

July 3, 2003

To: Metropolitan Policy Committee

From: Paul Thompson

Subject: Item 4b: Final Report & Recommendations from MPC Public Involvement Subcommittee

Background

At the December 12, 2002 Metropolitan Policy Committee (MPC) meeting, MPC members agreed by consensus to form a subcommittee to work on a model for citizen involvement that would help to meet the Oregon Transportation Commission (OTC) Area Commission on Transportation (ACT) guidelines for public involvement.

At its January 9, 2003 meeting, MPC further discussed the role and purpose of the Subcommittee. MPC agreed that the purpose of the Subcommittee was not to create an ACT, but rather to document the public involvement process required by the ACT guidelines and then identify the gaps in the current MPO public involvement process. At that point, the Subcommittee would look at the gaps and identify what actions to recommend to improve the local public involvement process.

This memo summarizes the work of the Subcommittee and presents the Subcommittee's recommendations for improvements to the MPO's public involvement process.

Subcommittee Process

The MPC Public Involvement Subcommittee held four meetings on February 6, March 6, May 15 and June 12, 2003. MPC has already received status reports and full meeting packets from the Subcommittee's first three meetings. In brief:

- During the first meeting the Subcommittee discussed their objectives and schedule and spent the bulk of the meeting reviewing the current MPO public involvement process, focusing on the STIP public involvement process at the local level. The Subcommittee also reviewed the ACT guidelines for public involvement and started to identify the gaps in the local process.
- At the second meeting the Subcommittee broadened their review of the current local public involvement process, looking at the full range of public hearings and jurisdictions involved in the entire process to move transportation projects through to the local TIP and statewide STIP project lists. The Subcommittee then spent the majority of the meeting reviewing public involvement model frameworks from four

other jurisdictions. The models were from the North East (Oregon) 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). At the conclusion of this meeting, Subcommittee members each individually identified the modifications that should be considered for improving the local public involvement process.

- The Subcommittee’s third meeting focused almost exclusively on a discussion of possible modifications to the MPO’s public involvement model.
- The fourth and final meeting of the Subcommittee was largely a continuation of the discussion from the third meeting concerning potential modifications to the local public involvement model.

Summary of ACT Guidelines on Public Involvement

The *Policy on Formation and Operation of Area Commissions on Transportation (ACTs)*, adopted by the OTC on June 18, 2003, contains numerous guidelines for conducting the public involvement process related to consideration of transportation issues. Among the general guidelines which relate to public involvement are the following:

- [ACTs shall] provide a forum to advance the public’s awareness and understanding among transportation stakeholders of transportation issues.
- [ACTs shall] establish a public process that is consistent with state and federal laws, regulations and policies.
- [ACTs shall] provide documentation . . . of the public process . . .
- ACT membership . . . reflective of its population and interest groups and broadly representative of those impacted by ACT recommendations.

Specific public involvement guidelines within the *Policy* refer to Oregon’s Public Meetings Law and then state that “ACTs must involve the public and stakeholders in their decision making processes.” The *Policy* also provides a template of minimum and preferred public involvement requirements for different types of public meetings. This template is summarized in the table shown on the next page.

It is also informative to the MPO deliberation concerning public involvement to understand the Lane County public involvement process for consideration of statewide STIP priorities. Attachment 1 to this memo is a table outlining the Lane County process for consideration of the FY04-07 STIP priorities. Attachment 2 is a narrative description of the same process. Both attachments highlight the public involvement opportunities throughout the Lane County process.

OTC ACT GUIDELINES SPECIFIC TO PUBLIC INVOLVEMENT

The ACT public involvement process shall demonstrate explicit consideration and response to public input during the planning and program development process.

Draft ACT Guideline Requirements	<i>Minimum (Required) Standard</i>	<i>Preferred Standard</i>
Meeting Notification – Timely notice of ACT meetings allows for broader participation by the general public and stakeholder groups.	One week notice for all meetings where decisions will be made. Notification through local media sources and meeting notices to ACT mailing list. ACTs must develop a mailing list of special interest groups in the ACT area.	<i>(in addition to minimum standard)</i> Post notices at local public institutions and email updates to interested parties. Post notices on ACT website, along with links to meeting agendas and minutes.
Meeting Schedule – A regular meeting schedule increases the opportunities for public and stakeholder involvement through its predictability.	If regularly scheduled meetings are not possible, provide extra public notification for each meeting via the preferred method of meeting notification.	Hold regularly scheduled ACT meetings.
Meeting Location – ACT meetings should be held in locations that are easily accessible by the general public, and contain adequate seating and facilities to encourage their attendance.	ADA accessible location. Outreach locations should consider location frequented by target community.	<i>(in addition to minimum standard)</i> Location that is easily accessible by public transportation.
Meeting Materials – For the public and stakeholders to truly participate, to give informed input in the decision-making process, they need access to technical materials and supporting documentation. Purely informational materials may be provided at the meeting.	Distribute information related to decision items on the agenda to everyone in attendance at the ACT meeting.	Provide technical materials and supporting documentation one week prior to the ACT meeting, either through the ACT website and/or via mail.
Agenda – When preparing the ACT meeting agenda, consideration needs to be given to the public and stakeholder groups that are interested in providing input or comments.	Provide time on each agenda for general public comment.	Provide advance agenda one week prior to meeting and for action items consider posting an electronic mailing address and encouraging public comment. Copies of all correspondence received prior to the meeting should be available for ACT members and the public.
Meeting Minutes – Minutes shall be prepared for all ACT meetings, with decision items documented.	Prepare and distribute minutes for previous meeting one week prior to next meeting. Make previous meeting's minutes available at each meeting.	Post minutes on the ACT website.

Gaps in Central Lane MPO Public Involvement Process

The Subcommittee's review of the current Central Lane MPO public involvement model, when viewed in the light of the OTC policy guidance on public involvement and other federal, state and local guidance, resulted in the identification of a number of gaps in the local model. Specifically, the Subcommittee noted the following points where the current local public involvement process is deficient:

- Lack of public hearings and extended public comment periods for STIP project prioritization and other critical decision points. Three-minute public comment opportunities are not sufficient.
- Lack of true public *involvement* (as opposed to public comment) in decision-making process. No citizen stakeholder representation on MPO advisory (or other) committee at any point in the MPO transportation planning process. Currently, the MPO's Transportation Planning Committee (TPC) is the main technical advisory committee to the MPO policy board. TPC is fully comprised of staff.
- Lack of clear process and criteria for evaluation and selection of transportation projects for funding priority.
- Lack of accessibility to technical criteria and lack of documentation of other information utilized in the decision-making process.
- No consistent schedule for consideration of project priorities and other decision points. Insufficient notification of timing, and public outreach, prior to decision points.
- Public input provided during public comment periods and public hearings is one-way. Insufficient two-way dialog between citizen stakeholders and decision-makers. Insufficient documentation of consideration of, and response to, public input.
- "Multiple-stop" decision-making (as opposed to "one-stop") in local process – different levels of decision-making at each individual jurisdiction, at the MPO level and at the County level leads to confusion as to where public input should occur. Need to improve coordination, streamline process and clarify what decisions are made final at each step in the process.
- Public involvement policy guidance and process is not fully documented and up to date. The MPO's *Citizen's Guide to Transportation* was last updated in November 1994.

Recommended Modifications to Central Lane MPO Public Involvement Process

In keeping with MPC's direction to the Subcommittee, the primary focus of the recommendations is to improve the MPO's public involvement process in accordance with the public involvement standards contained in the Oregon Transportation Commission's (OTC) draft *Policy on Formation and Operation of Area Commissions on Transportation*. Thus, the primary recommendation addresses expanding direct public involvement and participation in the MPO's planning process. As the TPC identifies and reviews options and makes recommendations to the

MPC, it plays an important role in the MPC's decision-making process. The Subcommittee has focused on adding citizen and stakeholder representation to the TPC as the most effective way to expand direct public involvement and participation in the MPO's planning process.

Two major areas in which the MPO interacts with the OTC are in the development of STIP project priorities and in forwarding the MPO's TIP project lists for inclusion in the STIP. A second set of recommendations specifically addresses suggested improvements to the public involvement process in these two areas. Increased public notice and information dissemination, enhanced opportunities for public comment and input and developing a standard priority-setting process are the key components of this set of recommendations.

A final set of two recommendations focuses on the development of explicit policy and process guidance for public involvement in the MPO. These two recommendations are intended to ensure that the MPO has formally adopted guiding principles for public involvement to which all public involvement processes adhere.

The draft recommendations do not provide all of the details necessary to implement each recommendation – for example, the addition of citizen and stakeholder representatives to the Transportation Planning Committee will require decisions as to how many representatives are appointed, how they are appointed, how long is their term, and other details. Once MPC has reviewed and refined the recommended modifications, staff work will commence on the details of implementing each recommendation.

RECOMMENDED MODIFICATIONS
TO THE CENTRAL LANE MPO PUBLIC INVOLVEMENT PROCESS

Primary Recommendation – Increase Citizen & Stakeholder Representation in MPO Transportation Planning Process

1. Add citizen and stakeholder representation to the MPO’s Transportation Planning Committee (TPC)
 - Recommend citizen and stakeholder representatives appointed by MPC for two-year terms
 - Possibly appoint MPC representative to TPC
 - Possibly appoint Lane County Roads Advisory Committee (RAC) representative to TPC
 - Voting positions
 - a. When appropriate, identify potential freight and other additional specific-interest stakeholders for inclusion in the MPO advisory committee processes on an ad-hoc basis (Note that this is an element in the MPO’s FY03-04 adopted work program.)
 - b. MPC should review TPC Bylaws and update as needed.

Recommendations for TIP and STIP Priority-Setting Processes:

2. Add public notice, public review/comment period and public hearing components to MPC development of metropolitan STIP priorities for statewide STIP project selection process
 - a. Explore ways to structure public hearing and comment opportunities to facilitate dialog between decision makers and those giving input
3. Expand public notice and comment period for TIP amendments and updates
4. For all public notice opportunities, maintain an “interested persons and stakeholder groups” mailing list. Advance notices should go to all entries on this list, plus any news media which have requested notice, preferably one week in advance
5. Maintain MPO (LCOG) internet web site with technical and supporting documentation and other materials relevant to MPO decision items, and with copies of MPC agendas and minutes (Note that this is already standard procedure)

6. Provide MPC members and other MPC meeting attendees with copies of all correspondence received related to the MPO transportation planning processes
7. Develop and adopt formal TIP project evaluation framework, including process and criteria (Note that this is an element in the MPO's FY03-04 adopted work program.)
 - Ensure that the framework also serves the statewide STIP priorities process
 - For any specific application of the project evaluation framework, publicly document the application of criteria and the outcome

Policy and Process Guidance

8. Develop and adopt formal *Central Lane MPO Public Involvement Goals, Objectives and Policies* (the "Goals, Objectives, and Policies" section from the Salem-Keizer *SKATS Public Involvement Framework Plan* could serve as a model)
 - State specific intent to expand public involvement and interaction at early stages of all processes
 - Clarify and document that all public comment shall be considered during decision-making processes, and staff responses prepared to significant public input
 - Policy direction to document all decision points in transportation planning process – when the decision is made, and by whom
9. Review and update the Central Lane MPO Public Involvement Plan (PIP – currently known as the Eugene-Springfield Area Citizen's Guide to Transportation Planning) to ensure that interested parties have the opportunity to be involved in the early stages of the federally-required MPC public involvement process. The Citizen's Guide was last updated in 1995 as part of the TransPlan update process. (Note that this update is an element in the MPO's FY03-04 adopted work program.) The update should address, at a minimum:
 - Document timelines and frequency of major public involvement opportunities (TIP updates, STIP priority setting, update of the long-range transportation plan, etc.)
 - Document policy guidance for public notification and information publication & dissemination
 - Document policy guidance for collection, summarization & distribution of public comment/testimony to decision-makers
 - Document policy direction for responding to public input
 - Document all relevant plans, studies and other documents that are relevant to the MPO transportation planning process

- Document the responsible decision-making body(ies) throughout the MPO process
10. Look for opportunities to coordinate and streamline the transportation decision-making and public involvement processes across the multiple responsible bodies (cities, county, MPO).

Action Requested: Discuss proposed revisions to MPO public involvement process. Provide direction to staff on refinement and implementation of specific recommendations.

Attachments:

Attachment 1: Lane County FY04-07 STIP Priorities Process Table

Attachment 2: Lane County FY04-07 STIP Priorities Process Narrative