

Bloomington-Monroe County Metropolitan Planning Organization

Public Participation Plan



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Introduction

Federal legislation requires the establishment of a Metropolitan Planning Organization (MPO) to conduct transportation planning in urban areas where the population exceeds 50,000 people. The basic objectives of an MPO are to encourage and promote the development of transportation systems, to embrace multiple modes of transportation, and to minimize transportation related fuel consumption and air pollution.

Indiana Governor Robert D. Orr designated the City of Bloomington Plan Commission as the MPO for the Bloomington urban area on March 4, 1982.

Locally, the Bloomington-Monroe County Metropolitan Planning Organization (BMCMPO) fulfills the MPO mission as an intergovernmental transportation policy group that manages transportation project funding for the Bloomington-Monroe County Urbanized Area (which includes the City of Bloomington, the Town of Ellettsville, and urbanizing portions of Monroe County). The Bloomington-Monroe County MPO is responsible for ensuring that the transportation planning program in the Urbanized Area of Monroe County incorporates consultation, cooperation, and coordination among the MPO, various civic organizations, and the public. MPO decisions are endorsed by a Policy Committee (PC) upon the recommendation of both the Technical Advisory Committee (TAC) and the Citizens Advisory Committee (CAC).

The Policy Committee (PC) consists of municipal and county elected officials, non-elected members, membership from the Bloomington Public Transportation Corporation, Indiana University (IU), the Indiana Department of Transportation (INDOT), and the Federal Highway Administration (FHWA), and non-elected members. The Technical Advisory Committee includes state and local planners, engineers, transit operators, and other transportation-related professionals. The Citizens Advisory Committee represents a broad cross-section of community interests and of citizens who reside within the boundaries of the Metropolitan Planning Area (MPA).

Purpose

The Public Participation Plan (the Plan) for the Bloomington-Monroe County Metropolitan Planning Organization (MPO) has been developed pursuant to the final federal metropolitan regulations of the United States Department of Transportation (USDOT) as contained in the October 28, 1993 Federal Register and any subsequent changes herein mandated by federal legislation.

The Bloomington-Monroe County MPO has established a set of goals for the public participation process to guide MPO staff in developing opportunities for the involvement of public officials and citizens. These goals also assist in ensuring the public participation process meets the needs of the communities involved in the transportation planning activities for the region.

The Public Participation Plan should be periodically updated and revised in order to improve continuous, comprehensive, and cooperative transportation planning (Federal 3C Process) for the BMCMPO. Plan updates are typically in response to local needs and interests or due to new state and federal requirements.

Public Participation Plan Goals

The BMCMPO Public Participation Plan was prepared in compliance with the Federal Fixing America's Surface Transportation (FAST) Act; Title VI, 6001 (a).134 (i)(5),(A):

“Each metropolitan planning organization shall provide citizens, 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, pedestrian walkways and bicycle transportation facilities, representatives of the disabled and other interested parties with a reasonable opportunity to comment on the long-range transportation plan [for the Transportation Improvement Program (TIP)]”

The Plan has been developed using the following FAST Act and BMCMPO general goals:

- Provide adequate public notice and time for public review and comment at key decision points;
- Demonstrate explicit consideration and response to public input received;
- Seek out the needs and input of the public who typically are underserved by existing transportation systems;
- Provide periodic reviews of the public involvement process and participation plan in terms of their effectiveness;
- Coordinate to the maximum extent practical with statewide public involvement processes;
- Educate and raise awareness within the Metropolitan Planning Area (MPA) boundary about current and future transportation needs;

- Encourage broad public participation from all sectors of the community and provide the community with adequate opportunities to participate in the decision making process; and
- Foster a sense of ownership toward the transportation planning process and the resulting projects within the community.

Public Participation Mission Statement

The BMCMPO is committed to providing Monroe County, the Town of Ellettsville, and the City of Bloomington with quality transportation planning programs and services, as well as working to provide access to an efficient and safe transportation system for all citizens. Toward this goal, the BMCMPO shall be committed to:

- Promoting the environmental justice principles in all of its programs and policies as prescribed by the governing Environmental Justice Policy Statement (This involves the development of equitable programs and policies that avoid disproportionately negative effects on minority and/or low-income populations, as well as expediting the distribution of benefits from these projects.);
- Working continuously to ensure the full and fair participation of all affected communities in the transportation planning process; and
- Providing an equitable distribution of transportation infrastructure affecting public and environmental health, and to the development of a just public transit system.

Public Participation Plan Policy

It is the policy of the Bloomington-Monroe County MPO to provide access to the transportation planning process so as to engage the public to encourage comments on transportation planning activities. By doing so, the Bloomington-Monroe County MPO Policy Committee will have available to them public ideas, concerns, and suggestions on all transportation planning issues.

Two areas of primary interest for transportation planning issues and public involvement are the Long Range Transportation Plan (LRTP) and the Transportation Improvement Program (TIP). The MPO is responsible for adopting and maintaining these core MPO products. The LRTP is the twenty-five-year long range, multi-modal transportation plan for the Bloomington Urbanized Area as required by Federal Statutes (23 USC 135, Section 450.300) for the programming of Federal funds for transportation project planning and implementation of ground transportation modes (roadway, transit, pedestrian, bicycle, and other foot/hand-propelled modes of transportation). The LRTP shall be updated as needed every five years in order to maintain the twenty year horizon, but may be amended more frequently if needed. The TIP is the five-year short range capital improvement plan to implement the LRTP. Project details such as timing, costs, design, phases, and funding sources are all detailed within the TIP, and, thus, provide a strategic planning document to program funding for actual transportation projects.

Additional areas of interest for transportation planning issues and public involvement exist for all programs and products of the MPO. These areas may include, but are not limited to, transportation studies, transportation grant applications (e.g. Transportation Enhancement, Safe Routes to School), design feasibility studies, MPO policies and procedures (e.g. operational bylaws), and other related programs, processes, and activities as detailed within the applicable fiscal year Unified Planning Work Program (UPWP).

Adoption Resolutions and Major Amendments Policy

The BMCMPO shall follow to the fullest extent possible the Public Participation Plan for adoption resolutions and major amendments to the LRTP and the TIP. MPO staff shall bring all such resolutions and amendments to the Citizens Advisory Committee and Technical Advisory Committee prior to adoption by the Policy Committee. The public shall have a minimum of 30 days for written comment on such resolutions and amendments before they may be adopted by the Policy Committee.

This section applies to the following resolutions and amendments:

- Adoption of a new Transportation Improvement Program;
- Adoption of a new Long Range Transportation Plan;

- Adoption of a new, or amendment to an existing, Public Participation Plan, except that the required written public comment period shall be 45 days for such action;
- Inclusion into an adopted TIP of new capital improvement projects that meet the criteria for capacity expansion and/or the criteria for acquisition of right-of-way;
- Removal from an adopted TIP of an existing capital improvement project;
- Amendments to an adopted TIP that change the total cost of an existing capital improvement project by 100% or more; and
- Amendments to the (LRTP) that modify transportation projects identified in the Plan.

Related MPO Programs and Minor Amendments Policy

The BMCMPO shall follow to the fullest extent possible the Public Participation Plan for related MPO program adoption resolutions and minor amendments to the Long Range Transportation Plan and the TIP. MPO staff may bring such resolutions and amendments to the Citizen's Advisory Committee and Technical Advisory Committee before proposed adoption by the Policy Committee, but may only present them to the Policy Committee due to time constraints. The minimum 30-day written public comment period may also be waived for such resolutions and amendments.

This section applies to the following resolutions and amendments:

- Adoption of a new Unified Planning Work Program (UPWP);
- Inclusion into an adopted TIP of new capital improvement projects that do not meet either the criteria for capacity expansion and/or the criteria for acquisition of right-of-way;
- Amendments to an adopted TIP that change the total cost of an existing capital improvement project by greater than 20% but less than 100%;
- Amendments to the Long Range Transportation Plan that modify transportation policy, document text, or other material in order to be compliant with federal, state, and/or local regulations and policy; and
- Any other MPO product or program requiring Policy Committee approval.

Administrative Approval Policy

Certain resolutions and amendments shall only require administrative approval by the MPO Director and the MPO Policy Committee Chairperson once a Final Notice Period of three business days has transpired without any objection from any Policy Committee member (see Other Approvals for Final Notice Period). Such resolutions and amendments shall be exempt from review by the Citizens Advisory Committee and Technical Advisory Committee prior to their administrative approval. Additionally, such resolutions and amendments may receive a waiver from the 30-day written public comment period. All MPO Committees shall receive a report of all such resolutions and amendments approved under these administrative procedures at their next regularly scheduled meetings.

This section applies to the following resolutions and amendments:

- Modifications to the text or graphics in an adopted TIP that do not affect project costs, scopes, or schedules;
- Amendments to an adopted TIP that change the proposed year for a phase of an existing capital improvement project;
- Amendments to an adopted TIP that change the total cost of an existing capital improvement project by 20% or less;
- Inclusion into an adopted TIP of new capital improvement projects that are labeled as “illustrative” because they have not received formal approval for their expected funding source and have time-sensitive or emergency-related circumstances associated with the amendment; and
- Changing “illustrative” projects to funded projects if funds have been received and the Policy Committee has previously reviewed and acted on the project. Examples include projects funded through Transportation Alternatives Program (TAP), Highway Safety Improvement Program (HSIP), Safe Routes to School (SRTS) Program, and transit capital improvement projects into new capital improvement projects provided that the formal funding awards have subsequently been received. All new “illustrative” projects that seek formal funding must be amended into the TIP using the procedures provided under the Major Amendments Policy.

Other Approvals

Three other approval types are provided for the MPO:

- Change Orders: The MPO staff may approve Change Orders to projects in an adopted TIP subject to the procedures of the BMCMPO Change Order Policy;
- Special Votes: The Policy Committee may conduct special votes using mail, fax, or e-mail in the event of a time-sensitive business item, subject to the procedures of the BMCMPO Operational Bylaws; and
- Final Notice Period: MPO staff shall issue a “Final Notice Period” by email to all Policy Committee members for eligible administrative approval requests. The message shall contain “Final Notice Period” in the subject line, details on the nature of the request, the response requested (objection only), the deadline to respond, and detail the minor amendment process to be taken if any objection is received by BMCMPO staff. The Policy Committee will have three business days for response from the time the Final Notice Period issuance. The MPO staff and the MPO Chairperson may approve a request once the Final Notice Period has expired and no objections have been received. If any member of the Policy Committee objects, then the amendment will be put forth for consideration at the next Policy Committee meeting and the Minor Amendments Policy process will be followed.

Such approvals shall not be subject to public comment period requirements, but the MPO staff shall report the approvals to all MPO Committees at their next regularly scheduled meeting.

Public Participation Plan

Bloomington-Monroe County Metropolitan Planning Organization

General Provisions

When required under these procedures, the written public comment period for resolutions and amendments shall begin on the first date of the legal public notice published in the local newspaper(s), provided no substantive changes have occurred to the advertised resolutions and amendments by the time the Policy Committee takes formal action. If substantive changes occur, then the MPO staff shall provide an additional 30-day written public comment period. The MPO staff may use additional public notification methods to supplement the required legal notice.

At minimum, the public shall always have the opportunity for comment on any MPO topic, agenda item, or other relevant transportation issue. This may occur during any MPO Committee meeting as governed by the Operational Bylaws of the BMCMPO. The public, MPO staff, MPO Committees, and related BMCMPO partner agencies shall mutually respect all comments conveyed and shall always conduct themselves in a professional manner. The MPO staff will make all information related to any MPO activity accessible to anyone and available upon request.

Environmental Justice Policy

Under the 1993 Federal Transit Act, metropolitan planning processes must be in compliance with Title VI of the 1964 Civil Rights Act. The 1994 Presidential Executive Order (12898) directed every Federal agency to make environmental justice a part of its mission by identifying and addressing the effects of all policies, programs, and projects on low income/minority populations. This Order provided further clarification of Title VI. The USDOT (United States Department of Transportation) Final Order on environmental justice specifically requires that "procedures shall be established, or expanded as necessary, to provide meaningful opportunities for public involvement by members of minorities and low-income populations during the planning and development of programs, policies, and activities."

The fundamental principles of environmental justice are:

- To avoid, minimize, or remedy disproportionately high and adverse human health and environmental (including social and economic) effects of policies, programs, and projects on all living and non-living things, regardless of perceived or real economic, social, or ecological status;
- To ensure the full and fair participation of all affected communities in the transportation decision making process; and
- To prevent the denial of, reduction in, or significant delays in, the receipt of project benefits by all populations regardless of perceived or real economic, social, or ecological status.

Specific to transportation planning, applying these environmental justice principles involves:

- Maintaining equity in programs and policies by balancing the benefits and negative results of transportation projects in all communities;
- Closely examining the scope of proposed transportation programs and projects; and
- Keeping programs flexible, and seeking the input of affected communities in developing project options.

By applying the following guidelines, the BMCMPO further complies with Title VI, EO 12898 and the DOT Order to Address Environmental Justice in Minority and Low Income Populations. These criteria are intended to provide guidance for the BMCMPO transportation planning activities, and to promote a common understanding of the concept of environmental justice.

Six Environmental Justice Principles for Transportation Planning

1. *Making Environmental Justice a Priority* - The BMCMPO is committed to following the spirit, as well as the letter of the Order (DOT Order to Address Environmental Justice in Minority Populations and Low Income Populations), throughout all of its projects and activities. The MPO will require that all BMCMPO transportation planning partners (i.e. INDOT, Bloomington Transit, and Indiana University Campus Bus) do so as well.
2. *Increasing Meaningful Public Participation* - The BMCMPO will continuously work to develop public participation that will:
 - Be thorough and fully inclusive, involving all relevant stakeholders and communities. The MPO involves the broadest cross-section of the community in the transportation planning process, based on geographic distribution, sex, race, socioeconomic status, and interests (environmental, neighborhood, etc.);
 - Adapt and tailor programs to specific populations and situations, taking in to account a wide range of differences;
 - Reach out to communities that have not traditionally been involved in transportation planning, particularly low income and minority communities;
 - Provide opportunities to members of affected communities to influence project decisions by proactively soliciting their input;
 - Have opportunities for public input throughout the project development process (from project selection, design and implementation); and
 - Develop and maintain a Public Involvement Process that is transparent and open in its methods.
3. *Maintaining Project Flexibility* - In implementing environmental justice practices, the BMCMPO will tailor its methods to reflect the unique issues and populations affected by each policy, program, or project. The MPO will work with members of affected communities and all stakeholders to encourage input and develop project options that meet transportation goals as well as community needs.

4. *Promoting Project Equity* - In developing programs and policies, the Bloomington/Monroe County MPO will work continuously to balance the benefits and negative results of transportation projects in all communities. Programs will not result in disproportionate negative impacts solely on low-income or minority communities.
5. *Utilizing Rigorous Demographic Analysis* - In order to address potential environmental justice issues, low income and/or minority populations will receive identification through demographic (U.S. Bureau of the Census) data and then mapped. To identify and map potential low-income and/or minority populations, the BMCMPO will:
 - Present quantitative data wherever possible;
 - Use community profile information (as defined in the National Environmental Policy Act of 1969-NEPA) whenever possible;
 - Provide thorough documentation of information sources; and
 - Use flexible methods of gathering information, designed to address specific population(s).
6. *Developing Effective Conflict Resolution Methods* - If conflicting interests and issues arise during a project, an appropriate resolution process will follow a process respectful to the desires and wishes of stakeholders and communities, and a process that is flexible in nature designed to address the specific needs of affected communities.

Public Participation Plan

Public Education

Successful and meaningful public participation must ensure a public education effort where the issues and complexities of transportation planning involve simple explanations and open discussions. Public education will take place using the MPO website, public workshops, and various media outlets. By increasing publicity and awareness for the MPO and its activities, more citizens will become educated about transportation issues.

Visualization

The MPO shall employ visualization techniques to depict metropolitan Long Range Transportation Plan, the Transportation Improvement Program, and other significant MPO related projects to improve comprehension of these often complex transportation related projects and further promote successful and meaningful public participation. Techniques may include, but are not limited to, one or more of the following:

- 3D Renderings;
- 2D Overlays;
- Maps;
- GIS; and
- Engineering Designs.

Website

The MPO staff will develop and maintain a home page for the MPO on the World Wide Web. This home page may consist of historical information regarding transportation planning in the city and county, published documents, draft documents for review, reports and links to related internet sites, as well as MPO staff member contact information.

At a minimum, the content of this page will include:

- The BMCMPO Metropolitan Transportation Plan;
- The most recent BMCMPO Transportation Improvement Program;
- The most recent BMCMPO Unified Planning Work Program (UPWP);
- The Policy Committee(PC); Technical Advisory Committee (TAC), and Citizens Advisory Committee (CAC) meeting schedules;
- The agendas for upcoming Policy Committee (PC), Technical Advisory Committee (TAC), and Citizens Advisory Committee (CAC) meetings; and
- Archives of minutes from previous Policy Committee (PC), Technical Advisory Committee (TAC), and Citizens Advisory Committee (CAC) meetings.

Committee Meetings

The MPO committees (Policy Committee (PC), Technical Advisory Committee (TAC), and Citizens Advisory Committee (CAC)) have regularly scheduled meetings that are open to the public. MPO staff will annually develop a schedule of meeting dates for each committee, consisting of monthly meeting times, dates and places. The meeting schedule is available from the website or by request. The meeting schedules and agendas are available on the MPO website (<http://bloomington.in.gov/mpo>) or by request.

The public is actively encouraged to attend MPO committee meetings and to be involved in the transportation planning process. Please refer to the BMCMPO website, the BMCMPO Operational Bylaws, or contact the BMCMPO at (812) 349-3423 for information about these committees.

Public Meetings and Workshops

The MPO will regularly conduct multiple workshops and/or public information meetings timed to coincide with important milestones in the development of the regular update of the Long Range Transportation Plan. The MPO will try to hold these meetings at various locations throughout the urbanized area and endeavor to enable remote participation for members of the public who cannot attend in person. The purpose of these workshops will be to support development and public review of the Long Range Transportation Plan. The MPO will additionally conduct interagency coordination workshops timed to coincide with the preparation for annual development of the Transportation Improvement Program. This coordination will provide the technical support needed in the preparation of the TIP for public comment and review through the committee meeting process.

Media Participation/Public Notification

The MPO staff may provide the major newspapers in the Bloomington urbanized area (the Herald Times and the Indiana Daily Student) with timely notice regarding the adoption of the LRTP and TIP. The MPO staff may issue press releases about other related MPO activities on a case by case basis. All press releases will include information on the meeting date(s) and time(s) for the MPO committees, announcements for public meetings/workshops to discuss the MPO's transportation planning documents and other pertinent information.

The MPO staff may announce committee and public meeting/workshop information in the following media outlets:

- The Bloomington Herald-Times (in the On the Agenda section);
- The Indiana Daily Student;
- Radio Public Service Announcements (as needed) on B97, WFHB, WFIU, or other similar outlets;
- Television Public Service Announcement (as needed) on B-CATS;
- On the MPO website - <http://bloomington.in.gov/mpo>;
- At the Monroe County Library (Bloomington and Ellettsville); and
- At the Showers Center City Hall

Please note that press releases do not guarantee that any of the media agencies listed will actually publish or announce the press release unless the MPO pays for advertising. Typically, the MPO does not have funding available to pay for advertising and relies on these media outlets to make these announcements in a timely manner. Some instances may warrant the need to pay for advertising for public notification.

Individuals with Disabilities

All of the meeting rooms at City Hall are accessible by ADA standards.

Upon request, any MPO documents can be made available in alternative formats to individuals with disabilities. Please contact the City of Bloomington Legal Department at (812) 349-3426 or the City of Bloomington Community and Family Resources Department at (812) 349-3430 for information on sign language interpreters or Braille translations.

Individuals with disabilities who need accommodations to participate in committee meetings or public hearings, should contact the City of Bloomington Facilities Manager at (812) 349-3410.

Getting in Touch - Comments

Public comment can be submitted in several ways:

- By attending meetings and workshops;
- By visiting the City of Bloomington Planning and Transportation Department located at 401 North Morton Street; Suite 130; Showers Center City Hall;
- By phone at (812) 349-3423;
- By fax at (812) 349-3535
- By US Postal Service: Attention: MPO Staff; Showers Center City Hall; 401 N Morton St.; Bloomington, IN 47402; and
- By email at mpo@bloomington.in.gov.

Measuring Public Outreach

In order to evaluate the quality of input and participation generated through the Public Participation technique(s) used, the BMCMPO has developed a set of performance objectives: accessibility, diversity, outreach, and impact.

Accessibility

- The MPO will hold public workshops and/or meetings will be held in all those areas/communities affected by a proposed project.
- All meeting locations must be accessible by mass transit.
- All meetings must be accessible under the requirements of the Americans with Disabilities Act (ADA).

Diversity

- The demographic composition of the Citizens Advisory Committee (age, ethnicity, geographic location, disability, and socio-economic level) should roughly mirror the demographics of the Bloomington urbanized area.
- The participation of low income and minority populations at MPO meetings will be encouraged to the maximum extent possible.

Outreach

- The MPO staff and MPO committee members are encouraged to participate in potential outreach activities (e.g. other committees, workshops, and meetings) to increase public awareness of the MPO.
- The MPO should send out press releases of all of its activities.
- When appropriate, the MPO will participate in radio and/or TV spots to extend public outreach.

Impact

- All written comments received as part of a written public comment period will be reviewed and communicated to transportation decision makers.
- All written comments received as part of a written public comment period will be acknowledged so that citizens are confident that their comments were taken into consideration in the MPO decision making.

Appendix A

Core Transportation Planning Documents

The FAST Act continues the requirements of the development of a Long Range Transportation Plan (LRTP) and a Transportation Improvement Program (TIP) by each MPO, and the FAST Act further requires the incorporation of these documents into a statewide plan and program of projects. The annual Unified Planning Work Program (UPWP) outlines and documents the MPO planning process.

Long Range Transportation Plan (LRTP)

The BMCMPO Long Range Transportation Plan, also known as the Metropolitan Transportation Plan, is a comprehensive multimodal transportation plan for the Metropolitan Planning Area (MPA) of Monroe County. Transportation projects (including but not limited to major roadways, transit, and other multimodal facilities) proposed by the plan provide a guideline of future transportation investments over a long-term planning horizon. The plan undergoes reviews and updates every three to five years to confirm its consistency with current and forecasted transportation and land use trends. The transportation plan reflects environmental and intermodal considerations and provides a financially constrained vision of future transportation investments.

Transportation Improvement Program (TIP)

The TIP is a short-term document covering three to five fiscal years with annual updates or as needed. The TIP includes a list of priority projects to be carried out in each of the identified program years. The TIP serves as a strategic management tool to accomplish the goals of the Metropolitan Transportation Plan (MTP). The TIP projects must therefore have consistency with the MTP. The TIP lists all roadway, transit, and intermodal projects planned to receive federal, state, and local funding. The TIP organizes projects by the local public agency implementing the project and by the year the project is proposed to take place. The TIP must additionally achieve annual fiscal constraint and include only those projects with identified funding sources. The MPO develops the TIP financial plan in cooperation with local and state transportation agencies as well as transit operators. The TIP becomes part of the Statewide Transportation Improvement Program (STIP) after adoption by the Policy Committee. Adoption of the TIP by the Policy Committee is a reaffirmation of the MTP. If at the time of adoption the TIP does not agree with the MTP, amendment of the MTP will become necessary for the adoption of the proposed TIP to achieve concurrence.

Unified Planning Work Program (UPWP)

The UPWP guides the MPO and summarizes transportation planning activities for the various agencies and interests in the Bloomington urbanized area. It shows the agency responsible for specific planning studies, a work completion schedule, allocated resources, and the final products. The UPWP also serves as a program budget and includes anticipated financial resources and expenditure

information for individual fiscal years. The UPWP is updated annually, and is sent to state and federal agencies for review and approval.

Public Participation Plan

Bloomington-Monroe County Metropolitan Planning Organization

Appendix B

Adoption Resolution FY 2022-01

ADOPTION RESOLUTION FY 2022-01

A RESOLUTION ESTABLISHING THE POLICY BY WHICH MEMBERS OF THE POLICY COMMITTEE, TECHNICAL ADVISORY COMMITTEE, AND CITIZENS' ADVISORY COMMITTEE OF THE BMCMPO, ASSOCIATED STAFF, AND MEMBERS OF THE PUBLIC MAY PARTICIPATE IN MEETINGS BY ELECTRONIC MEANS OF COMMUNICATION as presented to the Policy Committee of the Bloomington/Monroe County Metropolitan Planning Organization on July 9, 2021.

WHEREAS, the Indiana General Assembly adopted HEA 1437 in the 2021 Regular Session, which amended Indiana Code (IC) 5-14-1.5-1 et seq. (Act) by amending IC 5-14-1.5-3.5 to prescribe new requirements by which members of the governing body of a public agency of a political subdivision may participate in a meeting by an electronic means of communication; and

WHEREAS, a member of the governing body may participate by any means of communication that: allows all participating members of the governing body to simultaneously communicate with each other; and except for a meeting that is an executive session, allows the public to simultaneously attend and observe the meeting; and

WHEREAS, the Act requires the governing body to adopt a written policy establishing the procedures that apply to a member's participation in a meeting by an electronic means of communication and allows the governing body to adopt procedures that are more restrictive than the procedures established by IC 5-14-1.5-3.5; and

WHEREAS, the Committees of the Bloomington-Monroe County Metropolitan Planning Organization are governing bodies of the BMCMPO and wish to adopt such a policy;

NOW, THEREFORE, BE IT RESOLVED:

1. **Section I.** The Bloomington-Monroe County Metropolitan Planning Organization's Rules and Procedures are modified in accordance with Indiana Code sections 5-14-1.5-1 and 5-14-1.5-3.5, et seq., BMCMPO Committee meetings may be conducted electronically.
2. **Section II.** The BMCMPO Policy Committee hereby adopts the following **Electronic Meeting Policy** on the participation of a member of the Committees, associated staff, and members of the public in a meeting of the Policy Committee, Technical Advisory Committee, and Citizens' Advisory Committee by an electronic means of communication:

The provisions of the Act, including definitions, apply to this resolution. This resolution shall be known as the "Electronic Meetings Policy" and applies to the BMCMPO and any of its committees, including the Policy

Committee, the Technical Advisory Committee, and the Citizens' Advisory Committee.

Subject to Sections III and V, any member may participate in a meeting by any electronic means of communication that simultaneously communicate with each other and other than a meeting that is an executive session, allows and the public to simultaneously attend and observe the meeting.

A member who participates by an electronic means of communication shall be considered present for purposes of establishing a quorum and may participate in final action only if the member can be seen and heard. All votes taken during a meeting at which at least one (1) member participates by an electronic means of communication must be taken by roll call vote.

3. **Section III.** At least fifty percent (50%) of the members must be physically present at a meeting at which a member will participate by means of electronic communication.

Not more than fifty percent (50%) of the members may participate by an electronic means of communication at that same meeting.

A member may not attend more than a fifty percent (50%) of the meetings in a calendar year by an electronic means of communication unless the member's electronic participation is due to military service, illness or other medical condition, death of a relative, or an emergency involving actual or threatened injury to persons or property.

A member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A member must attend in person at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the member's absence is due to military service, illness or other medical condition, death of a relative; or an emergency involving actual or threatened injury to persons or property.

A member who plans to attend a meeting by any electronic means of communication shall notify the presiding officer and relevant staff within three (3) days before the meeting so that arrangements may be made for the member's participation by electronic communication and so that notices may be prepared.

4. **Section IV.** The memoranda and any minutes prepared for a meeting at which any member participates by electronic means of communication must (1) identify each member who was physically present at the meeting, (2) participated in the meeting by electronic means of communication, (3) was absent; (4) identify the electronic means of communication by which members participated in the meeting; (5) members participated in the

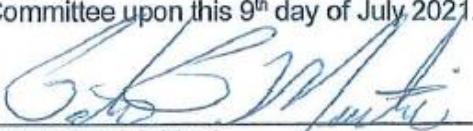
meeting; and (6) members of the public attended and observed the meeting, if the meeting was not an executive session.

5. **Section V.** In the event the Governor declares a disaster emergency under IC 10-14-3-12 or the executive (as defined in IC 36-1-2-5) of a political subdivision declares a local disaster emergency under IC 10-14-3-29, the BMCMPO Committees may meet by any means of electronic communication if the following requirements of IC 5-14-1.5-3.7 are satisfied:
 - At least a quorum of the members of the Committee participate in the meeting by means of electronic communication or in person.
 - The public is able to simultaneously attend and observe the meeting; however, this subdivision does not apply to a meeting held in executive session.
 - The memoranda and any minutes prepared for a meeting held under this section must state the name of each member of the Committee who participated in the meeting by using electronic means of communications, was absent, and identify the electronic means of communication by which members of the Committee participated in the meeting members of the public attended and observed the meeting if the meeting was not an executive session, and all votes taken during a meeting under this section must be taken by a roll call vote.
6. **Section VI.** At any meeting of the Committees where any member participates by an electronic means of communication, members of the public shall be able to attend and observe the meeting via electronic means. Subject to the Committees' rules for making public comment, members of the public may also participate in the meeting via electronic means.
7. **Section VII.** At any meeting of the Committees where any member participates by an electronic means of communication, staff members may also participate in the meeting via electronic means, provided there is no actual need for a staff member to be physically present at a particular meeting. Such need shall be determined in the sole discretion of the presiding officer.

8. **Section VIII.** If any section, sentence, or provision of this resolution, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.
9. **Section IX.** This resolution shall be in full force and effect from and after its passage by the BMCMPO Policy Committee.

PASSED AND ADOPTED by the BMCMPO Policy Committee upon this 9th day of July 2021.


Lisa J. Ridge
BMCMPO Policy Committee Chair


Attest: Patrick Martin
BMCMPO Senior Transportation Planner