

## MINUTES

Subcommittee of the Metropolitan Policy Committee  
on ACT Public Involvement Guidelines  
Lane Transit District Board Room, 3500 East 17<sup>th</sup> Avenue, Eugene

March 6, 2003  
11:30 a.m.

PRESENT: Bobby Green, Chair; Anne Ballew, Bonny Bettman, Terry Connolly, Pat Hocken, Christine Lundberg, Tom Poage, Lauri Segel, members; Paul Thompson, Nick Arnis, Lisa Gardner, Ollie Snowden, Tom Stinchfield, staff; Rob Zako, 1,000 Friends of Oregon; Rob Handy, member of the public.

### 1. CALL TO ORDER

Mr. Green called the meeting to order at 11:40 a.m.

### 2. INTRODUCTIONS

Mr. Green identified the members of the subcommittee who were present.

### 3. REVIEW MEETING NOTES FROM FEBRUARY 6, 2003 MEETING

Ms. Segel clarified that what she meant during the review and discussion of the Metropolitan Planning Organization (MPO)/Lane County Public Involvement Process was the lack of transparency of the criteria and how the projects related to and were evaluated against the criteria.

Mr. Green deemed the notes were accepted as modified by Ms. Segel's remarks.

### 4. REVIEW CURRENT MPO/LANE COUNTY STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) PUBLIC INVOLVEMENT PROCESS

Mr. Thompson distributed a diagram, *Lane County/Central Lane MPO STIP Public Involvement Process Outline*, and identified on large-scale maps the areas not served by an Area Commission on Transportation (ACT). In response to a request from Mr. Green, Mr. Thompson agreed to provide subcommittee members with smaller hard-copy versions of the maps for their records.

Mr. Thompson reviewed the flow chart of activities contained in the *Process Outline*. He explained that the flow chart did not represent a particular point in time, and that many of the processes overlapped at different times and in different sequences. As examples, he cited the Federal requirement that the Transportation Improvement Plan (TIP) is updated at least every two years (plus interim amendments), while the Regional Transportation Plan (RTP-TransPlan) is updated every three years, and the STIP is updated every two years.

Mr. Thompson reviewed the process, beginning with the Oregon Transportation Commission (OTC) and continuing through local level, and identified those points where there were opportunities for public comment and testimony. He named a number of documents which formed the basis for STIP priorities:

- RTP - TransPlan
- Central Lane MPO TIP
- Lane Transit District Capital Improvement Program (CIP)
- Eugene-Springfield Transportation System Plan (TSP - TransPlan)
- Eugene, Springfield and Coburg CIPs

Mr. Thompson said the flow chart illustrated when each of the documents was subjected to public input and the bodies that were responsible for recommending those documents to the Metropolitan Planning Committee (MPC). He drew the group's attention to the TIP, which shows a direct connection to the Oregon Transportation Commission (OTC) and said there are two avenues for input to the final STIP: the first is the process concerning statewide STIP priorities for state-controlled funding, which goes through the full local review and recommendation progression illustrated by the bulk of the flow chart. The second avenue – the “direct connection” to the OTC – illustrates the process for TIP projects that selected and funding solely at the local level utilizing locally-controlled funding sources. These latter projects are submitted separately and are incorporated by the State into the STIP. In response to a question from Ms. Hocken, Mr. Thompson said the TIP document is broader and also contains a comprehensive list of all federal dollars that are been programmed for projects in the area. He clarified that federally-funded projects had to be programmed in the TIP and reflected in the STIP before funds could be obligated.

Mr. Thompson went on to say that the statewide STIP process involves state control of STIP funds when it sets the funding allocations for program areas, determines criteria, and requires local officials to move priority projects up through the STIP process. He reiterated that those projects are separate from local

Ms. Bettman noted that once TIP project priorities are established at the local level, the next opportunity for public input is at the OTC level.

Mr. Poage commented that the TIP programs two types of projects:

- Local projects related to federal funds available to the metro area to allocate - decisions are made at the TIP level and referred directly to OTC
- Oregon Department of Transportation (ODOT) projects that program state and federal projects - priorities for the local area are established through the MPC process, while the final decision to program the funds for projects is made at the statewide level by OTC

Mr. Poage further commented that the TIP and STIP are required to be consistent with each other. Mr. Thompson added that regionally significant projects would also be included in the TIP.

Ms. Bettman asked if the public involvement in planning documents such as the RTP and TIP qualified under OTC and ACT guidelines. Mr. Thompson replied that the ACT public involvement guidelines required stakeholder and public involvement at all levels, particularly through the MPC/MPO process shown in the center of the flow chart. He did not think the OTC would consider the local RTP and TIP public involvement processes as fully meeting the ACT requirements for setting local STIP priorities for the statewide process.

Ms. Segel said she did not feel the current STIP process at the local level met the intent of public involvement under ACT and found the process cumbersome. She said the three minutes allowed for public comment at hearings did not represent true public involvement.

Ms. Lundberg remarked that there was a difference between public input and public involvement that was based on the opportunity for decision-making capability at some level in the process. She said that was not present in the Lane County model.

In response to a question from Ms. Hocken, Mr. Thompson explained that the Transportation Planning Committee (TPC) was a staff committee formed by the MPC and given the overall responsibility for making recommendations to the MPC on transportation planning issues. The Technical Advisory Subcommittee (TASC) is the technical subcommittee of the TPC. He said the staff on the TASC was a subset of the TPC.

Ms. Segel asked if the TPC membership was broadened to include Coburg. Mr. Thompson said that Coburg had been added.

Ms. Bettman observed that the TPC and TASC were the heart of the process and had no public involvement. She asked if the membership of one or both of those committees could be broadened to include stakeholders and a more open public process that would satisfy the ACT guidelines for public involvement. She added this could expand representation and allow for public involvement earlier in the process.

Mr. Green asked that specific recommendations on modifications to the local model be reserved until the subcommittee had an opportunity to review other models. He expressed concern about including members of the public at the technical staff level.

## **5. REVIEW OTHER PUBLIC INVOLVEMENT MODELS**

Mr. Thompson listed the public involvement models he had provided to the subcommittee. The models were from the North East Commission on Transportation (NEACT), the Salem-Keizer Area Transportation Study (SKATS), the Portland Metro Joint Policy Advisory Committee on Transportation (JPACT), and the Spokane Regional Transportation Council (SRTC). He noted that only the NEACT model was accepted by OTC as an ACT, but the JPACT model generally met the intent of the public involvement guidelines for an ACT. He said the SKATS model had not formally been adopted by the Salem area ACT, but was used as the public involvement process for that ACT. He said the Spokane model was included to provide a broad spectrum of models.

Mr. Green commented that while a region was not required to have an ACT, it was required to follow OTC's guidelines for determining project criteria.

Mr. Thompson briefly reviewed each of the models and asked for comments and questions from the subcommittee.

**NEACT**

Mr. Green asked how the public involvement process differed from Lane County's. Mr. Thompson replied that the NEACT process held public hearings on the STIP priority list, whereas Lane County held hearings on a "melded" list that included metropolitan priorities that had been set at the MPC level without a public hearing and that the order of those metro priorities are not changed in the melded list at the County level regardless of input at the public hearing.

Ms. Segel noted the membership of the ACT helped establish specific procedures used during the evaluation and prioritization process.

Ms. Bettman remarked that there were two types of public involvement: broad representation on the decision-making body and extensive public outreach.

Ms. Ballew noted that the smaller population of the NEACT area was a factor in determining the amount of public involvement without inhibiting the process.

Mr. Stinchfield observed that the ex officio membership of NEACT was something the Lane County model did not have.

Ms. Bettman commented that the NEACT model, as well as the JPACT and SKATS models, articulated in several places that the public involvement process should demonstrate explicit consideration and response to public input during the planning and program development process.

**JPACT**

Mr. Thompson highlighted features of the JPACT model that differed from the local model, including:

- Larger representation on a policy committee that includes ODOT, public transit, Port of Portland, Department of Environment Quality (DEQ), and Washington DOT
- The TPC equivalent includes technical staff from the same agencies represented on the JPACT, plus six citizen representatives
- Publishes a schedule and timeline each year notifying the public of opportunities for input

- Conducts “listening posts” throughout the region to gather public input in the forum of a workshop or open house
- Public involvement “checklist” to document public involvement in the development of local documents (TIP, CIP, etc.)

Mr. Green said the model was good, but expressed concern that the checklist only documented the steps taken in the process and not the quality of the activities. Mr. Thompson said the checklist identified options that could be included in the local public involvement model, thus providing guidance on the level of outreach and public involvement needed.

In response to a question from Ms. Hocken, Mr. Thompson explained that the 150 percent list was the mechanism used at the JPACT TIP level to establish a ceiling for project applications from any one local jurisdiction at 150 percent of the “target funding” level available for programming within that jurisdiction.

Ms. Bettman commented that the checklist required a jurisdiction to document the steps taken to ensure public involvement, but did not contain any benchmarks for measuring the success of the process. She said that when the public understood the impact of decisions being made on their lives they became involved.

Ms. Hocken noted the checklist did require some documentation of the notification process, the comments received, and attendance. She agreed that an effective outreach effort should convince people of the relevance of decisions to their daily lives.

Ms. Segel said she liked the model, particularly the forum for recommendations which was missing from the local model. She felt the key phrase in the JPACT model was the commitment to promote and to sustain a responsive citizen involvement environment. She said that accountability was more than documenting a process, it included responsiveness to input.

Mr. Green said the checklist provided some useful tools that could be adapted to Lane County needs. He agreed that making the outreach information clear and relevant to people was a critical element of an effective public involvement process.

### **SKATS**

Mr. Thompson highlighted the major parts of the model, noting it was called a framework rather than a model:

- A review process for the TIP and related documents that includes a Policy Committee and Technical Advisory Committee, and requires an extensive public notice effort and a written summary of comments and responses
- Detailed specifications for the public involvement process
- Goals, objectives, and policies for the public involvement program framework
- Procedural guidelines

Mr. Green said the goals, objectives, and policies clearly articulated the requirements for public involvement.

Ms. Bettman concurred that the objectives were clear and explicit. She also commented that the flow chart for the public involvement process was much more streamlined and she would like to see a similar approach with the local model.

Ms. Hocken said the JPACT model represented a good approach in the two areas of the local model that needed improvement: expanded policy advisory committee membership to include citizen representation and possibly representation from other jurisdictions, and expanded public outreach efforts, especially before the TPC or MPO deliberations.

Mr. Green asked if any of the models reviewed received funding from ODOT for public involvement activities. Mr. Thompson said that ODOT funding was available for support of policy body functions and the public involvement process and did not require an ACT, but did require the process to comply with ACT guidelines.

Ms. Ballew cited the CIP process as a good example of early public involvement, but was uncertain what benefit would be derived from citizen representation on the technical subcommittee (TASC).

The subcommittee discussed whether funding cuts might eliminate ODOT financial support for planning and public involvement activities. Mr. Thompson said he would invite an ODOT representative to attend the next meeting.

Ms. Segel said the local model should provide an opportunity for the public to come to the table when projects are identified and criteria are addressed at the staff level, not in a decision-making role but to provide earlier and more meaningful input during the process.

Mr. Thompson said he would not review the Spokane model and provided it as additional reference material.

## **6. DISCUSSION OF POSSIBLE MODIFICATIONS TO PUBLIC INVOLVEMENT MODEL FOR LOCAL AREA**

Mr. Thompson drew the subcommittee's attention to the three bulleted items on the agenda that identified the areas of modification to the local model upon which staff recommended the subcommittee focus its efforts. He asked for direction from members in these areas:

- Add public review and hearing components to the MPC development of metropolitan STIP priorities
- Review and update formal public involvement guidelines for the MPO to ensure that interested parties have the opportunity to be involved in the early stages of the process
- Develop and adopt a STIP project evaluation framework, including process and criteria

## **7. CONFIRM NEXT STEPS AND STAFF DIRECTION**

Mr. Green asked those in attendance to provide comments and feedback to Mr. Thompson.

Ms. Hocken:

- Agreed with the three areas Mr. Thompson had identified
- Add public members to the TPC
- Provide framework and project evaluation criteria to the MPC
- Identify a way to coordinate urban/rural decision-making

Ms. Bettman:

- Expand representation and streamline process
- Retain but reorganize elements in current model and inform the public earlier in the process
- Current model provides no collateral avenues for input

- Agreed with the need to develop and adopt STIP project evaluation framework, suggested adding funding
- Use topics from draft ACT guidelines (mission, roles and responsibilities, authority, structure and membership, operations, basis for decision making, and coordination) as framework for a final product
- Streamline process which is currently an obstacle to public involvement

Ms. Segel:

- Add broad membership representation
- Clarify intent to bring more people to the table at early stages of the process
- A draft model that includes how elements in the process flow

Mr. Poage:

- Need more public involvement
- Provide information on criteria so people can develop appropriate comments and arguments

Mr. Connolly:

- Add more meaningful and earlier public involvement
- Identify where in the process additional public input would occur
- Identify when and how information on project criteria would be provided to the public
- Identify how the TPC membership would be broadened and what its role would be

Ms. Ballew:

- Separate the flow chart into separate processes so it can be more easily understood
- Add opportunities for the public to talk to elected officials
- Provide information on technical criteria
- Support decisions to prioritize once made
- Keep public input in perspective - one voice vs. general public

Ms. Lundberg:

- Provide information to the public on criteria
- Broaden membership of the TPC and TASC to include public

- Rural pieces not included - ACT should address regional transportation more broadly - include rural advisory body
- Establish and publicize consistent schedule and timeline to avoid last minute decisions and help public anticipate opportunities for input

Mr. Green:

- Develop a consistent schedule
- Membership - identify who is not at the table but should be
- Determine what constitutes a good public involvement process
- Consider a new approach to public hearings, possibly to include elected officials talking to the public in an informal setting
- Reverse the flow chart to start at the grass roots level, rather than taking a top down approach

Mr. Arnis:

- Provide the subcommittee with information on the function and role of the TPC and how it was created
- Determine ODOT's position on an urban/rural framework vs. an MPO subcommittee or citizen committee

Mr. Zako:

- Streamline process with fewer entities involved
- Provide information on how the SKATS model addressed the rural/urban issue

Mr. Thompson stated that the charge to the subcommittee was to review the STIP process only. He said the flow chart he provided was broadened to include other processes at the subcommittee's request, but he will return his focus to the central MPC/STIP and provide greater detail on those STIP-related elements.

Mr. Snowden:

- Embrace the full mission that OTC is looking for from the ACT, including comment on policy matters
- What public participation process would fit the broader purpose for noncapital project reclamation, etc.

- Determine how to deal with externally imposed compressed timeline, such as an executive committee

- **CONFIRM NEXT MEETINGS - DATES, TIME, LOCATION**

The date of the next meeting was not determined.

Mr. Thompson noted that the subcommittee's recommendations on possible modifications to the public involvement process could be provided to the MPC at its May or June meeting.

- **ADJOURN**

The meeting adjourned at 1:40

(Recorded by Lynn Taylor)

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