

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING )	RESOLUTION NO. 95-2174A
PUBLIC INVOLVEMENT POLICIES FOR )	
REGIONAL TRANSPORTATION PLANNING) )	Introduced by
AND FOR LOCAL JURISDICTIONS )	
SUBMITTING PROJECTS TO METRO FOR) )	Rod Monroe, Chair
RTP AND MTIP CONSIDERATION )	JPACT

WHEREAS, The federal Intermodal Surface Transportation and Efficiency Act of 1991 (ISTEA) requires urban areas, through a Metropolitan Planning Organization (MPO), to develop and implement a continuing, cooperative and comprehensive transportation planning process that includes a public involvement process which is incorporated into the overall transportation planning process; and

WHEREAS, The Metro Committee for Citizen Involvement (MCCI) and the Transportation Policy Alternatives Committee (TPAC) formed the Metro Public Involvement Subcommittee, a working group of their members and Metro staff, to develop a public involvement policy for transportation planning; and

WHEREAS, Metro supports the goals of providing complete information, timely public notice, full access to key decisions, and early and continuing involvement of the public in the development and review of Metro's transportation plans, programs, and projects; and

WHEREAS, Metro involved the public and its regional partners in the process of developing and reviewing draft public involvement policies by noticing the availability of the draft policies through mailings and handouts at the widely advertised Transportation Fair in January of 1995 and four widely advertised public meetings held throughout the region in April, and provided for a

45-day public review and comment period; now, therefore,

BE IT RESOLVED:

1. That the Public Involvement Policy for Transportation Planning (Exhibit A) be incorporated into Metro's overall regional transportation planning process.

2. That the Local Public Involvement Policy (Exhibit B) be established for local jurisdictions submitting transportation projects to Metro for regional funding or other action.

3. That amendments identified in the Comment Summary and Response (Exhibit C) be incorporated into the policies as appropriate.

ADOPTED by the Metro Council this 27 day of July, 1995.

  
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J. Ruth McFarland, Presiding Officer

95-2174A.RES  
PP:lmk  
7-19-95

## TRANSPORTATION PLANNING COMMITTEE REPORT

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RESOLUTION NO. 95-2174A, ADOPTING PUBLIC INVOLVEMENT POLICIES FOR REGIONAL TRANSPORTATION PLANNING AND FOR LOCAL JURISDICTIONS SUBMITTING PROJECTS TO METRO FOR RTP AND MTIP CONSIDERATION

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Date: July 19, 1995

Presented by: Councilor Washington

**COMMITTEE RECOMMENDATION:** At its July 18, 1995 meeting the Transportation Planning Committee voted 3-0 to recommend Council adoption of Resolution No. 95-2174A. All committee members were present and voted in favor.

**COMMITTEE DISCUSSION/ISSUES:** Transportation Planning Manager Mike Hoglund presented the staff report. He said the process for developing public involvement procedures for Transportation Planning has been ongoing for 18 months, and Councilors have previously been briefed on its progress. He said these procedures accomplish two things: they comply with federal regulations; and provide a blueprint for public involvement processes. He noted that there are separate procedures for Metro and for local jurisdictions, with Metro's procedures being more stringent.

Chair Monroe pointed out that this resolution has been approved by TPAC and JPACT. In response to a question from Council Analyst Casey Short, Mr. Hoglund acknowledged that a new clause is being recommended in Exhibit C, dealing with air quality conformity as required by state law. This clause is included as point #4 in the 7/13/95 version of Exhibit C, and was not included in the material in the agenda packet. Mr. Hoglund said this was the only change from the original materials, and is the only amendment being requested to the resolution.

Chair Monroe opened a public hearing, and no one testified.

# Transportation Planning

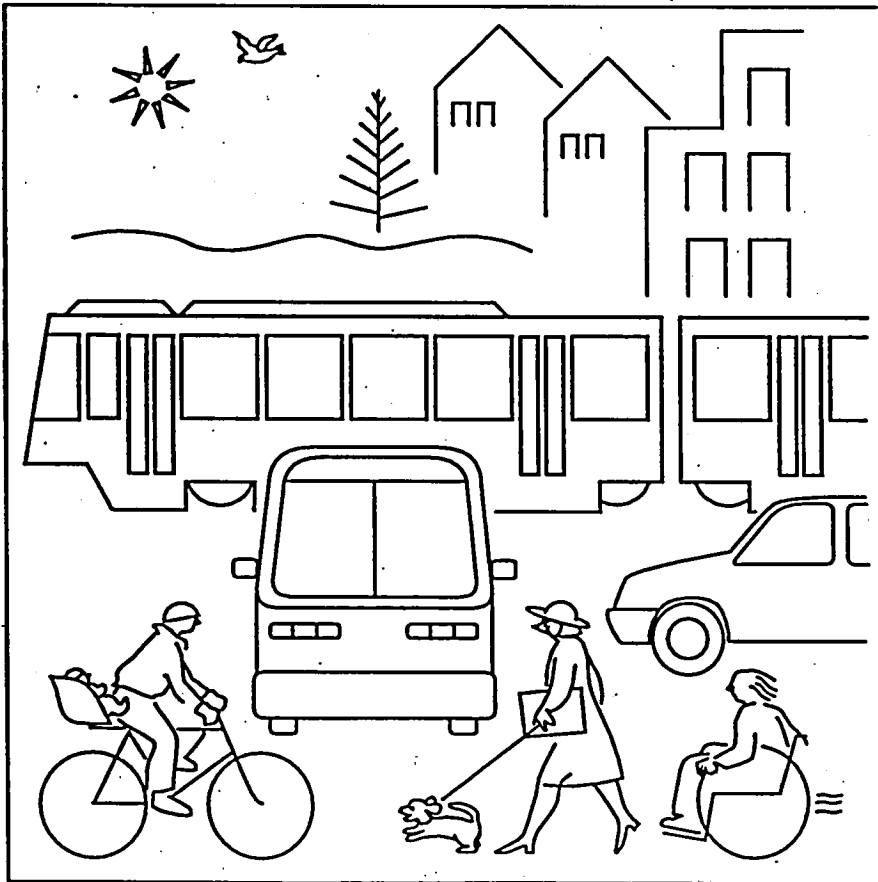


METRO

# Public Involvement Policy

May 1995

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**About Metro**

Metro is the directly elected regional government that serves more than 1.2 million residents in Clackamas, Multnomah and Washington counties and the 24 cities in the Portland metropolitan area.

Metro is responsible for growth management, transportation and land-use planning; solid waste management; operation of the Metro Washington Park Zoo; regional parks and greenspaces programs; and technical services to local governments. Through the Metropolitan Exposition-Recreation Commission, Metro manages the Oregon Convention Center, Civic Stadium, the Portland Center for the Performing Arts and the Expo Center.

Metro is governed by an executive officer and a seven-member council. The executive officer is elected regionwide; councilors are elected by district.

For more information about Metro or to schedule a speaker for a community group, call 797-1510.

# **Transportation Planning**

## **Public Involvement Policy**

# Executive Summary

## Public Involvement in Transportation Planning and Funding

Metro's public involvement policy for regional transportation planning and funding activities is intended to support and encourage broad-based public participation in development and review of Metro's transportation plans, programs, and projects. The policy was developed in response to citizen interest and recent state and federal mandates.

The public involvement policy details public participation procedures and guidelines that Metro is expected to follow. These procedures ensure that public involvement efforts are proactive and provide for active participation by the region's citizens and interest groups in the development of regional transportation plans, programs and major projects.

The policy is intended to focus on Metro's major actions and decisions. Examples of Metro activities covered by these procedures include the Regional Transportation Plan and the Metropolitan Transportation Improvement Program. If a proposed action or decision is clearly a normal course-of-business activity that does not significantly affect the public or alter public policy, it may not be necessary to apply these procedures.

A detailed public involvement work plan consistent with Metro's public involvement goals and objectives will be developed for each plan, program or project. These specific work plans will specify the opportunities for public involvement, key decision points, and what measures will be used to seek out and consider the participation of groups that have been historically underserved by the transportation system, such as low income, minority and senior citizens.

### Public Involvement Goals

- Provide complete information
- Provide timely public notice
- Provide full public access to key decisions
- Support broad-based, early and continuing involvement of the public

## **Policy Objectives**

1. Establish a general public involvement plan and clear timeline of decision points early in the transportation planning and funding process.
2. Involve those traditionally underserved by the existing system and consider their transportation needs. The traditionally underserved population includes, but is not limited to, minority and low income households. Persons who are unable to own and/or operate a private automobile, such as youth, the elderly and the disabled, may also be included in this category.
3. Remove barriers to public participation by those traditionally under-represented in the transportation planning process.
4. Provide information on regional transportation planning and funding activities in a timely manner to interested parties.
5. Periodically review and update the public involvement process to reflect feedback from participants.
6. Provide opportunities for the public to supply input. Create a record of public comment received and agency response regarding draft transportation plans and programs at the regional level.
7. Provide additional opportunities for public comment if there are significant differences between the draft and final plans.
8. Provide updated summaries of public comment at key decision points.
9. Allow for local governing body input and recommendations into the regional transportation planning process.
10. Ensure that development of local transportation plans and programs was conducted according to Metro guidelines for local public involvement.

## **Public Involvement Guidelines**

A set of public involvement guidelines have been developed to ensure the policy objectives are met. The guidelines are detailed in Section 3 of this document. The public involvement activities and other opportunities described in each public involvement plan should be consistent with the guidelines established by Metro's policy. The guidelines are more specific for certain types of long-term plans and programs.



### **Public Involvement At The Local Level**

Local public involvement procedures and guidelines have also been developed to ensure that there is adequate public participation at the local level for local transportation plans and programs from which projects are drawn and submitted to Metro for federal funding. These local procedures are detailed in a companion piece, Local Public Involvement Policy.

### **Compliance and Dispute Resolution**

The Public Involvement Procedures establish minimum standards for public involvement opportunities that agencies producing transportation plans and programs (and in Metro's case, projects) are expected to follow. However, failure to exactly comply with the procedures contained in the policy shall not, in and of itself, render any decisions or actions invalid.

The dispute resolution process will focus on determining the degree of compliance with the guidelines contained in this policy and the extent to which the agency's actions met the intent of the policy by achieving the goals and objectives of the public involvement procedures. If the spirit of the guidelines contained in this policy have not been met, Metro may be required to conduct additional public involvement activities to ensure there has been adequate public review.

### **Effective Date of Policy**

This policy will become effective when it is adopted into the Regional Transportation Plan. From that point forward, conformance will be required for public involvement activities pertaining to Metro's transportation plans, programs and project development activities. Metro will periodically, or at least every three years, review and evaluate this public involvement policy. Amendments to the policy will require a 45-day public comment period prior to adoption.

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Metro's public involvement policy for its regional transportation planning, programming and project development activities was developed in response to strong interest in the region and to comply with ISTEA and recent state mandates. The policy is intended to support and encourage broad-based public participation in the development and review of Metro's transportation plans, programs and projects. The goal of Metro's public involvement policy is to seek out and provide for early and continuing public participation throughout the transportation planning and programming process in the Metro region. This policy establishes consistent minimum procedures to accomplish this goal; procedures beyond these minimums may be applied as warranted and are encouraged.

The federal Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) requires urban areas, through a Metropolitan Planning Organization (MPO), to develop and implement a continuing, cooperative and comprehensive transportation planning process. As the designated MPO for the Portland metropolitan area, Metro is responsible for the transportation planning process, including development of metropolitan plans and programs, studies of major transportation investments, and management systems, among others. ISTEA also requires MPOs to develop a public involvement process and to incorporate this process into the overall transportation planning process. The public involvement process should be proactive and should provide "complete information, timely public notice, full access to key decisions and (support) early and continuing involvement of the public in developing plans and (programs)."

Local public involvement procedures and guidelines have also been developed to ensure that there is adequate public participation at the local level in the formulation and adoption of local transportation plans and programs from which projects are drawn and submitted to Metro for federal funding. These local procedures are detailed in a companion piece, Local Public Involvement Policy, adopted with Metro's public involvement procedures.

## **Section 1**

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### **Introduction**

## **Section 2**

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### **Scope of Policy**

The policy is intended to focus on Metro's major actions and decisions. Metro develops and adopts the Regional Transportation Plan (RTP), the Metropolitan Transportation Improvement Program (MTIP), and other regional transportation plans and programs (see Figure 1 in Appendix A for an overview of the transportation programming and planning process). This public involvement policy applies to all of Metro's transportation plans and programs.

If a proposed action or decision is clearly a normal course-of-business activity that does not significantly affect the public or alter public policy, it may not be necessary to apply these procedures. But, if there is a question as to whether a project is broad-based enough to warrant application of these procedures, then the agency should follow them to ensure appropriate public notification and participation. Certain (i.e. minor) modifications to the Metropolitan Transportation Improvement Program (MTIP) are specifically exempted by the ISTEA from public involvement requirements (see Appendix G).

Metro is also responsible for development (e.g. identifying design, alignment, cost, etc.) of some projects of a regional scope, such as the South/North Transit Corridor Study. Project development occurs in many phases and not all phases are subject to this policy. Initial planning-oriented project development activities may include preparation of preliminary cost estimates, scope and location. These types of initial project development efforts managed by Metro for major projects on the regional system are subject to this policy to the extent that they help define the project so a decision can be made whether to include the project in a plan and/or program.

Later phases of project development, such as final design and alignment, generally follow a programming decision to fund the project and are not subject to this policy. Existing state and federal guidelines govern the public outreach activities that are required during these later phases. Metro transportation plans, programs and project development activities will be reviewed and approved consistent with the public involvement procedures and guidelines defined in Sections 3 and 4.

The procedures in this section shall apply to all Metro transportation planning, programming (i.e. funding) and project development activities where Metro acts as the lead agency. Metro will provide for public involvement, consistent with the following goals, objectives and guidelines, in development of its short and long-range regional transportation plans, programs and projects. Figure 2 in Appendix A depicts the public involvement process outlined in this policy. A detailed public involvement plan should be developed appropriate to each plan, program or project. The overall intent of each public involvement plan should be consistent with the goals and objectives of Metro's policy.

### **3.A Goal**

Provide complete information, timely public notice, full public access to key decisions and support broad-based and early and continuing involvement of the public in developing regional transportation plans, programs and projects.

### **3.B Objectives**

1. Establish a general public involvement framework and clear timeline of decision points early in the transportation planning and programming process. The schedule should describe what decisions will be made and when, so that the public understands how to influence the process.
2. Involve those traditionally underserved by the existing system and consider their transportation needs. The traditionally underserved population includes, but is not limited to, minority and low income households. Persons who are unable to own and/or operate a private automobile (e.g. youth, the elderly and the disabled) may also be included in this category.
3. Remove barriers to public participation by those traditionally under-represented in the transportation planning process, such as the transportation-disabled and private transportation providers.
4. Provide information on regional transportation planning and programming activities in a timely manner to interested parties.
5. Periodically review and update the public involvement process to reflect feedback from participants.
6. Provide opportunities for the public to supply input. Revise work scopes, plans and programs to reflect public comment, as appropriate. Create a record of public comment received and

## **Section 3**

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### **Public Involvement Procedures**

agency response regarding draft transportation plans and programs at the regional level.

7. Provide additional opportunities for public comment if there are significant differences between the draft and final plans.
8. Provide updated summaries of public comment at key decision points:
9. Allow for local governing body input and recommendations into the regional transportation planning process.

The following additional objective applies to Metro review of locally developed plans and programs from which projects are drawn and submitted for regional funding:

10. Ensure that development of local transportation plans and programs was conducted according to Metro guidelines for local public involvement as defined in Local Public Involvement Procedures.

### **3.C Structure/Work Program**

A public involvement structure/work program will be defined for each Metro plan, program or project. The structure will specify the opportunities for public involvement, including the structure for participation by the general public (workshops, hearings) and by citizen advisory committees, as appropriate. The plan, program or project structure should identify the underserved (e.g. minority, low income) population and what measures will be used to seek out and consider their participation. The structure should also identify and describe key decision points.

Each plan, program or project public involvement structure will be subject to the goals, objectives and guidelines described in this section. The public involvement events and other opportunities described in each public involvement plan should be consistent with the guidelines detailed below in Section 3. D. The guidelines are more specific for certain types of long-term plans and programs. It is recognized that these activities vary significantly and that there are any number of methods that could be employed to meet the overall intent of providing adequate, accessible public involvement during the planning process.

The public involvement structure may be fully defined at the start of the process, or it may be developed in concept (outline format) initially and then refined as a scoping element of the plan, program or project.

### **3.D Guidelines**

The purpose of these guidelines is to ensure that all transportation plans, programs and project development activities requiring Metro action include public involvement prior to action by the Metro Council. These guidelines will also help to ensure that the goals and objectives for Metro and local public involvement will be achieved.

#### **How to Use These Guidelines:**

All Metro plans, programs and project development activities are subject to the following guidelines. The guidelines for timeliness of notification are more restrictive for long-term, large-scale (i.e. "major") planning and programming efforts than for the other activities. These long-term, large-scale activities include major updates to the Regional Transportation Plan (RTP) and the Metropolitan Transportation Improvement Program (MTIP). These are the two primary ongoing documents guiding improvements to the regional transportation system.

The regional planning process also involves other large-scale planning efforts, such as major planning studies of transportation needs in particular transportation corridors and subareas. These major planning and programming activities are identified in Metro's Unified Work Program (UWP), have long-range significance, and generally take more than one year to complete. For purposes of applying the public notification guidelines (item 1 below), major updates to the RTP, the TIP and major corridor/subarea studies are referred to as "UWP" activities and are identified by a small "i".

Guidelines denoted by a small "ii" shall apply to all other plans and programs not included above and to all project development efforts, meaning generally short-term activities that address needs not previously anticipated in Metro's UWP. The public involvement process for each plan, program or project development effort shall include a finding to establish the applicable set of guidelines (either "i" or "ii"). For major planning and programming activities, this finding will be reviewed by the Metro Committee for Citizen Involvement (MCCI) when they review the preliminary public involvement plan for that activity.

Metro's review of its regional transportation plans, programs and project development efforts will conform to the following guidelines:

#### **1. Timeliness of Notification**

Provide minimum advance notice for public participation in regional transportation planning, programming and project development. Minimum required notice will depend on the type of plan, program or project development effort under review and will meet the following guidelines:



- a. Initial public involvement activities, defined as the initial public meeting or other activity used to kick off the public outreach and involvement effort. It is expected that announcement of this event will be broad-based and that those persons and groups who are interested in the plan, program or project will request that their names be added to the mailing list. Consistent with Objective 1, an initial notification is required. This notification should occur early enough in the process to allow public input on early decisions, such as problem definition, goals and objectives, and alternatives to be studied. The intent is to have public participation begin early and continue through the entire process.
- i. **RTP/TIP/major study:** 45 calendar days are required for advance notice to community organizations, including neighborhood associations and citizen participation organizations, and other interest groups before the initial public meeting or other activity used to kick off the public outreach and involvement effort. This advance notice may be preliminary in nature and should identify how additional information can be obtained, including getting on the mailing list.

If a citizen advisory committee is to be used – it is optional for any particular plan or program – the advance notice should indicate that a CAC is being recruited. A follow-up notice should be distributed consistent with the notification methods described in Sub-section 2 to provide more detailed information closer to the date of the event. See Sub-section 3 for more information on what should be included in notifications.

- ii. **All other plans/programs/projects:** For efforts with sufficient time frame, 45 calendar days notice to community organizations, including neighborhood associations and citizen participation organizations, and other interest groups for the initial public involvement activity is desirable. For other plans, programs and projects, advance notice will depend on the scope and schedule of the effort. It is recognized that each project is unique and that a *very visible or targeted* public information effort can somewhat compensate for a shortened time frame when necessary.
- b. Key decision points, defined as (1) the initial policy decision on work scope and alternatives to be studied, (2) the availability of a draft or preliminary recommendation, and (3) final adoption by the Metro Council. Additional key decision points may be identified as needed. Notices should indicate if there is a draft document available for review and comment. To the extent possible, notices should include a schedule of all major points in the decision-making process.

- i. **RTP/TIP/major study:** 45 calendar days notice is required for advance notice to community organizations, including neighborhood associations and citizen participation organizations, and other interest groups. This 45-day notice requirement can be combined with the 45-day notice for initial public involvement activities described in Sub-section (a) above. For example, the 45-day advance notice that announces the kick-off meeting for a planning study could also indicate that the initial policy decision on the work scope will occur the following month. A follow-up notice should be distributed consistent with the notification methods described in Sub-section 3 to provide more detailed information closer to the date of the event.
  
- ii. **All other plans/programs/projects:** For efforts with sufficient time frame, 45 calendar days notice to community organizations, including neighborhood associations and citizen participation organizations, and other interest groups for key decision points is desirable. As described in (i) above, this notice requirement can be combined with the 45-day notice for initial public involvement activities, and follow-up notices should be distributed. For other plans, programs and projects, advance notice will depend on the scope and schedule of the effort.
  
- c. **All other opportunities for public involvement, including public hearings, meetings, workshops, etc.**
  
- i. **RTP/TIP/major study:** Two weeks notice to the project mailing list is required for public involvement opportunities and informational activities, understanding that there may be special circumstances where this is not feasible or desirable. It is recognized that each planning activity is unique and that a very visible or targeted public information effort can somewhat compensate for a shortened time frame when necessary. Where possible neighborhood associations and other interest groups should be notified 45 calendar days in advance. Examples of public involvement events include:  
  
Public hearings or open houses to review proposed plans or programs
  - Neighborhood meetings or workshops to discuss proposed plans/scoping documents
  - TPAC/JPACT discussion of proposed work scope for major study/plan
  - TPAC/JPACT/Metro Council non-voting discussion of proposed plans/programs

- ii. **All other plans/programs/projects:** Advance notification will depend on the project and its timeline. Community organizations should be notified as soon as possible. General announcements of public involvement activities for a plan, program or project will be made using methods, such as newsletters and direct mailings, described in Sub-section 2. Upcoming events should also be announced at earlier events, such as meetings of a citizens advisory committee, in order to provide as much advance notice as possible.

## **2. Notification Methods**

Publicize notices of public hearings, meetings and other activities in a newspaper of general circulation, such as The Oregonian. Use other media (e.g. radio, television) as needed. In addition, keep and use an up-to-date mailing list to directly notify affected and interested persons and groups. Examples of affected and interested parties are listed in Appendix C.

## **3. Content of Notifications**

To the extent possible, notifications of public involvement opportunities should identify and describe the following information. Notifications should be easy to understand and provide adequate information and/or indicate how additional information can be obtained.

What action is being undertaken and an explanation of the process.

What issues are open for discussion (e.g. regional significance).

Who is holding the event/meeting and to whom comments will be made.

A meeting agenda that includes a description of the meeting format.

How the comments will be used.

How much time is scheduled for public comment at meetings.

Who should be interested/concerned and what are the major issues.

How decisions may affect the region.

The schedule for the process.

Who may be contacted by telephone, in writing or by other means to offer comments and/or suggestions.

Future opportunities for comment and involvement.

The purpose, schedule, location and time of meetings.

The location(s) where information is available.

The comment period for written/oral comments.

The process that may be available for supplementing or modifying the final plan or program (including identifying the anticipated time period for the next plan/program update).

#### **4. Scheduling of Meetings**

Schedule meetings and hearings to allow the best opportunity for attendance by the general public and interest groups.

#### **5. Access to Meetings**

Conduct meetings and hearings in a convenient and fully accessible location. Meeting/hearing locations should be accessible by alternative modes. Provide for public follow-up by identifying timelines and key project contacts and their role in the regional planning process.

#### **6. Form of Communication**

Summarize technical and policy information so that it is easily understood and usable by the public. Provide full public access to technical data and analysis and provide for regional distribution of information. To the extent possible, have knowledgeable persons available to answer technical and policy questions at key public meetings and hearings. Provide an opportunity for the public to initiate ideas as well as respond to plans, programs and project ideas proposed by staff.

#### **7. Form and Use of Public Comment**

Metro will seek out and consider public input from a broad range of sources. As appropriate, public comments will be used to revise work scopes and/or draft transportation plans and programs. Summaries of comments received will be up-to-date and will be forwarded to advisory committees and policy-makers considering the plans, programs and projects. Parties making comments (oral or written) should identify the organization they represent (if any).

#### **8. Feedback/Response to Public Comment**

Respond to public comment in a timely manner. As appropriate, comments and concerns may be addressed as a group rather than individually. Provide a general summary of

public comment and agency response to participants in the regional planning process, while maintaining a complete record containing copies or transcripts of all public input for public review. For long-term plans, programs and projects, a feedback mechanism should be established to occur regularly and to maintain public interest. Significant oral and written comments on the draft RTP and MTIP will become part of the final plan and MTIP.

**9. Evaluation/Refinement of Public Involvement Process**

Evaluate the effectiveness of the public involvement process at regular intervals, or upon the completion of major planning efforts. Major modifications to Metro's general public involvement process should be published for a 45-day public comment period prior to adoption.

## **Section 4**

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### **Relation of this Policy to Local Public Involvement Processes**

Before a transportation project initiated by a local government can be included in a Metro plan or program, the sponsoring local jurisdiction must demonstrate that the local transportation plan or program – from which the project was drawn – incorporated adequate public involvement. This policy seeks to ensure the integrity of local decisions regarding projects (from local plans and programs) submitted for regional funding or other action. Discussion and review of local projects, for possible inclusion in Metro's plans and programs, will focus on regional issues only. Metro expects that local jurisdictions will resolve local issues during local planning and programming, prior to the time projects are forwarded to Metro.

Metro will be expected to comply with this policy. However, failure to exactly comply with the procedures contained in this policy shall not, in and of itself, render any decisions or actions invalid. If there is question of whether the policy's goals and objectives have been met by Metro's public involvement efforts, the dispute resolution process described later in this section shall apply. The dispute resolution process shall focus on whether Metro made a reasonable attempt to achieve the intent of the policy.

## **Section 5**

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### **Compliance**

#### **5. A How the Policy and its Procedures Will be Applied.**

This policy establishes minimum standards for public involvement opportunities that Metro is expected to follow when producing transportation plans, programs and projects. It is recognized, however, that each planning activity is unique and that there may be special circumstances (e.g. extremely short time frame) where strict adherence to the guidelines may not be possible or desirable. Metro can employ a very visible or targeted public information effort to compensate somewhat in the event of an extremely short time frame for a particular activity.

#### **5. B Dispute Resolution Process**

The dispute resolution process will focus on determining the degree of compliance with the guidelines contained in this policy. The extent to which the agency's actions met the intent of the policy by achieving the goals and objectives of procedures will be considered. If it is determined that Metro has not met the spirit of the guidelines contained in this policy, Metro may be required to conduct additional public involvement activities to ensure there has been adequate public review.

Questions of adequacy of compliance with this policy should first be addressed to Metro's planning director. If the dispute can not be resolved by the planning director it will be forwarded to Metro's executive officer for consideration. If the dispute can not be resolved by the executive officer it will be forwarded to the Metro Council.

#### **5. C Effective Date of Policy**

This policy will become effective when it is adopted into the Regional Transportation Plan. From that point forward, conformance with this policy will be required for public involvement activities and adoption decisions pertaining to Metro's transportation plans, programs and project development activities. The following current or upcoming activities will be subject to this policy:

1. Metro transportation plans (e.g. Regional Transportation Plan: 1995 Update)
2. Metro transportation programs (e.g. fiscal year 1996 Metropolitan Transportation Improvement Program)
3. Metro transportation project development activities (e.g. South Willamette River Crossing Study)

#### **5. D Amendments to Policy**

Metro will periodically, or at least every three years (consistent with ISTEA), review and evaluate this public involvement policy. Amendments to the policy will require a 45-day public comment period prior to adoption



# **Appendix A**

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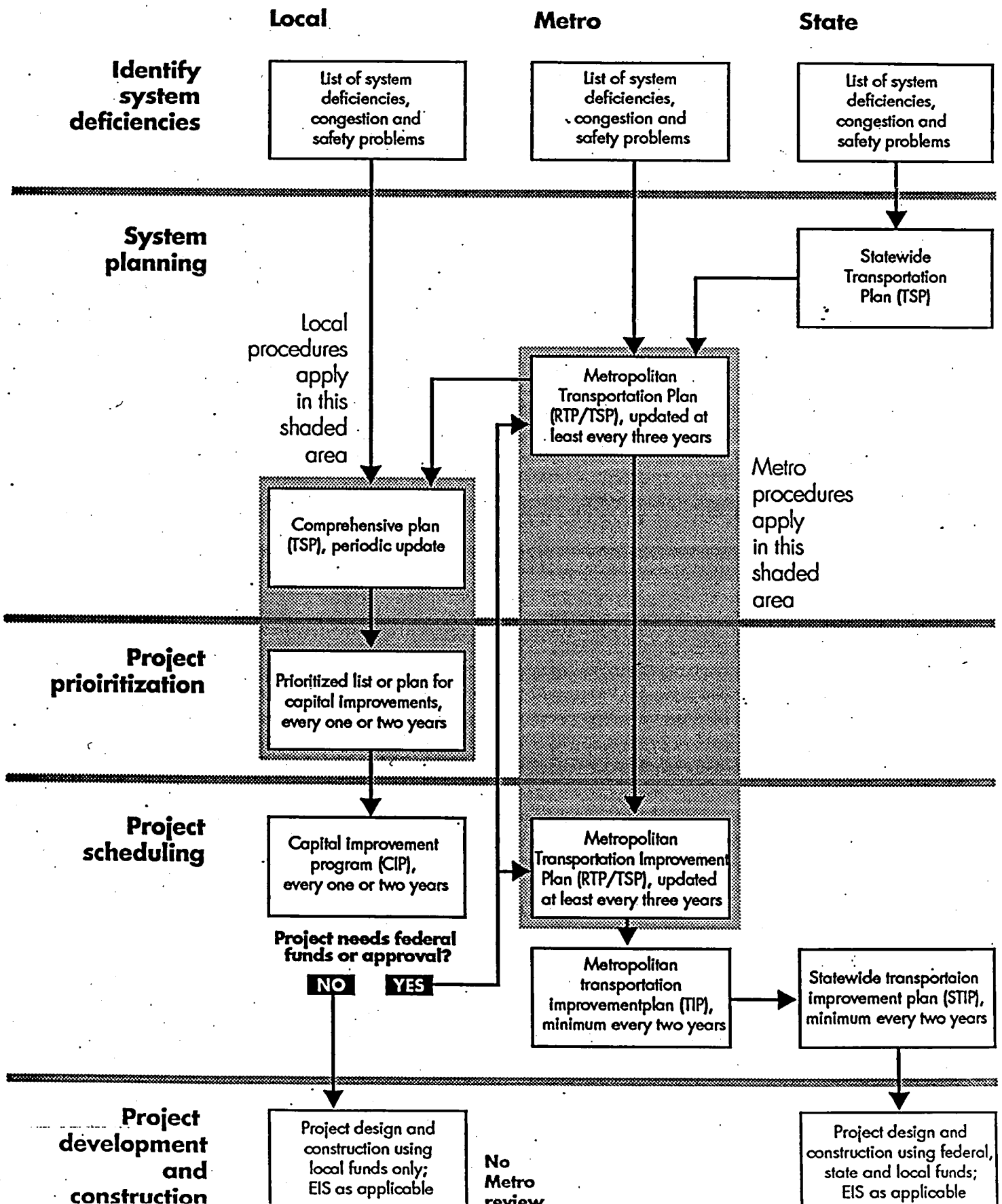
## **Figures**





Figure 1

# Transportation Planning and Programming Process





## **Metro Public Involvement Process**

### **Transportation Planning, Programming and Project Development**

*Opportunity for public involvement is built into the project work program. (Public actions indicated in bold.)*

1. **Notify public that project has started – Metro staff**  
First opportunity to be added to mailing list – public
2. Develop work program – Metro staff  
Draft public involvement plan – Metro staff,  
review by Metro Committee for Citizen Involvement
3. **Initiate public involvement opportunities – Metro staff**
4. Sponsor scoping sessions to get initial public input –  
Metro Committee for Citizen Involvement and Metro staff
5. Refine work program – Metro staff  
Refine public involvement plan – Metro staff
6. Complete technical research and analysis according  
to work program – Metro staff
7. **Provide ongoing opportunities for public input  
and comment – Metro staff**
8. Prepare and publish draft recommendations – Metro staff
9. **Provide formal opportunities for public input  
and comment – Metro staff**  
Respond to public comments – Metro staff
10. Present draft recommendations and record of public  
comment and staff response to the Technical Policy  
Advisory Committee (TPAC)
11. **Review and publish revised draft**
12. **Provide on-going opportunities for public input  
and comment. Multiple meetings and revisions  
possible at this stage.**
13. Present revised recommendations and record of public  
comment and staff response to the Joint Policy Advisory  
Committee on Transportation (JPACT) and the Metro Council
14. Update drafts based on JPACT and Metro Council review
15. **Hold public hearing. Provide 45-day notice for final  
Metro Council approval and adoption.**

## Appendix B

### Glossary

The **Intermodal Surface Transportation Efficiency Act (ISTEA)**, signed into law on Dec. 18, 1991, provides regions and states with additional funding and more flexibility in making transportation decisions. The act requires the metropolitan area planning process to include additional considerations such as land use, intermodal connectivity, methods to enhance transit service and needs identified through the management systems.

The **Joint Policy Advisory Committee on Transportation (JPACT)** provides a forum for elected officials and representatives of agencies involved in transportation to evaluate all transportation needs in the region and to make recommendations to the Metro Council.

The **Metro Committee for Citizen Involvement (MCCI)** was established (under a different name) by the Regional Urban Growth Goals and Objectives (RUGGO) in 1991. Committee members represent the entire area within the boundaries of Clackamas, Multnomah and Washington counties and are appointed by the Metro Council. According to its by-laws, the mission of the MCCI is to "advise and recommend actions to the Metro Council on matters pertaining to citizen involvement."

The **Metro Council** is composed of seven members elected from districts throughout the metropolitan region. The council approves Metro policies, including transportation.

**Metropolitan Planning Organization (MPO)** means the forum for cooperative transportation decision-making for the metropolitan planning area. Metro is the MPO for the Oregon portion of the Portland-Vancouver metropolitan area.

**Oregon's Statewide Planning Goals** form the framework for a statewide land-use planning program. The 19 goals cover four broad categories: land use, resource management, economic development and citizen involvement. Locally adopted comprehensive plans must be consistent with the statewide planning goals.

**Persons Potentially Under-served by the Transportation System** are identified in the ISTEA metropolitan area planning regulations as those including, but not limited to, low-income and minority households. Persons who are unable to own and/or operate a private automobile (e.g., youth, the elderly and the disabled) may also be included in this category.

**Metro's Regional Urban Growth Goals and Objectives (RUGGOs)**, adopted in 1991, produced an urban growth policy framework and represents the starting point for the agency's long-range regional planning program.

The **Transportation Planning Rule** was adopted in 1991 to implement Statewide Planning Goal 12 (Transportation). The rule requires the

state's metropolitan areas to reduce reliance on the automobile by developing transportation system plans which demonstrate reductions in vehicles miles of travel per capita and in parking spaces per capita.

The **Transportation Policy Alternatives Committee (TPAC)** provides technical input to the JPACT policy-makers. TPAC's membership includes technical staff from the same governments and agencies as JPACT, plus others. There are also six citizen representatives appointed by the Metro Council.

The mailing list of interested and affected parties for any plan, program or project study may include but is not limited to the following. Notification lists should be appropriate to the project, its scope, timeline and budget.

Elected officials

Neighborhood associations

Property owners

Business groups

Users of the facility or corridor

Persons who have previously expressed interest in similar projects or related studies

Persons potentially under-served by the transportation system

Methods of notifying the public of opportunities for involvement may include but are not limited to:

News releases

Newsletters

Public notices

Distribution of flyers

Public service announcements

Electronic bulletin board

Billboards

## **Appendix C**

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### **Interested and Affected Parties (examples)**

## **Appendix D**

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### **Notification Methods/ Strategies (examples)**

## **Appendix E**

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### **Opportunities for Public Involvement (examples)**

Posters

News stories

Advertisements

Mailings to interested/affected parties list

The following are examples and ideas for strategies to provide for public involvement in transportation planning. Many of these ideas and descriptions are taken from "Innovations in Public Involvement for Transportation Planning" distributed jointly by the Federal Highway Administration and the Federal Transit Administration (January 1994). A copy of this document may be obtained from Metro.

The following list is meant to provide ideas for consideration. Metro does not intend to prescribe specific strategies for use for any particular project. Jurisdictions are free to choose one or more of the following or to use any other appropriate strategies for their public involvement activities.

**Brainstorming** is a simple technique used in a meeting where participants come together in a freethinking forum to generate ideas. Used properly – either alone or in conjunction with other techniques – brainstorming can be a highly effective method of moving participants out of conflict and toward consensus.

A **charrette** is a meeting to resolve a problem or issue. Within a specified time limit, participants work together intensely to reach a resolution.

**Citizen surveys** assess widespread public opinion. A survey is administered to a sample group of citizens via a written questionnaire or through interviews in person, by phone or by electronic media. The limited sample of citizens is considered representative of a larger group. Surveys can be formal (scientifically assembled and administered) or informal.

A **Citizens advisory committee** is a representative group of stakeholders that meets regularly to discuss issues of common concern. While citizens advisory committees (CACs) have been used for many years and the technique itself is not innovative, it can be used very creatively.

A **collaborative task force** is assigned a specific task with a time limit to come to a conclusion and resolve a difficult issue, subject to ratification by official decision-makers. It can be used on a project level or for resolving issues within a project. Its discussion can help agencies understand participants' qualitative values and reactions to proposals. It

can aid in development of policies, programs, and services and in allocation of resources.

**Focus groups** are tools used to gauge public opinion. Borrowed from the marketing and advertising industry, they define transportation as a product with the public as customers. Focus groups are a way to identify customer concerns, needs, wants and expectations. They can inform sponsors of the attitudes and values that customers hold and why. Each focus group involves a meeting of a carefully selected group of individuals convened to discuss and give opinions on a single topic.

**Media strategies** inform the public about projects and programs through newspapers, radio, television and videos, billboards, posters and displays, mass mailings of brochures or newsletters and distribution of flyers. Better information enhances public understanding of a project or program and is the basis of meaningful public involvement efforts.

A **period for written and oral comments** provides an opportunity for in-depth and more lengthy consideration and response by the public to draft recommendations. A comment period allows interested parties an opportunity to present their opinion on a particular project without the need for attending meetings or hearings.

**Public meetings and hearings** provide opportunities for information exchange. Public meetings present information to the public in any number of ways and obtain informal input from citizens. Held throughout the planning process, they can be tailored to specific issues or citizen groups and can be informal or formal. Public hearings are more formal events than public meetings and generally focus on a specific proposal or action. Held prior to a decision point, a public hearing gathers citizen comments and positions from all interested parties for public record and input into decisions. Facilitators can be used to effectively guide the discussions at meetings.

**Telephone techniques** make use of the telephone for two-way communication with the public. The telephone can be used to obtain information and to give opinions. Its use has entered a new era of potential applications to community participation, going beyond question-and-answer techniques toward the evolving new multi-media connections with television and computers.

A **transportation fair** is an event used to interest citizens in transportation and in specific projects or programs. It is typically a one-day event, heavily promoted to encourage people to attend. Attractions such as futuristic vehicles can be used to bring people to the fair. Noted personalities can also draw participants.

**Video techniques** use recorded visual and oral messages to present information to the public, primarily via videotapes or laser disks. Video information can be presented at meetings or hearings. Many households own a videotape player, which provides an additional opportunity for information dissemination.



## **Appendix F**

### **ISTEA Public Involvement Provisions**

**Visioning** leads to a goals statement. Typically it consists of a series of meetings focused on long-range issues. Visioning results in a long-range plan. With a 20- or 30-year horizon, visioning also sets a strategy for achieving the goals.

ISTEA Public Involvement Provisions excerpted from the Metropolitan Area Planning regulations (23 CFR Part 450 Sub-part C)

#### **SECTION 450.316 (b): Elements of the Planning Process**

In addition, the metropolitan transportation planning process shall:

(1) Include a proactive involvement process that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing involvement of the public in developing plans and TIPs and meets the requirements and criteria specified as follows:

(i) Require a minimum public comment period of 45 days before the public involvement process is initially adopted or revised;

(ii) Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, other interested parties and segments of the community affected by transportation plans and projects (including, but not limited to, central city and other local jurisdiction concerns);

(iii) Provide reasonable public access to technical and policy information used in the development of plans and TIPs and open public meetings where matters related to the Federal Aid highway and transit programs are being considered;

(iv) Require adequate public notice of public involvement activities and time for public review and comment at key decision points, including, but not limited to, approval of plans and TIPs (in nonattainment areas, classified as serious and above, the comment period shall be at least 30 days for the plan, TIP and major amendment(s));

(v) Demonstrate explicit consideration and response to public input received during the planning and program development processes;

(vi) Seek out and consider the needs of those traditionally under-served by existing transportation systems, including, but not limited to, low income and minority households;

(vii) When significant written and oral comments are received on the draft transportation plan or TIP (including the financial plan) as a result of the public involvement process or the interagency consultation process under the US EPA's conformity regulations, a summary, analysis, and report on the disposition of comments shall be made part of the final plan and TIP;

(viii) If the final transportation plan or TIP differs significantly from the one which 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, an additional opportunity for public comment on the revised plan or TIP shall be made available;

(ix) Public involvement processes shall be periodically reviewed by the MPO in terms of their effectiveness in assuring that the process provides full and open access to all;

(x) These procedures will be reviewed by FHWA and FTA during certification reviews for TMAs, and as otherwise necessary for all MPOs, to assure that full and open access is provided to MPO decision-making processes; and

(xi) Metropolitan public involvement processes shall be coordinated with statewide public involvement processes wherever possible to enhance public consideration of the issues, plans, and programs and reduce redundancies and costs.

(2) Be consistent with Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each state under 23 U.S.C. 324 and 29 U.S.C. 794, which ensure that no person shall, on the grounds of race, color, sex, national origin, or physical handicap, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program receiving federal assistance from the United States Department of Transportation;

(3) Identify actions necessary to comply with the Americans With Disabilities Act of 1990 (Pub. L 101f336, 104 Stat. 327, as amended) and U.S. DOT regulations "Transportation for Individuals With Disabilities" (49 CFR parts 27, 37, and 38);

(4) Provide for the involvement of traffic, ridesharing, transportation safety and enforcement agencies; commuter rail operators; airport and port authorities; toll authorities; appropriate private transportation providers and, where appropriate, city officials; and

(5) Provide for the involvement of local, state, and federal environmental, resource and permit agencies as appropriate.

SECTION 450.322 (c):

**Metropolitan Transportation Plan**

There must be adequate opportunity for public official (including elected officials) and citizen involvement in the development of the transportation plan before it is approved by the MPO, in accordance with the requirements of 450.316(b)(1). Such procedures shall include opportunities for interested parties (including citizens, affected public agencies, representatives of transportation agency employees, and private providers of transportation) to be involved in the early stages of the plan development/update process. The procedures shall include publication of the proposed plan or other methods to make it readily available for public review and comment and, in nonattainment [transportation management areas], an opportunity for at least one formal public meeting annually to review planning assumptions and the plan development process with interested parties and the general public. The procedures also shall include publication of the approved plan or other methods to make it readily available for information purposes.

SECTION 450.324 (c):

**Metropolitan Transportation Improvement Program (TIP)**

There must be reasonable opportunity for public comment in accordance with the requirements of 450.316(b)(1) and, in nonattainment [transportation management areas], an opportunity for at least one formal public meeting during the TIP development process. This public meeting may be combined with the public meeting required under 450.322(c). The proposed TIP shall be published or otherwise made readily available for review and comment. Similarly, the approved TIP shall be published or otherwise made readily available for information purposes.

SECTION 450.326:

**TIP: Modification**

Public involvement procedures consistent with 450.316(b)(1) shall be utilized in amending the TIP, except that these procedures are not required for TIP amendments that only involve projects of the type covered in 450.324(i). [Note: 450.324(i) refers to smaller-scale projects that may be grouped in the TIP rather than.

This draft public involvement policy was developed by the Metro Committee for Citizen Involvement (MCCI) and the Transportation Policy Alternatives Committee (TPAC). This policy incorporates input from public involvement and planning professionals and citizens in the region. Following a 45-day public review and comment period, the policy will be revised as appropriate and submitted to the Metro Council for adoption into the RTP.

The MCCI was established by the Regional Urban Growth Goals and Objectives (RUGGO) process and re-affirmed by the 1992 Metro Charter and is assisting the Metro Council in developing and reviewing public involvement procedures for all Metro activities, including planning.

TPAC includes staff from the region's governments and transportation agencies and has six citizen members. This committee provides technical advice on regional transportation issues to Metro's policy-makers. Metro staff are also assisting in development of the procedures and guidelines.

Adoption of the public involvement procedures will occur through review and action by Metro's policy-makers, including the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council. JPACT provides a forum for elected officials and representatives of agencies involved in transportation to evaluate needs in the region and to make recommendations to the Metro Council. The Metro Council is composed of seven members elected from districts throughout the metropolitan region. The council approves Metro policies, including transportation.

The draft public involvement procedures will be published for a 45-day public comment period. JPACT and the Metro Council will consider public comment in their review.

## **Appendix G**

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### **Development of Policy**

#### **Metro Committee for Citizen Involvement**

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Gail Cerveny

Geoffrey W. Hyde

James B. Langston

#### **Transportation Policy Alternatives Committee**

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Washington County

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Multnomah County

Maggie Collins  
City of Milwaukie

Steve Dotterrer  
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Citizen

Rod Sandoz  
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# Transportation Planning



METRO

# Local Public Involvement Policy

May 1995

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**About Metro**

Metro is the directly elected regional government that serves more than 1.2 million residents in Clackamas, Multnomah and Washington counties and the 24 cities in the Portland metropolitan area.

Metro is responsible for growth management, transportation and land-use planning; solid waste management; operation of the Metro Washington Park Zoo; regional parks and greenspaces programs; and technical services to local governments. Through the Metropolitan Exposition-Recreation Commission, Metro manages the Oregon Convention Center, Civic Stadium, the Portland Center for the Performing Arts and the Expo Center.

Metro is governed by an executive officer and a seven-member council. The executive officer is elected regionwide; councilors are elected by district.

For more information about Metro or to schedule a speaker for a community group, call 797-1510.

## **Transportation Planning**

# **Local Public Involvement Policy**

# **Executive Summary**

## **Public Involvement in Transportation Planning and Funding**

Metro's public involvement policy for regional transportation planning and funding activities is intended to support and encourage broad-based public participation in development and review of Metro's transportation plans, programs and projects. The policy was developed in response to citizen interest and recent state and federal mandates.

This document describes Metro's public involvement policy for local jurisdictions submitting projects for regional funding or other action. This policy seeks to ensure the integrity of local decisions regarding projects (from local plans and programs) submitted for regional funding or other action.

Discussion and review of local projects for possible inclusion in Metro's plans and programs will focus on regional issues only. Metro expects that local jurisdictions will resolve local issues during local planning and programming prior to the time projects are forwarded to Metro.

Also included is a set of procedures for public involvement activities conducted at the local level. These procedures require that local transportation plans and programs meet minimum standards for public involvement at the local level prior to subsequent action on local transportation actions by the Metro Council.

## **Public Involvement Goals**

Involve local citizens, public officials and other local interests in the transportation planning and programming process, and in forwarding projects for consideration for regional transportation plans and programs.

## **Policy Objectives**

1. Provide Metro with assurance that development of local transportation plans and programs is conducted according to Metro's guidelines for local public involvement, as outlined in this section.
2. Provide a local role in the establishment of regional citizen advisory committees formed as part of Metro's transportation planning, programming and project development process.
3. Allow for local governing body input and recommendations into the regional transportation planning process.
4. Provide an avenue for participants in the local transportation planning process to become involved in regional transportation planning, programming and project development efforts.



## **Public Involvement Guidelines**

A set of public involvement guidelines have been developed to ensure the objectives of this policy are met. Metro's purpose in establishing these guidelines is to ensure that all local transportation plans and programs from which projects are drawn and submitted to Metro for funding or other action meet minimum standards of public involvement prior to action by the Metro Council. These guidelines will also help ensure that the goals and objectives for Metro and local public involvement will be achieved.

## **Compliance and Dispute Resolution**

The public involvement procedures establish minimum standards for public involvement opportunities that agencies producing transportation plans and programs are expected to follow. However, failure to exactly comply with the procedures contained in the policy shall not, in and of itself, render any decisions or actions invalid.

The dispute resolution process will focus on determining the degree of compliance with the guidelines contained in this policy and the extent to which the agency's actions met the intent of the policy by achieving the goals and objectives of the procedures. If it is determined that the local jurisdiction has not met the spirit of the guidelines contained in this policy, the local jurisdiction may be required to conduct additional public involvement activities to ensure there has been adequate public review at the local level.

## **Effective Date of Policy**

This policy will become effective when it is adopted into the Regional Transportation Plan. From that point forward, conformance will be required for public involvement activities pertaining to Metro's transportation plans, programs and project development activities. Metro will periodically, or at least every three years, review and evaluate this public involvement policy. Amendments to the policy will require a 45-day public comment period prior to adoption.



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## **Section 1**

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### **Introduction**

This document describes Metro's public involvement policy for local jurisdictions submitting projects for regional funding or other action. The policy provides local jurisdictions with flexibility in designing their public involvement programs and in selecting techniques for soliciting and considering public comment.

Metro understands that local jurisdictions have adopted public involvement programs, in accordance with State Planning Goal 1: Citizen Involvement. Metro encourages and expects local jurisdictions to use their adopted programs to develop and adopt transportation plans and programs, but the public involvement efforts for these decisions must also meet the minimum standards outlined in this policy. In some cases, it may be desirable for local jurisdictions to amend their public involvement programs so that these policies are consistent with Metro's requirements for local public involvement in transportation planning and programming.

The policy seeks to ensure the integrity of local decisions regarding projects (from local plans and programs). Discussion and review of local projects for possible inclusion in Metro's plans and programs will focus on regional issues only. Metro expects that local jurisdictions will resolve local issues during local planning and programming, prior to the time projects are forwarded to Metro.

Also included is a set of procedures for public involvement activities conducted at the local level. These procedures apply to locally adopted transportation plans and programs from which transportation projects are drawn and submitted to Metro. These procedures require that local transportation plans and programs meet minimum standards for public involvement at the local level prior to subsequent action on local transportation actions by the Metro Council.

## **Section 2**

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### **Scope of Policy**

The procedures in this policy shall apply to locally-adopted transportation plans and programs (i.e. funding) where local jurisdictions have lead agency authority, from which transportation projects are drawn and submitted to Metro for regional funding or other action (see Appendix A for a depiction of the transportation planning and programming process). These procedures do not apply to local transportation projects on an individual basis or to local project development actions (e.g. decisions about design, alignment, etc.), but rather focus on the local system plans and programs that prioritize those projects.

However, if a local jurisdiction forwards a project to Metro that is not in its locally adopted plan and program, the local jurisdiction must, at a minimum, hold a public hearing prior to making the decision to forward the project. Projects adopted in both the local plan and program

(provided that the public involvement process for the plan and program was adequate) will be deemed to be top local priorities and will not require a supplementary public hearing. Metro is required to meet similar standards for public involvement during regional review of its proposed transportation plans, programs and projects.

Local jurisdictions must demonstrate that they have provided for public involvement during local transportation planning activities for regional projects and programs. Local jurisdictions must certify to Metro that they have followed a public involvement process consistent with the following goals, objectives and guidelines in developing and adopting transportation programs from which projects are drawn and submitted to Metro for funding or other action. Metro is required to meet similar standards for public involvement during regional review of proposed transportation plans, programs and projects.

### **3.A Goal**

Involve local citizens, public officials and other local interests in the transportation planning and programming process, and in forwarding projects for consideration for regional transportation plans and programs.

### **3.B Objectives**

1. Provide Metro with assurance that development of local transportation plans and programs is conducted according to Metro's guidelines for local public involvement, as outlined in this section.
2. Provide a local role in the establishment of regional citizen advisory committees formed as part of Metro's transportation planning, programming and project development process.
3. Allow for local governing body input and recommendations into the regional transportation planning process.
4. Provide an avenue for participants in the local transportation planning process to become involved in regional transportation planning, programming and project development efforts.

### **3.C Guidelines**

Metro's purpose in establishing these guidelines is to ensure that all local transportation plans and programs from which projects are drawn and submitted to Metro for funding or other action meet minimum standards of public involvement prior to action by the Metro Council. These guidelines will also help to ensure that the goals and objectives for Metro and local public involvement will be achieved.

## **Section 3**

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# **Public Involvement Procedures**

## **Section 2**

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### **Scope of Policy**

It is recognized that local transportation plans and programs vary significantly and that there are any number of methods that could be employed to meet the overall intent of providing adequate, accessible public involvement during the local transportation planning process. Local transportation plans and programs from which projects are drawn and submitted to Metro for review should meet the following guidelines for local public review:

#### **Local Public Involvement Guidelines**

The guidelines are listed in sequential order. Examples are in italics and are included for informational purposes only. Other examples can be found in the appendices.

1. At the beginning of the transportation plan or program, develop and apply a public involvement program that meets the breadth and scope of the plan or program. Public participation should be broad-based, with early and continuing opportunities throughout the plan or program's lifetime. *work program, schedule, budget, staffing needs*
2. Identify appropriate interested and affected groups. Update as needed. *neighborhood associations; property owners; business groups; users of the facility or corridor; persons who have previously expressed interest in similar projects; those potentially under-served (e.g. minority, low income households, youth and the elderly)*
3. Announce the initiation of the plan or program and solicit initial input. If the plan or program schedule allows, the local jurisdiction should notify neighborhood associations, citizen participation organizations and other interest groups 45 calendar days prior to (1) the public meeting or other activity (examples follow) used to kick off public involvement for the plan or program; and (2) the initial decision on the scope and alternatives to be studied. *transportation fair, neighborhood meetings, public workshop*
4. Provide reasonable notification of key decision points and public involvement opportunities in the planning and programming process. Examples of key decision points beyond the initial policy decision on work scope and alternatives to be studied include the availability of a draft or preliminary recommendation, and final adoption of the plan or program. Opportunities for public involvement include, but are not limited to workshops, public hearings, public meetings, open houses, written and oral comment periods, and citizen advisory committees (if used). Where possible, neighborhood associations, citizen participation organizations and other interest groups should be notified 45 calendar days in advance. *news releases, newsletters, public notices, advertisements, mailings to list*

5. Provide a forum for timely, accessible input throughout the lifetime of the plan or program. *task force or citizen advisory committee meetings, workshops*
6. Provide opportunity for input in reviewing screening and prioritizing criteria. *workshops, surveys, public hearings*
7. Provide opportunity for review/comment on staff recommendations. *workshops, surveys, public hearings, comment period following release of staff recommendations*
8. Consider and respond to public comments and questions. As appropriate, revise draft documents and/or recommendations based on public input. *maintain record (copies or transcripts) of comments received, provide policy-makers with summaries of public comments and agency response*
9. Provide adequate notification of final adoption of the plan or program. If the plan or program schedule allows, the local jurisdiction should notify neighborhood associations, citizen participation organizations and other interest groups 45 calendar days prior to the adoption date. A follow-up notice should be distributed prior to the event to provide more detailed information. *news releases, newsletters, public notices, advertisements, mailings to list*

### **3.D Certification of Local Public Process**

In order to certify that it has satisfied the requirements for local public involvement outlined in this section, the sponsoring local jurisdiction should complete the following steps for each plan or program from which projects are drawn and submitted to Metro.

1. Follow a local public involvement process which is consistent with the goal, objectives and guidelines described in this section.
2. Complete the checklist in Appendix A. Submit the checklist and any supporting documentation (e.g. locally adopted public involvement procedures) to Metro.
3. Make available, if needed, mailing lists for use by Metro during its review of the local plan, program or project.
4. At appropriate times (e.g. beginning of MTIP programming process), inform persons and groups on the mailing list that projects from the local transportation plan and/or program have been submitted to Metro. Advise those interested in the regional transportation planning and programming process to contact Metro for further information.

## **Section 3**

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### **Public Involvement Procedures**

If a project is submitted to Metro that is not in the local transportation plan and/or program, the agency should describe the public involvement process for selecting that project as a top local priority for funding or other Metro action. At a minimum, the local jurisdiction must hold a public hearing prior to making the decision to forward the project. The public hearing should be held by whatever council, commission or committee is making the decision. In some cases, the decision-making body or committee will not be elected, but may be one of the county coordinating committees that were established to frame countywide policies and recommendations.

## **Section 4**

### **Compliance**

Local jurisdictions submitting projects or programs to Metro for regional funding or other action will be expected to comply with this policy. However, failure to exactly comply with the procedures contained in this policy shall not, in and of itself, render any decisions or actions invalid. If there is question of whether the policy's goals and objectives have been met by an agency's public involvement efforts, the dispute resolution process described later in this section shall apply. The dispute resolution process shall focus on whether the agency in question made a reasonable attempt to achieve the intent of the policy.

#### **4. A How the Policy and its Procedures will be Applied**

This policy establishes minimum standards for public involvement opportunities that agencies producing transportation plans and programs are expected to follow. It is recognized, however, that each planning activity is unique and that there may be special circumstances (e.g. extremely short time frame) where strict adherence to the guidelines may not be possible or desirable. Agencies can employ a very visible or targeted public information effort to compensate somewhat in the event of an extremely short time frame for a particular activity.

#### **4. B Dispute Resolution Process**

The dispute resolution process will focus on determining the degree of compliance with the guidelines contained in this policy. The extent to which the agency's actions met the intent of the policy by achieving the goals and objectives of the procedures will be considered. If it is determined that the local jurisdiction has not met the spirit of the guidelines contained in this policy, the local jurisdiction may be required to conduct additional public involvement activities to ensure there has been adequate public review at the local level.

Questions of adequacy of compliance with this policy should first be addressed to Metro's planning director. If the dispute can not be resolved by the planning director, it will be forwarded to Metro's



executive officer for consideration. If the dispute cannot be resolved by the executive officer, it will be forwarded to the Metro Council.

#### **4. C Effective Date of Policy**

This policy will become effective when it is adopted into the 1995 update of the Regional Transportation Plan. From that point forward, conformance with this policy will be required for public involvement activities and adoption decisions pertaining to Metro's transportation plans, programs and project development activities.

#### **4. D Amendments Policy**

Metro will periodically, or at least every three years (consistent with ISTEA), review and evaluate this public involvement policy. Amendments to the policy will require a 45-day public comment period prior to adoption.

# Appendix A

## Local Public Involvement Checklist

Local jurisdictions/project sponsors must complete this checklist for local transportation plans and programs from which projects are drawn that are submitted to Metro for regional funding or other action. Section 3.D of Metro's local public involvement policy for transportation describes the certification process, including completion of this checklist. See Section 3.D for information about the other certification steps.

If projects are from the same local transportation plan and/or program, only one checklist need be submitted for those projects. For projects not in the local plan and/or program, the local jurisdiction should complete a checklist for each project.

The procedures for local public involvement (Section 3) and this checklist are intended to ensure that the local planning and programming process has provided adequate opportunity for public involvement prior to action by Metro. To aid in its review of local plans, programs and projects, Metro is requesting information on applicable local public involvement activities. Project sponsors should keep information (such as that identified in italics) on their public involvement program on file in case of a dispute.

### A. Checklist

1. At the beginning of the transportation plan or program, a public involvement program was developed and applied that met the breadth and scope of the plan/program. Public participation was broad-based, with early and continuing opportunities throughout the plan/program's lifetime. (*Keep copy of applicable public involvement plan and/or procedures.*)
2. Appropriate interested and affected groups were identified and the list was updated as needed. (*Maintain list of interested and affected parties.*)
3. Announced the initiation of the plan/program and solicited initial input. If the plan/program schedule allowed, neighborhood associations, citizen planning organizations and other interest groups were notified 45 calendar days prior to (1) the public meeting or other activity used to kick off public involvement for the plan/program; and (2) the initial decision on the scope and alternatives to be studied.

*Keep descriptions of initial opportunities to involve the public and to announce the project's initiation. Keep descriptions of the tools or strategies used to attract interest and obtain initial input.*

4. Provided reasonable notification of key decision points and opportunities for public involvement in the planning and programming process. Neighborhood associations, citizen planning organizations and other interest groups were notified as early as possible.

*Keep examples of how the public was notified of key decision points and public involvement opportunities, including notices and dated examples. For announcements sent by mail, document number of persons/groups on mailing list.*

- 5. Provided a forum for timely, accessible input throughout the lifetime of the plan/program.  
*Keep descriptions of opportunities for ongoing public involvement in the plan/program, including citizen advisory committees. For key public meetings, this includes the date, location and attendance.*
- 6. Provided opportunity for input in reviewing screening and prioritizing criteria.  
*Keep descriptions of opportunities for public involvement in reviewing screening and prioritizing criteria. For key public meetings, this includes the date, location and attendance. For surveys, this includes the number received.*
- 7. Provided opportunity for review/comment on staff recommendations.  
*Keep descriptions of opportunities for public review of staff recommendations. For key public meetings, this includes the date, location and attendance. For surveys, this includes the number received.*
- 8. Considered and responded to public comments and questions. As appropriate, the draft documents and/or recommendations were revised based on public input.  
*Keep record of comments received and response provided.*
- 9. Provided adequate notification of final adoption of the plan or program. If the plan or program's schedule allows, the local jurisdiction should notify neighborhood associations, citizen participation organizations and other interest groups 45 calendar days prior to the adoption date. A follow-up notice should be distributed prior to the event to provide more detailed information.  
*Keep descriptions of the notifications, including dated examples. For announcements sent by mail, keep descriptions and include number of persons/groups on mailing list.*

**B. Certification Statement**

\_\_\_\_\_  
Project sponsor

Certifies adherence to the local public involvement procedures developed to enhance public participation.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

**C. Summary of Local Public Involvement Process**

Please attach a summary (maximum two pages) of the key elements of the public involvement process for this plan, program or group of projects.

## **Appendix B**

### **Interested and Affected Parties (examples)**

The mailing list of interested and affected parties for any plan, program or project study may include, but is not limited to, the following. Notification lists should be appropriate to the project, its scope, timeline and budget.

Elected officials

Neighborhood associations

Property owners

Business groups

Users of the facility or corridor

Persons who have previously expressed interest in similar projects or related studies

Persons potentially under-served by the transportation system

## **Appendix C**

### **Notification Methods/ Strategies (examples)**

Methods of notifying the public of opportunities for involvement may include but are not limited to:

News releases

Newsletters

Public notices

Distribution of flyers

Public service announcements

Electronic bulletin board

Billboards

Posters

News stories

Advertisements

Mailings to interested/affected parties list

The following are examples and ideas for strategies to provide for public involvement in transportation planning. Many of these ideas and descriptions are taken from "Innovations in Public Involvement for Transportation Planning" distributed jointly by the Federal Highway Administration and the Federal Transit Administration (January 1994). A copy of this document may be obtained from Metro.

The following list is meant to provide ideas for consideration. Metro does not intend to prescribe specific strategies for use for any particular project. Jurisdictions are free to choose one or more of the following or to use any other appropriate strategies for their public involvement activities.

**Brainstorming** is a simple technique used in a meeting where participants come together in a freethinking forum to generate ideas. Used properly – either alone or in conjunction with other techniques – brainstorming can be a highly effective method of moving participants out of conflict and toward consensus.

A **charrette** is a meeting to resolve a problem or issue. Within a specified time limit, participants work together intensely to reach a resolution.

**Citizen surveys** assess widespread public opinion. A survey is administered to a sample group of citizens via a written questionnaire or through interviews in person, by phone, or by electronic media. The limited sample of citizens is considered representative of a larger group. Surveys can be formal (scientifically assembled and administered) or informal.

A **citizens advisory committee** is a representative group of stakeholders that meets regularly to discuss issues of common concern. While Citizens Advisory Committees (CACs) have been used for many years and the technique itself is not innovative, it can be used very creatively.

A **collaborative task force** is assigned a specific task with a time limit to come to a conclusion and resolve a difficult issue, subject to ratification by official decision-makers. It can be used on a project level or for resolving issues within a project. Its discussion can help agencies understand participants' qualitative values and reactions to proposals. It can aid in development of policies, programs, and services and in allocation of resources.

**Focus groups** are tools used to gauge public opinion. Borrowed from the marketing and advertising industry, they define transportation as a product with the public as customers. Focus groups are a way to identify customer concerns, needs, wants, and expectations. They can inform sponsors of the attitudes and values that customers hold and why. Each focus group involves a meeting of a carefully selected group of individuals convened to discuss and give opinions on a single topic.

## Appendix D

### **Opportunities for Public Involvement (examples)**

**Media strategies** inform the public about projects and programs through newspapers, radio, television and videos, billboards, posters and displays, mass mailings of brochures or newsletters, and distribution of flyers. Better information enhances public understanding of a project or program and is the basis of meaningful public involvement efforts.

**A period for written and oral comments** provides an opportunity for in-depth and more lengthy consideration and response by the public to draft recommendations. A comment period allows interested parties an opportunity to present their opinion on a particular project without the need for attending meetings or hearings.

**Public meetings and hearings** provide opportunities for information exchange. Public meetings present information to the public in any number of ways and obtain informal input from citizens. Held throughout the planning process, they can be tailored to specific issues or citizen groups and can be informal or formal. Public hearings are more formal events than public meetings and generally focus on a specific proposal or action. Held prior to a decision point, a public hearing gathers citizen comments and positions from all interested parties for public record and input into decisions. Facilitators can be used to effectively guide the discussions at meetings.

**Telephone techniques** make use of the telephone for two-way communication with the public. The telephone can be used to obtain information and to give opinions. Its use has entered a new era of potential applications to community participation, going beyond question-and-answer techniques toward the evolving new multi-media connections with television and computers.

**A transportation fair** is an event used to interest citizens in transportation and in specific projects or programs. It is typically a one-day event, heavily promoted to encourage people to attend. Attractions such as futuristic vehicles can be used to bring people to the fair. Noted personalities can also draw participants.

**Video techniques** use recorded visual and oral messages to present information to the public, primarily via videotapes or laser disks. Video information can be presented at meetings or hearings. Many households own a videotape player, which provides an additional opportunity for information dissemination.

**Visioning** leads to a goals statement. Typically it consists of a series of meetings focused on long-range issues. Visioning results in a long-range plan. With a 20- or 30-year horizon, visioning also sets a strategy for achieving the goals.

This draft public involvement policy was developed by the Metro Committee for Citizen Involvement (MCCI) and the Transportation Policy Alternatives Committee (TPAC). This policy incorporates input from public involvement and planning professionals and citizens in the region. Following a 45-day public review and comment period, the policy will be revised as appropriate and submitted to the Metro Council for adoption into the RTP.

The MCCI was established by the Regional Urban Growth Goals and Objectives (RUGGO) process and reaffirmed by the 1992 Metro Charter and is assisting the Metro Council in developing and reviewing public involvement procedures for all Metro activities, including planning.

TPAC includes staff from the region's governments and transportation agencies and has six citizen members. This committee provides technical advice on regional transportation issues to Metro's policy-makers. Metro staff are also assisting in development of the procedures and guidelines.

Adoption of the public involvement procedures will occur through review and action by Metro's policy-makers, including the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council. JPACT provides a forum for elected officials and representatives of agencies involved in transportation to evaluate needs in the region and to make recommendations to the Metro Council. The council is composed of seven members elected from districts throughout the metropolitan region. The council approves Metro policies, including transportation.

The draft public involvement procedures will be published for a 45-day public comment period. JPACT and the Metro Council will consider public comment in their review.

## **Appendix E**

### **Development of Policy**

#### **Metro Committee for Citizen Involvement**

Bob Bothman

Gail Cerveny

Geoffrey W. Hyde

James B. Langston

#### **Transportation Policy Alternatives Committee**

Mark Brown  
Washington County

Kathy Busse  
Multnomah County

Maggie Collins  
City of Milwaukie

Steve Dotterer  
City of Portland

Molly O'Reilly  
Citizen

Rod Sandoz  
Clackamas County



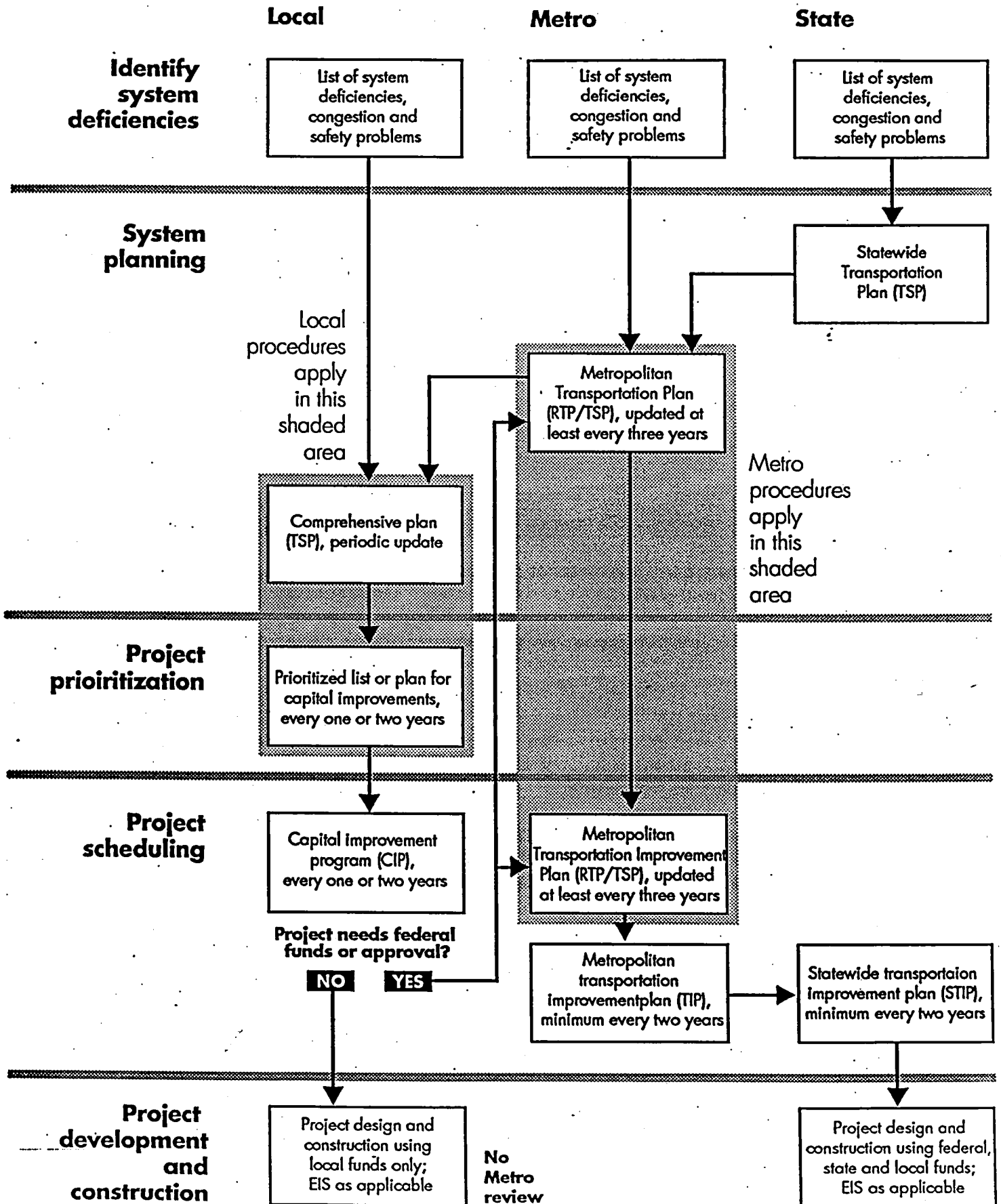


## **Appendix F**

### **Figures**



# Transportation Planning and Programming Process





1. **Notify public that project has started – Metro staff**  
First opportunity to be added to mailing list – public
2. Develop work program – Metro staff  
Draft public involvement plan – Metro staff,  
review by Metro Committee for Citizen Involvement
3. **Initiate public involvement opportunities – Metro staff**
4. Sponsor scoping sessions to get initial public input – CAC and Metro staff
5. Refine work program – Metro staff  
Refine public involvement plan – Metro staff
6. Complete technical research and analysis according to work program – Metro staff
7. **Provide ongoing opportunities for public input and comment – Metro staff**
8. Prepare and publish draft recommendations – Metro staff
9. **Provide formal opportunities for public input and comment – Metro staff**  
Respond to public comments – Metro staff
10. Present draft recommendations and record of public comment and staff response to the Technical Policy Advisory Committee (TPAC)
11. **Review and publish revised draft**
12. **Provide on-going opportunities for public input and comment. Multiple meetings and revisions possible at this stage.**
13. Present revised recommendations and record of public comment and staff response to the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council
14. Update drafts based on JPACT and Metro Council review
15. **Hold public hearing. Provide 45-day notice for final Metro Council approval and adoption.**

Figure 2

## Metro Public Involvement Process

### Transportation Planning, Programming and Project Development

*Opportunity for public involvement is built into the project work program. (Public actions indicated in bold.)*



## Comment Summary and Response Draft Public Involvement Policies for Transportation Planning

### General Comments

1. Comment: The policies should address the length of product review periods and the linkage between length of notice, the review period and the nature of the decision (Washington Co.).

JPACT recommendation on Comment 1: Agree: an additional guideline to address product review issues should be added to the Metro Policy Section 3. D. Guidelines and the existing Guidelines number 7, 8, and 9 should be renumbered accordingly,

"7. Comment and Review Periods – Metro will provide adequate time for public review of draft documents or staff recommendations prior to opportunities for comment or testimony, such as public hearings. The length of comment and review periods will vary based on the nature of the plan or program and total amount of time available to complete the planning or programming process."

2. Comment: Local jurisdictions should be able to use locally adopted public involvement guidelines rather than developing new guidelines (Washington Co., ODOT, and City of Hillsboro).

JPACT recommendation on Comment 2: Disagree; Section 1 of the Local Public Involvement Policy recognizes that local jurisdictions have adopted public involvement procedures, in accordance with State Planning Goal 1: Citizen Involvement. However, the State Planning Goal is focused on the land use planning process, which includes local comprehensive plans and transportation system plans, but the prioritization and funding processes are not covered explicitly. Local public involvement processes may need to be modified to ensure that there are opportunities for public input throughout the planning and programming process.

### Comments on the Public Involvement Policy for Metro Transportation Planning

#### Scope of Policy

3. Comment: Appendix G does not contain the reference to exempt MTIP modifications as noted on page 8, 2nd paragraph (Washington Co.).

JPACT recommendation on Comment 3: Agree, the reference should be in Appendix F, but was inadvertently omitted, the last sentence on page 30 should be revised to read,

"[Note: 450.324(I) refers to smaller-scale projects that may be grouped in the TIP rather than identified individually.]"

4. Comment: Policy should include reference to 30 day public review period required by Oregon air quality conformity rule (DEQ).

JPACT recommendation on Comment 4: Agree; references to the public participation requirements of the Oregon air quality conformity rule should be added in the following places:

Section 2: Scope of Policy – The last sentence of the first paragraph should be amended to read, "This public involvement policy applies to all of Metro's transportation plans and programs and the air quality conformity determinations for those plans and programs."

Section 3. D. Guideline 7. Comment and Review Periods – An additional paragraph should be added to the end of this Guideline, “When making air quality conformity determinations for transportation plans and programs Metro will follow the public participation requirements in the State Conformity Rule 340-20-760 (4). Metro will make available to the public the draft conformity determination and all supporting documents 30 days prior to a final decision. Notification of the availability of the draft determination and all supporting documentation shall be given by prominent advertisement in the area affected. Written notification of the availability of the draft determination and all supporting documentation shall also be provided to any party requesting such notification. Comments submitted to Metro during the review period shall be made a part of the record of any final decision.”

## Guidelines

5. Comment: Suggest identifying cases in which community groups or public agencies are expected to perform a coordinating function for Unified Work Program activities (i) or (ii) in addition to providing their own input (Washington County).

JPACT recommendation on Comment 5: Agree; the need for coordinating activities by local jurisdictions, public agencies, or community groups should be specified in the public involvement structure/work program for each Metro plan, program, or project. The second sentence of the first paragraph in Section 3.C Structure/Work Program should be amended to read,

“The structure will specify the opportunities for public involvement, including the structure for participation by the general public (workshops, hearings), the need for local jurisdictions, public agencies, or community groups to provide a coordinating function (host meetings, provide information), and if appropriate the structure for participation by citizen advisory committees.”  
In addition, if any coordinating functions are needed they should be mentioned in the notice of initial public involvement activities. An additional sentence should be added to Section 3.D Guidelines, number 3. Content of Notifications as follows,

“The need for any coordinating functions by local jurisdictions, public agencies, or community groups, such as hosting meetings, or providing information.”

6. Comment: Suggest adding a timeline of Metro transportation decision making process to aid local jurisdictions in planning the necessary local public involvement activities (City of Oregon City).

JPACT recommendation on Comment 6: Disagree; this information is incorporated into Figure 1 in Appendix A. In addition, the Content of Notifications and Timeliness of Notifications guidelines in Section 3 both indicate that a schedule of major points in the decision making process should be included in notifications of initial public involvement activities and any subsequent notices.

## Review periods

7. Comment: There are no specific requirements for how much time is allowed for review or consideration of draft documents, to provide adequate time for local government coordination (through the County Coordinating Committee process which meets monthly) and review at the local level, a 45-day review period should be included in the policies (Washington Co.).

JPACT recommendation on Comment 7: Disagree; the length of product review time will vary based on the specific plan, program, or project being reviewed. An additional guideline has been added to address product review issues (see Comment 1).

## Notification Methods



8. Comment: Add reference to "availability of products to review" to first sentence in Section 2 (Washington Co.).

JPACT recommendation on Comment 8: Agree; revise as proposed.

### Content of notification

9. Comment: Change third item on page 15 from "Location(s) where information is available" to "What information will be considered or reviewed and how copies of it can be obtained."

10. Comment: Notifications of public involvement opportunities should include information about the nature of input opportunities (ODOT).

JPACT recommendation on Comment 10: Agree; the fourth sentence on page 15 should be amended to read,

"The comment period for written/oral comments and the nature of the comments (formal testimony or informal comments)."

### Form and Use of Comments

11. Comment: Language should be added that indicates whether Metro will treat individual input differently from comments received from representatives of interest groups, neighborhood associations, signed petitions, etc.

JPACT recommendation on Comment 11: Disagree; Guideline number 7 in Section 3.D indicates that Metro will seek out and consider input from a broad range of sources. Summaries of these comments will be forwarded to advisory committees and policy-makers considering the plans, programs and projects. The decision making bodies should determine how to treat individual comments in relation to comments from groups, based on the nature of the comments and the issues being considered.

### Relation of this Policy to Local Public Involvement Processes

12. Comment: Many "local project issues" will not have been identified or dealt with at the local level with before projects are forwarded to Metro for funding or other action because they are associated with project development rather than programming or planning. The requirement in Section 4 for local jurisdictions to resolve local issues during the local planning and programming process, prior to the time projects are forwarded to Metro should be omitted (Washington Co.).

JPACT recommendation on Comment 12: Agree; the last sentence in the first paragraph of section 4 on page 16 should be amended as follows:

"Metro expects that local jurisdictions will resolve local planning and programming issues during local planning and programming processes, prior to the time projects are forwarded to Metro. Project development decisions, from the preliminary engineering (including the evaluation of alignment alternatives) through construction, are local project issues and are not covered by this policy."

### Compliance and dispute resolution

13. Comment: Compliance and dispute resolution, change last sentence on page 4, third paragraph, so it does not infer that Metro may directly undertake additional pi activities for local plans, programs and projects (Washington Co.)

JPACT recommendation on Comment 13: Agree; revise text as follows,

"If the spirit of the guidelines contained in this policy have not been met, an agency may be required to conduct additional public involvement activities to ensure there has been adequate public review."

### Effective Date

14. Comment: The document should clarify when the new procedures will be applicable and whether they will be applicable to projects, plans, or programs that are already underway, such as projects in the "Construction Section" or "Development Section" of the Metropolitan Transportation Improvement Program (ODOT)?

JPACT recommendation on Comment 14: Disagree; the policy will become effective upon adoption and will relate to any future actions on plans or programs. As projects move from the Development Section to the Construction Section of the Metropolitan Transportation Improvement Program (MTIP) a new MTIP action is required and the policy will apply. Section 5. C. Effective Date of Policy specifies that the current and upcoming plans and programs that will be required to comply with the policy.

### Corrections

15. Comment: The second paragraph of Section 4. Relation of this Policy to Local Public Involvement Processes should be the first paragraph of Section 5. Compliance (Metro).

JPACT recommendation on Comment 15: Agree; revise as proposed.

16. Comment: Page 9 makes reference to Figure 2, but Figure 2 is not labeled in the regional policy (Washington Co.).

JPACT recommendation on Comment 16: Agree; the second figure in Appendix A should be revised to include the label Figure 2.

### Comments on Local Public Involvement Policy

17. Comment: Clarify the local jurisdictions that are covered by the Local Policy, are Tri-Met and the Port of Portland expected to comply with policy (City of Portland)?

JPACT recommendation on Comment 17: Agree; the first paragraph of Section 1. Introduction should be revised to read,

"This document describes Metro's public involvement policy for local jurisdictions or other public agencies submitting projects to Metro for regional funding or other action. Public agencies expected to comply with the policy include but are not limited to state, regional, county, and city government agencies, as well as Tri-Met, and the Port of Portland. This policy provides local jurisdictions with flexibility in designing their public involvement programs and in selecting techniques for soliciting and considering public comment."

### Certification of Local Public Process

18. Comment: Clarify the mailing lists being referred to in Section 3.D. number 3 and the rationale for singling out mailing lists from the other types of documentation suggested by the Local Public Involvement Checklist in Appendix A (Washington Co.).

JPACT recommendation on Comment 18: Agree, revise Section 3.D. number 3 to read,

"Make available, if needed, mailing lists, used for local plan or program development, for use by Metro during its review of the local plan, program or project.

19. Comment: Clarify the rationale for singling out mailing lists in Section 3.D. number 3 from the other types of documentation suggested by the Local Public Involvement Checklist in Appendix A (Washington Co.).

JPACT recommendation on Comment 19: Local jurisdictions may be required, as a part of the certification of local process, to provide Metro with mailing lists used during local plan or program development. The mailing lists may be needed to resolve disputes related to agency compliance with Public Involvement Policy or for regional public involvement activities related to projects in local plans or programs.

20. Comment: Clarify the function of County Coordinating Committees in the public involvement process, can they be used to define the best mix of projects from local plans and programs that are submitted to Metro for regional funding or other action (Washington Co.).

JPACT recommendation on Comment 20: Agree; the County Coordinating Policy Committees can provide a good clearinghouse for prioritizing local projects, however the decision to forward a package of projects to Metro for regional funding or other action is a major decision point that requires involvement of the public. Staff suggests working with the counties to develop a process for this.

21. Comment: The public hearing requirement for projects forwarded to Metro that are not in a local plan or program should allow a member of the decision making body to convene a public hearing rather than requiring the entire decision making body to hold the hearing (City of Portland).

JPACT recommendation on Comment 21: Agree; the third sentence in the last paragraph related of Section 3. D. should be amended to read,

"The public hearing should be held by whatever council, commission or committee is making the decision or member(s) of the decision making body."

### **Dispute Resolution**

22. Comment: Clarify when disputes are expected to arise. Once plan or program has been certified by Metro as conforming with this policy it should not be continually exposed to disputes or challenges (Washington Co.).

JPACT recommendation on Comment 22: Agree; the appropriate time for disputes to arise would be in the public comment and review period leading up to a decision point. The first sentence of the second paragraph in Section 4. B. Dispute Resolution Process should be amended as follows,

"Questions of adequacy of compliance with this policy should be raised during the initial public review and comment period which occurs prior to public meetings, hearings, or major decision points and should first be addressed to Metro's planning director."

### **Effective Date of Policy**

23. Comment: What is the effect of the policy on projects submitted to Metro from current plans and programs that have not been developed under this policy? Can local plans/programs be retroactively demonstrated to be in compliance with these policies or grandfathered in? Suggest that local plans and programs be subject to the policy during their next update cycle (Washington Co.).

JPACT recommendation on Comment 23: Generally agree; the policy does not require that all plans and programs be immediately brought into compliance. Local plans/programs can be retroactively

demonstrated to be in compliance with the policy by using the Local Public Involvement Checklist in Appendix A and requesting certification of compliance by Metro. However, additional public involvement activities may be necessary to reaffirm the choices that were made when the plan or program was initially developed. Plans and programs that are being developed at the time the policy is adopted must comply with the policy. The following should be added to the end of Section 4. C. Effective Date of Policy,

“Local Transportation System Plans currently being developed regionwide will be subject to these policies, as will projects submitted to Metro in the next funding cycle. Existing plans, programs, and projects can be demonstrated to be compliance by requesting certification of compliance by Metro. However, additional public involvement activities may be necessary based on the amount of time that has lapsed since public involvement was conducted for the plan, program or project.”

## **Corrections**

24. Comment: Section headings and some text on pages 6, 7, 8 and 9 appear to be out of order (Washington Co.)

JPACT recommendation on Comment 24: Agree; the first paragraph of Section 3. Public Involvement Procedures should be moved to the end of Section 2. Scope of Policy. The headings for Section 2 and Section 3 on pages 8 and 9 respectively should be deleted.

## STAFF REPORT

### CONSIDERATION OF RESOLUTION NO. 95-2174A FOR THE PURPOSE OF ADOPTING PUBLIC INVOLVEMENT POLICIES FOR REGIONAL TRANSPORTATION PLANNING AND FOR LOCAL JURISDICTIONS SUBMITTING PROJECTS TO METRO FOR RTP AND MTIP CONSIDERATION

Date: June 19, 1995

Presented by: Andrew Cotugno

## PROPOSED ACTION

Adoption of this resolution would adopt the Public Involvement Policy for Regional Transportation Planning and the Local Public Involvement Policy for local jurisdictions submitting projects to Metro for inclusion in the Regional Transportation Plan (RTP) or the Metropolitan Transportation Improvement Program (MTIP). The policies are intended to support and encourage broad-based public participation in the development and review of Metro's transportation plans, programs and projects. The goal of Metro's public involvement policies is to seek out and provide for early and continuing public participation throughout the transportation planning and programming process in the Metro region. The policies establish consistent minimum procedures to accomplish this goal; procedures beyond these minimums may be applied as warranted and are encouraged.

## TPAC RECOMMENDATION

TPAC reviewed the Staff Report/Resolution and comment summary and response with the following comments:

- The Metro policy should include a specific reference to State of Oregon Conformity Rule public participation requirements. New language is recommended in Exhibit C -- Comment Summary and Response, Comment No. 4.
- A cover memo which indicates clearly, using examples, what local government activities the policy applies to should be developed.
- Language should be developed and added to the Effective Date of Policy which indicates that the period of time between adopting the public involvement policies and the adoption of the RTP update should be used as a trial period to test the policies for workability. Any needed amendments or changes should be made when the RTP update is adopted in 1996.

## JPACT RECOMMENDATION

JPACT adopted the Resolution at their July 13 meeting with the following change to Exhibit C:

"Metro expects that local jurisdictions will resolve local planning and programming issues during local planning and programming processes, prior to the time projects are

forwarded to Metro. Project development decisions, from preliminary engineering (including the evaluation of alignment alternatives) through construction, are local project issues and not covered by this policy."

## FACTUAL BACKGROUND AND ANALYSIS

### **Development of Policies**

Metro's public involvement policies for regional transportation planning, programming and project development activities were developed in response to strong interest in the region and to comply with the federal Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and recent state mandates. The policies were developed by the Metro Public Involvement Subcommittee, a special ad hoc working group consisting of members of the Metro Committee for Citizen Involvement (MCCI), the Transportation Policy Alternatives Committee (TPAC) and Metro staff. The subcommittee began meeting in December of 1993 and incorporated input from public involvement and planning professionals and citizens in the region into the development of the policies.

### **Federal Requirements**

ISTEA requires urban areas, through a Metropolitan Planning Organization (MPO), to develop and implement a continuing, cooperative and comprehensive transportation planning process. As the designated MPO for the Portland metropolitan area, Metro is responsible for the transportation planning process, including the development of metropolitan plans and programs, studies of major transportation investments, and management systems, among others. ISTEA also requires MPOs to develop a public involvement process and to incorporate this process into the overall transportation planning process. The public involvement process should be proactive and should provide "complete information, timely public notice, full access to key decisions and support early and continuing involvement of the public in developing plans and programs."

In developing the new procedures, the ad hoc group identified a need to create distinct procedures for Metro planning activities and for local activities which result in regional action by JPACT and/or Metro Council. Exhibits A and B are the two procedure documents and are attached as part of the resolution. The following outlines the two procedures:

### **Public Involvement Policy for Metro's Transportation Planning and Programming**

#### **Scope of Policy**

The Public Involvement Policy for Transportation Planning is intended to focus on Metro's major actions and decisions. Metro develops and adopts the RTP, the MTIP, and other regional transportation plans and programs. If a proposed action or decision is clearly a normal course-of-business activity that

does not significantly affect the public or alter public policy, it may not be necessary to apply these procedures.

The public involvement policy details the public participation procedures and guidelines that Metro is expected to follow. These procedures ensure that public involvement efforts are proactive and provide for active participation by the region's citizens and interest groups in the development of regional transportation plans, programs and major projects.

A detailed public involvement work plan consistent with Metro's public involvement goals and objectives will be developed for each plan, program or project. These specific work plans will specify the opportunities for involvement, key decision points, and what measures will be used to seek out and consider the participation of groups that have been historically underserved by the transportation system, such as low income, minority and senior citizens.

### Policy Objectives

1. Establish a general public involvement plan and clear timeline of decision points early in the transportation planning and funding process.
2. Involve those traditionally underserved by the existing system and consider their transportation needs. The traditionally underserved population includes, but is not limited to, minority and low-income households. Persons who are unable to own and/or operate a private automobile, such as youth, the elderly, and the disabled, may also be included in this category.
3. Remove barriers to public participation by those traditionally underrepresented in the transportation planning process.
4. Provide information on regional transportation planning and funding activities in a timely manner to interested parties.
5. Periodically review and update the public involvement process to reflect feedback from participants.
6. Provide opportunities for the public to supply input. Create a record of public comment received and agency response regarding draft transportation plans and programs at the regional level.
7. Provide additional opportunities for public comment if there are significant differences between the draft and final plans.
8. Provide updated summaries of public comment at key decision points.
9. Allow for local governing body input and recommendations into the regional transportation planning process.

10. Ensure that development of local transportation plans and programs was conducted according to Metro guidelines for local public involvement.

## **Local Public Involvement Policy for Transportation Planning**

### **Scope of Policy**

The Local Public Involvement Policy applies to locally adopted transportation plans and programs where local jurisdictions have lead agency authority, from which transportation projects are drawn and submitted to Metro for regional funding or other action. The policy seeks to ensure the integrity of local decisions regarding projects (from local plans and programs). Discussion and review of local projects for possible inclusion in Metro's plans and programs will focus on regional issues only. Metro expects that local jurisdictions will resolve local issues during local planning and programming prior to the time projects are forwarded to Metro.

This policy does not apply to local transportation projects on an individual basis or to local project development actions, but rather focuses on the local plans and programs that prioritize projects which are defined as regionally significant for planning and programming purposes. However, if a local jurisdiction forwards a project to Metro that is not in its locally adopted plan and program, the local jurisdiction must, at a minimum, hold a public hearing prior to making the decision to forward the project.

Metro understands that local jurisdictions have adopted public involvement programs in accordance with State Planning Goal 1: Citizen Involvement. Metro encourages and expects local jurisdictions to use their adopted programs to develop and adopt transportation plans and programs, but the public involvement efforts for these decisions must also meet the minimum standards outlined in this policy which are intended to comply with federal requirements.

### **Policy Goals**

Involve local citizens, public officials and other local interests in the transportation planning and programming process and in forwarding projects for consideration for regional transportation plans and programs.

### **Policy Objectives**

1. Provide Metro with assurance that development of local transportation plans and programs is conducted according to Metro's guidelines for local public involvement.
2. Provide a local role in the establishment of regional citizen advisory committees formed as a part of Metro's transportation planning, programming and project development process.



3. Allow for local governing body input and recommendations into the regional transportation planning process.
4. Provide an avenue for participants in the local transportation planning process to become involved in regional transportation planning, programming and project development efforts.

### **Public Participation**

The policies were developed with input from Metro's regional partners and citizens in the region. Initial drafts of the policies were distributed for review to local jurisdictions. The County Coordinating Committees were briefed on the policies in July of 1994 and were provided with an opportunity to comment on the draft policies. A fact sheet summarizing the policies and noticing the opportunity for review of and comment on the draft policies was distributed at the Metro Transportation Fair in January of 1995 and at Priorities '95 public meetings held in April. Final drafts of the policies were released for a 45-day public review and comment period in April. A notice of the availability of the draft policies and the 45-day comment period was widely distributed through mailings and a notice in MCCI's Community News Release.

### **EXECUTIVE OFFICER'S RECOMMENDATION**

The Executive Officer recommends adoption of Resolution No. 95-2174A.

PP:lmk  
95-2174A.RES  
7-19-95

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING ) RESOLUTION NO. 95-2174  
PUBLIC INVOLVEMENT POLICIES FOR )  
REGIONAL TRANSPORTATION PLANNING) Introduced by  
AND FOR LOCAL JURISDICTIONS )  
SUBMITTING PROJECTS TO METRO FOR) Rod Monroe, Chair  
RTP AND MTIP CONSIDERATION ) JPACT

WHEREAS, The federal Intermodal Surface Transportation and Efficiency Act of 1991 (ISTEA) requires urban areas, through a Metropolitan Planning Organization (MPO), to develop and implement a continuing, cooperative and comprehensive transportation planning process that includes a public involvement process which is incorporated into the overall transportation planning process; and

WHEREAS, The Metro Committee for Citizen Involvement (MCCI) and the Transportation Policy Alternatives Committee (TPAC) formed the Metro Public Involvement Subcommittee, a working group of their members and Metro staff, to develop a public involvement policy for transportation planning; and

WHEREAS, Metro supports the goals of providing complete information, timely public notice, full access to key decisions, and early and continuing involvement of the public in the development and review of Metro's transportation plans, programs, and projects; and

WHEREAS, Metro involved the public and its regional partners in the process of developing and reviewing draft public involvement policies by noticing the availability of the draft policies through mailings and handouts at the widely advertised Transportation Fair in January of 1995 and four widely advertised public meetings held throughout the region in April, and provided for a

45-day public review and comment period; now, therefore,

BE IT RESOLVED:

1. That the Public Involvement Policy for Transportation Planning (Exhibit A) be incorporated into Metro's overall regional transportation planning process.

2. That the Local Public Involvement Policy (Exhibit B) be established for local jurisdictions submitting transportation projects to Metro for regional funding or other action.

3. That amendments identified in the Comment Summary and Response (Exhibit C) be incorporated into the policies as appropriate.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

J. Ruth McFarland, Presiding Officer

95-2174.RES  
PP:lmk  
6-22-95