



NC Capital Area Metropolitan Planning Organization

Staff Report

One City Plaza
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Agenda Date: 7/15/2020

Agenda Item: 6.1

To: Executive B

Public Participation Plan Update - Electronic Meetings

Bonnie Parker, MPO Staff

As the COVID-19 response and declared emergencies have created an unprecedented situation for online public meetings, public comment, and public hearings. Out of an abundance of caution, and based on new guidance from the federal government, MPO staff are recommending adding language to the MPO's Public Participation Plan (PPP) that specifically mentions the permissibility of electronic meetings.

In April, the Federal Highway Administration (FHWA) released guidance affirming that MPOs could hold public meetings and accept public comments during meetings that are solely held online, or electronically, and that such information should be reflected in the MPO's Public Participation Plan (PPP). Well before any knowledge of COVID-19, in the fall of 2019, the Executive Board adopted an updated PPP that incorporated language related to online participation, however, that language did not address meetings that are solely held electronically - with no in-person option available.

The North Carolina Open Meetings Law, which the MPO also abides by as stated in the PPP, includes language enabling electronic meetings and voting. In May, in response to the current situation, the Open Meetings Law was amended with regard to public meetings and participation during a declared state of emergency. It permits meetings held solely electronically, as well as outlines public comment and public hearing requirements, among other things.

The current proposed update to the MPO's PPP lists the reasonable steps the MPO should take to ensure meetings held solely electronically are as publicly accessible as feasible. It addresses notification requirements as well as providing the public with the means to both view and listen to public meetings in real-time.

A Public Comment period was open from May 1 - June 18, 2020, as any update to the PPP requires a 45-day public comment period. A Public Hearing was held at the Executive Board Meeting on June 17, 2020, and this item is anticipated to be considered for adoption at the July 15, 2020 meeting.

Requested Action: Adopt the Public Participation Plan Update.