

To: City Council Members and Staff

From: Citizens' Considerations on Annexation of CU-South

Date: November 18, 2020

Subject: Problems with and Suggestions for Public Engagement

The following memo addresses the diagram explaining how "public engagement" and "public participation" for the proposed annexation of CU-South to the City of Boulder will unfold in December 2020 through the end of February 2021. We remain concerned that what's planned is not real public participation, but an essentially one-way process in which the City poses questions to the public, rather than listening to, and answering questions posed by, the public. What we are looking for instead involves truly open discussions with, and active listening to, members of the public. Public engagement is, and should always be, a two-way street, a give-and-take, a reciprocal on-going process that helps the community and city better understand each other's concerns and priorities. However, what's outlined seems to be something quite different from this.

A considerable portion of the Boulder population is extremely unhappy with how the City's staff and City Council continue to ignore thoughtful, data-based input from concerned and even expert residents—input that questions the wisdom and even feasibility of many decisions being taken by our elected and publicly paid representatives. The current strategies used to elicit public opinion make it appear that the City's agendas are being set and then rammed through, regardless of any meaningful input from the public. Residents find this insulting, especially when City staff and Council repeatedly congratulate themselves over the many successful public engagement activities they've organized—without presenting meaningful data attesting to that success. Talking about numbers of events held doesn't measure success of those events. For example, simply being told that the City "organized two open houses" or "held 10 webinars and people had lots of questions on Be Heard Boulder," is not a measure of successful public participation, and neither is "we organized pop-up sessions at OZO coffee house"—to people who weren't necessarily even aware of the issues or of why the City staff were there.

Critical too, in this time of pandemic-induced virtual communication, is that only the tech-savvy members of our community who also have good connectivity and up-to-day electronic devices can participate. Unfortunately, these exigencies only increase a sense of disaffection.

Unfortunately, the methods themselves often carry a message. If the methods used to promote engagement are poorly understood, difficult to find and use, hardly publicized, and not reflective of public concerns—and even dissent—they almost always are unsatisfactory. We have heard feedback about the City’s “engagement” methods for assessing public opinion that range from mild annoyance about the failure to address what people really care about, to outright fury over how the process wastes peoples’ time. If the proposed “engagement” methods only serve to irritate, they serve no useful purpose. They lack “construct validity”, which means that they have no authentic meaning to public participants, because their authentic concerns and “definitions of the situation” are not reflected in what people are being asked about. *Most importantly, this means that they are counterproductive because people simply refuse to respond because they feel that doing so is useless.*

This being said, we’re encouraged that you are inviting advice on how to better construct, conduct, and report the results of public engagement processes. We hope this memo will begin a dialogue that leads to better and more durable outcomes for everyone involved. We want to take this invitation seriously and are trying to do so here by providing constructive feedback and suggestions for process improvement.

First, we question the wisdom of the current timeline---all public engagement sandwiched into December-January-and part of February---in the middle of a pandemic. And especially when many members of the public — especially significant segments of low-income, minority, and technologically challenged people — are excluded from meaningful participation because they do not have appropriate or up-do-date devices,

adequate internet connectivity, or even wide knowledge of the often arcane requirements of on-line communication.

Second, we question why there is so much haste to ramrod this process through. CU has repeatedly stated that it does not plan to do anything at all at its CU-South property for several years. The property therefore doesn't need to be considered for annexation right now. In fact, CU is not even ready to engage in authentic negotiations over specific details of annexation—as even a cursory read of its annexation proposal makes clear. Annexation is an immensely consequential and expensive step for the City to undertake, and with the terror of the pandemic invading the thoughts, prayers and daily activities of every single Boulder resident, the full participation of the public is highly compromised. It is imperative for an effective process that the City and citizenry be able to focus on the issue without the ongoing anxiety of the pandemic consuming their focus. So why not slow down the process, wait for a vaccine and amelioration of the COVID-19 pandemic, and then proceed with a revised and more effective public engagement process?

Third, in several examples detailed below, we point to the many limitations of the specific proposed “engagement activities” and suggest that the current plan and timeline be scrapped and reworked. A good beginning would be if the City revisited its own suggestions for improvement which were made by the City's Public Engagement task force in 2017 and then reinforced in repeated comments from individuals and community groups over the past several years. Next steps would involve taking into account some of the following:

Methodological Examples and Concerns:

- 1) The activities being proposed need to be described. What on earth is a "Digital World Café?" A “Digital World Café” is NOT a generally understood participatory interaction event type; it's a cute but empty marketing jargon without an effective description. As such, such an event is not likely to generate much interest. The

engagement description needs to explain what the process looks like, who will be running it, who can participate, how it will work, what will be covered, and how long it will last.

2) Similarly, what "Office Hours" are--amidst a pandemic where indoor gatherings are eschewed--should be specified. Who will be holding them, what's their purpose, who can participate and how will people do so safely? Crucially, how long will they last? Will the topics and questions to be addressed be time-limited? Or focused only on one or two topics? Who will introduce the topics? What about the role of public participants? Will the public be constrained to certain topics set out by the City or can they add topics or questions? How will results be measured, reported, shared, and used?

3. Emphasizing the "Be Heard Boulder" platform is inadequate because it is clunky and hard to use. One needs to have good connectivity and a great deal of patience to find out where to find it, how to use it, and how to respond. Another serious failing is that the questions on Be Heard Boulder and the topics covered seem to be put together without any input from members of the public. All of the "surveys" or "questionnaires" sent out by the public engagement staff seem to be comprised of questions that either slant toward producing an expected or desired response or are limited to topics already decided upon by whomever posed the question. This both severely limits the validity of the responses and tends to silence those whose concerns aren't congruent with the topics covered.

4. Surveys (or questionnaires), widely relied on by the City's public engagement staff, are inherently one-sided. Whoever makes up the survey instrument decides on the topics, and if the format is multiple choice, multiple choice, the survey maker also specifies the possible answers. That's a top-down process. It's not the bottom-up, or inductive process that's required. Proceeding inductively requires figuring out not only what the surveyor wants to know, but also what the people being surveyed want to say and learn about. Such activities are, therefore, increasingly annoying to

those to whom they are sent. Carefully selected focus groups that elicit the RANGE of concerns and opinions are a good first step to assess the diversity within a population; the data from this technique then forms a good basis for producing surveys or questionnaires that are more widely (and well) received.

5. If the City is planning to use webinars with Q&A, it needs to figure out how to both track people's comments and summarize them for the public to share, and also, how to communicate results to City Council.

6. If, as the diagram indicates, "briefings" will be held, please understand that those are about the least interactive of so-called interactive formats. They really are top down, one way communication: The City talks, the public only listens. Such briefings allow do not allow any discussion. If briefings will be the primary way the community learns about the City's intentions, how will the public be able to talk back to what is being handed down? If questions and discussions are allowed, how will the staff summarize the comments and present the results back to the public and to City Council? Without so doing, the City can spin the results in a way that best fits their already-established agenda.

In summary, public engagement should include ways by which what the public really wants to talk about can be presented, heard, analyzed, and then made available to everybody in Boulder. How otherwise will the planned public engagement activities actually determine the strength of public approval or disapproval with what the City plans? How would the City be able to determine, for example, that "about 500 people weighed in, and aside from Frasier Meadows Retirement Community residents, most of the south Boulder residents that participated are adamantly opposed to annexation and very upset with Council. "? Or does the City even care if the public thinks the plans under consideration are imprudent, unwise, too costly, a violation of the City Charter, or actually pose increased danger to public safety?

Below we list a few concrete ways that the current process could be revised to be more responsive.

Some Suggestions for Improvement

1. The City should stop, breathe, and take the time to create authentic ways to participate. This includes giving people more than a multiple choice opportunity and 90 seconds to respond. A considerably greater time frame should be planned for the community to digest and engage on these very complex issues.
2. The City should not limit the discussion topics to specific items the City wants to address. Limiting scope of discussion suggests the City is not really seeking to learn what the public is concerned about. For example, on flood mitigation last year, the public could only address comments to the one project design (Variant 1, 100 year flood, with a dam located along Hwy 36) already decided upon by the City's engineers and consultants. This meant that anybody who thought this a really bad plan of action were silenced
3. Whatever methods are chosen, they should allow members of the public to express heartfelt total opposition to what the City is proposing without being "ruled out of order".
4. The public engagement period must be lengthened. This is when members of the public will need to get more fully informed about City plans. They also will have to present their concerns to City decision-makers. Sticking to a schedule limited to the three months of December-February is unrealistic, as it also includes the multiple distractions of year-end religious holidays, New Years, turmoil over national elections, and of course, the ongoing disruption of the (ever worsening) pandemic. We are already close to December and the City hasn't yet adequately defined and detailed what the "participatory" events will look like, who will be running them, how people will participate, for how long, and in what way? Without that information, how can people be prepared to respond?
5. The public needs to understand well in advance how and where all of this information will be publicized, and for how long. Who among the public will be

able even to find out where things are advertised—other than on the exceedingly not-user-friendly City website? Clearly, methods to inform the public of where and how to respond need to go far beyond “go to our webpage and click on the link.”

The public also needs opportunities for reciprocal interaction, not only between members of the public and the City, but also among members of the public. Zoom and other platforms facilitate this; they’re being used in this way in our elementary schools. Please consider using these opportunities.

6. The public needs to understand what kind of information and analysis it will obtain from the various forms of data collected by the City, and to find out where that information will be available to them.
7. The public needs to understand how results of the public input and “engagement” will be presented back to the City Council and the public itself.
8. We hope that the City will organize events like the “town hall meeting” held in 2017 at the Millennium Hotel in conjunction with a City “Open House” This event was arguably the only really open, unstructured, democratic opportunity for public engagement and input in years. We need more activities like this, but the raging pandemic requires rethinking imaginatively how to do it effectively.

Thank you for the opportunity to provide this feedback.

Signed, City of Boulder Residents

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