



## Report of the Citizen Advisory Committee Public Involvement

### Summary

At the February 21, 2017, Special Joint Commission & Port of Olympia Citizen Advisory Committee (POCAC) meeting, the Commission introduced five tasks for the POCAC, each of which was assigned to a POCAC Subcommittee. The [Public Involvement Task](#)<sup>1</sup> was introduced by Commissioner E.J. Zita.

In 2010, the POCAC completed a comprehensive report on the Public Participation Process, which included POCAC recommendations and a minority view by Don Melnick. The Commission is requesting a review and assessment of how the Port has implemented the 2010 recommendations and determine further recommendations, if necessary, regarding public involvement in Port business.

### Subcommittee

A subcommittee of the 2017 POCAC was established, which is comprised of the following POCAC members and Port Staff:

**POCAC Members:** **Bill Garson (Chair)**     **Judy Hoefling**     **Travis Matheson**

*Port Staff Liaisons: Jennie Foglia-Jones & Mike Reid*

### Scope of Work

1. Review the following resources:
  - a. POCAC 2010 [Report on Public Participation Process](#), - Recommendations
  - b. Don Melnick's<sup>2</sup> Minority View on Conclusions and Recommendations from the 2010 Report on Public Participation Process
  - c. [International Association for Public Participation Core Values](#)
  - d. [EPA Resource Conservation and Recovery Act Public Participation Manual](#)
2. Assess the Port's progress implementing the 2010 recommendations
3. Make further recommendations, if necessary

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<sup>1</sup> Internet hyperlinks are utilized in addition to physical attachments.

<sup>2</sup> Don Melnick was a member of the 2010-2012 POCAC and subcommittee member for the 2010 Public Participation Process report.

## Methodology

The POCAC's Public Involvement subcommittee reviewed the documents, websites, and reports within the scope of work; held meetings and consulted with Port staff; reviewed current and historical Port documents; analyzed recent Port projects; interviewed current Port Commissioners; and worked through several drafts of this report to produce the following:

### 2010 POCAC Report on Public Participation Process

The 2010 public participation process is a thoroughly researched and well-written 50-page report concluded with eleven actionable recommendations:

1. The Port should consider adding a general public participation goal to its mission. Such a goal could be something like, "Promote public participation in Port activities by:
  - a. informing the public,
  - b. listening to the public, or
  - c. engaging the public in problem solving.

The appropriate level of engagement depends on the Port's powers regarding the public's interest in the matter, including applicable laws, contractual obligations, and who is paying the costs." Alternatively, the Port could use a simpler formulation borrowing from the Port of Everett's mission statement, "Promote community engagement in Port activities." However, the Port of Everett has not published anything online to explain how it implements this goal.

2. The Port should consider writing a strategic public participation plan that is more concise, simple, clear, and brief than the Addendum to its 2010-2011 Communications Plan. Public involvement tailored to support specific Port projects could be guided by the matrix in section F as the time gets closer for implementation of such projects.
3. The Port should consider adopting and adapting the IAP2 Core Values & Spectrum. However, the Port should not add an ombudsman to the Port organization.
4. The Port should consider adding a "get involved" section to its website.
5. The Port should consider adding techniques for exploring differences of opinion, such as focus groups or other kinds of facilitated meetings, to its public participation plan. It is commendable that Port staff is accessible to members of the public, but proactive engagement with the public should include meetings with stakeholders on all sides of the issue being addressed.
6. Consistent with its economic development mission, most of the organizations in which the Port participates are business organizations. The Port should consider broadening such participation to other non-partisan organizations, such as neighborhood associations, civic organizations, or other organizations who have expressed an interest in the Port.

7. The Port should consider training some of its staff as meeting facilitators (\$250- \$1000 per class). This would save the expense of retaining outside expertise every time a facilitator was needed and could be used in-house to expedite staff meetings.
8. The Port should consider measurement of participant satisfaction with the public processes it uses. It could be as simple as an exit interview, a card handed out at a meeting, or a subsequent email inquiry of participants in a particular process.
9. The Ports of Olympia and Bellingham both have historic waterfronts with vacated polluted sites that must be remediated, college populations and diverse thinking residents, all of which can prove to be very challenging. The Port should consider reviewing the Bellingham report and Interlocal Agreement for lessons learned and should try to team with surrounding cities to create effective development solutions.
10. The Port should consider utilizing development of the remainder of the New Market Industrial campus as a prototype public participation effort from which the Port could derive its “best practices”.
11. Multiple options including public surveys, panels, and hearings for the NorthPoint project were provided.

### **Don Melnick’s Minority View**

Don Melnick provided the below recommendations following the 2010 report:

1. “The Port should endeavor to develop its own set of PP best practices.
2. “...The Port of Olympia should actively seek opportunities to partner with cities...or the County itself...
3. “...Even though professional facilitators may still be used for some public meetings, the Port should have several staff persons trained as meeting facilitators...and have them facilitate less contentious public meetings.”
4. “The Port should advocate that the Washington Public Ports Association convene a volunteer panel of experienced port staff, and possibly practicing professionals, to develop a briefing paper on PP...”

The spirit of Mr. Melnick’s recommendations match that of the POCAC’s 2010 recommendations.

### **International Association for Public Participation**

The IAP2 developed seven public participation core values, “*to help make better decisions which reflect the interests and concerns of potentially affected people and entities.*”

The IAP2 public participation core values are:

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.

2. Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision.

### **Resource Conservation and Recovery Act (RCRA) Public Participation Manual**

The RCRA Public Participation Manual is a federal document designed to, “empower all groups to maximize their role” in matters related to the Environmental Protection Agency.

### **Port of Olympia Commission Resolution 2011-09 Public Participation**

On May 23, 2011, following the POCAC’s 2010 public participation report, the Commission passed the public participation [Resolution 2011-09](#) that established the foundation for the Port’s Executive Policy and Procedure on Public Participation. Within the resolution and the new procedure was the following standard for the Port’s stance and approach toward public participation,

*“The Public Participation Policy of the Port of Olympia is to meet or exceed, where practical and applicable, all state laws for public participation that apply to public ports. This includes but is not limited to public participation related to development opportunities, budget adoption, real estate purchase and disposition of surplus real estate.*

*The Port will exceed, where practical and applicable, the state laws that apply to public ports for public participation as they relate to development opportunities, budget adoption, real estate purchase and disposition of surplus real estate, when the matter at hand is of special historical or cultural significance to the Thurston County community, and/or is of general special interest to a broad range of citizens in Thurston County.”*

### **Current Public Participation Policy and Procedure**

Utilizing the 2010 report and the 2011 resolution, the Port implemented the Public Participation policy in 2011, with its most recent revision coming in September 2015. The policy details the



manner in which Port meetings are in compliance with the [Open Public Meetings Act](#) (RCW 42.30) including having meetings in locations convenient to the public; ensuring all meeting items have an “Advisory” status that precludes an “Action” or “Action Other” status (Advisory and Action Other both allow for public comment); opportunity for public comment on the website; opportunity for the public to watch meetings live and recorded on TCTV or online; and several other strategies to cultivate a public involvement environment. Additionally, each Commission meeting includes a general comment period. It is quite common for the public to provide comments regarding a wide-array of past, present, and future Port projects and operations.

Most impactful, is section 2 of the policy, which authorizes the Port Commission, “*to exceed its typical public participation procedures...*” when the Port Commission determines it is necessary or appropriate. This authority granted to the Commissioners to establish additional public involvement opportunities is critical as it provides an opportunity for the Commissioners to respond to anticipated or experienced demand for public involvement on matters particularly important to the public.

### **Current Practices**

The subcommittee reviewed several recent Port projects, including the Tumwater Master Plan, the Strategic Plan, and the Fuel Dock. These projects all included generous opportunities for public involvement.

For example, the 2012 Strategic Plan development included 18 opportunities for public involvement (see attachment 1) via Commission Meetings and Public Open Houses as well as a web page dedicated to the project, newspaper and media coverage, email announcements, and local Chambers of Commerce and Rotary presentations. The Fuel Dock project (see attachment 2) included 21 Commission Meetings, Open Houses, and other meetings; a dedicated web page; a POCAC developed public participation plan; City of Olympia 60-day public comment period; Department of Ecology 30-day public comment period and POCAC fuel dock pricing model project.

In addition to the above extensive meeting list, each item to be discussed at Port Commission meetings receives extended opportunity for public review and involvement. Items on the agenda receive a seven-day public posting prior to the first Commission meeting during which the item becomes advisory. Items then observe 14 days of public observation before the next Commission meeting. Items receive a minimum of 21-40 days of public listing before becoming actionable. This process exceeds that of other ports we have researched.

The Port offers public tours of all Port facilities, which not only provides an opportunity for the public to observe and learn about Port facilities, operations, and staff, but also provides a unique opportunity for the public to engage and provide actionable feedback directly to Port staff.

## Status of 2010 Recommendations

1. **2010 Recommendation:** The Port should consider adding a general public participation goal to its mission...

**Status:** The Port has not added general public participation to its Mission. However, the Port has the following verbiage in its Communications & Outreach plan, *“The Port of Olympia is committed to two-way communication with community members, organizations and local governments throughout Thurston County, and with state and federal elected officials.”* This language when combined with the Port’s Public Participation Policy carries similar weight as if it were included in the Mission. The subcommittee concludes that a mission statement change is unnecessary due to the Port’s current Executive Policy and Procedure on Public Participation and extensive public involvement activities.

**Recommendation Met: Complete**

2. **2010 Recommendation:** The Port should consider writing a strategic public participation plan...

**Status:** The Port has developed a specific, actionable Public Participation policy.

**Recommendation Met: Partial**

3. **2010 Recommendation:** The Port should consider adopting and adapting the IAP2 Core Values & Spectrum. However, the Port should not add an ombudsman to the Port organization.

**Status:** The Port has not formally adopted and adapted the specific IAP2 Core Values. However, the Public Participation Policy clearly embraces the IAP2 values as demonstrated in other areas of this report.

**Recommendation Met: Partial**

4. **2010 Recommendation:** The Port should consider adding a “get involved” section to its website.

**Status:** The Port has a robust [Get Involved](#) (see attachment 3) section on the website that includes a wide variety of public involvement opportunities such as direct communication with Commissioners, the POCAC, and Port staff; Port tours; and a wide array of community events.

**Recommendation Met: Complete**

5. **2010 Recommendation:** The Port should consider adding techniques for exploring differences of opinion, such as focus groups or other kinds of facilitated meetings, to its public participation plan.

**Status:** The language in the Port’s Public Participation Policy exceeds this recommendation.

**Recommendation Met: Complete**

6. **2010 Recommendation:** The Port should consider broadening participation to other non-partisan organizations, such as neighborhood associations, civic organizations, or other organizations who have expressed an interest in the Port.

**Status:** The Port has regularly demonstrated a willingness to engage a wide range of non-partisan organizations. However, opportunities for additional outreach exist such as neighborhood associations (Committee of Neighborhood Associations for email lists of participating organizations).

**Recommendation Met: Ongoing**

7. **2010 Recommendation:** The Port should consider training some of its staff as meeting facilitators

**Status:** The Port has scheduled Ms. Jennie Foglia-Jones, Communications, Marketing & Outreach Manager for training.

**Recommendation Met: Ongoing**

8. **2010 Recommendation:** The Port should consider measurement of participant satisfaction with the public processes it uses. It could be as simple as an exit interview, a card handed out at a meeting, or a subsequent email inquiry of participants in a particular process.

**Status:** The Port conducted surveys in 2010 and 2012 to measure citizen perception and, “*increase citizens’ understanding, awareness, and interaction with their Port.*” Public comment cards are available to the public at all Commission meetings. Other items such as [online comment cards](#) for the 2013-25 Strategic Plan are available as well. All comments are either responded to directly by Port staff or Commissioners or brought to open meetings by Port staff for public discussion with Commissioners and the public.

**Recommendation Met: Complete**

9. **2010 Recommendation:** The Port should consider reviewing the Bellingham report and Interlocal Agreement for lessons learned and should try to team with surrounding cities to create effective development solutions.

**Status:** A review of the Port of Bellingham website does not reveal a public participation plan. The Port of Bellingham’s mission statement and values do not include language about public participation. While the Port of Bellingham’s website includes several examples of public participation, it is not as prevalently emphasized as with the Port of Olympia.

**Recommendation Met: Not applicable**

10. **2010 Recommendation:** The Port should consider utilizing development of the remainder of the New Market Industrial campus as a prototype public participation effort from which the Port could derive its “best practices”.

**Status:** The Port has emphasized public participation best practices in several previously discussed projects.

**Recommendation Met: Complete**

### Commissioner Interviews

POCAC public involvement task subcommittee Chair Bill Garson interviewed the current Commissioners on July 12 and 13, 2017. In order to provide as complete a picture as possible interviews were conducted with each Commissioner. We have incorporated many of the points made into the body of this report. The one area that became apparent was the contact with the public with the purpose of getting a broader scope of input on various subjects. With the requirements the Port has placed on itself regarding the televising of its meetings and the Open Meetings Law it is difficult to have meetings at locations away from the Boardroom. It was suggested that Listening Meetings could be held at various location in the Port District that would not infringe on the above. Encouraging a broader citizen participation and interaction time outside Olympia would be worth pursuing.

Several consistent themes regarding public involvement and this task were derived from these interviews:

1. The commissioners endorse an atmosphere of proactive rather than reactive transparency.
2. Several examples of successful or sufficient public involvement were cited including the 2012 Strategic Plan development and the Fuel Dock.

### Recommendations

Public involvement is a critical and constitutionally protected right of citizens. It can be at times contentious and disruptive. Preserving the rights to public involvement and creating a safe and productive environment for information exchange can be a delicate balance. [RCW 42.30.050](#) of the Open Public Meetings Act allows for the removal of individuals who are interrupting the meeting; the clearing of the entire room; or for the relocation of the meeting. Diverse perspectives are crucial to fully informed and successfully executed ideas. All meeting participants should conduct themselves in a manner to allow for the full exchange of perspectives and to avoid the possibility of these removal actions.

It is recommended that the Port continue to emphasize a proactive approach and welcoming atmosphere for public involvement. Public involvement language currently exists in the strategic



plan and reflects current procedure and policy. The following recommendations are made in regards to the 2010 report:

1. Develop communication mediums specifically directed toward other non-partisan organizations, such as neighborhood associations (Committee of Neighborhood Associations for email lists of participating organizations), civic organizations, or other organizations who have expressed an interest in the Port.
2. Ensure staff have received public involvement training.
3. Develop a method for measuring and receiving public opinion regarding public involvement opportunities beyond the 2010 and 2012 surveys. Public comment cards provided at Commission meetings should include specific opportunity to provide feedback regarding public involvement.
4. The Commission should consider utilizing the authority granted in the current public participation policy to, “*where practical and applicable*” include county-wide general or topic-specific listening sessions with the public.
5. Port staff should consider analyzing and reporting to the Commission the Port website, Facebook, and Twitter activity to determine effectiveness of the respective communication mediums regarding public involvement dialog.

## Conclusions

The Port of Olympia embraces public involvement in practice, in theory, and culturally, certainly meeting the spirit of the 2010 report recommendations. The subcommittee’s review revealed extensive and impressive progress toward items identified in the 2010 report. The subcommittee identified multiple examples of highly engaging levels of public involvement and transparent business practices being utilized by the Port. Ports as organizations experience extraordinary public scrutiny and in the case of Port of Olympia, opportunities for public involvement are high. Port staff are continuously involved in formal and informal ad hoc meetings with members of the public. These include emails and phone calls, short conversations following Commission meetings, and meetings with Port staff and Executive Director Ed Galligan. All involve a free exchange of ideas between the Port staff and the public. Port staff, including Executive Director Galligan report the value of these exchanges, in terms of learning varying perspectives and ideas. The result are better informed decisions and actions.

However, in order to meet the letter of the 2010 report there remain areas of opportunity identified in our above recommendations that would increase opportunities for and potentially improve public involvement. The subcommittee believes the democratic form of government allows the Port Commission and Port Staff to operate in an environment where ardent public involvement is balanced by the experience, education, training, and representative lenses of the Commissioners and Staff. The Port of Olympia strikes this balance efficiently and effectively; providing Thurston County economic opportunities in a transparent and inclusive manner. As previously mentioned, the Port’s public participation policy authorizes the Commission to



choose additional public involvement opportunities when the Commission determines it to be, “*practical and applicable.*”

The *Port of Olympia Citizens Advisory Committee* (POCAC) concurs with this recommendation.