRAM.--Each M.P.O. shall, in cooperation with the state and affected public transportation operators, develop a transportation improvement program for the area within the jurisdiction of the M.P.O. In the development of the transportation improvement program, each **M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the proposed transportation improvement program.**

(b) Each M.P.O. annually shall prepare a list of project priorities and shall submit the list to the appropriate district of the department by October 1 of each year; however, the department and a metropolitan planning organization may, in writing, agree to vary this submittal date. The list of project priorities must be formally **reviewed by the technical and citizens' advisory committees**, and approved by the M.P.O., before it is transmitted to the district.

(h) The M.P.O. shall annually **publish or otherwise make available for public review** the annual listing of projects for which federal funds has been obligated in the preceding year.

(13) VOTING REQUIREMENTS.--Each long-range transportation plan required pursuant to subsection (7), each annually updated Transportation Improvement Program required under subsection (8), and each amendment that affects projects in the first 3 years of such plans and programs **must be approved by each M.P.O. on a recorded roll call vote**, or hand-counted vote, of a majority of the membership present.

3. “Government in the Sunshine Manual” (excerpts)

Following is a chapter of the “Government in the Sunshine Manual” available from the Florida Office of the Attorney General (AGO), describing statutory requirements and case law relating to notice and procedures for public meetings subject to the Government in the Sunshine law.

Public meetings subject to this law are briefly described by the AGO in this way: “The Sunshine Law extends to the discussions and deliberations as well as the formal action taken by a public board or commission. There is no requirement that a quorum be present for a meeting of members of a public board or commission to be subject to s. 286.011, F.S. Instead, the law is applicable to *any* gathering, whether formal or casual, of two or more members of the same board or commission to discuss some matter on which *foreseeable action* will be taken by the public board or commission.”

1. What kind of notice of the meeting must be given?

a. Reasonable notice required

A vital element of the Sunshine Law is the requirement that boards subject to the law provide "reasonable notice" of all meetings. See, s. 286.011(1), F.S. Although s. 286.011, F.S., did not contain an express notice requirement until 1995, many court decisions had stated prior to the statutory amendment that in order for a public meeting to be in essence "public," reasonable notice of the meeting must be given. *Hough v. Stembridge*, 278 So. 2d 288, 291 (Fla. 3d DCA 1973). *Accord, Yarbrough v. Young*, 462 So. 2d 515, 517 (Fla. 1st DCA 1985).

Reasonable public notice is required for all meetings subject to the Sunshine Law. Thus, notice is required for meetings between members of a public board even though a quorum is not present. AGOs 90-56 and 71-346. *And see, Baynard v. City of Chiefland, Florida*, No. 38-2002-CA-000789 (Fla. 8th Cir. Ct. July 8, 2003) (reasonable notice required even if subject of meeting is "relatively unimportant").

Notice is required even though meetings of the board are "of general knowledge" and are not conducted in a closed door manner. *TSI Southeast, Inc. v. Royals*, 588 So. 2d 309, 310 (Fla. 1st DCA 1991). "Governmental bodies who hold unnoticed meetings do so at their peril." *Monroe County v. Pigeon Key Historical Park, Inc.*, 647 So. 2d 857, 869 (Fla. 3d DCA 1994).

The type of notice that must be given is variable, however, depending on the facts of the situation and the board involved. In each case, however, an agency must give notice at such time and in such a manner as will enable the media and the general public to attend the meeting. AGOs 04-44, 80-78 and 73-170. *And see, Rhea v. City of Gainesville*, 574 So. 2d 221, 222 (Fla. 1st DCA 1991), citing to AGO 73-170, and stating that the purpose of the notice requirement is to apprise the public of the pendency of matters that might affect their rights, afford them the opportunity to appear and present their views, and afford them a reasonable time to make an appearance if they wish. *Cf., Lyon v. Lake County*, 765 So. 2d 785, 790 (Fla. 5th DCA 2000) (where county attorney provided citizen with "personal due notice" of a committee meeting and its function, it would be "unjust to reward" the citizen by concluding that a meeting lacked adequate notice because the newspaper advertisement failed to correctly name the committee). *And see, Suncam, Inc. v. Worrall*, No. CI97-3385 (Fla. 9th Cir. Ct. May 9, 1997) (Sunshine Law requires notice to the general public; agency not required to provide "individual notice" to company that wished to be informed when certain meetings were

going to occur).

While the Attorney General's Office cannot specify the type of notice which must be given in all cases, it has suggested the following notice guidelines:

1. The notice should contain the time and place of the meeting and, if available, an agenda (or if no agenda is available, subject matter summations might be used);
2. The notice should be prominently displayed in the area in the agency's offices set aside for that purpose, e.g., for cities, in city hall;
3. Except in the case of emergency or special meetings, notice should be provided at least 7 days prior to the meeting. Emergency sessions should be afforded the most appropriate and effective notice under the circumstances and special meetings should have at least 24 hours reasonable notice to the public; and
4. The use of press releases and/or phone calls to the wire services and other media is highly effective. **On matters of critical public concern such as rezoning, budgeting, taxation, appointment of public officers, etc., advertising in the local newspapers of general circulation would be appropriate.**

The notice procedures set forth above should be considered as suggestions which will vary depending upon the circumstances of each particular situation. See, AGO 73-170 ("If the purpose for notice is kept in mind, together with the character of the event about which notice is to be given and the nature of the rights to be affected, the essential requirements for notice in that situation will suggest themselves.").

Thus, in *Rhea v. City of Gainesville*, 574 So. 2d 221 (Fla. 1st DCA 1991), the court held that a complaint alleging that members of the local news media were contacted about a special meeting of the city commission one and one-half hours before the meeting stated a sufficient cause of action that the Sunshine Law had been violated. Compare, *Yarbrough v. Young*, 462 So. 2d 515 (Fla. 1st DCA 1985) (three days' notice of special meeting deemed adequate); and *News and Sun-Sentinel Company v. Cox*, 702 F. Supp. 891 (S.D. Fla. 1988) (no Sunshine Law violation occurred when on March 31, a "general notice" of a city commission meeting scheduled for April 5 was posted on the bulletin board outside city hall); and *Lozman v. City of Riviera Beach*, no. 502008Ca027882 (Fla. 15th Cir. Ct. December 8, 2010), appeal pending, no. 4D11-27 (Fla. 4th DCA, filed January 5, 2011) (no violation of Sunshine Law where notice of special meeting held on Monday September 15 was posted at city hall and faxed to the media on Friday September 12, and members of the public [including the media] attended the meeting). And see, *Yarbrough v. Young, supra*, at 517n.1 (Sunshine Law does not require city council to give notice "by paid advertisements").

The determination as to who will actually prepare the notice or agenda is essentially "an integral part of the actual mechanics and procedures for conducting that meeting and, therefore, aptly relegated to local practice and procedure as prescribed by . . . charters and ordinances." *Hough*, 278 So. 2d at 291.

b. Effect of notice requirements imposed by other statutes, codes or ordinances

While the Sunshine Law requires only that reasonable public notice be given, a public agency may be subject to additional notice requirements imposed by other statutes, charters or codes. See, e.g., s. 166.041, F.s. (notice requirements for adoption of municipal ordinances); s. 189.417(1), F.s. (notice requirements for meetings of the governing bodies of special districts); and s. 1001.372(2) (c), F.s. (school board meetings). In such cases, the requirements of that statute, charter, or code must be strictly observed. Inf. Op. to Mattimore, February 6, 1996. Cf.

Yarbrough v. Young, 462 so. 2d 515, 517n.1 (Fla. 1st DCA 1985) (Sunshine Law does not require city council to give notice “by paid advertisements” of its intent to take action regarding utilities system improvements, although the legislature “has required such notice for certain subjects,” e.g., 166.041[3][c], F.S.).

Thus, a board or commission subject to Ch. 120, F.S., the Administrative Procedure Act, must comply with the notice requirements of that act. See, e.g., s. 120.525, F.S., which provides for publication in the Florida Administrative Weekly and on the agency’s website not less than 7 days before the event. Those requirements, however, are imposed by Ch. 120, F.S., not s. 286.011, F.S., although the notice of a board or commission published in the Florida Administrative Weekly pursuant to Ch. 120, F.S., also satisfies the notice requirements of s. 286.011, F.S. Florida Parole and Probation Commission v. Baranko, 407 so. 2d 1086 (Fla. 1st DCA 1982).

b. Notice requirements when meeting adjourned to a later date

If a meeting is to be adjourned and reconvened later to complete the business from the agenda of the adjourned meeting, the second meeting should also be noticed. AGO 90-56.

But see *State v. Adams*, No. 91-175-CC (Fla. Sumter Co. Ct. July 15, 1992), the county court holding that s. 286.011, F.S., was not violated by a brief discussion as to whether commission members could make an inspection trip when the discussion took place immediately after the adjournment of a duly noticed commission meeting, the room remained open during the discussion, no member of the public relied to their detriment on the adjournment by leaving the proceedings, and there was no allegation that the alleged adjournment was utilized as a tool to avoid the public scrutiny of governmental meetings. *And see, Greenburg v. Metropolitan Dade County Board of County Commissioners*, 618 So. 2d 760 (Fla. 3d DCA 1993) (no impropriety in county commission continuing its meeting until the early morning hours).

c. Notice requirements when board acting as quasi-judicial body or taking action affecting individual rights

Section 286.0105, F.S., requires:

Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Where a public board or commission acts as a quasi-judicial body or takes official action on matters that affect individual rights of citizens, in contrast with the rights of the public at large, the board or commission is subject to the requirements of s. 286.0105, F.S. AGO 81-06.

2. Does the Sunshine Law require that an agenda be made available prior to board meetings or restrict the board from taking action on matters not on the agenda?

The Sunshine Law does not *mandate* that an agency provide notice of each item to be discussed via a published agenda although the Attorney General's Office has recommended the publication of an agenda, if available. The courts have rejected such a specific requirement has been rejected because it could effectively preclude access to meetings by members of the general public who wish to bring specific issues before a governmental body. See, *Hough v. Stembridge*, 278 So. 2d 288 (Fla. 3d DCA 1973). And see, *Yarbrough v. Young*, 462 So. 2d 515 (Fla. 1st DCA 1985) (posted agenda unnecessary; public body not required to postpone meeting due to inaccurate press report which was not part of the public body's official notice efforts).

Thus, the Sunshine Law does not require boards to consider only those matters on a published agenda. "Whether to impose a requirement that restricts every relevant commission or board from considering matters not on an agenda is a policy decision to be made by the legislature." *Law and Information Services, Inc. v. City of Riviera Beach*, 670 So. 2d 1014, 1016 (Fla. 4th DCA 1996). And see *Grapski v. City of Alachua*, 31 so. 3d 193 (Fla. 1st DCA 2010), review denied, 47 so. 3d 1288 (Fla. 2010) (Sunshine Law does not prohibit use of consent agenda procedure).

Even though the Sunshine Law does not prohibit a board from adding topics to the agenda of a regularly noticed meeting, the Attorney General's Office has advised boards to postpone formal action on any added items that are controversial. AGO 03-53. "In the spirit of the Sunshine Law, the city commission should be sensitive to the community's concerns that it be allowed advance notice and, therefore, meaningful participation on controversial issues coming before the commission."

While the Sunshine Law requires notice of meetings, not of the individual items which may be considered at that meeting, other statutes, codes or ordinances may impose such a requirement and agencies subject to those provisions must follow them. see Inf. Op. to Mattimore, February 6, 1996. For example, s. 120.525(2), F.S., requires that agencies subject to the Administrative Procedure Act must prepare an agenda in time to ensure that a copy may be received at least 7 days before the event by any person in the state who requests a copy and who pays the reasonable cost of the copy. After the agenda has been made available, changes may be made only for good cause. *Id.* Therefore, agencies subject to the Administrative Procedure Act must follow the requirements in that statute.

3. Does the Sunshine Law limit where meetings of a public board or commission may be held?

a. Inspection trips

The Sunshine Law does not prohibit *advisory* boards from conducting inspection trips provided that board members do not discuss matters which may come before the board for official action. See, *Bigelow v. Howze*, 291 So. 2d 645 (Fla. 2d DCA 1974) AGO 02-24 (two or more members of an advisory group created by a city code to make recommendations to the city council or planning commission on proposed development may conduct vegetation surveys without subjecting themselves to the requirements of the Sunshine Law, provided that they do not discuss among themselves any recommendations the committee may make to the council or planning commission, or comments on the proposed development that the committee may

make)..

The “fact finding exception” to the Sunshine Law, however, does not apply to a board with “ultimate decision-making authority.” See *Finch v. Seminole County School Board*, 995 so. 2d 1068 (Fla. 5th DCA 2008), holding that a district school board, as the ultimate decision making body, violated the Sunshine Law when the board, together with school officials and members of the media, took a bus tour of neighborhoods affected by the board’s proposed rezoning even though board members were separated from each other on the bus, did not express any opinions or their preference for any of the rezoning plans, and did not vote during the trip.

b. Luncheon meetings

Public access to meetings of public boards or commissions is the key element of the Sunshine Law and public agencies are advised to avoid holding meetings in places not easily accessible to the public. The Attorney General's Office, has suggested that public boards or commissions avoid the use of luncheon meetings to conduct board or commission business. These meetings may have a "chilling" effect upon the public's willingness or desire to attend. People who would otherwise attend such a meeting may be unwilling or reluctant to enter a public dining room without purchasing a meal and may be financially or personally unwilling to do so. Inf. Op. to Campbell, February 8, 1999; and Inf. Op. to Nelson, May 19, 1980. In addition, discussions at such meetings by members of the board or commission which are audible only to those seated at the table may violate the "openness" requirement of the law. AGO 71-159. Public boards or commissions are, therefore, advised to avoid holding meetings at places where the public and the press are effectively excluded. AGO 71-295. *Cf., City of Miami Beach v. Berns*, 245 So. 2d 38, 41 (Fla. 1971), in which the Florida Supreme Court observed: "A secret meeting occurs when public officials meet at a time and place to avoid being seen or heard by the public."

c. Meetings at facilities that discriminate or unreasonably restrict access prohibited

Section 286.011(6), F.S., prohibits boards or commissions subject to the Sunshine Law from holding their meetings at any facility 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. *And see*, s. 286.26, F.S., relating to accessibility of public meetings to the physically handicapped.

Public boards or commissions, therefore, are advised to avoid holding meetings at places where the public and the press are effectively excluded. AGO 71-295. Thus, a police pension board should not hold its meetings in a facility where the public has limited access and where there may be a "chilling" effect on the public's willingness to attend by requiring the public to provide identification, to leave such identification while attending the meeting and to request permission before entering the room where the meeting is held. AGO 96-55. *And see*, Inf. Op. to Galloway, August 21, 2008, in which the attorney general's office expressed concerns about holding a public meeting in a private home in light of the possible “chilling effect” on the public’s willingness to attend.

While a city may not require persons wishing to attend public meetings to provide identification as a condition of attendance, it may impose certain security measures on members of the public entering a public building, such as requiring the public to go through metal detectors. AGO 05-13.

d. Out-of-town meetings

The mere fact that a meeting is held in a public room does not make it public within the meaning of the Sunshine Law.; For a meeting to be "public," the public must be given advance notice and provided with a reasonable opportunity to attend. *Bigelow v. Howze*, 291 So. 2d 645, 647-648 (Fla. 2d DCA 1974)

Accordingly, a school board workshop held outside county limits over 100 miles away from the board's headquarters violated the Sunshine Law where the only advantage to the board resulting from the out-of-town gathering (elimination of travel time and expense due to the fact that the board members were attending a conference at the site) did not outweigh the interests of the public in having a reasonable opportunity to attend. *Rhea v. School Board of Alachua County*, 636 So. 2d 1383 (Fla. 1st DCA 1994). The court refused to adopt a rule prohibiting any board workshops from being held at a site more than 100 miles from its headquarters; instead, applying a balancing of interests test to determine which interest predominates in a given case. As stated by the court, "the interests of the public in having a reasonable opportunity to attend a Board workshop must be balanced against the Board's need to conduct a workshop at a site beyond the county boundaries." *Id.* at 1385.

In addition, there may be other statutes which limit where board meetings may be held. See, e.g., s. 125.001, F.S. (meetings of the board of county commissioners may be held at any appropriate public place in the county); s. 1001.372, F.S. (school board meetings may be held at any appropriate public place in the county). *And see*, AGOs08-01 and 03-03 (municipality may not hold commission meetings at facilities outside its boundaries). See now s. 166.0213, F.S. (governing body of municipality with 500 or fewer residents may hold meetings within 5 miles of the exterior jurisdictional boundary of the municipality at such time and place as may be prescribed by ordinance or resolution).

Conduct which occurs outside the state which would constitute a knowing violation of the Sunshine Law is a second degree misdemeanor. Section 286.011(3), F.S. Such violations are prosecuted in the county in which the board or commission normally conducts its official business. Section 910.16, F.S.

4. Can restrictions be placed on the public's attendance at, or participation in, a public meeting?

a. Public's right to attend or record meeting

(1) Size of meeting facilities

The Sunshine Law requires that meetings of a public board or commission be "open to the public." For meetings where a large turnout of the public is expected, the Attorney General's Office has recommended that public boards and commissions take reasonable steps to ensure that the facilities where the meeting will be held will accommodate the anticipated turnout. Inf. Op.to Galloway, August 21, 2008. If a huge public turnout is anticipated for a particular issue and the largest available public meeting room cannot accommodate all of those who are expected to attend, the use of video technology (e.g., a television screen outside the meeting room) may be appropriate. See *Kennedy v. St. Johns River Water Management District*, no. 2009-0441-Ca (Fla. 7th Cir. Ct. September 27, 2010), per curiam affirmed, no. 5D 10-3656 (Fla. 5th DCA October 25, 2011) (even though not all members of the public were able to enter the meeting room, board did not violate the Sunshine Law when it held a meeting at the board's usual meeting place and in the largest available room; the court noted, however, that

the board set up a computer with external speakers so that those who were not able to enter the meeting room could view and hear the proceedings).

(2) Inaudible discussions

A violation of the Sunshine Law may occur if, during a recess of a public meeting, board members discuss issues before the board in a manner not generally audible to the public attending the meeting. Although such a meeting is not clandestine, it nonetheless violates the letter and spirit of the law. *Rackleff v. Bishop*, No. 89-235 (Fla. 2d Cir. Ct. March 5, 1990). *And see*, AGO 71-159, stating that discussions of public business which are audible only to "a select few" who are at the table with the board members may violate the "openness" requirement of the law.

(3) Exclusion of certain members of the public

The term "open to the public" as used in the Sunshine Law means open to *all* persons who choose to attend. AGO 99-53. Thus the court in *Port Everglades Authority v. International Longshoremen's Association, Local 1922-1*, 652 So. 2d 1169, 1170 (Fla. 4th DCA 1995), ruled that a procurement committee violated the Sunshine Law by requesting that bidders voluntarily excuse themselves from each other's presentations. See now s. 286.0113(2)(b), F.S., providing an exemption from the Sunshine Law for certain meetings held pursuant to a competitive solicitation, including meetings at which a vendor makes an oral presentation or answers questions as part of a competitive solicitation, and requiring a complete recording of the exempt meeting.

Staff of a public agency clearly are members of the public as well as employees of the agency; they cannot, therefore, be excluded from public meetings. AGO 79-01. Section 286.011, F.S., however, does not preclude the reasonable application of ordinary personnel policies, for example, the requirement that annual leave be used to attend meetings, provided that such policies do not frustrate or subvert the purpose of the Sunshine Law. *Id.*

Although not directly addressing the open meeting laws, courts of other states have ruled that in the absence of a compelling governmental interest, agencies may not single out and exclude a particular news organization or reporter from press conferences. See, e.g., *Times-Picayune Publishing Corporation v. Lee*, 15 Media L. Rep. 1713 (E.D. La. 1988); *Borreca v. Fasi*, 369 F. Supp. 906 (D. Hawaii 1974); *Quad-City Community News Service, Inc. v. Jebens*, 334 F. Supp. 8 (S.D. Iowa 1971); and *Southwestern Newspapers Corporation v. Curtis*, 584 S.W.2d 362 (Tex. Ct. App. 1979).

(4) Cameras and tape recorders

A board or commission may adopt reasonable rules and policies which ensure the orderly conduct of a public meeting and which require orderly behavior on the part of those persons attending a public meeting. A board, however, may not ban the use of non-disruptive recording devices *Pinellas County School Board v. Suncam, Inc.*, So. 2d 989 (Fla. 2d DCA 2002) (school board's ban on unobtrusive videotaping invalid. *And see* AGO 77-122 (silent nondisruptive tape recording of district meeting permissible).

The Legislature in Ch. 934, F.S., appears to implicitly recognize the public's right to silently record public meetings. AGO 91-28. Chapter 934, F.S., the Security of Communications Act,

regulates the interception of oral communications. Section 934.02(2), F.S., however, defines "oral communication" to specifically exclude "any public oral communication uttered at a public meeting." See *a/so*, Inf. Op. to Gerstein, July 16, 1976, stating that public officials may not complain that they are secretly being recorded during public meetings in violation of s. 934.03, F.S.

b. Public's right to participate in a meeting

(1) Importance of public participation

Court decisions interpreting the Sunshine Law in the years following passage of s. 286.011, F.s., recognized the importance of public participation in governmental proceedings. See, e.g., *Board of Public Instruction of Broward County v. Doran*, 224 so. 2d 693, 699 (Fla. 1969) (specified boards and commissions . . . should not be allowed to deprive the public of this inalienable right to be present and to be heard at all deliberations wherein decisions affecting the public are being made); *Town of Palm Beach v. Gradison*, 296 so. 2d 473, 475 (Fla. 1974); and *Krause v. Reno*, 366 so. 2d 1244 (Fla. 3d DCA 1979) ("citizen input factor" is an important aspect of public meetings). however, these cases did not specifically rule on the extent to which the Sunshine Law requires a governmental entity to permit the public to speak at public meetings.

The Florida Supreme Court expressly addressed the question of public participation in a 1983 decision. in *Wood v. Marston*, 442 So. 2d 934, 941 (Fla. 1983), the Court held that the Sunshine Law does not give the public the right to speak at a meeting of a committee appointed by a university president to recommend candidates for a university position. And see *Law and Information Services v. City of Riviera Beach*, 670 So. 2d 1014, 1016 (Fla. 4th DCA 1996), citing *Marston* for the principle that the public does not have a right to speak on all issues prior to resolution of the issue by the board; *Homestead-Miami Speedway, LLC. v. City of Miami*, 828 So. 2d 411 (Fla. 3d DCA 2002) (city did not violate Sunshine Law where there was public participation and debate in some but not all of the meetings concerning a proposed contract).

More recently, the First District Court of Appeal relied on "clear and unambiguous language in the Marston decision and ruled that a non-profit corporation charged by the City of Pensacola with overseeing the development of a parcel of public waterfront property must allow the public to attend the meetings but was not required to provide an opportunity for the public to speak. *Keesler v. Community Maritime Park Associates, Inc.*, 32 so. 3d 659 (Fla. 1st DCA 2010), review denied, 47 so. 3d 1289 (Fla. 2010). And see *Grapski v. City of Alachua*, 31 so. 3d 193 (Fla. 1st DCA 2010), review denied, 47 so. 3d 1288 (Fla. 2010) (citizens are authorized to attend open meetings but not participate in the decision making process). Accord *Kennedy v. St. Johns River Water Management District*, no. 2009-0441-Ca (Fla. 7th Cir. Ct. September 27, 2010), per curiam affirmed, no. 5D10-3656 (Fla. 5th DCA October 25, 2011).

While recent decisions have clarified that the Sunshine Law does not mandate that boards permit the public to speak at open meetings, that law does not prohibit boards from choosing to do so as a matter of public policy. The benefits of public input into the decision-making process recognized in the Doran, Gradison and Krause opinions are still valid today. Accordingly, the attorney general's office strongly encourages public boards to consider a reasonable opportunity for the public to address the board prior to taking action. Cf. AGOs 04-

53 and 91-53(reasonable rules and policies, which ensure the orderly conduct of a public meeting and which require orderly behavior on the part of those persons attending, are appropriate).

Although not directly considering the Sunshine Law, the court in *Jones v. Heyman*, 888 F.2d 1328, 1333 (11th Cir. 1989), recognized that "to deny the presiding officer the authority to regulate irrelevant debate and disruptive behavior at a public meeting--would cause such meetings to drag on interminably, and deny others the opportunity to voice their opinions." Thus, the court concluded that a mayor's actions in attempting to confine the speaker to the agenda item in the city commission meeting and having the speaker removed when the speaker appeared to become disruptive constituted a reasonable time, place and manner regulation and did not violate the speaker's First Amendment rights. *And see, Rowe v. City of Cocoa*, 358 F. 3d 800 (11th Cir. 2004) (city council's regulation limiting speech of nonresidents during its meetings is viewpoint-neutral and does not violate the First or Fourteenth Amendment rights of nonresidents). *Cf.*, AGO 04-53 (statute requiring special district board to hold "a public hearing at which time qualified electors of the district may appear and be heard" does not prohibit nonqualified electors from participating).

5. May the members of a public board use codes or pre-assigned numbers in order to avoid identifying individuals?

Section 286.011, F.S., requires that meetings of public boards or commissions be "open to the public at all times." If at any time during the meeting the proceedings become covert, secret or not wholly exposed to the view and hearing of the public, then that portion of the meeting violates the portion of s. 286.011, F.S., requiring that meetings be "open to the public at all times." See *Neu v. Miami Herald Publishing Company*, 462 So. 2d 821 (Fla. 1985), the Court disapproved of a procedure by which representatives of the media would be permitted to attend a city council meeting provided that they agreed to "respect the confidentiality" of certain matters. "Under the Sunshine Law, a meeting is either fully open or fully closed; there are no intermediate categories."

The use of pre-assigned numbers or codes at public meetings to avoid identifying the names of applicants violates s. 286.011, F.S., because "to permit discussions of applicants for the position of a municipal department head by a pre-assigned number or other coded identification in order to keep the public from knowing the identities of such applicants and to exclude the public from the appointive or selection process would clearly frustrate or defeat the purpose of the Sunshine Law." AGO 77-48. *Accord*, AGO 76-240 (Sunshine Law prohibits the use of coded symbols at a public meeting in order to avoid revealing the names of applicants for the position of city manager). *And see, News-Press Publishing Company v. Wisher*, 345 So. 2d 646 (Fla. 1977"public policy of this state as expressed in the public records law and the open meetings statute eliminate any notion that the commission was free to conduct the county's personnel business by pseudonyms or cloaked references.")

6. May members of a public board vote by written or secret ballot?

Board members are not prohibited from using written ballots to cast a vote as long as the votes are made openly at a public meeting, the name of the person who voted and his or her selection are written on the ballot, and the ballots are maintained and made available for public inspection in accordance with the Public Records Act.

By contrast, a secret ballot violates the Sunshine Law. See, AGO 73-264 (members of a personnel board may not vote by secret ballot during a hearing concerning a public employee).

Accord, AGOs 72-326 and 71-32 (board may not use secret ballots to elect the chairman and other officers of the board).

7. May board members cast proxy votes?

in the absence of statutory authority, proxy voting by board members is not allowed. AGO 78-117.

8. Are board members authorized to abstain from voting?

Section 286.012, F.S., provides:

No member of any *state, county or municipal* governmental board, commission, or agency who is present at any meeting of any such body at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting . . . a vote *shall be* recorded or counted for each such member present, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under . . . s. 112.311, s. 112.313, or s. 112.3143, F.S. (e.s.)

A member of a state, county or municipal board who is present at a meeting is thus prohibited from abstaining from voting unless there is, or appears to be, a possible conflict of interest under ss. 112.311, 112.313 or 112.3143, F.S., of the Code of Ethics for Public Officers and Employees. See, AGO 02-40 (s. 286.012 applies to advisory board appointed by a county commission). Cf. Inf. Op. to Rodgers, June 9, 2011 (concurring with Commission on ethics opinion that “non-economic bias or prejudice on the part of a public officer toward someone affected by a measure would not constitute a basis for a valid abstention” pursuant to s. 286.012, F.S.).

Failure of a member to vote, however, does not invalidate the entire proceedings. *City of Hallandale v. Rayel Corporation*, 313 So. 2d 113 (Fla. 4th DCA 1975), *cause dismissed sua sponte*, 322 So. 2d 915 (Fla. 1975) (to rule otherwise would permit any member to frustrate official action merely by refusing to participate).

Section 286.012, F.S., applies *only* to state, county and municipal boards. AGO 04-21. Special district boards are not subject to its provisions and may adopt their own rules regarding abstention, subject to s. 112.3143, F.S. AGOs 04-21, 85-78 and 78-11.

Section 112.3143(3)(a), F.S., prohibits a county, municipal, or other local public officer from voting on any measure which inures to his or her special private gain or loss; which the officer knows would inure to the special private gain or loss of any principal or parent organization or subsidiary of a corporate principal, other than a public agency, by whom he or she is retained; or which the officer knows would inure to the special private gain or loss of a relative or business associate of the officer. An exception exists for a commissioner of a community redevelopment agency created or designated pursuant to s. 163.356, F.S., or s. 163.357, F.S., or an officer of an independent special tax district elected on a one-acre, one-vote basis. Section 112.3143(3)(b), F.S.

For those local officials subject to s. 112.3143(3) (a), F.S., no exception exists even though the abstention has the effect of preventing the local legislative body from taking action on the matter. AGO 86-61. Prior to the vote being taken, the local officer must publicly state the nature of his or her interest in the matter from which he is abstaining. Within 15 days of the

vote, the officer must disclose the nature of his or her interest in a memorandum filed with the person responsible for recording the minutes of the meeting who shall incorporate the memorandum in the minutes. Section 112.3143(3) (a), F.S.

State public officers are not required to abstain from voting because of a conflict of interest. Section 112.3143(2), F.S. *But see*, s. 120.665(1), F.S., applicable to agencies subject to Ch. 120, F.S., the Administrative Procedure Act, stating that "notwithstanding the provisions of s. 112.3143, any individual serving alone or with others as an agency head may be disqualified from serving in an agency proceeding for bias, prejudice, or interest when any party to the agency proceeding shows just cause by a suggestion filed within a reasonable period of time prior to the agency proceeding."

If the state officer votes, however, on a matter which would inure to his or her special private gain or loss, or to the special gain or loss of any principal or parent organization or subsidiary of a corporate principal by which the officer is retained, or to the special private gain or loss of a relative or business associate, the officer is required to disclose the nature of his or her interest in a memorandum. The memorandum must be filed within 15 days after the vote with the person responsible for recording the minutes of the meeting who shall incorporate the memorandum in the minutes. *See*, s. 112.3143(2), F.S.

Although a member of a *state* board or commission is authorized to abstain from voting on a question in which he or she is personally interested, the member is not disqualified from voting; the member may, therefore, be counted for purposes of computing a quorum for a vote on that question. Once a quorum is present, a majority of those members actually voting is sufficient to decide the question. AGO 75-244.

When a member of a *local* board is *required* to abstain pursuant to s. 112.3143(3), F.S., the local board member is disqualified from voting and may not be counted for purposes of determining a quorum. AGOs 86-61 and 85-40.

Questions as to what constitutes a conflict of interest under the above statutes should be referred to the Florida Commission on Ethics.

9. Is a roll call vote required?

While s. 286.012, F.S., requires that each member present cast a vote either for or against the proposal under consideration by the public board or commission, it is not necessary that a roll call vote of the members present and voting be taken so that each member's specific vote on each subject is recorded. The intent of the statute is that all members present cast a vote and that the minutes so reflect that by either recording a vote *or* counting a vote for each member. *Ruff v. School Board of Collier County*, 426 So. 2d 1015 (Fla. 2d DCA 1983) (roll call vote so as to *record* the individual vote of each such member is not necessary). *Cf.*, s. 20.052(5)(c), F.S., requiring that minutes, including a record of all votes cast, be maintained for all meetings of an advisory body, commission, board of trustees, or other collegial body adjunct to an executive agency.

9. Must written minutes be kept of all sunshine meetings, including workshops?

- a. Scope of minutes requirement

Section 286.011, F.S., requires that minutes of a meeting of a public board or commission be promptly recorded and open to public inspection. Workshop meetings are not exempted from this requirement. AGOs 08-65 and 74-62. And see *Lozman v. City of Riviera Beach*, no. 502007Ca007552XXXXmBan (Fla. 15th Cir. Ct. June 9, 2009), per curiam affirmed, 46 so. 3d 573 (Fla. 4th DCA 2010) (minutes required for city council's agenda review meetings).

Draft minutes of a board meeting may be circulated to individual board members for corrections and studying prior to approval by the board, so long as any changes, corrections, or deletions are discussed and adopted during the public meeting when the board adopts the minutes. AGOs 02-51 and 74-294. The minutes are public records when the person responsible for preparing the minutes has performed his or her duty even though they have not yet been sent to the board members or officially approved by the board. AGO 91-26. And see *Grapski v. City of Alachua*, 31 so. 3d 193 (Fla. 1st DCA 2010), review denied, 47 so. 3d 1288 (Fla. 2010) (city violated both the language and the purpose of s. 286.011[2] by denying public access to its minutes until after approval).

Section 286.011, F.S., does not specify who is responsible for taking the minutes of public meetings. This appears to be a procedural matter which the individual boards or commissions must resolve. Inf. Op. to Baldwin, December 5, 1990.

b. Content of minutes

The term "minutes" in s. 286.011, F.S., contemplates a brief summary or series of brief notes or memoranda reflecting the events of the meeting accordingly a verbatim transcript is not required. AGO 82-47. *And see, State v. Adams*, No. 91-175-CC (Fla. Sumter Co. Ct. July 15, 1992) (no violation of Sunshine Law where minutes failed to reflect brief discussion concerning a proposed inspection trip).

c. Tape recordings or internet archive

The Sunshine Law does not require that public boards and commissions tape record their meetings. AGO 86-21. However, other statutes may require that certain proceedings be recorded. Cf. AGO 10-42 (where statute requires that all closed proceedings of child abuse death review committee be recorded and that no portion be off the record, audio recording of the proceedings "would appear to be the most expedient and cost-efficient manner to ensure that all discussion is recorded").

However, while a board is authorized to tape record the proceedings if it chooses to do so, the Sunshine Law also requires written minutes. AGO 75-45. Similarly, while a board may archive the full text of all workshop discussions conducted on the internet, written minutes of the workshops must also be prepared and promptly recorded. AGO 08-65.

Moreover, the tape recordings are public records and their retention is governed by schedules established by the Division of Library Information Services of the Department of State in accordance with s. 257.36(6), F.S. *Accord* AGO 86-93 (tape recordings of school board meetings are subject to Public Records Act even though written minutes are required to be prepared and made available to the public).

d. Use of transcript as minutes

Although a written transcript is not required, a board may use a written transcript of the meeting as the minutes, if it chooses to do so. inf. op. to Fulwider, June 14, 1993.

4. Florida Attorney General Advisory Legal Opinion (excerpt)

Number: AGO 2009-19 Date: April 23, 2009 Subject: Records, municipal Facebook page

Mr. Samuel S. Goren
Coral Springs City Attorney
9551 West Sample Road
Coral Springs, Florida 33065

RE: MUNICIPALITIES–RECORDS–GOVERNMENT IN THE SUNSHINE LAW–INTERNET–public record implications for city's Facebook page. s. 119.011(12), Fla. Stat.; Art. I, s. 23, Fla. Const.

Dear Mr. Goren:

On behalf of the Coral Springs City Commission, you ask the following questions:

1. If the city chooses to maintain a Facebook page, would all contents of the city's page, including information about the city's "friends" and their pictures, and the friend's respective Facebook pages, be subject to the Public Records Law, Chapter 119, Florida Statutes?
2. If Question One is answered in the affirmative, is the city obligated to follow a public records retention schedule as set forth in the State of Florida General Records Schedule GSI for State and Local Government Agencies?
3. If Question One is answered in the affirmative, is Florida's Right of Privacy, as guaranteed in Article I, section 23, Florida Constitution, implicated by the inclusion of information about the city's "friends" and the respective link to the friends' Facebook pages linked to the city's page?
4. Would communications on the city's Facebook page regarding city business be subject to Florida's Government in the Sunshine Law, section 286.011, Florida Statutes?

In sum:

1. Since the city is authorized to exercise powers for a municipal purpose, the creation of a Facebook page must be for a municipal, not private purpose. The placement of material on the city's page would presumably be in furtherance of such purpose and in connection with the transaction of official business and thus subject to the provisions of Chapter 119, Florida Statutes. In any given instance, however, the determination would have to be made based upon the definition of "public record" contained in section 119.11, Florida Statutes. Similarly, whether the Facebook page of the friends would also be subject to the Public Records Law, Chapter 119, Florida Statutes, would depend on whether the page and information contained therein was made or received in connection of the transaction of official business by or on behalf of a public agency.
2. The city is under an obligation to follow the public records retention schedules established by law.
3. While Article I, section 23, Florida Constitution, may be implicated in determining what information may be collected by the city, the constitutional provision expressly states that "[t]his section shall not be construed to limit the public's right of access to public records

and meetings as provided by law." Thus, to the extent that information on the city's Facebook page constitutes a public record within the meaning of Chapter 119, Florida Statutes, Article I, section 23, Florida Constitution, is not implicated.

4. Communications on the city's Facebook page regarding city business by city commissioners may be subject to Florida's Government in the Sunshine Law, section 286.011, Florida Statutes. Thus, members of a city board or commission must not engage on the city's Facebook page in an exchange or discussion of matters that foreseeably will come before the board or commission for official action.

Appendix E: Limited English Proficiency Plan

What's in our LEP Plan?



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Limited English Proficiency Plan

for the Hillsborough County MPO



Adopted with the FY 2008/09 & 2009/10 Unified Planning Work Program: June 3, 2008
Amended: December 14, 2010

Hillsborough County Metropolitan Planning Organization
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Limited English Proficiency Plan

for the Hillsborough County MPO

Mayor Joe Affronti, Sr., <i>MPO Chair</i>	City of Temple Terrace
Commissioner Mark Sharpe	Hillsborough County
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Commissioner Kevin Beckner	Hillsborough County
Councilman Joseph Caetano	City of Tampa
Commissioner Rick A. Lott	City of Plant City
Commissioner Lesley “Les” Miller	Hillsborough County
Commissioner Sandra L. Murman	Hillsborough County
Councilwoman Mary Mulhern	City of Tampa
Councilman Tom Scott	City of Tampa
Councilman Curtis Stokes	Hillsborough Area Regional Transit Authority
Joseph Waggoner	Tampa/Hillsborough County Expressway Authority
Richard Wainio	Tampa Port Authority
John Wheat	Hillsborough County Aviation Authority
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Derek L. Doughty (Ex-Officio)	The Planning Commission
Donald J. Skelton (Ex-Officio)	FDOT, District Seven
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Ramond A. Chiamonte, AICP	MPO Executive Director



Limited English Proficiency Plan

for the Hillsborough County MPO

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ABOUT THE MPO

The Hillsborough County Metropolitan Planning Organization (MPO) is a transportation policy-making board comprised of elected officials appointed from local governments and transportation authorities as listed below:

Voting Members:

- City of Tampa (3 members)
- Hillsborough County (4 members)
- Plant City
- Temple Terrace
- Aviation Authority
- Expressway Authority
- Port Authority
- Transit Authority (HART)

Non-Voting Members:

- Florida Department of Transportation
- The Planning Commission

The MPO is directly responsible for making sure federal and state dollars spent on existing and future transportation projects and programs are based on a continuing, cooperative and comprehensive transportation planning process. All transportation projects and programs for Tampa, Temple Terrace, Plant City and Hillsborough County go through this planning process. The obligation to provide information and consider public input in decision-making is explicit in federal regulations. This process includes timely public notices, complete access to information, full access and input to key decisions, and supports early and continuing involvement of the community.

The *Public Participation Plan* (PPP) describes the MPO's public participation strategies and techniques to inform and involve the public in the transportation planning process. The following principles, developed in conjunction with best practice standards for public involvement, guide the PPP:

Provide Opportunities for Involvement.

Avenues for involvement will be open, meaningful and organized so as to provide an environment that encourages convenient and comfortable participation. Consideration of needs for accessibility, scheduling, location, format and language of informational materials will be structured to allow informed, constructive exchanges with clear definition of the information being presented. Participants will be provided information so they more clearly understand the trade-offs and will be encouraged to grapple with the many competing transportation objectives.



Be Inclusive of Constituencies.

Determine stakeholders and target audience. Identify strategies to bring the information to these groups. Efforts to reach new and existing constituencies include continuing outreach to those with accessibility issues (physical or language) as well as minority, low income, elderly, youth communities and neighborhoods or groups that may be affected by proposed projects. Use creative techniques to engage the audience in discussion and interaction regarding topical issues.



Be Responsive to Participants.

MPO forums will facilitate discussion that directly corresponds to the participants and their available time. Informational materials should be clear, concise and address the concerns of the participants. Information will be available in sufficient detail to allow citizens to form and express their independent views. The results of all public involvement activities will be documented and given full consideration in all MPO decision-making as well as conveyed to the implementing agencies for their consideration.



Provide a Predictable Process.

The planning process will be understandable and known well in advance. This consistency in our process will allow the MPO staff, citizens and officials to plan their time and effectively apply their resources.

Be Creative and Flexible. The direction and effectiveness of this program should be reviewed periodically to ensure that it meets the needs of the public and the MPO. This program should evolve to include new avenues of communication to augment the public outreach efforts of the MPO.

Maximize Exposure, Minimize Costs. The Hillsborough County MPO is committed to coordinate this process with local, federal and statewide public involvement processes wherever possible to enhance public consideration of the issues, plans and programs while reducing redundancies and minimizing costs.

The mission of the Hillsborough MPO is to develop a comprehensive long range transportation plan that supports the mobility needs and economic development of the community that:

- Preserves the neighborhoods;
- Protects the environment;
- Enhances the community's quality of life;
- Promotes usage of public transportation;
- Cooperates with and coordinates between the community and agencies to enable the plan to work.



Integral to the plan are policies that guide development of a balanced transportation system that is inclusive of the public's opinions. Engaging the public in the transportation decision-making process is the vision that drives the *Public Participation Plan*. Communication regarding the range of choices for the future, the role transportation improvements can play in securing that future to the public, agencies, constituencies and affected communities and allowing for multiple avenues of public feedback are the foundation on which the goals and objectives of the MPO are built.



It is a priority for this MPO that all citizens in Hillsborough County be given the opportunity to participate in the transportation planning process, including low income individuals, the elderly, persons with disabilities and persons with limited English proficiency.

BACKGROUND AND LAW

Limited English Proficiency (LEP) is a term used to describe individuals who are not proficient in the English language.

Federal Law:
**Title VI of the Civil Rights Act of 1964 –
National Origin Discrimination Against
Persons with Limited English Proficiency –
and (Presidential) Executive Order 13166**
require federal departments and agencies to develop and make available guidance on how recipients of federal funds should assess and address the needs of LEP individuals seeking assistance.

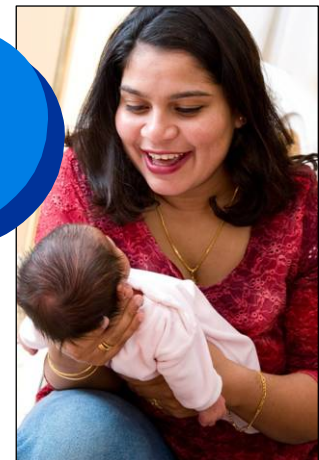


The US Department of Transportation (DOT) developed guidance titled *A Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons*. The intent of this guidance was to ensure persons in the United States are not excluded from participation in DOT-assisted programs and activities simply because they face challenges communicating in English.

The intent of this *Limited English Proficiency Plan* is to ensure access to the planning process and information published by the MPO where substantial numbers of residents in Hillsborough County do not speak or read English proficiently. The production of multilingual publications and documents and/or interpretation at meetings or events will be provided to the degree that funding permits based on current laws and regulations.

Who is an LEP individual?

Individuals who do not speak English as their primary language AND who have a limited ability to read, speak, write or understand English.



Laws and Policies Guiding Limited English Proficiency Plans

As part of Metropolitan Planning Organization certification by the Federal Highway Administration and the Federal Transit Administration, the *LEP Plan* will be assessed and evaluated. The following matrix illustrates these laws, policies and considerations:

Title VI of the Civil Rights Act of 1964	Limited English Proficiency Executive Order 13166
<ul style="list-style-type: none"> • Federal Law 	<ul style="list-style-type: none"> • Federal Policy
<ul style="list-style-type: none"> • Enacted in 1964 	<ul style="list-style-type: none"> • Signed in August 2000
<ul style="list-style-type: none"> • Considers all persons 	<ul style="list-style-type: none"> • Considers eligible population
<ul style="list-style-type: none"> • Contains monitoring and oversight compliance review requirements 	<ul style="list-style-type: none"> • Contains monitoring and oversight requirements
<ul style="list-style-type: none"> • Factor criteria is required, no numerical or percentage thresholds 	<ul style="list-style-type: none"> • Factor criteria is required, no numerical or percentage thresholds
<ul style="list-style-type: none"> • Provides protection on the basis of race, color, and national origin 	<ul style="list-style-type: none"> • Provides protection on the basis of national origin
<ul style="list-style-type: none"> • Focuses on eliminating discrimination in federally funded programs 	<ul style="list-style-type: none"> • Focuses on providing LEP persons with meaningful access to services using four factor criteria
<ul style="list-style-type: none"> • <i>Annual Accomplishment and Upcoming Goals Report to FHWA</i> 	<ul style="list-style-type: none"> • <i>Annual Accomplishment and Upcoming Goals Report to FHWA</i>

DETERMINING THE NEED

As a recipient of federal funding, the Hillsborough MPO must take reasonable steps to ensure meaningful access to the information and services it provides. As noticed in the **Federal Register/ Volume 70, Number 239/ Wednesday, December 14, 2005/ Notices**, there are **four factors to be considered in determining ‘reasonable steps’**:

1. The number and proportion of LEP person in the eligible service area;
2. The frequency with which LEP persons come in contact with the program;
3. The importance of the service provided by the program; and
4. The resources available and overall MPO cost.

The US DOT Policy Guidance gives recipients substantial flexibility in determining what language assistance is appropriate based on a local assessment of the four factors listed above. The following is an assessment of need in Hillsborough County in relation to the four factors and the transportation planning process.

1. The number and proportion of LEP person in the eligible service area

The first step towards understanding the profile of individuals that could participate in the transportation planning process is a review of Census data. The next two tables display the primary language and number of individuals that have LEP. For our planning purposes, we are considering people that speak English ‘not well’ or ‘not at all’ at home. Only the top four language groups for each jurisdiction are displayed.

Table 1: Limited English Proficient Persons in the MPO Planning Area			
<i>Derived from Table B16004 2008 American Community Survey, US Census Bureau</i>			
Jurisdiction	Population 5 years old & older	Number of LEP Persons	Percentage of LEP Persons
Countywide	1,097,068	54,094	4.93%

Table 1 shows the number and percent of persons with regard to their English Language skills for the Hillsborough County Metropolitan Planning Organization area. As seen, over four percent of the MPO area population is not proficient in English.



Table 2: Language Spoken at Home by Limited English Proficient Persons - Hillsborough County <i>Derived from US Census Bureau</i>				
LEP Persons	Spanish Language	Indo-European Languages	Asian & Pacific Islander Languages	Other Languages
5-17 years old	2,185	109	416	0
18-64 years old	34,977	2,213	3,262	124
65 and older	8,914	991	681	222
Total	46,076	3,313	4,359	346
Percentage of all LEP Persons	85.2%	6.0%	8.1%	0.7%

Table 2 shows the actual number and percent of LEP persons by language spoken at home. Of the LEP persons within the MPO area, over eighty-five percent speak Spanish at home, making this the most significant percentage of the county's population.



Six percent speak an Indo-European language, like Urdu, Hindi, Portuguese, Bengali, Russian, Persian or German.

Eight percent speak Asian and Pacific Islander languages, like Chinese, Korean and Japanese, with less than one percent speaking other languages at home.

2. The frequency with which LEP persons come in contact with the program

The small, but growing, size of the LEP population in this region could increase the probability of future contact with the MPO. Though targeted specifically at outreach events, current contact with LEP individuals is relatively infrequent. In areas with more concentrated LEP populations, LEP individuals often attend MPO events with English-speaking family members (often their children), or our community and agency partners at these events are often bilingual and have translated as needed. To date, no requests have been made by either individuals or groups directly to the MPO for Spanish or other language interpreters or publications.

The MPO currently provides Spanish translation in the *Citizens Guide: A Guide to Transportation Planning in Hillsborough County* (which has been expanded to include Pasco and Pinellas counties) as well as on the MPO web site, www.hillsboroughmpo.org, so no direct requests are needed for LEP individuals to learn about the basic MPO planning process online. Arrangements have been made with staff of the Planning Commission and Hillsborough County's Citizen Action Center to act as interpreters for Spanish phone call inquiries on an as-needed basis. To date, the Citizen Action Center has never been used.



3. The importance of the service provided by the program



MPO programs use federal funds to plan for future transportation projects, and therefore do not include any service or program that requires vital, immediate or emergency assistance, such as medical treatment or services for basic needs (like food or shelter). Further, the MPO does not conduct compulsory activities (applications, interviews or other activities prior to participation in our programs or events). Involvement with the MPO or its committees is entirely voluntary.

The MPO must ensure that all segments of the population, including LEP persons, have been involved or have had the opportunity to be involved in the transportation planning process. The impact of proposed transportation investments on underserved and under-represented population groups is part of the evaluation process in use of federal funds in three major areas: a biennial *Unified Planning Work Program*, a five-year *Transportation Improvement Program*, and a *Long Range Transportation Plan* covering 20+ years. Inclusive public participation is a priority in other MPO plans, studies and programs as well. The impacts of transportation improvements resulting from these planning activities do have an impact on all residents. Understanding and involvement are encouraged throughout the process. The MPO is concerned with input from all stakeholders, and every effort is made to make the planning process as inclusive as possible.

As a result of the long range transportation planning process, selected projects receive approval for federal funding and progress towards project planning and construction under the responsibility of local jurisdictions or state transportation agencies. These state and local organizations have their own policies to ensure LEP individuals can participate in the process that shapes where, how and when a specific transportation project is implemented.



4. The resources available and overall MPO cost



Given the size of the LEP population in Hillsborough County and financial constraints, full translation of large transportation plan documents and maps is not appropriate at this time. However, continued growth of our county and its Spanish-speaking population makes offering Spanish translations in many areas a good community investment.

Therefore, the Hillsborough MPO intends to initiate a program to make the **Executive Summaries for key documents available in Spanish**. Key documents include the *Long Range Transportation Plan* and the *Transportation Improvement Program*. Executive Summaries may be presented in alternative formats, such as brochures or newsletters. In addition, public relations pieces like the *Ride Guide: Your Guide to Getting a Ride in Hillsborough County* will be translated into Spanish beginning with the 2010 edition. The *Citizens Guide* will continue to include a Spanish section as well.

The MPO will make efforts to partner with state and local agencies to provide language translation and interpretation services when practical within the scope of the funding available. In addition, the MPO will continue to make available Spanish translation of much of the MPO web site and will continue to pursue user-friendly multi-lingual applications compatible with the content management system currently used by the MPO and Planning Commission.



MEETING THE REQUIREMENTS

Engaging the diverse population within Hillsborough County is important. The Hillsborough County Metropolitan Planning Organization is committed to providing quality services to all citizens, including the Limited English Proficiency population we serve. Spanish has been identified as, by far, the most dominant language spoken by LEP individuals in this MPO's service area. All language access activities detailed below will be coordinated in collaboration with the MPO Board and staff.

Safe Harbor Stipulation



Federal law provides a 'safe harbor' stipulation so recipients of federal funding can ensure compliance with their obligation to provide written translations in languages other than English with greater certainty.

A 'safe harbor' means that as long as a recipient has created a plan for the provision of written translations under a specific set of circumstances, such action will be considered strong evidence of compliance with written translations obligations under Title VI.

However, failure to provide written translations under the circumstances does not mean there is noncompliance, but rather provides a guide for recipients that would like greater certainty of compliance in accordance with the four factor analysis (page 6). Strong evidence of compliance with the recipient's written translation obligations under 'safe harbor' includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000 persons, whichever is less of eligible persons to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally.

The 'safe harbor' provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable to provide.

Providing Notice to LEP Persons

US Department of Transportation LEP guidance indicates that once an agency has decided, based on the four factors, to provide language services, it is important that the recipient notify LEP persons of services available free of charge in a language LEP persons would understand. Examples methods for notification include:

1. Signage when free language assistance is available with advance notice
2. Stating in outreach documents that language services are available
3. Working with community-based organizations and other stakeholders to inform LEP individuals of the MPO's services and the availability of language assistance
4. Using automated telephone voice mail attendant or menu to provide information about available language assistance services
5. Including notices in local newspapers in languages other than English
6. Providing notices on non-English-language radio and television about MPO services and the availability of language assistance
7. Providing presentations and/or notices at schools and faith-based organizations



Therefore, the Hillsborough MPO intends to initiate a program to make available interpreter services, free of charge, to include Spanish and sign language upon request at least three business days prior to MPO Board and committee meetings, workshops, forums or events which will be noticed on the MPO web site, meeting notices (packets), and using the following additional tools as appropriate: on signage, in public outreach materials, working with community-based organizations, in local newspapers, using HTV, through the Hillsborough County school and library systems, Hispanic Liaison, and faith-based organizations.

The MPO is defining an interpreter as a person who translates spoken language orally, as opposed to a translator, who translates written language and transfers the meaning of written text from one language into another.

Currently, notices are also placed in two newspapers that target minority audiences:

La Gaceta, a weekly publication that is the nation's only tri-language newspaper (English, Spanish and Italian) with a circulation over 21,000 with predominantly Hispanic readership; and the *Florida Sentinel*, a newspaper aimed at the local African-American population which is published twice each week, and has a circulation over 30,000. Spanish language ads and other sources to reach LEP individuals will be investigated.



Though the *Florida Department of Transportation District Seven Limited English Proficiency Program* suggests that the public must make requests **ten days in advance** of public meetings, **the Hillsborough MPO will use a “three business days” notification statement** in order to be most accommodating to the public, unless the three day notice becomes impractical to meet LEP assistance requests. At which time, this *LEP Plan* standard would be changed. Since many of our legal advertisements are published ten days prior to our meetings and meeting packets are not posted online and mailed out until seven days prior to a meeting, it would be unreasonable to expect an LEP individual to give the MPO ten days' notice. When advertising public meetings, the MPO will use a special assistance services statement as follows:

Persons in need of special accommodations under the Americans with Disabilities Act or persons who require interpreter services (free of charge) for this meeting should contact Michele Ogilvie at 813/273-3774 x317 or ogilviem@plancom.org at least three business days prior to the meeting.

As covered under Title VI requirements for nondiscrimination, at each meeting, the MPO will provide Title VI material and include this material in an alternative language when applicable.



Language Assistance & More

As noted on page 10, the Hillsborough MPO has initiated a program to make the Executive Summaries for key documents available in Spanish. Key documents include the *Long Range Transportation Plan* and the *Transportation Improvement Program*. In addition, public relations pieces like the *Ride Guide: Your Guide to Getting a Ride in Hillsborough County* will be translated into Spanish beginning with the 2008 edition. The *Citizens Guide* will continue to include a Spanish section as well.

One of the goals of the MPO's *Public Participation Plan* is to provide user-friendly materials that will be appealing and easy to understand. Executive Summaries may be presented in alternative formats, such as brochures or newsletters, depending on the work product. It is expected that the translation of these documents will begin after the final English versions have been completed. In addition, Spanish language outreach materials from organizations such as federal, state, and local transportation agencies will be used when possible.

In addition to servicing LEP persons identified as those who do not speak English as a primary language AND have limited ability to read, speak, write or understand English, the MPO makes special accommodations for hearing or visual impairments - provided under the Americans with Disabilities Act and/or Section 504 of the Rehabilitative Acts of 1973 – and those who are illiterate and protected under the Executive Order and Title VI.



Ongoing MPO service standards include:

- Transportation to and from MPO meetings and events for the transportation disadvantaged
- Coordination with the Planning Commission and Hillsborough County's Citizen Action Center to provide an interpreter for phone-in and walk-in customers
- Coordination with partner agencies and special needs organizations to meet requested needs
- Alternative publications for persons with seeing or hearing impairments, upon request, in formats such as audio transcription or Braille (may be limited to Executive Summaries of larger documents)
- Spanish translation of key MPO web site pages
- Maintenance of the MPO web site to be accessible under WAI-AA and US Section 508, making use of World Wide Web Consortium standards, including XHTML and CSS

The MPO will continue to develop:

- A list of inside and outside sources that can provide competent oral and written translation services;
- Analysis of the cost of these services, if any; and
- Identifications of potential budget and personnel limitations pertaining to these services.

MPO Staff Training

The MPO has incorporated this *LEP Plan* into the *Public Participation Plan*. In order to establish meaningful access to information and services for LEP individuals, employees in public contact positions and those who will serve as translators or interpreters will be properly trained. Such training will be developed to ensure that staff is fully aware of LEP policies and procedures and are effectively able to work in person and/or by telephone with LEP individuals. MPO Board members will receive a copy of the *LEP Plan* and have access to training, assuring they are fully aware of and understand the plan and its implementation.

DISCRIMINATION COMPLAINT PROCEDURE

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance. As a sub-recipient of the Florida Department of Transportation (FDOT), the Hillsborough County Metropolitan Planning Organization (MPO) has in place the following discrimination complaint procedure:

1. Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation by any Hillsborough County MPO programs or activities, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and related statutes, may file a written complaint. Note: If you believe you have been discriminated against by another branch of the Hillsborough County Government, please contact the Hillsborough County Equal Opportunity Administrator at 813/272-6554. All written complaints received by the MPO shall be referred immediately by the MPO Title VI Specialist to the FDOT District 7 Title VI Coordinator for processing in accordance with approved State procedure.

Written complaints may be sent to:

Gena Torres
Hillsborough MPO Title VI Specialist
601 E. Kennedy Blvd., 18th Floor
Tampa, Florida 33602

2. Verbal and non-written complaints received by the MPO shall be resolved informally by the MPO Title VI Specialist. If the issue has not been satisfactorily resolved through informal means, or if at any time the complainant(s) requests to file a formal written complaint, the Complainant shall be referred by the MPO Title VI Specialist to the FDOT District 7 Title VI Coordinator for processing in accordance with approved State procedures.
3. The MPO Title VI Specialist will advise the FDOT District 7 Title VI Coordinator within five calendar days of receipt of the allegations. The following information will be included in every notification to the FDOT District 7 Title VI Coordinator:
 - (a) Name, address, and phone number of the Complainant
 - (b) Name and address of the Respondent
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation)

- (d) Date of alleged discriminatory act(s)
 - (e) Date complaint received by the MPO
 - (f) A statement of the complaint
 - (g) Other agencies (state, local, or federal) where the complaint has been filed
 - (h) An explanation of the actions the MPO has taken or proposed to resolve the allegation(s) raised in the complaint
4. Within ten calendar days, the MPO Title VI Specialist will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the Complainant of other avenues of redress available, such as the FDOT Equal Opportunity Office (EOO).
 5. Within sixty calendar days, the MPO Title VI Specialist will conduct and complete a review of the verbal or non-written allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the MPO Executive Director.
 6. Within ninety calendar days of the verbal or non-written allegation(s) receipt, the MPO Executive Director will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of their right to file a formal complaint with the FDOT EOO, if they are dissatisfied with the final decision rendered by the MPO. The MPO Title VI Specialist will also provide the FDOT District 7 Title VI Coordinator with a copy of this decision and summary of findings.
 7. The MPO Title VI Specialist will maintain a log of all verbal and non-written complaints received by the MPO. The log will include the following information:
 - (a) Name of Complainant
 - (b) Name of Respondent
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation)
 - (d) Date of verbal or non-written complaint was received by the MPO
 - (e) Date MPO notified the FDOT District 7 Title VI Coordinator of the verbal or non-written complaint
 - (f) Explanation of the actions the MPO has taken, or proposed, to resolve the issue raised in the complaint

Appendix F: Sample Scope for Public Engagement

What are the MPO's Responsibilities in its Plans & Studies?

Public engagement is a fundamental tenet of the MPO's efforts. Each plan or study prepared by the MPO is different, but all should incorporate public engagement as a central part of the scope of work, including:

1. An initial public outreach program or strategy, identifying:
 - a. The study area
 - b. Affected population
 - c. Stakeholders
 - d. Technique(s) to be used to:
 - i. Publicize the plan or study
 - ii. Communicate with the public, especially affected populations and stakeholders
 - iii. Engage the public early and throughout the planning process
 - e. Opportunities for the public to participate at key points in developing the study or plan, at a minimum to include review and comment on draft documents.
 - f. Note that the initial public outreach program or strategy is subject to change to improve the rate of public participation.
2. How public input will be captured and compiled, including but not limited to:
 - a. Who participated (e.g., sign-in sheets)
 - b. Comments offered by individual participants (e.g., meeting notes, comments cards, e-mail correspondence, etc.)
 - c. Results of formal or informal surveys or polls, administered in-person, by mail, or electronically
 - d. Games, exercises or other activities designed to elicit public input.
3. Documenting "what the public said" as part of the report, appendices, or interim products prepared as part of the study or plan. Documentation should compile all input captured under item 2 above in tabular, text or other format.
4. Documenting "how the plan responds to public input" as part of the report, appendices or interim products, synthesizing or summarizing:
 - a. Public concerns, preferences, values, concerns or objectives; and
 - b. How the plan or study explicitly responds to public input, subject to final approval by the MPO Board.