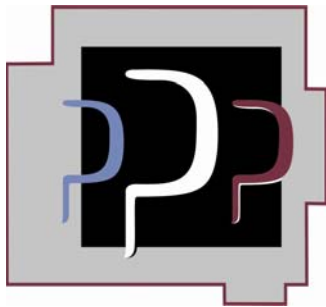


W A M P O

Wichita Area Metropolitan Planning Organization



Public Participation Plan

*Involving the
Community in
Transportation
Planning*



Approved and Adopted: November 13, 2007

Amended: March 10, 2009

Amended: November 8, 2011

The preparation of this study has been financed in part through funds from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the Metropolitan Planning Program, Section 104(f) of Title 23, U.S. Code. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation.

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Public Participation Plan

Introduction

The U.S. Congress in 1966 enacted legislation creating Metropolitan Planning Organizations (MPO) to serve the public and to ensure that existing and future expenditures of governmental funds for transportation projects and programs are based on a continuing, cooperative, and comprehensive (“3-C”) planning process. The Wichita Area Metropolitan Planning Organization (WAMPO) is the designated MPO for the region.

Transportation planning for a region requires collaboration between many different interested and affected parties and individuals, as well as a comprehensive view of the region. The responsibility of the MPO is to create a forum where transportation planning decisions are made jointly with input from federal, state and local agencies, private organizations, non-profits, and interested citizens; in short—any person, business, or agency that is affected by transportation decisions.

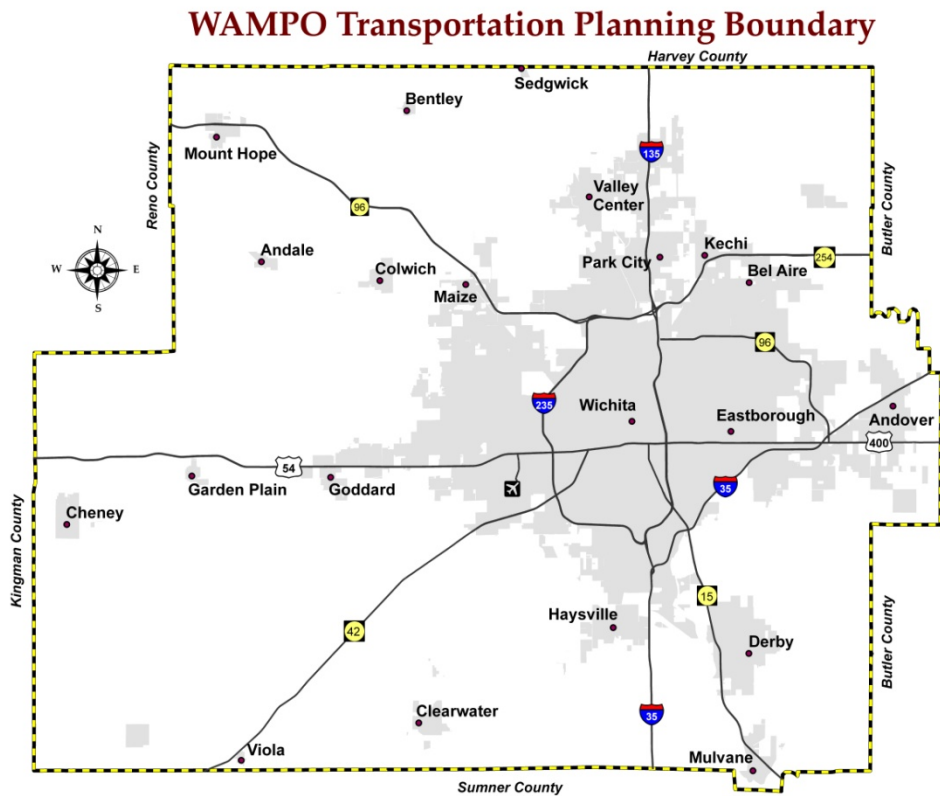
Transportation affects all of us each and every day. Local citizens and businesses, as well as visitors in the region, use various forms of transportation each day to travel to work, school, meetings, events, and gatherings and to ship or receive goods. Population, economic, and land use trends must be accounted for while recognizing the values and visions of the region’s citizens. Public participation is vital to determine the values, visions, and needs of a diverse group of citizens.

WAMPO strives to provide an efficient and equitable transportation system for the region. The WAMPO planning area is very diverse. It stretches over 1,036 square miles and includes urban, suburban, and rural areas; as well as small towns. The metropolitan planning area (*Figure 1* on the following page) includes all of Sedgwick County as well as the City of Andover in Butler County and the City of Mulvane in Sumner County.

Examples of WAMPO’s Public:

- Any interested citizen in the region*
- Business community*
- Disabled persons interest group*
- Elderly and Handicapped individuals*
- Economic development organizations*
- Elected officials*
- Homeowner associations*
- Local colleges and universities*
- Local school districts*
- Neighborhood organizations*
- People who pay for, use, or are impacted by transportation investments*
- Public/Private transit providers*
- Residents and property owners*
- Social service organizations*
- Special interest groups*
- Users of public/private transit*

Figure 1. - WAMPO Transportation Planning Area



Purpose

WAMPO believes citizens should be a part of the planning process, not simply learn about plans after the fact. WAMPO strives for a planning process that is transparent, understandable, and allows for two-way communication. The purpose of WAMPO's Public Participation Plan (PPP) is to identify opportunities for the public to get involved. The plan includes methods to increase public awareness and understanding, as well as policies to provide complete and timely information to the public and transportation stakeholders.

Public participation in the transportation planning process is important for a variety of reasons:

- ❖ Public involvement is an important element of a high quality transportation planning process, not a simple "add on" to meet federal requirements;
- ❖ Effective transportation planning must include the participation of those whose everyday lives are critically affected by how they are able to get to work, home, school, shopping, and local services;

- ❖ Citizens have the right to participate in transportation decisions that affect their community and way of life;
- ❖ Citizens have knowledge and insight into local problems that WAMPO staff planners and the Transportation Policy Body (TPB) need to make informed decisions; and
- ❖ Robust citizen participation strengthens the democratic process and improves the likelihood that plans will be implemented.

WAMPO is charged with many transportation planning requirements. One of the most important of these is to proactively seek public participation and involvement in the regional transportation planning process. Informing and educating the public about transportation planning issues and the transportation planning process is the key to obtaining good quality public input.

Public participation can help develop a sense of community and ownership, promote accountability, and encourage cooperation and compromise. It is essential to ask for public participation, not just wait for it. It is essential to respect and seriously consider public input that is received, not just collect it. It is also important to periodically review and evaluate, revise, and adjust the effectiveness of the tools WAMPO uses to gain public input. The remainder of this document builds the foundation for WAMPO's public participation efforts. It is broken up into five parts; Goals, Objectives, and Strategies; Toolbox for Public Participation; Social Responsibilities; Policies for WAMPO Plans and Programs; and Continuous Process Improvement. The Public Participation Plan (PPP) has been designed in accordance with federal and state regulations.

The participation process will introduce the public to the planning process in its early stages. Through public participation, the public is given a chance to help define plan alternatives and address or prevent transportation related problems. The process allows for:

- ❖ Identifying several options;
- ❖ Agreement among community partners;
- ❖ Early access in influencing factors used in making decisions; and
- ❖ Recognizing disputes early on and resolving them.

The improved public participation process will enact several measures designed to give the general public a bigger and better conduit to activities conducted at WAMPO. Several actions, such as visualization, are requirements of federal legislation and included as part of this plan. Other actions identified in this Plan go above and beyond federal requirements and are included as objectives of WAMPO.

Goals, Objectives, and Strategies

WAMPO has set three basic goals to maximize its public participation efforts. Objectives and strategies for each goal have also been identified to focus public participation efforts. The strategies are reflected in a variety of products and activities identified in the WAMPO Public Participation Toolbox, which is aimed at making the public aware of transportation issues and provides a proactive approach to receiving public input on those issues. The toolbox currently identifies public participation strategies that are currently being employed. New tools may be employed to reflect changes in public participation strategies or expanded to reflect their effectiveness.

Goal 1 - Inform the public and engage citizens in the transportation planning process.

❖ **Objective 1: Inform the public about the role and structure of the Wichita Area Metropolitan Planning Organization (WAMPO).**

- Strategy 1: Create and distribute MPO Citizen's Guide.
- Strategy 2: Give presentations to interested parties.

❖ **Objective 2: Provide accurate, understandable, and timely information to the public.**

- Strategy 1: Distribute quarterly newsletter.
- Strategy 2: Maintain public notification list.
- Strategy 3: WAMPO website.
- Strategy 4: Use a variety of visualization techniques.

❖ **Objective 3: Actively reach out to all segments of the population – including minority populations, low-income populations, elderly, and people with disabilities.**

- Strategy 1: Provide public notices and survey forms at neighborhood community centers.
- Strategy 2: Hold public hearings at venues accessible by public transit.
- Strategy 3: Advertise in newspapers that serve minority populations.



❖ **Objective 4: Increase the network base of interested citizens.**

- Strategy 1: Option to be added to email distribution, public notification list on the WAMPO website.

- Strategy 2: Develop meeting notice fliers to be distributed to local libraries, community centers, commercial business, etc. in advance of a public meeting or open house.
- ❖ **Objective 5: Improve regional intergovernmental and interagency coordination.**
 - Strategy 1: Collaborate with and attend necessary meetings of local governments, transportation providers, and other agencies.

Goal 2 – Facilitate two-way communication between the public and key decision-makers.

- ❖ **Objective 1: Provide opportunities for public input.**
 - Strategy 1: Public Meetings on WAMPO products and processes.
 - Strategy 2: Public Hearings on key issues during Transportation Policy Body (TPB) meetings.
 - Strategy 3: Surveys and Questionnaires.
- ❖ **Objective 2: Provide the Technical Advisory Committee (TAC) and the Transportation Policy Body (TPB) with public input.**
 - Strategy 1: Provide copies of all public comments to the TPB and TAC for review and disposition.
 - Strategy 2: Provide a complete listing of all public feedback and post on the website.
- ❖ **Objective 3: Provide the public with information on recommendations and decisions made by the TAC and TPB.**
 - Strategy 1: Post TPB and TAC minutes from meetings on the website.
 - Strategy 2: Make hard copies of TPB and TAC minutes available on request of the public.

Goal 3 – Evaluate effectiveness of public participation strategies.

- ❖ **Objective 1: Identify the effectiveness of the Toolbox strategies.**
 - Strategy 1: Link performance measures to the level of participation using quantitative and qualitative performance measures identified in Appendix F.
- ❖ **Objective 2: Continuous process improvement.**
 - Strategy 1: Coordinate with the Kansas Department of Transportation’s statewide public involvement process, when possible.
 - Strategy 2: Evaluate various aspects of the PPP process in relation to the best practices in the field.
 - Strategy 3: Evaluate annually and report on the effectiveness of public participation efforts and revise activities accordingly.

Specific actions to achieve these goals are contained in the WAMPO toolbox for public participation.

Toolbox for Public Participation

A toolbox is important for any line of work. It helps a person or agency complete the required tasks in the most efficient way. As with any toolbox, this toolbox is meant to be the building block for public participation. As with the entire document, this toolbox will be reevaluated when needed to identify if the tools are working, if they need to be improved upon, or if new tools need to be added.



WAMPO will review annually the efforts used to garner public input and adjust those efforts accordingly.

Public Meetings and Hearings

Public meetings are held to present and distribute information to the public, provide a setting for public discussion, and get feedback from the community on transportation issues. Comments made during these meetings are documented and reviewed and hard copies of all comments are provided to the Transportation Policy Body (TPB). Additionally, a summary of all significant comments and responses is incorporated into final plan documents. Also included will be an assessment of the disposition of these comments.

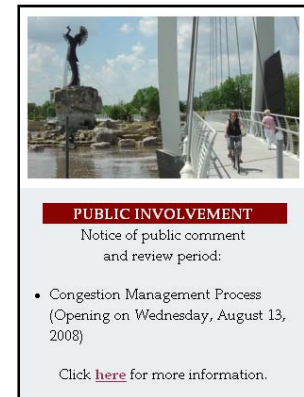
Public meetings held throughout the planning process are tailored to specific issues or community groups. For example, six public meetings in the WAMPO region were held during the creation of the Railroad Crossing Plan to identify regional needs in regards to railroad crossings. The update to the Metropolitan Transportation Plan included an aggressive public outreach effort with 17 open houses, 73 public meetings, 18 stakeholder meetings, and a public hearing prior to its approval in 2011. While the technique of holding public meetings itself is not innovative, some creative applications are being made. An example is a “charette”, where one large group is broken up into smaller groups. Each small group has a topic that they brainstorm on, which is then present to the large group through verbal presentations and various graphic displays (e.g. flip charts, tally sheets, slide presentation, etc.).

WAMPO follows general guidelines when holding public meetings in order to facilitate greater participation and to encourage the exchange of ideas and information. WAMPO staff continually looks for creative best practices in this area and implements practices that are consistent with the guidelines listed

below. Title VI and Environmental Justice aspects are always considered when selecting meeting sites.

WAMPO General Public Meeting Guidelines:

- ❖ Timely notice will be given to the public on meeting time, location, and topic.
 - Notices will be posted on the website and emailed to the stakeholders on the public notification list.
 - For larger studies, public notice will be more widely advertised through methods such as flyers, posters, and media coverage.
- ❖ Meetings will be held in buildings that are in compliance with the Americans with Disabilities Act of 1990.
- ❖ Public meetings and open houses will generally be conducted between the hours of 4:00pm and 6:00pm, and during the week (Monday through Friday). Additional blocks of time will be provided, when warranted and in relation to the document or process being reviewed (e.g. public input for the Metropolitan Transportation Plan), to better accommodate the general public.
- ❖ Supporting documentation will be available at all meetings when needed.
- ❖ An informal meeting environment will be created that allows attendees to ask questions and submit comments.
- ❖ For meetings focusing on a specific project, efforts will be taken hold the meeting(s) near the transportation corridor(s) or project that would be directly affected by the project.
- ❖ WAMPO will make every effort to accommodate attendees with special needs if they provide sufficient notice. ¹
- ❖ If possible, the meeting will be audio taped. All Transportation Policy Body (TPB) meetings are videotaped. The option to record other meetings, either audio or video, may not be feasible depending on the meeting format and venue.
- ❖ Meetings and comment periods will be held prior to major decision points, e.g. prior to Transportation Policy Body (TPB) action on the long range plan (MTP) or Transportation Improvement Program (TIP).



¹ Reasonable accommodations will be available upon request for persons with disabilities, including sign and foreign language interpreters and handouts in large print or Braille. Sufficient advance notice is required for these arrangements to be provided.

- ❖ WAMPO will provide other informational items at public meetings upon citizen's request.

WAMPO Transportation Policy Body Meetings

The Transportation Policy Body (TPB) is the governing board that provides policy guidance and oversees the operations of the agency. The TPB is comprised of nine (9) voting members that meet the 2nd Tuesday of each month. The public is invited to attend for the purposes of gathering information, speaking on issues that are pending before the TPB, or just to learn more of what is happening with transportation planning in the region. There is an official agenda for every TPB meeting that determines the order of business. Public notice of regular WAMPO TPB meetings will be made at least five (5) calendar days in advance of the meeting, posted on the WAMPO website, and sent by email (or letter if applicable) to those on the public notification list.

The public has the opportunity to make public comments and provide input to the TPB in several ways:

- ❖ Public Comment Opportunity Agenda Item – a standing agenda item in which the public may address the TPB on transportation-related concerns in the region. Time made available is limited to five (5) minutes, but may be extended at the discretion of the TPB chairperson.
- ❖ Specific Agenda Items – the WAMPO TPB holds a Public Hearing on most items requiring their approval prior to action being taken. The public is encouraged to comment on these items. Time made available is limited to five (5) minutes, but may be extended at the discretion of the TPB chairperson.
- ❖ Written comments to the TPB – the public may email, write, or fax comments to the TPB. All written comments will be presented to the TPB for review and consideration.



WAMPO Transportation Policy Body Meetings

When: 2nd Tuesday of each month

Time: 3:00pm

Location: Main Conference Room
455 N. Main, 10th Floor
Wichita, Kansas 67202

Special TPB Meetings

The TPB chairperson or a majority of the voting members can call special meetings. The TPB Secretary shall give public notice of special meetings no less than 24 hours prior to the meeting. Notice of special meetings will be posted on the WAMPO website and will be forwarded to those on the WAMPO email notification list.

Transportation Technical Advisory Committee Meetings

The Technical Advisory Committee (TAC) provides technical assistance to the TPB. The TAC typically holds meetings two weeks in advance of the TPB meeting whenever possible. The TPB approves the schedule of meeting dates each year. As with the TPB meetings, a Public Comment Opportunity is provided as a standard agenda item in which the public may address the Committee. Written comments provided to the TAC will also become part of the public record and forwarded to the TPB for review and consideration.

Subcommittee Meetings

The WAMPO TPB has the authority to organize subcommittees to guide the development of projects and to provide expertise on technical transportation issues. The subcommittees are called together on a project-by-project basis. The composition of these groups is at the discretion of the TPB and may include members of the general public. Notice of these meetings is posted on the WAMPO website and the public is encouraged to attend.

Community Outreach

WAMPO emphasizes involvement of the public in its transportation planning process and inclusive and collaborative citizen participation procedures will be employed to better assure that the public is afforded the opportunity to both participate in plan development and comment on plan alternatives and recommendations. It is WAMPO's goal to make decisions about plans or projects after the public is aware of proposals and has been able to comment on them. WAMPO believes that identifying audiences which might be affected by particular decisions or plans is very important. All views and opinions should be heard, including not only minority ethnic views, but also those of other groups whose perspectives and ideas might not be the same as those of the larger segments of the public. WAMPO's policy in soliciting participation will include several steps. They are:

WAMPO will continuously look for ways to involve organizations and individuals that may have potential interests in transportation planning efforts.

WAMPO's goal is to bring information to the public and special groups on its transportation planning products and process. WAMPO will educate and present information about the regional planning process and its role in that process in nontechnical terms so that it can be understood by all parts of the population. Information about transportation issues and processes will be timely.

WAMPO will consider traditionally underserved areas of the region and individuals. Participation efforts will be stressed with potential environmental justice communities. The three fundamental environmental justice principals will be used:

- ❖ Ensure full and fair participation by all potentially affected communities in the transportation decision-making process.
- ❖ Avoid, minimize or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, of programs, policies and activities on minority populations and low-income populations.
- ❖ Prevent the denial of, reduction of, or significant delay in the receipt of transportation benefits by minority and low-income populations.

Public Notification Process

It is impossible to receive public input if the public is not aware that the opportunity to participate exists. WAMPO maintains a minimum of seven days notice of all public meetings and open houses. Generally, WAMPO provides as much notice as possible, usually ten to fourteen days, to provide the public notice for comments and review. WAMPO uses a variety of means to notify the public of our outreach efforts. Such means include:

- ❖ WAMPO Website posting
- ❖ WAMPO Newsletter
- ❖ Public Notification List
- ❖ Public Notice in the newspaper of record
- ❖ Cable TV public access channels
- ❖ General media release (television and radio stations, newspapers)
- ❖ Public meetings and open houses
- ❖ Public postings
- ❖ Public presentations (as requested)
 - City councils
 - County commissions
 - Transit Advisory Board
 - Wichita District Advisory Boards

- Civic organizations (Rotary Clubs, Chambers of Commerce, ethnicity-based groups, neighborhood groups, etc.)

The notification options, and the minimum time frame used for public comment and review of WAMPO projects and processes are identified in Appendix B. Those used to notify the public of amendments to WAMPO products are identified in Appendix C.

These efforts are solely incumbent on WAMPO. WAMPO works closely with our planning partners (KDOT, FHWA, FTA, Wichita Transit, and local jurisdictions) to coordinate with their public outreach efforts. **WAMPO** will coordinate its public involvement processes with local and statewide public involvement processes wherever possible to enhance public consideration of the issues, plans and programs and reduce costs and redundancies. WAMPO assures that each partner is aware of its outreach efforts. Conversely, WAMPO requests to be apprised of public outreach efforts of our planning partners.

KOMA and KORA

All meetings of the WAMPO TPB, TAC, subcommittees, and public meetings hosted by WAMPO are governed by the Kansas Open Meeting Act (KOMA) and the Kansas Open Records Act (KORA). Some portions of TPB meetings dealing with budget, personnel, finance, and other sensitive issues may be closed to the public. At such times the TPB will convene in Executive Session to discuss these issues. Additional information on KOMA and KORA may be found in Appendix H.

Public Comment Periods

Public Comment Periods are a specified period of time in which the public can make comments on a plan prior to a key decision point. Public comment periods are set up and arranged by WAMPO staff. Public notices and draft copies of plans are published on the WAMPO website. Reminders of public comment periods are sent via email to stakeholders on the WAMPO public notification distribution list. When necessary, public notice and draft copies may be distributed to area community centers and city halls. Once the comment period has expired, WAMPO staff reviews all comments and provides a list of these comments to the Transportation Policy Body (TPB). A summary of all significant public comments is incorporated into final plan documents. If a plan is significantly revised after the comment period has been concluded, additional opportunities for public comment may be provided.

Public Hearings

Public Hearings are more formal than public meetings. After public comments have been incorporated in a plan, public hearings are held. These hearings are held during the TPB meeting when action is to be taken. The hearing gives the public an opportunity to provide input and voice concerns prior to TPB action. Official public notices are indicated on the TPB agenda which are posted to the WAMPO website a minimum of five (5) calendar days prior to the meeting. When appropriate, a press release may be sent to local media outlets (see Appendix A). Public notices may also be posted at community centers or other venues in areas that may be affected. A summary of all comments and responses will be incorporated into the meeting minutes. (See Appendices B and C for specific public meeting, public hearing, and public comment period requirements).

Public Appearances

WAMPO will advertise its availability to explain transportation information and project details to local civic, professional, and other types of groups that have an interest in transportation. WAMPO has a list of local organizations with which it maintains contact and adds to that list as more groups notify WAMPO about presentations or WAMPO becomes aware of them through other efforts. These presentations are a good way to gather information from the public in a relaxed setting as most are given at the monthly or quarterly meetings of the various groups.

Consideration and Response to Public Input

WAMPO recognizes and values public input and will review each comment submitted. WAMPO Staff will forward all public comments received to the TPB for consideration. The TPB has final authority on the disposition of all public comments. All official public comments will be documented as part of the public record. Acknowledgement of written comments received, if contact information is provided, will be provided. Additionally, disposition of written comments, if required, will be forwarded to the author following the outcome of the TPB action related to those comments.

Visualization Techniques

WAMPO uses a variety of visualization techniques to communicate proposed plans to the public, strengthen citizen participation, and to promote public understanding of the information being provided. A visualization technique could be as simple as a dry erase board for small group discussions focused on specific issues. Other techniques include: PowerPoint slide presentations,

detailed maps with aerial photography, and kiosk with important information (e.g. flow charts; color tables, graphs, and charts; definitions, descriptions, and additional information; etc.). More complicated projects might involve 3-D computer modeling, or interactive maps that allow for proposal comparison. These techniques allow the public to better understand how a project might look and/or affect a certain area. These approaches are consistent with federal requirements to incorporate “visualization” of transportation material into public involvement. WAMPO continually seeks to improve visualization techniques and use appropriate techniques at public outreach opportunities, committee meetings, and the products that we produce.

WAMPO currently employs several visualization techniques at our public meetings and open houses. These include:

PowerPoint Presentations on WAMPO Products and Programs

WAMPO can, on demand, develop standard PowerPoint presentations that will be suitable for various public groups and advertise various products as part of WAMPO’s Public Outreach efforts.

Displays/Posters

WAMPO provides display boards or posters that publicize the transportation process, program and/or projects. These media are available to other organizations for display and can be supplemented with other distributable data.

Portable Kiosk

WAMPO uses a portable kiosk at events held in public places to publicize WAMPO and its work.

At a minimum, WAMPO provides maps of the affected areas; tables, graphs, and charts of information being presented; and copies of any document being presented.

WAMPO also records the number of the public in attendance and offers to them the opportunity to provide written comments. Those attending are also afforded the opportunity to be added to the WAMPO email and/or hard copy Public Notification List to receive meeting announcements and notices.

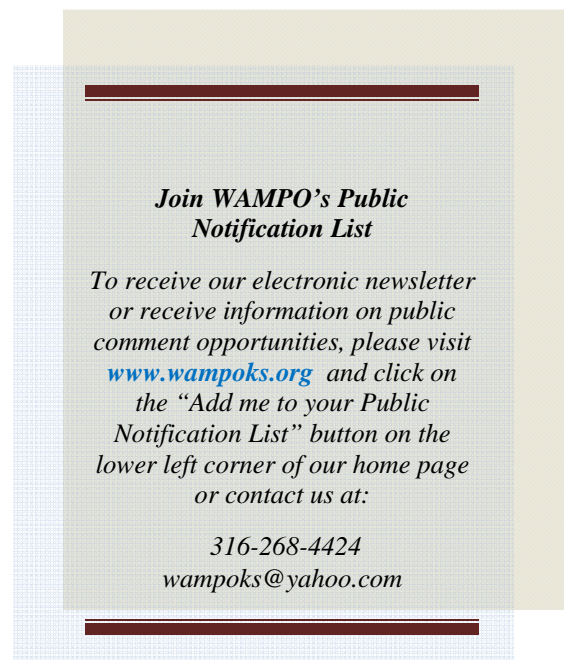
WAMPO Logo

The WAMPO logo is used to create community awareness and familiarize the public with WAMPO roles and activities. The logo is used on all WAMPO publications; including those developed by consultants working on WAMPO sponsored projects.

W A M P O
Wichita Area Metropolitan Planning Organization

Public Notification List

WAMPO understands that public participation is a proactive rather than reactive process. As part of this proactive strategy, WAMPO engages groups in the community to expand a public notification list of parties interested in the transportation planning process. While it is very difficult to reach everyone that may be interested in the planning process, it is WAMPO's hope that through public and private participation; information will be passed on to all interested parties. Broadly defined, the notification list includes groups or individuals who are affected by, or involved with, transportation in the region. The primary list is of email addresses, but WAMPO also includes a hard copy mailing list for individuals who want to be involved in the planning process, but do not have access to email (See Appendix D).



WAMPO strives to maintain a complete distribution list of individuals, state, county, and local government officials, Chambers of Commerce, community groups, special interest groups, transportation providers, freight companies, etc. Interested parties receive timely notices of public meetings, review periods, and comment periods. The list on the following page identifies some of the target groups; however, it is not an exhaustive list. All interested parties on the list receive the quarterly e-newsletter, "on the Go with WAMPO", containing WAMPO project and planning updates.

Sampling of Public Notification List Target Groups (not an inclusive list)

Elected Officials	State, federal and local planning organizations
Transportation agencies (public and private)	Public libraries in region
Local governments (city and counties)	Users of public transportation
Major employers	Local school districts
Local media (print, TV and radio)	Local colleges and universities
Major private freight shippers	Business and civic groups
Bicycle interest groups	Social service organizations
Pedestrian interest groups	Public transportation employees
Neighborhood organizations	Historic preservation groups
Homeowner associations	Transit interest groups
Economic development organizations	Disabled person interest groups

Newsletter

WAMPO distributes a quarterly e-newsletter, *“on the Go with WAMPO”* to the entire public notification list. The e-newsletter provides information on current plans and programs, upcoming public hearings, public meetings, or comment periods, as well as WAMPO’s website address. The newsletter is also posted on the WAMPO website.

News Releases

Recognizing the news media as a major conduit to the general public, WAMPO enjoys a working relationship with the local newspapers, radio and television stations. News releases are utilized to ensure that the news media is kept informed of activities being conducted at WAMPO. Accordingly, the media is invited to attend WAMPO meetings as well as to work with staff on informing the general public of planning activities and issues.

Newspaper Notices

WAMPO will publish in the Wichita Eagle notices for public comment on the development of our Metropolitan Transportation Plan and Transportation Improvement Program as a means to draw attention to the current and future transportation issues in the region. WAMPO will also annually publish a list of Transportation Policy Body and Technical Advisory Committee meetings for the year.

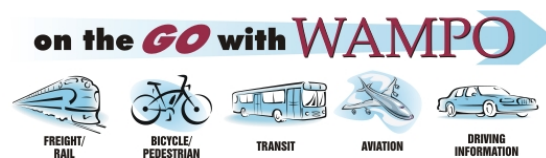
Additionally, as part of our responsibilities of distributing Federal Transit Administration Section 5316 and 5317 funds, WAMPO will publish in the Wichita Eagle notice for a call for grant applications. WAMPO will also publish in the Wichita Eagle the awarding of these funds.

Brochures, Handouts, and Fliers

WAMPO has developed several brochures that inform the public about the various functions of WAMPO. These brochures are routinely available at all WAMPO open houses and public meetings, as well as at the WAMPO offices. WAMPO also produces handouts to be available at public meetings and open houses to provide information to the public on the nature of the public opportunity. WAMPO will, as warranted, distribute fliers to local business, libraries, social service organizations, etc. advertising the notice and location of public comment meetings and open houses. A list of locations in which these notices were sent will be included in the annual Documentation of Public Input Opportunities reports.

Website

The WAMPO website, www.wampoks.org, is constantly updated to provide the public with up-to-date information on committee representation, staff contact information, news, maps, plans, transportation projects, the quarterly newsletter, and other information and publications produced by WAMPO. The website is the core tool used by WAMPO to disseminate information on the transportation planning process, but is supplemented by non-electronic means stated previously. Public comment periods are posted with links to the plans requiring comment and email addresses to contact the appropriate staff. The agenda and minutes from both the Technical Advisory Committee (TAC) and the Transportation Policy Body (TPB) meetings can also be accessed through the website. Additionally, links to member government and partner agency websites are available on the WAMPO website. Conversely, links to the WAMPO website are provided on websites of many of our transportation planning partners.



Online Translation Tool

WAMPO has added a link to Yahoo!'s Babel Fish translation program to our webpage to allow website visitors the ability to translate the WAMPO web pages into 11 additional languages:

- Chinese
- Dutch
- French
- German
- Greek
- Italian
- Japanese
- Korean
- Portuguese
- Russian
- Spanish



The translation service is available by clicking the link at the bottom left of the home page on the WAMPO website.

Social Networking

WAMPO maintains Twitter and Facebook accounts to provide forums for the public to provide input into the regional transportation planning process. Links to both social networking sources are found on the WAMPO home page at www.wampoks.org.



Surveys and Questionnaires

Surveys and questionnaires are useful tools for gathering public input on general or specific transportation issues. A series of questions relating to a particular topic may be distributed to a wide array of people or a targeted audience in the WAMPO region. Surveys can be used during public meetings to address specific issues as well as posting on the website. Not only do surveys provide useful input from the public that can be statistically compiled; but it also provides WAMPO the ability to obtain general information about participants to ensure targeted populations are being reached. WAMPO provided a general transportation questionnaire at area City Halls, community centers, and on the WAMPO website to gather data on transportation concerns and priorities in the region (see Appendix E for example survey). WAMPO was very pleased to receive a large number of responses to this survey. WAMPO also commissioned a Household Travel Survey in 2010 to gather information on the daily travel habits of area residents. A Transportation Policy Survey was included in the scope of this project and WAMPO received over 5,000 responses from people answering basic questions on the transportation systems in the region. WAMPO continually looks for more ideas for surveys which will provide meaningful community input.

Media Outreach

Various media outreach strategies are used by WAMPO to generate public interest in transportation planning and distribute information as widely as possible. Strategies include media releases to local newspapers, radio and television stations, public service announcements, and, when warranted, producing taped copies of public meetings and hearings to be aired on local city cable channels.

Exploring Future Tools

WAMPO makes every effort to assure that the tools used in public outreach efforts are effective and efficient. There are several tools that may be used in the future to add to WAMPO's outreach efforts and used to supplement the range of our public participation plan strategies. Some examples of these tools are:

- ❖ Educational outreach program: While there is no official educational outreach program at the present time, WAMPO staff has conducted some educational outreach by talking to schools, city boards, special interest groups and other entities. Increasing WAMPO's educational outreach would be helpful in the goal to inform the public. Additionally, interest in the planning process might be generated and thus increase the number of people that want to participate.
 - Interactive games, such as Jeopardy, could be used to improve educational outreach.
- ❖ Seek more technologically advanced ways to reach the public. While WAMPO does maintain a website and provide an array of visualization techniques, it might be useful to use different technology/tools to share information, such as including a video and sound bite on the website that briefly explains the transportation planning process.
- ❖ Seek out additional venues to get public input and distribute information. One option is to set up a booth at high traffic venues (e.g. shopping malls, county fairs, civic meetings, etc.) in the WAMPO region.
- ❖ Providing meeting notices to Wichita Transit to post at their transit center and on buses.
- ❖ Provide meeting notices to local jurisdictions to include in their newsletters and websites, and official mailings (e.g. utility bills).

Social Responsibility

As stated previously, the WAMPO website and electronic media is the core of our public involvement efforts. This does not mean that WAMPO does not attempt to solicit public input through more traditional, non-computer based means. WAMPO will make attempts to reach out to those in the region that do not have access to computers. In addition to those means identified in the WAMPO Toolbox, WAMPO will, when prudent:

- ❖ Providing local social service organizations written announcement of public meetings for distribution to their clients.
- ❖ Provide hard copies of WAMPO core documents and other select documents to local public libraries.

- ❖ Distribute various flyers, information sheets, and other materials at public meetings.

These efforts assist WAMPO in reaching out to traditionally-underserved populations in the region that do not have access to computers or other electronic devices.

When conducting outreach activities for transportation planning efforts, methods will be employed to reach individual populations that include, but are not limited to, minority, low-income, elderly, immigrant, and disabled populations. These populations will be identified through Census data and consultation with agencies that serve them. They will then be added to mailing lists so they may be notified of the transportation planning process and ways they may become involved. These efforts will be in accordance with Executive Order 12898, “Federal Actions to Address Minority Populations and Low Income Populations” issued in 1994, and Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” issued in 2000.

In addition to MPO requirements for public participation, WAMPO is subject to other federal legislation such as the Americans With Disabilities Act, Title VI of the Civil Rights Act of 1964, and Executive Order 12898 (1994) for Environmental Justice.

Title VI and Environmental Justice

Title VI assurance and Environmental Justice (EJ) is a critical goal for WAMPO. Minority populations are protected groups under Title VI of the 1964 Civil Rights Act, and the President’s Executive Order 12898, issued in 1994, entitled “Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-Income Populations”. Title VI prohibits discrimination on the basis of race or national origin under any program or activity receiving federal financial assistance. The EJ Order further amplified Title VI and added low-income populations to the protected list.

WAMPO also includes the elderly, persons with a disability, and people without private automobiles as additional target population groups for inclusion in public involvement efforts and for transportation needs assessments. WAMPO uses several techniques to ensure that underserved populations are involved in the transportation planning process. Techniques include staff presentations to community groups, providing public notices and survey forms at neighborhood community centers, holding public hearings at venues accessible by public transit, and advertising in newspapers that serve minority populations. Further information on WAMPO’s efforts to include the previously mentioned

populations is laid out in WAMPO's Title VI Environmental Justice Policy. This Policy also outlines WAMPO's process for analyzing the effects of transportation projects on the identified populations and how to file a discrimination complaint.

Limited English Proficiency

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be considered Limited English Proficient, or "LEP." These individuals are entitled to language assistance under Title VI of the Civil Rights Act of 1964. WAMPO has an established LEP policy that includes:

- ❖ An analysis of the number of LEP individuals in the region.
- ❖ The extent to which LEP individuals participate in WAMPO's processes.
- ❖ The resources available to WAMPO to provide language assistance services.
- ❖ Identification of the appropriate mix of LEP services that WAMPO can make available in order to provide meaningful access to the transportation planning process for people with a limited ability to speak English.

Language assistance will be provided for LEP individuals through the translation of some key materials, as well as through oral interpretation when necessary and possible.

Access by Persons with Disabilities

It is the policy of WAMPO to make accommodations for those in the region with disabilities. A reasonable effort will be made to provide, in alternative formats, options for presenting data and products. Additionally:

- ❖ All public meetings and formal events will be held in facilities that are accessible to persons with disabilities. Additional accommodations will be provided on an as-needed basis.
- ❖ All public notices of WAMPO events will state that accommodations for qualified individuals with disabilities will be provided upon request. One-week notice is required for provisions of appropriate aids and services.
- ❖ All documents available to the public will be provided, upon request, in alternative formats for qualified individual with disabilities.
- ❖ A list of resources for auxiliary aids and services will be developed and maintained.

WAMPO Plans and Programs

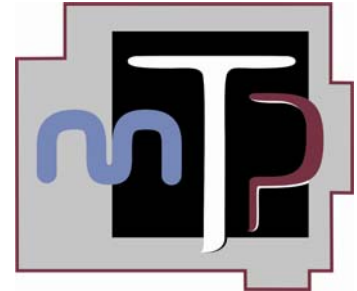
As the designated MPO for the region, WAMPO is responsible for the development and maintenance of various documents and plans. There are five (5) core documents that WAMPO is responsible for:

- ❖ Metropolitan Transportation Plan
- ❖ Transportation Improvement Program
- ❖ Unified Planning Work Program
- ❖ Public Participation Plan
- ❖ Coordinated Transportation Human Services Plan

Each plan is subject to public review and comment during its development and revision. The minimum public review period on documents, except the Public Participation Plan (PPP), is seven (7) days. Federal regulations mandate a minimum of a forty-five (45) day public review period for the PPP. Standard time requirements for public meetings/hearings and public comment opportunities for plans are identified in Appendix B. Similar requirements for amendments to these documents are identified in Appendix C.

Metropolitan Transportation Plan

The Metropolitan Transportation Plan (MTP) (also known as the Long Range Transportation Plan) addresses long range (minimum 20 year horizon) multi-modal transportation planning. The MTP addresses what the transportation needs of the growing region are and how to meet those needs. The multimodal plan includes roadway improvements, public transportation, bicycle and pedestrian facilities, aviation, freight, and environmental concerns. Federal regulations state that the MTP must be updated every five years. WAMPO hosts public meetings to involve citizens in the early stages of the MTP development. A minimum of three public meetings will be held throughout the region for each MTP update: an initial kick off meeting, a midpoint meeting, and a final public meeting at least 14 days prior to Transportation Policy Body (TPB) action. A final draft MTP is presented to the TPB along with public comments. A public hearing is held during the TPB meeting when the MTP is presented and before TPB takes action. A unique public involvement process/schedule detailing public participation will be created for each update of the MTP.



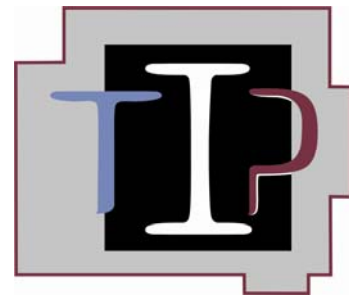
When updating the MTP, WAMPO will consult with agencies and officials responsible for other planning activities within the WAMPO Region that are

affected by transportation and will coordinate, as practical its planning process with such planning activities.

When significant written and or oral comments are received on the draft MTP as a result of the public outreach efforts identified in this plan, a summary, analysis, and report on the disposition of the comments will be included in the final MTP.

Transportation Improvement Program

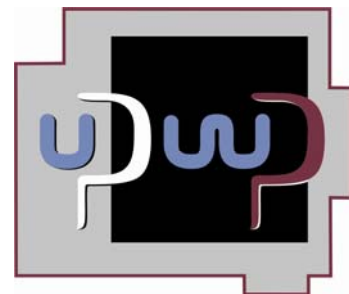
The Transportation Improvement Program (TIP) identifies federally funded and regionally significant projects for short-term implementation. There is a limited amount of federal funds available for the TIP. Thus, the Technical Advisory Committee (TAC) reviews and makes a recommendation to the Transportation Policy Body (TPB) on which projects to include. Following TAC's recommendation, the projects are presented to the TPB during a public hearing, where the public will have the opportunity to provide input before the TPB takes action on the TIP.



When significant written and or oral comments are received on the draft TIP as a result of the public outreach efforts identified in this plan, a summary, analysis, and report on the disposition of the comments will be included in the final MTP.

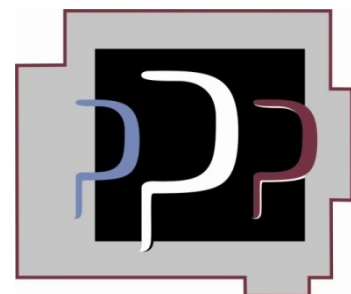
Unified Planning Work Program

WAMPO develops an annual Unified Planning Work Program (UPWP) to describe the planning activities that WAMPO staff will perform during the calendar year. Public involvement is critical for the UPWP because it gives citizens a chance to comment on WAMPO planning activities for the following year. If needed, a public meeting will be held at least seven days prior to Transportation Policy Body (TPB) action on the UPWP. A minimum seven day public comment period will also be conducted prior to TPB action.



Public Participation Plan

The Public Participation Plan contains the guidelines and expectations for public involvement during transportation planning activities and processes used



by WAMPO. It contains a toolbox of strategies used to engage the public in the transportation planning efforts in the region. As the guiding document for public input, there is a 45-day public review and comment period prior to TPB action on revisions and amendments.

Coordinated Public Transit - Human Services Plan

WAMPO is the designated recipient of FTA Section 5316 – Job Access and Reverse Commute (JARC) and FTA Section 5317 – New Freedoms grant funds. Staff maintains and updates the Coordinated Public Transit Human Services Plan (CPTHSP) which is a document that:

- ❖ Identifies service gaps and needs for the elderly, disabled, and low income populations;
- ❖ Identifies current transit and paratransit providers in the WAMPO region and the Coordinated Transit District (CTD) #12 region;
- ❖ Provides strategies to increase coordination efforts by providers for existing and future services and equipment; and
- ❖ Identifies future transit and paratransit projects, both capital and operating.

As designated recipient of these funds, it is WAMPO’s responsibility to assure these funds are awarded to sub-recipients as the result of a competitive selection process. WAMPO will post in the area newspaper of record a notice of a call for projects application period for qualified sponsors. Once eligible projects are selected, a list of those projects will be posted in the area newspaper of record.

Other Plans and Studies

WAMPO routinely conducts several plans and studies as part of the transportation planning process. These are significant plans that are either federally required for the region to receive specific types of transportation funds, or are plans initiated by WAMPO or another agency to address transportation gaps. These plans can be referenced in the MTP, used as project selection criteria, and/or the identified projects from the plans can be included in the MTP and TIP. Each of these plans is subject to public comment and review. As with all



plans, the Transportation Policy Body (TPB) makes the final decision. Some examples are:

- ❖ Regional Pathway System Plan (RPSP)
- ❖ Congestion Management Process (CMP)
- ❖ WAMPO Safety Plan
- ❖ WAMPO Freight Plan
- ❖ Title VI and EJ Report
- ❖ South Area Transportation Study (SATS)
- ❖ WAMPO Railroad Crossing Plan
- ❖ WAMPO Household Travel Survey (HTS)
- ❖ WAMPO Travel Time Study (TTS)

For more extensive studies, a public involvement plan may be created. The public involvement plans may include; identification of stakeholders, the desired level of public involvement (such as how many meetings will be held), an assessment of community awareness and knowledge about the project, listing of which public participation tools will be used, and description of how the public feedback will guide the decision making process. All plans, regardless of the lead agency, will have at a minimum a seven day public review and comment period, and a public hearing prior to action by the TPB. For more extensive studies, WAMPO or the lead agency will host a minimum of three public meetings.

Continuous Process Improvement

The WAMPO Public Participation Plan (PPP) is a process, and like any government or business process, it must be continuously evaluated and improved upon as necessary. Overall evaluation of participation efforts on a regular basis will communicate to staff whether or not the key goals set out in this participation plan are being realized. The evaluation of the WAMPO participation process focuses on an assessment of each program's overall success and effectiveness in achieving its participation goals. Strong participation numbers and inclusion of a broad range of interests is of particular concern to WAMPO. As additional participation techniques are developed, each new strategy is evaluated for effectiveness. Existing participation techniques are reviewed annually to gauge their effectiveness. Public participation efforts are reviewed and documented, and revised accordingly. Activities related to the WAMPO public participation efforts will be documented annually and the results presented to the Transportation Policy Body (TPB) for review. Once approved by the TPB, the annual report will be available to the public.

Benchmarking is a tool that WAMPO uses to improve public involvement. Benchmarking is a process improvement tool used in organizations to evaluate various aspects of their processes in relation to best practices in the field. WAMPO staff will continually look for best practices in the fields of transportation planning and public involvement. The Kansas Association of Metropolitan Planning Organizations (KAMPO) and the Association of Metropolitan Planning Organizations (AMPO) provide two key forums for WAMPO staff to share best practices with MPOs within the state and around the nation.

Public Participation Plan Evaluation

A key requirement of continuous improvement is to periodically review the effectiveness of strategies used in the public participation process. Specific performance measures can be calculated and linked to the level of participation. These measures will then be used to determine which participation techniques are effective and which techniques are not (see Appendix F).

This plan is intended to be a living document, which incorporates revisions and edits from the public and/or interested public agencies. It is also designed to be flexible and offer a number of varied techniques for effective participation.

The WAMPO PPP is formally reviewed every five years and updated as necessary to ensure the plan is promoting an effective process, which provides full and open access to the public and interested public agencies. After changes are implemented, the revised plan will have a 45 day public comment period. During this period the draft plan is available on the WAMPO website, and in hardcopy on request. All comments received are reviewed, considered, and incorporated as appropriate into the plan. A report documenting the participation and review process, including a summary of significant comments received, is made part of the final document.

The WAMPO TPB will periodically review the public involvement processes for their effectiveness in assuring that they provide full and open access to all. (23 CFR 450.316(b) (1) (ix). It will verify that all efforts are being made to assure that everyone has full access to all WAMPO's transportation planning documents and plans, and that public opinions are being actively sought and considered.

In addition, FHWA/FTA conducts a review and certification process of WAMPO every four years to ensure that WAMPO is meeting its federal requirements as a

Metropolitan Planning organization (MPO). Public participation is an important part of the certification process, thus WAMPO reviews its Public Participation Plan every year to see that it is meeting federal requirements and then can adjust it, if necessary, and add new information that will help to make the WAMPO public participation process even better.

Appendix G provides a history of changes and amendments made to the original PPP approved in 2007. Appendix I identifies the schedule for public involvement used to develop the PPP.

Appendix A – WAMPO Press Release

DATE: January 12, 2012 FOR IMMEDIATE RELEASE
CONTACT: Nancy Harvieux, WAMPO Transportation Planning Manager, 352-4854

* * * Media Advisory * * *

WHAT: WAMPO South Area Transportation Study (SATS) Public Open House

WHEN: Thursday, May 10 from 5 – 7:30 PM
WHERE: Wichita WATER Center, 101 E. Pawnee
(near southwest corner of Pawnee & Broadway)

WAMPO Hosts Public Open House on Transportation Issues for South Metro Region

WICHITA – A public open house held on May 10 will review the preliminary findings of the South Area Transportation Study and provide an opportunity for public discussion. The study asks and answers tough questions such as: “How do we best provide for mobility and access within the study area?”

The WAMPO South Area Transportation Study is addressing the future mobility and access needs of the southern portion of the metropolitan planning area, generally located south of US Highway 54/400. Issues being examined include: increased travel demand as a result of population growth, providing strong connections between residential areas and employment centers, and how to provide adequate east/west linkages across the Arkansas River. The study is a cooperative effort that includes extensive participation by various stakeholders including the Wichita Area Metropolitan Planning Organization (WAMPO), federal and state agency representatives, and local jurisdictions throughout the region. Detailed plan information can be viewed at the project website at <http://www.wamposats.com>.

About WAMPO. Metropolitan Planning Organizations are federally required regional policy bodies in urbanized areas with populations over 50,000. Locally, the Wichita Area Metropolitan Planning Organization (WAMPO) is responsible, in cooperation with the State of Kansas, for carrying out the metropolitan transportation planning process.

Appendix B – Public Meetings/Hearings and Comment Period Requirements for Plans*

	Public Meetings/Hearings**	Minimum Comment Period***	Public Notification
Public Participation Plan (PPP)	A public meeting shall be held at least 14 days prior to Transportation Policy Body (TPB) action.	45 day public comment period prior to TPB action.	1,2,3,4,5,8,9
Unified Planning Work Program (UPWP)	If needed, a public meeting shall be held at least 7 days prior to TPB action.	7 day public comment period prior to TPB action.	1,2,3,4,5,9
Transportation Improvement Program (TIP)	A public meeting shall be held at least 7 days prior to TPB action.	7 day public comment period prior to TPB action.	1,2,3,4,5,6,7,8,9
Metropolitan Transportation Plan (MTP) 2035 (long range transportation plan)	Three public meetings will be held; an initial, midpoint, and a final public meeting at least 14 days prior to TPB action.	7 day public comment period prior to TPB action.	1,2,3,4,5,6,7,8,9
Corridor and Other Plans/Studies	If needed, a public meeting shall be held at least 7 days prior to TPB action.	7 day public comment period prior to TPB action.	1,2,3,4,7,8,9

Public notification key:

- | | | |
|------------------------------------|--|------------------------------------|
| 1 - WAMPO Website | 4 - Public Meeting/Open House | 7 – Cable TV Public Access Channel |
| 2 – WAMPO Newsletter | 5 – Public Postings | 8 – General Media Release |
| 3 – WAMPO Public Notification List | 6 - Public Notice in Newspaper of Record | 9 – Public Presentations |

*The required days listed in the table are minimum requirements. When possible and feasible, staff will extend the public comment periods beyond the minimum to ensure the public has adequate time to respond.

**A public hearing will be held before the Transportation Policy Body action on all plans.

***Additional public comment opportunities may be made available if the version that was made available for public comments changes significantly.

Appendix C – Public Meetings/Hearings and Comment Period Requirements for Amendments*			
	Public Meetings/Hearings	Minimum Comment Period**	Public Notification
PPP Amendment	A public hearing shall be held prior to TPB action.	45 day public comment period prior to TPB action.	1,2,3,4,5
UPWP Amendment	A public hearing shall be held prior to TPB action.	7 day public comment period minimum prior to TPB action.	1,2,3,4
TIP Amendment**	A public hearing shall be held prior to TPB action.	7 day public comment period minimum prior to TPB action.	1,2,3,4
MTP (long range plan) Amendment)***	A public hearing shall be held prior to TPB action.	7 day public comment period minimum prior to TPB action.	1,2,3,4
Amendment to Corridor and/or Other Plans/Studies	A public hearing shall be held prior to TPB action.	7 day public comment period prior to TPB action.	1,2,3,4

Public notification key:

- | | | |
|------------------------------------|--|------------------------------------|
| 1 - WAMPO Website | 4 - Public Meeting/Open House | 7 – Cable TV Public Access Channel |
| 2 – WAMPO Newsletter | 5 – Public Postings | 8 – General Media Release |
| 3 – WAMPO Public Notification List | 6 - Public Notice in Newspaper of Record | 9 – Public Presentations |

*The required days listed in the table are minimum requirements. When possible and feasible, staff will extend the public comment periods beyond the minimum to ensure the public has adequate time to respond.

**Additional public comment opportunities may be made available if the version that was made available for public comments changes significantly.

***The TIP and MTP amendment comment period may be waived or shortened by the Transportation Policy Body (TPB) if there is a risk of losing funds for the region.

Appendix D – Public Notification Request

W A M P O

Wichita Area Metropolitan Planning Organization

Please add my name to the Public Notification list:

Name: _____

Title: _____

Agency: _____

Address: _____

Phone: _____

E-mail: _____

- Please e-mail me *on the Go with WAMPO* quarterly e-newsletter and other WAMPO news and updates.

Please mail, e-mail, or fax to:

Wichita Area Metropolitan Planning Organization

455 N. Main, 10th Floor

Wichita, KS 67202-1688

Fax: 316-268-4390

E-mail: wampoks@yahoo.com

Website: www.wampoks.org

Appendix E – WAMPO General Transportation Questionnaire

W A M P O

Wichita Area Metropolitan Planning Organization

The Wichita Area Metropolitan Planning Organization, WAMPO, needs your input to improve our **regional transportation system**.

Please rank, **from 1 to 10**, the following transportation-related improvements you consider most important for the Wichita area, **with 1 being most important**.

- _____ Widen existing roads.
- _____ Build new roads.
- _____ Improve traffic signal timing.
- _____ Improve transit service (express bus routes, additional bus routes, longer hours of operation, more frequent buses, etc.).
- _____ Improve driver education.
- _____ Develop a pedestrian friendly transportation system to make areas more walkable (improve sidewalks, crosswalks, signals, etc.).
- _____ Expand and improve the bike route system (bike paths, bike lanes) to increase the number of people who bike as a form of transportation.
- _____ Improve connections between travel modes by adding infrastructure (bike lockers at bus stops, bike racks on buses, park and ride lots, etc.).
- _____ Passenger rail service between Wichita and other cities.
- _____ Maintenance and improvements to existing facilities (intersection or interchange improvements, pavement of gravel roads, bridge repairs, etc.).

Additional comments related to transportation in the Wichita area _____

Please mail, email, or fax to:

Wichita Area Metropolitan Planning Organization

455 N. Main, 10th Floor, Wichita, KS 67202-1688

Fax: 316-268-4390, E-mail: wampoks@yahoo.com

You may also fill out this survey and learn of upcoming transportation planning meetings at www.wampoks.org.

Appendix F – Public Participation Performance Measures

Participation Tool	Evaluation Criteria	
	Quantitative	Qualitative
Public Meetings and Hearings	<ul style="list-style-type: none"> • Number of meetings. • Number of participants. • Diversity of attendees. • Number of comments received. 	<ul style="list-style-type: none"> • Public understanding of the planning process. • Meeting convenience: time, place and accessibility. • Effectiveness of meeting format. • Was input used in the planning process?
Visualization Techniques	<ul style="list-style-type: none"> • Number of visual aids used. 	<ul style="list-style-type: none"> • Were the aids visible? • Were the aids clear and understandable?
Public Notification List	<ul style="list-style-type: none"> • Number of additions to the mailing list. • Diversity of representation. 	<ul style="list-style-type: none"> • Did the notification format work? • Was information concise and clear?
Newsletter	<ul style="list-style-type: none"> • Number of interested citizens that receive the letter. 	<ul style="list-style-type: none"> • Accessibility of the newsletter. • Readability of the newsletter.
Surveys and Questionnaires	<ul style="list-style-type: none"> • Number of surveys given out. • Number of surveys received. 	<ul style="list-style-type: none"> • Was the intent and purpose of the survey understood? • Was a spot for additional comments included?
Media Outreach	<ul style="list-style-type: none"> • Extent and quantity of media coverage. 	<ul style="list-style-type: none"> • Understanding of planning process.
WAMPO website	<ul style="list-style-type: none"> • Number of “hits.” 	<ul style="list-style-type: none"> • Ease of finding information.
Collaboration with other Organizations	<ul style="list-style-type: none"> • Number of organizations. 	<ul style="list-style-type: none"> • Understanding of WAMPO’s role and the planning process. • Effectiveness of coordination.

Appendix G: Revisions and Modifications to Plan

2009

- ❖ Goals, Objectives and Strategies were more clearly defined. The goals and strategies did not change from the PPP adopted in 2007; rather they were more clearly defined with objectives and strategies to achieve each goal. Clearly defined goals make the PPP more understandable, and also make it easier to evaluate the feasibility of the goals and objectives, and the effectiveness of the strategies.
- ❖ Building upon the work already done in the PPP 2007 in response to public comment, the wording throughout the document was revised to make the document more readable and less complex.
- ❖ Reference to the Title VI and Environmental Justice Policy was included.
- ❖ Under general public meeting guidelines, information on the policy for notifying the public was included.
- ❖ Exploring future tools was added in the public participation toolbox as a way to give WAMPO staff more opportunities and ideas for improving public participation.
- ❖ Seventy-two (72) hour notification for public meetings, review and comment periods was changed to timely notification. Due to the varying nature and amount public interest created by different plans and studies, more or less time may be needed for notification. WAMPO staff will determine the appropriate time frame.
- ❖ In Appendix B, the public meeting requirement prior to TPB action on corridor and other plans/studies was changed to a public meeting being held when feasible and necessary. While a public meeting is necessary for some plans, specifically corridor studies, it is not feasible or necessary for all plans.
- ❖ In Appendix B, minimum public comment period was changed from fourteen days to seven days on the majority of plans. This allows WAMPO more flexibility. These are minimum requirements. When possible WAMPO staff will extend the public comment period to ensure the public has adequate time to respond.
- ❖ Wording in Appendix B was also changed. Anywhere that read “prior to TPB adoption” was changed to “prior to TPB action”. While the hope is the TPB will adopt the plan; that is not always the case. Action indicates that the TPB will decide and vote on it.
- ❖ Appendix C was added to clearly identify the minimum requirements for public meetings, hearings and comment periods for amendments to any plans.

- ❖ Appendix E was modified to coincide with the strategies used to achieve the goals.

2011

- ❖ Added Social Networking (Facebook and Twitter) as current tools used to solicit public input and comment.
- ❖ Added WAMPO Transportation Policy Body (TPB), Technical Advisory Committee (TAC), and Subcommittee meetings as public participation opportunities.
- ❖ Added notice of YAHOO! Babel Fish as a means to translate the WAMPO website into multiple languages.
- ❖ Added a Social Responsibility section that includes Limited English Proficiency (LEP), Americans with Disabilities Act (ADA), and Environmental Justice (moved from previous toolbox section).
- ❖ Added Map of the WAMPO transportation planning area.
- ❖ Added reference to the Kansas Open Meeting Act (KOMA) and Kansas Open Records Act (KORA) and added appendix containing “A Citizen’s Guide to KOMA and KORA.”
- ❖ Added section “Consideration and Response to Public Input”.
- ❖ Added PPP and Coordinated Public Transit Human Services Plan (CPTHSP) to WAMPO Plans and Programs.
- ❖ Updated “Other Plans and Studies” section.
- ❖ Revised Appendix B and Appendix C to include public notification options.
- ❖ Miscellaneous narrative revisions.

A Citizen's Guide to KOMA / KORA

*Kansas Open Meetings Act
Kansas Open Records Act*



Provided by

Kansas Attorney General

Derek Schmidt

Dear Fellow Kansans:

Our state has a long and rich history of ensuring that all of our citizens can participate in our democracy.

That's why our two principal open-government laws – the Kansas Open Records Act and the Kansas Open Meetings Act – are so important. They establish the legal requirement that the decision making of our public bodies remains open and subject to scrutiny and participation by our citizens.

As your attorney general, I share responsibility to enforce these laws and to help Kansans understand what they do, and do not, require.

This brochure is intended to help you and other Kansans understand the basic requirements of the Open Records Act and the Open Meetings Act. It answers common questions about the two and helps you understand what rights you, as a Kansan, have to obtain the records of your government and to view its activities.

In partnership with others who have a keen interest in open government – including the Kansas Sunshine Coalition – our office provides training for local and state officials about their duties and obligations under these laws. We work to resolve open government disputes and bring enforcement actions when necessary.

But I believe strongly that the best outcome is when everyone knows and respects our open government laws and we prevent violations from occurring in the first place. That's the point of this and similar publications.

For more information, you can check our website at www.ksag.org or call my office at (785) 296-2215.

Thank you for your interest in open government!

Best wishes,

A handwritten signature in black ink that reads "Derek". The signature is written in a cursive, slightly stylized font.

Derek Schmidt
Kansas Attorney General



Understanding the Kansas Open Meetings Act (KOMA)

The Purpose and Scope of KOMA

1. What is the KOMA about?

KOMA is a law that guarantees anyone the right to observe governmental policy makers, such as your local school board, city council, county commissioners or most functions of the state legislature, make the decisions that affect your life.

2. What types of groups are subject to KOMA?

KOMA applies to all of the political and taxing subdivisions in Kansas. There are approximately 4,000 groups and organizations that fall into this category. KOMA may also apply to other organizations if they were created or controlled by a public agency or act on behalf of a public agency. This includes committees or sub-groups created by an agency.

3. How do you know if a group is going to be subject to KOMA?

That is determined by looking at all of the facts surrounding the creation and operation of the group. We also look at what services are provided by a group. If a group is providing a governmental service, it is more likely it will be subject to KOMA.

KOMA does not apply to the meetings of private groups such church groups, private clubs, private corporations or businesses or any other associations.

4. Does KOMA apply to any meeting related to the government?

No, KOMA only applies to the policy-making body. It does not include the staff meetings for a public agency. It does not apply to elected officials that are not part of a body, such as the governor.

5. Does KOMA apply to Kansas courts or judges?

No, courts and judges are excluded from KOMA.

Meeting Matters Not Covered by KOMA

1. Does KOMA include a requirement for an agenda?

No, although the creation of an agenda before the meeting will help provide focus for both the agency and the public, there is no requirement in KOMA to create an agenda. This also means that the content of the meeting may be changed at any time.

2. Does KOMA require detailed minutes of all of the items discussed at a meeting?

No, KOMA does not speak to minutes or agendas, except to require that motions to go into executive session be recorded in the minutes. Meeting minutes are the responsibility of the agency and the agency determines what is recorded in the minutes.

3. Is KOMA the same thing as Roberts Rules of Order?

No, KOMA does not address the conduct of meetings or other procedural matters, such as the

order of business, content of reports or length of time that may be spent on a topic of discussion.

KOMA Requirements for Public Agencies

1. What does KOMA require an agency to do?

There are two main requirements. First, any meetings must be open to all members of the public. Second, notice of meetings must be provided to anyone who has requested it.

2. What does “open” mean in KOMA?

It means that the meeting must be conducted in a way that the public may observe or listen to the proceedings.

3. Does that mean a meeting must be moved to another location if members of the public cannot get into the meeting room?

No, KOMA does not require that public meetings be moved to larger or better locations. Meeting locations are left up to the agency. Unless there is evidence that the agency deliberately moved a meeting to a location with limited access to avoid public observation, there is no conflict with the requirements of KOMA.

4. Does an agency have to let members of the audience speak at a meeting?

No, KOMA does not require that the public be allowed to speak. Some other law may require a public hearing with the opportunity to speak on that issue, but KOMA does not.

5. Can I use a camera or other recording device to record a meeting?

Yes, KOMA allows recording, but subject to reasonable rules to prevent disruption of the meeting, safety hazards, or other legitimate concerns. You may want to contact the public agency or body in advance to learn about any rules that may apply to recordings.

6. May one or more members of an agency board participate in a meeting by telephone?

Yes, as long as the meeting is open to the public so they might listen to the discussion.

KOMA Meetings

1. What is a meeting, as defined by KOMA?

Three conditions must be met in order for a meeting to occur. All three must be satisfied. They are:

- Interactive communication in person or by telephone or any other medium
- A gathering of or by a majority of the members of the agency or body
- Discussion of the business or affairs of that body or agency.

2. How is “interactive communication” applied?

The best way to determine if “interactive communication” has taken place is to think of it as two-way communication. For example, an email from one member of a body to the rest of the body members is only one-way, until there is a reply, and then it becomes two-way.

The two-way communication can be by any means, including using individuals as “go-betweens.”

3. What is a majority of the agency or body?

Majority is one more than one-half of the membership. When counting the number of members, vacant positions must be counted as well. For example, if a school board has seven members, but there are two vacancies, a majority remains four.

4. Are there any topics that may be discussed by a majority outside of a meeting?

Only to determine a mutually acceptable meeting time so notice of that meeting may be provided.

Discussion alone triggers the KOMA requirements, regardless whether an agreement is reached or a survey of how members are going to vote takes place. None of those actions are permitted.

5. Can members avoid the KOMA requirements by discussing agency business with less than a majority of the other members?

Not really, as interactive communications in a series are forbidden by KOMA. A violation will occur if all of the following conditions are met:

- Interactive communications collectively involve a majority of the body or agency,
- A common topic is discussed concerning the business or affairs of the body or agency, and

- There is intent to reach agreement upon a topic that requires binding action in an open meeting by the body or agency.

6. Can a majority of the members attend a meeting of another group?

Yes, as long as they refrain from any private discussions about the business of their body or agency. This limitation applies to all formal and informal gatherings, such as conferences, ribbon cuttings or social clubs.

KOMA Notice Requirements

1. When does a body or agency have to provide notice?

Notice is required only when someone requests receiving notice of meetings. There is nothing in KOMA that requires general notice, such as publishing the agenda in the newspaper or posting it on the agency website.

2. How do I request notice?

All you need to do is make a request to the appropriate agency. Although not required, it is a good idea to make your request in writing and keep a copy.

3. What kind of notice should I expect?

KOMA does not specify the method of notice; it could be verbal or written. The notice must provide you the time, place and date of the proposed meeting.

You may receive a single notice for all regular meetings of the agency or body. You should still receive notice for any special meetings or changes in the regular time, place or date.

4. How long is my request effective?

Your request is good for the fiscal year of the agency or body. But, the agency or body must contact you and ask if you wish to continue to receive notice before they discontinue providing it to you.

5. Is there a minimum time required to give notice?

No, KOMA only requires “reasonable” notice. In some situations, that could be very short. If you believe an agency did not provide adequate or reasonable notice, discuss the situation with the agency to learn when others, including the members, received notice of a meeting. If this does not resolve the matter, please see the Enforcement section of this guide.

Executive Sessions: Closing an Open Meeting

1. What is an executive session?

An executive session is when the body is permitted to discuss certain subjects in private.

2. What are the procedures to enter into an executive session?

An executive session may only take place once an open meeting is convened. A motion must be made to enter into executive session. That motion and the resulting vote must be entered into the minutes.

3. What must a motion to enter into an executive session say?

There are three parts:

- The justification: A brief description of the topic to be discussed in executive session without revealing confidential information
- The subject: A reference to one of the permitted topics for executive session contained in KOMA
- And the time and place at which the open meeting will resume.

4. If a body does not include all three portions, is the executive session illegal?

Probably not, the courts have determined a technical violation occurs if there is an error in the motion, but the body maintained the spirit of KOMA.

5. Who may attend an executive session?

Only the members of the body holding the executive session have a right to attend. The body may include others, if they believe their information is important.

6. Can the body make a binding decision in executive session?

No, binding decisions must be made in an open meeting. However, the body may reach a consensus agreement, but not take binding action.

7. What topics may be discussed in executive session?

KOMA permits seven general topics:

- Personnel matters relating to non-elected personnel
- Consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship
- Matters relating to employee-employer negotiations
- Confidential data relating to the financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships
- Matters relating to action affecting a person as a student, patient or resident of a public institution
- Preliminary discussion relating to acquisition of real property
- Matters relating to security measures that protect specific systems, facilities or equipment including persons and private property if related to the agency.

8. What is permitted under the personnel subject?

The body may only discuss its own individual employees and applicants for employment. They are not permitted to discuss elected officials, independent contractors, candidates for appointment to other boards or commissions or

general concerns affecting all employees, such as a proposed pay plan.

9. What is permitted under the attorney consultation subject?

The body's attorney must attend the executive session, even by speaker phone, to provide legal advice to the body.

Non-agency personnel may only attend if they are considered part of the client organization, such as consulting engineers.

10. What is permitted under the employee and employer negotiation subject?

Only discussion about negotiations with recognized bargaining units, not general employee matters.

11. What is permitted under the confidential and trade secret subject?

Financial information of a private business or any trade secrets they may need to disclose to a public body. General discussion of tax incentives is not permitted.

12. What is permitted under the student, patient or resident of a state institution subject?

The body may discuss any matter that may have an impact on the individual's status as a student, patient or resident of a state institution, either in a positive or negative way. The individual may request that any hearing be conducted in an open meeting, it is their choice.

13. What is permitted under the property acquisition subject?

The body may only discuss purchasing, not selling, real property. Real property is land with or without structures. Purchasing equipment or software is not permitted here.

14. What is permitted under the security subject?

The body may review security measures for all of the facilities and operations under their control.

Enforcement of KOMA

1. What should I do if I think there has been a KOMA violation?

If the body you are concerned about is a local government unit, such as a county, city, school board or township, you should contact the county or district attorney where the governing body is based.

If the body is a state agency, you should contact the Attorney General's office.

In either case, your complaint will be investigated and the results reported back to you.

2. What happens if a violation is found?

That depends upon the situation. If we find that a violation has occurred, depending upon the severity, the typical resolution is to enter into a settlement agreement. We are seeking compliance with KOMA and assuring that future violations do not occur. The members of the body are required to attend training about KOMA at their own expense.

If the circumstances show a pattern of willful disregard of the KOMA rules, we may take the individuals responsible to court.

3. What can a court do to a violator?

A court may fine individual members of the body up to \$500, reverse any actions that were taken illegally and potentially subject the individual to removal from office by recall or ouster.

KOMA is a civil statute, not criminal, so the violator will not be sent to jail under KOMA.

4. What if I disagree with the findings of the county or district attorney?

You may file your own case in district court against the members of the body. The Attorney General will not review the findings of a county or district attorney. That is the role of the courts.

5. If I file a case, will I need my own attorney?

That is up to you. If you prevail and the court finds a violation has occurred, you may receive reimbursement for any court costs, such as filing fees, fees for service of process and the like. Attorneys fees are not a part of court costs.

Understanding the Kansas Open Records Act (KORA)

The Purpose and Scope of KORA

1. What is the purpose of KORA?

KORA is a law that permits the public to review or get copies of public records. There are two parts of the law. One part governs the procedure that public agencies must follow when someone requests a public record. The other part categorizes public records and, under certain circumstances, permits an agency to withhold public records.

2. What are public records?

Public records are records made, maintained, created or possessed by a public agency. They may be in any form, including electronic storage. The content of records varies widely; some track the routine activities of government while others contain personal information about citizens and businesses.

3. Why would a public agency have personal information about citizens and businesses?

Public agencies have regulatory responsibilities that require gathering personal information. Common examples include tax returns, driver's licenses and automobile registration. Many professions are licensed, such as doctors, dentists, cosmetologists, attorneys and accountants to name a few. Personal information is collected as a part of the initial licensing, but also in case of complaints and investigations.

4. What types of groups are subject to KORA?

KORA applies to all of the political and taxing subdivisions in Kansas. There are approximately 4,000 groups and organizations that fall into this category. KORA may also apply to other organizations if they were created or controlled by a public agency or act on behalf of a public agency.

5. How do you know if a group is going to be subject to KORA?

That is determined by looking at all of the facts surrounding the creation and operation of the group. We also look at what services are provided by a group. If a group is providing a governmental service, it is more likely they will be subject to KORA.

KORA does not apply to the records of private citizens or groups such as church groups, private clubs, private corporations or businesses or any other associations.

6. Does KORA apply to court records?

Yes, however KORA permits the judicial branch to make its own rules for reviewing or obtaining records. Those rules are posted on the Kansas Supreme Court website and at the district courts throughout the state.

7. Is KORA the same as the Freedom of Information Act (FOIA)?

No, The FOIA is the federal law that applies to records of the federal government. The FOIA and KORA are different laws that have similar provisions, but are not exactly the same.

Procedures for Obtaining Copies of Public Records

1. How do I request a record?

The best place to begin is with either the agency's designated record custodian. One staff member may fill both roles. In either case, they will assist you with your request.

2. Do I have to put my request in writing?

An agency may require you to do that, but not on any particular form. The reason for this requirement is so both you and the agency are clear on what records you are seeking.

3. Who can request a record?

Anyone. There is no requirement that the person making the request has any special relationship to the record. There is no special status for any person making a record request, even if the record is about them.

4. What may the agency ask of me when I request records?

The agency may ask you for your name and address. It is optional, but the agency may ask you for some form of proof of your identity.

5. Do I have to go in person to the place where the records are kept to make my request?

No, you may make your request in writing from anywhere. Many record transactions are handled through the mail or even online.

6. What do I do if the agency that has the records doesn't have any full-time staff or regular business offices?

KORA permits very small agencies that do not have regular office hours to establish reasonable hours when you can inspect or copy records, but the agency may require 24-hours notice. All of the other requirements for access remain the same.

7. May I take a public record and have it copied elsewhere?

Not without the record custodian's permission. If copies cannot be made where the records are kept, the custodian will make arrangements to have a copy made. Public record custodians are required to keep original documents safe, so they will be available for any person who might request that record.

Responding to Record Requests

1. When can I expect to receive the records?

It depends upon the availability of the records. Some records may be provided at the time they are requested, others may have to be gathered and reviewed before releasing them.

2. What is the "three day" requirement?

An agency must act upon your request as soon as possible, but not more than three business days, beginning the day after the request was received.

3. Does this mean I will get the records in three days?

No, the agency must communicate with you within those three days. The agency may provide the records, or explain that they do not have the records you want, or may inform you that the search or review is underway and will be completed as soon as possible.

4. Is there a deadline when the records must be given to me?

No, each request and record is unique, although if there is a delay, the record custodian should provide a time estimate to you. Some records may need to be gathered from remote locations. Other records that contain closed portions must be reviewed and appropriately redacted or blacked out.

5. Does KORA require that an agency answer my questions?

No, KORA only applies to records as they exist at the time you ask for them. If you are asking for information, analysis or an explanation about a policy, you might get them, but not under the rules of KORA. KORA does not require an agency to do research for you or provide written answers to your questions.

6. May I request records that will be created in the future?

No. Records not yet in existence are not subject to KORA. Even though many records are routinely created, such as meeting minutes and monthly financial reports, your request must be made after they are prepared and available.

KORA and Fees

1. May a public agency charge fees for accessing or copying records?

Yes, KORA permits public agencies to recover their costs for gathering and copying records.

2. What kinds of costs are allowed?

The agency may only charge the direct cost for staff time to gather, review, photocopy and send the records to you. The agency may not charge for overhead or indirect costs.

3. Is there a standard fee schedule that all agencies must use?

No, KORA permits each agency to establish their fees. However, they must represent their best estimate for actual costs.

4. May an agency collect fees in advance?

Yes, KORA allows public agencies to collect estimated fees in advance. If the actual cost is less, you will be refunded the difference. If it is more, the agency may bill you for the additional costs.

5. What can I do if I believe the fees are unreasonable?

If the records are from an executive branch state agency, there is an appeal process through the Secretary of Administration. If the records are from another agency, you may complain to the county or district attorney. If the agency can justify the fees and they are based upon actual costs, then they are reasonable.

Prohibited Uses of Public Records

- 1. May I use a public record that contains names and/or addresses on it, so I can contact the people on the list to offer goods or services for sale?**

No, KORA prohibits using lists of names and addresses as a marketing tool except in very limited cases, such as professional organizations that offer educational opportunities for licensed individuals.

- 2. If I request a public record that contains names and addresses on it, do I have to sign a special form?**

Yes, KORA permits the agency to require that you certify that you will not use the names and addresses for any prohibited purposes. If you do not sign the form, the agency does not have to provide you the records.

Record Content and Accessibility

- 1. Is there a general rule about public records being open?**

Yes, unless a record is specifically closed by law, all public records are open for inspection and any person may view them to make their own notes or ask for copies from the agency.

- 2. How will I know if a record is closed by law?**

Ask for a copy of the record you would like to see, if it is closed the record custodian will tell you and provide you the appropriate source of the law that closes the record.

3. Who decides that records are closed?

The legislature reviews and approves all the laws that close records. They have adopted general policies for closing public records. They are:

- The public record is of a sensitive or personal nature concerning individuals.
- The public record is necessary for the effective and efficient administration of a governmental program.
- The public record affects confidential information.

4. How many records are closed?

There are over 300 specific records closed by Kansas law. Many other records are closed by federal law. Many of the records that may be closed contain information that individuals and businesses are required to provide to the government, such as tax returns, reports of infectious diseases or private financial information. Federal laws close individual medical records and driver's license information.

5. Does the record custodian have any authority to release these records?

In some limited cases, yes. The law that closes a record may contain conditions that temporarily close a record or grant the record custodian the discretion to release a record.

For example, sealed bids are closed, but only until the bid contract is awarded, then the records are open. Another example is when the record custodian must use their judgment about whether

a record contains information of a personal nature and disclosing the information would be an unwarranted invasion of personal privacy.

6. What can I do if I disagree with the judgment of the record custodian about whether to release a record?

KOMA provides that you may go to the district court in the county where the record is kept and ask a judge to review the records in question. The judge will look at the records in private and make a decision about what may be released.

Enforcement of KORA

1. Who can enforce KORA?

KORA can be enforced by anyone -- private citizens, the county or district attorney or the Attorney General.

2. Where do I complain if I believe an agency has violated KORA?

If you believe an agency has made an error or has not complied with the requirements of KORA, you should first bring it to the attention of that agency. After reviewing your concerns, they may agree with your views. Most often the attorney that represents the agency will look into your complaint and determine if you are correct.

If you still disagree with the agency, you may make a complaint to the appropriate county or district attorney where the agency is located. The county or district attorney is charged with enforcing KORA and will look into the issue and determine if there has been a violation.

In some cases, specifically with state agencies, the Office of the Attorney General handles the complaint. As with complaints investigated by local county and district attorneys, the Attorney General will conduct an investigation to determine if KORA was violated.

3. If I think the county or district attorney has a conflict or won't do a good job, can I make my complaint to the Attorney General?

Yes, but the Attorney General forwards all complaints made against local units of government to the appropriate county or district attorney for action. The county or district attorney has the primary responsibility for enforcement in their county. If they believe they have a conflict of interest, they may ask another office to conduct the investigation, including the Attorney General.

4. What if I disagree with the county or district attorney's conclusions?

You may always go to court and ask that a judge review the complaint. The Attorney General will not review the decisions of a county or district attorney.

5. What can a court do to an agency if they violated KORA?

The court may order that the documents be produced for you. If the agency did not have a good faith reason to withhold the records, the court may fine the agency up to \$500 if the action is brought by the county or district attorney or Attorney General.

The court shall award attorney fees to private parties if they bring the action and the agency did not act in good faith.

KORA is not a criminal statute, so there is no possibility of anyone going to jail for violating KORA.

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Appendix I. Public Involvement Used to Develop the PPP

Throughout the development of the Public Participation Plan (PPP), staff conducted extensive public involvement to receive public feedback on the plan. A chart that summarizes the major public involvement efforts conducted during the development of the PPP is below.

Table 1: Public Involvement Used to Create PPP

E-mailed Draft PPP to Interested Parties	July 9, 2007
Public Meetings	October 10 and 11, 2007
Public Comment Period	August 28, 2007– September 31, 2007
Public Hearing	November 13, 2007
Public Comment Period for Amendment	January 16, 2009 – March 2, 2009
Public Comment Period for Amendment	September 6, 2011 – October 28, 2011
Public Hearing	November 8, 2011