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**AGENDA COVER MEMO**

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**DATE:** February 5, 2003

**TO:** Lane County Board of Commissioners

**DEPARTMENT:** Public Works Department

**PRESENTED BY:** Tom Stinchfield, Transportation Planning Engineer  
Ollie Snowden, Public Works Director

**TITLE:** ORDER/ In the Matter of Approving Changes to the Metropolitan Policy Committee (MPC) Bylaws Related to Assuming Responsibility for Federal Transportation Decision-making for the Metropolitan Planning Organization (MPO)

**I. MOTION**

Move approval of the Order.

**II. ISSUE**

As a result of the Eugene-Springfield MPO area exceeding a population of 200,000 in the 2000 census and being designated as a Transportation Management Area (TMA), a series of changes in the Metropolitan Policy Committee (MPC) bylaws are under consideration. Does the Board support these bylaw changes? They are scheduled for action at the February 13, 2003 MPC meeting.

**III. DISCUSSION**

**A. Background**

The Board had a work session on this issue on December 18, 2002. Those materials are attached for your convenience. Attachment A is the December 18, 2002 packet. Attachment B is a supplemental memo that describes the latest draft of the bylaw changes. Please refer to Attachment A for a more complete discussion of the issues involved. Please refer to Attachment B for more description of the changes section by section.

In summary, a proposal has been developed to make changes at MPC to satisfy MPO/TMA requirements for transportation decision-making. These changes include accepting a delegation of authority for the remaining MPO transportation decision-making authority not already delegated by the LCOG Board. These changes also include bringing representatives from the City of Coburg onto the committee for MPO purposes.

Attachment 1 (within Attachment A) is a copy of Resolution 2002-08, adopted by the LCOG Board on October 24, 2002, in which the LCOG Board has agreed to delegate the balance of its MPO functions to MPC. The Resolution requires the signature of the MPC chair to become effective. In addition, it requires MPC to amend its bylaws to comply with Federal regulations and requires an annual report to the LCOG Board on the performance of the MPO duties and the results of any Federal review.

## B. Analysis

There are at least three changes that will be required in MPC procedures due to Federal requirements. The first change, voting membership by ODOT, has already been accomplished by MPC action to change the bylaws on August 15, 2002. This action was endorsed by Board Order 02-08-13-1 (see Attachment C). The Order under consideration today would accomplish the other two:

1. MPC acceptance of authority (delegated from the LCOG Board) to:
  - Provide policy guidance related to the conduct of transportation planning process
  - Adoption of the Regional Transportation Plan (RTP)
  - Adoption of the annual Unified Planning Work Program (UPWP)
  - Adoption of the Transportation Improvement Program (TIP)
  - Conducting Air Quality Conformity determination
  - Adoption of a Congestion Management Plan
  - Other responsibilities of an MPO as required by federal statute or rule
2. Voting membership by the City of Coburg, which has been included within the new Federal urban area boundary as determined by the 2000 census.

The remainder of the changes generally relate to clarifying how the committee will operate as an MPO transportation committee and how the committee will operate on other matters. (See Attachment B for description of changes section by section) Federal authorities will review these bylaws and other aspects of our MPO structure and operations over the winter. They may recommend additional changes.

## C. Alternatives / Options

1. Adopt the Order supporting amendment of the bylaws are proposed.
2. Continue discussion with MPC and the LCOG Board on other alternatives that will satisfy Federal MPO/TMA requirements.

## D. Recommendation

1. Above.

## E. Timing

MPC is scheduled to take action on the bylaw changes on February 13, 2003.

## IV. IMPLEMENTATION/FOLLOW-UP

Further sessions will be scheduled if needed. The adoption of MPC bylaw changes would be the first step in compliance with Federal requirements. The certification review in 2003 will clarify whether further changes are needed to fulfill Federal requirements.

## **V. ATTACHMENTS**

Order with Exhibit A, MPC Bylaw Changes

Attachment A December 18, 2002 Packet Materials

- Attachment 1 LCOG Board Resolution 2002-08 passed October 24, 2002.
- Attachment 2 September 26, 2002 LCOG Background memo for October 3, 2002 MPC Meeting
- Attachment 3 Draft By-law changes for December 12, 2002 MPC meeting discussion

Attachment B December 16, 2002 Supplemental Memo

Attachment C Order 02-8-13-1

**IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY  
STATE OF OREGON**

- ) **In the Matter of Approving Changes to the**
- ) **Metropolitan Policy Committee (MPC)**
- ) **Bylaws) Related to Assuming Responsibility**
- ) **for Federal Transportation Decision-making**
- ) **for the Metropolitan Planning Organization**
- ) **(MPO)**

**ORDER NO.**

**WHEREAS**, the Eugene-Springfield area is designated as a Metropolitan Policy Organization (MPO) area for purposes related to Federal transportation regulations; and

**WHEREAS**, as a result of the 2000 Census, the Eugene-Springfield area has been designated a Transportation Management Area (TMA), that is, an MPO area over 200,000 in population; and

**WHEREAS**, certain changes are needed to comply with Federal requirements related to TMA requirements; and

**WHEREAS**, the changes relate to delegation of authority from the LCOG Board; voting rights for the City of Coburg; and clarification on how the Metropolitan Policy Committee will operate when considering federal transportation issues and other matters; and

**WHEREAS**, the Metropolitan Policy Committee has discussed these changes at their July 11, 2002; August 15, 2002; and December 12, 2002 meetings; and

**WHEREAS**, the Lane County Board of Commissioners has discussed these changes at their December 18, 2002 and February 5, 2003 regular meetings; and

**WHEREAS**, the Lane County Board of Commissioners supports the proposed amendments in Exhibit A in order to comply with FHWA guidelines; now, therefore, it is hereby

**ORDERED** that the Board indicates its support for the bylaws amendments, as shown on Exhibit A.

Dated this \_\_\_\_\_ day of February, 2003.

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Peter Sorenson, Chair

Lane County Board of Commissioners

## EXHIBIT A

### BYLAWS METROPOLITAN POLICY COMMITTEE

#### ARTICLE I: NAME

This Committee, being duly and officially established by joint resolution of the Cities of Springfield and Eugene and Lane County, Oregon, shall be known as the Metropolitan Policy Committee (MPC).

#### ARTICLE II: PURPOSES AND FUNCTIONS

The MPC is an intergovernmental committee created to promote problem solving and to resolve intergovernmental disagreements among the two cities and the county.

A. Purpose: MPC's purposes are as follows:

1. To develop and negotiate solutions to intergovernmental problems.
2. To serve as a forum for developing recommendations for resolving intergovernmental disputes.
3. To identify a long-term agenda for intergovernmental efforts.
4. To promote intergovernmental cooperation and coordination between and among local governments.

B. Functions: MPC's functions are as follows:

1. To fulfill the functions of MPC, as outlined in the Eugene-Springfield Metropolitan Area General Plan, and to resolve intergovernmental land use issues.
2. To fulfill the intergovernmental policy committee functions associated with the metropolitan cable television system, as required of the Metropolitan Cable Television Commission under the franchise ordinances.
3. To fulfill the metropolitan transportation planning responsibilities as delegated by the Lane Council of Governments Board of Directors, the designated Metropolitan Planning Organization for the metropolitan region: including, but not limited to:
  - 3.1. Providing policy guidance related to the conduct of the transportation planning process.
  - 3.2. Adoption of the Regional Transportation Plan meeting federal requirements.
  - 3.3. Adoption of the annual Unified Planning Work Program.
  - 3.4. Adoption of the Transportation Improvement Program meeting federal requirements.
  - 3.5. Conducting the Air Quality Conformity determination.
  - 3.6. Adoption of a Congestion Management Plan, and

3.7. Other responsibilities of a Metropolitan Planning Organization/Transportation Management Area as set forth by federal or State statute or rule

3.8. Providing a report to the LCOG Board of Directors at least annually on performance of its Metropolitan Planning Organization duties, including the results of any federal certification review

4. To fulfill the policy committee functions associated with the urban services transition process.
5. To fulfill the intergovernmental policy committee functions associated with the oversight of the Regional Parks and Open Space Study.
6. To fulfill other intergovernmental functions as recommended by one or more of the three elected bodies and formally accepted by MPC.

### **ARTICLE III: MEMBERSHIP**

#### **Section 1: General Membership**

The MPC shall consist of six voting members and three non-voting ex-officio members from Eugene, Springfield, and Lane County.

#### **Section 2: Special Membership**

When MPC is considering transportation matters related to the MPO, the MPC shall consist of ~~nine~~ ten voting members and ~~five~~ six non-voting ex-officio members.

When MPC is considering matters involving the Regional Parks and Open Space Study, the MPC shall consist of eight voting members and four non-voting ex-officio members.

#### **Section 3: Appointment**

The members of the MPC shall be appointed in the following manner:

- A. For all matters before MPC, Eugene, Springfield, and Lane County shall each select two elected officials from their respective jurisdictions as voting members.
- B. For consideration of metropolitan transportation matters, the Board of the Lane Transit District shall appoint two of its members to serve as voting members.
- C. For consideration of transportation matters which are related to the MPO, the Director of ODOT shall appoint a senior staff representative (and one or more alternates) to serve as a voting member. The City of Coburg shall appoint an elected official from that jurisdiction to serve as a voting member.
- D. For consideration of regional parks and open space study matters, the Board of the Willamalane Park and Recreation District shall appoint two of its members to serve as voting members.

E. The City Managers of Eugene and Springfield and the Lane County Administrator shall serve as non-voting ex-officio members on all matters before MPC.

F. When MPC is considering metropolitan transportation matters, the General Manager of Lane Transit District and the Director of the Oregon Department of Transportation or his/her designee shall also serve as non-voting ex-officio members.

G. For consideration of transportation matters which are related to the MPO, the Director of ODOT or his/her designee, and the City Administrator of Coburg or his/her designee shall serve as non-voting ex-officio members.

G.H. When MPC is considering regional parks and open space study matters, the Superintendent of Willamalane Park and Recreation District shall serve as a non-voting ex-officio member.

#### Section 4: Alternates

The Councils and Board of Commissioners may appoint an elected official alternate. The District Boards may appoint one of their members as an alternate. The ODOT Director may appoint senior staff as alternates. Each non-voting ex-officio member may designate an alternate.

#### Section 5: Tenure

The voting committee members shall serve at the pleasure of their respective Council, Board of Commissioners, District Board, or the ODOT Director.

#### Section 6: Vacancies

If a vacancy occurs, the respective Council, Board of Commissioners, District Board, or the ODOT Director shall select a new member.

### **ARTICLE IV: VOTING**

~~Each member or alternate member of the Committee shall be entitled to one vote on all issues presented at regular and special meetings at which the member or alternate member is present. The ex-officio members shall have no vote and shall not make or second motions.~~

### **ARTICLE IV: MEETINGS**

#### Section 1: Regular Meetings

The Committee shall establish the time and place for the holding of regular monthly meetings. Special meetings may be held as necessary.

#### Section 2: Special Meetings

- A. Special meetings of the Committee may be called by the Chairperson, Vice-Chairperson, or a majority of the Committee voting MPC membership from Eugene, Springfield, and Lane County.
- B. The person(s) calling such meetings shall fix the time and place for the holding of such meetings.

Section 3: Notice of Meetings

Notice of all meetings shall be given to all members and ex-officio members at least three days prior to such meetings.

Section 4: Conduct of Meeting

- ~~A. Four voting members, including at least one elected representative from each jurisdiction, shall constitute a quorum of the MPC.~~
- B. A. Five voting members, including at least one representative from each of the two Cities Eugene, Springfield, the Lane County, and the Lane Transit District, shall constitute a quorum when the MPC is considering metropolitan transportation.
- C. B. Five voting members, including at least one representative from each of the two Cities Eugene, Springfield, the Lane County, and the Willamalane Park and Recreation District, shall constitute a quorum when the MPC is considering regional parks and open space study matters.
- C. Otherwise, Four voting members from Eugene, Springfield, and Lane County, including at least one elected representative from each of these jurisdictions, shall constitute a quorum of the MPC.
- D. All formal actions shall require the vote of at least a simple majority of the quorum present and the affirmative vote of at least one elected representative ~~of each general purpose jurisdiction~~ from Eugene, Springfield, and Lane County. In the case of a tie vote, the issue shall be considered unresolved and may be voted upon again.
- E. All meetings shall be conducted in accordance with "Roberts's Rules of Order, Newly Revised," and the Oregon Open Meetings Law (ORS 192.610 to 199.710).
- F. Ex-officio members can participate in all discussions and deliberations of the MPC. The ex-officio members shall have no vote and shall not make or second motions.

**ARTICLE VI: OFFICERS AND DUTIES**

Section 1: Officers

- A. The officers of the Committee shall be a Chairperson and Vice-Chairperson elected by the



voting membership for a one-year term. Officers shall be drawn from Eugene, Springfield, or Lane County voting members.

- B. In the event an officer is not able to complete his or her duties, the Committee shall elect a new officer.

## Section 2: Duties

- A. The Chairperson shall preside at all meetings and is entitled to vote on all issues.
- B. The Vice-Chairperson shall perform all duties of the Chairperson when the Chairperson is absent; the Vice-Chairperson is entitled to vote on all issues.
- C. In the absence of the Chairperson and Vice-Chairperson, the Committee shall elect a Chairperson Pro Tem for the particular meeting in question.

## **ARTICLE VII: ADOPTION AND AMENDMENTS TO BYLAWS**

Immediately following adoption of the original MPC bylaws, the bylaws shall be submitted to the two Councils and the Board of Commissioners for review. Any Council or Board objections to the original MPC bylaws shall be forwarded to MPC within 14 days of MPC action.

These bylaws may be amended or repealed, or new bylaws may be adopted, by an affirmative vote of the majority of the members of the Committee present at any meeting called for that purpose at which a quorum is present. Written notice of such proposed amendment and the nature thereof shall have been given to the membership of the Committee and the Councils and Board of Commissioners at least 30 days prior to the date of the meeting at which the amendments are to be considered. Distribution of proposed bylaw changes to the Chief Administrative Officers of member agencies shall constitute notice to Councils and Boards. Any Council or Board objections to the proposed amendments shall be forwarded to MPC within 30 days of receipt.

Approved by MPC: 5/7/87  
Amended by MPC: 11/14/91  
Amended by MPC: 2/8/01  
Amended by MPC: 8/15/02

## AGENDA COVER MEMO

**DATE:** December 18, 2002

**TO:** Lane County Board of Commissioners

**DEPARTMENT:** Public Works Department

**PRESENTED BY:** Tom Stinchfield, Transportation Planning Engineer  
Ollie Snowden, Public Works Director

**TITLE:** DISCUSSION/ Changing Role of the Metropolitan Policy Committee (MPC) and Other Issues Related to Federal Metropolitan Planning Organization (MPO) Regulations

**I. MOTION**

N.A.

**II. ISSUE**

As a result of the Eugene-Springfield metropolitan area exceeding a population of 200,000 in the 2000 census, a series of changes in the Metropolitan Policy Committee (MPC) bylaws will be considered in the next few months. This is a work session for Board discussion of these changes and related issues before formal changes are implemented at MPC in early 2003.

**III. DISCUSSION**

**A. Background**

A series of organizational changes are needed to address requirements as part of the metro area's transition to Transportation Management Area (TMA) status. TMA status means that the metro area is officially recognized as an MPO area that has a population greater than 200,000. The Federal Highway Administration (FHWA) has informed LCOG staff that the official notice of TMA status was published July 8, 2002 in the Federal Register.

Attachment 1 is a copy of Resolution 2002-08, adopted by the LCOG Board on October 24, 2002, in which the LCOG Board has agreed to delegate the balance of its MPO functions to MPC. The Resolution requires the signature of the MPC chair to become effective. In addition, it requires MPC to amend its bylaws to comply with Federal regulations and requires an annual report to the LCOG Board on the performance of the MPO duties and the results of any Federal review.

LCOG staff have been in communication with representatives of the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). These agencies are recommending a certification review process to be undertaken in early 2003 to review local MPO procedures and make recommendations for changes needed to be in compliance with Federal procedural requirements. It is expected that these Federal

representatives would attend one or more MPC meetings and discuss issues with the MPC. The federal agencies would also hold a public meeting to seek public input.

## B. Analysis

### **MPC Bylaw Changes**

It appears that there are at least three changes that will be required in MPC procedures due to Federal requirements. Voting membership by ODOT has already been accomplished by MPC action to change the bylaws on August 15, 2002. Two other changes are proposed in bylaw changes in Attachment 3 below. The changes include:

1. MPC acceptance of authority (delegated from the LCOG Board) to:
  - Provide policy guidance related to the conduct of transportation planning process
  - Adoption of the Regional Transportation Plan (RTP)
  - Adoption of the annual Unified Planning Work Program (UPWP)
  - Adoption of the Transportation Improvement Program (TIP)
  - Conducting Air Quality Conformity determination
  - Adoption of a Congestion Management Plan
  - Other responsibilities of an MPO as required by federal statute or rule
  
2. Voting membership by the City of Coburg, which has been included within the new Federal urban area boundary as determined by the 2000 census.

### **Other Issues**

There are two other issues related to these changes. The first is related to MPC, while the second relates to coordination of Federal requirements with state planning requirements.

#### **Delegation of decision-making authority to MPC representatives**

MPC currently plays a diverse set of roles in regional coordination. Federal transportation rules require an MPO to take actions on a series of issues as listed above. This delegation would expand MPC's role in MPO functions. Currently, MPC adopts the Transportation Improvement Program (TIP) for the region and interacts with the State on MPO policy issues. This differs from the role MPC has when addressing local planning issues, where its primary duty is dispute resolution and making recommendations back to each jurisdiction. This is the role MPC played in recommending resolution of issues in the TransPlan update process. The Board will have to decide how to deal with delegation to MPC. Currently, in some cases where consensus is requested, MPC members may agree on an action. On other issues, like the bylaw change for ODOT voting membership at MPC, the County Board took formal action by Order to establish the Lane County position on the issue prior to MPC action. This latter process may be appropriate for adoption of important products, such as the Regional Transportation Plan (RTP). The Board may wish to delegate certain routine actions to its representatives. The objective of the Federal requirements is to have an effective regional transportation policy body that can provide leadership and take actions that are required.

## **Federal and State Requirements (Two Plans or One?)**

The TransPlan has been adopted (by the MPO) as the Federal Regional Transportation Plan (RTP) for the MPO area and also has been adopted by Eugene, Springfield, and Lane County as the Transportation System Plan (TSP) for State land-use compliance purposes. It has served well as a coordinated plan for both purposes. There are several factors that may cause us to create two different transportation plans, which are inter-related and consistent with each other.

- Recent changes in Federal urbanized area boundaries create overlaps in planning areas between the Federal RTP and the TSPs for Eugene-Springfield and Coburg. The Medford MPO area is facing similar issues and will be adding Eagle Point, Jacksonville, Talent, and Ashland to its new RTP boundary. The RTP for the new Corvallis MPO will include Philomath.
- Updates cycles are different for the Federal RTP (every three years) and the State TSP (every five years). The Federal requirement for a three-year update is required by our status as an air quality "maintenance" area. In 2014, if air quality continues to meet relevant standards, we will be an "attainment" area and revert back to a five-year cycle.
- Federal rules require that the RTP look out at least twenty years. Planning forecasts may not match the comprehensive plan horizons at every point in the cycle. Upon adoption of the first Federal update of the RTP for Eugene-Springfield in 2004 or 2005, we expect the Federal agencies will want a plan that will maintain a 20-year horizon until it is updated again in 2007 or 2008. This means that the Federal plan horizon will likely be 2028.
- Federal RTPs must address a limited number of federal requirements, such as project lists, Federal fiscal constraint, and air quality conformity. It may be possible to extract and supplement relevant sections of TSPs to create the RTP.
- Timely adoption of the RTP is necessary to assure that federal funds can continue to flow and that both highway and transit activities may continue without interruption.
- This situation is not unique across the country or in Oregon. The Salem-Keizer MPO area and the Portland Metro area currently adopt separate plans for Federal and State purposes.

This memo was prepared prior to the MPC meeting on December 12, 2002. MPC representatives and County staff can report on the discussion from that meeting. The Board may direct staff to bring back further agenda items to establish Board positions on some of these issues.

### **C. Alternatives / Options**

1. **Accept the delegation of MPO responsibilities to MPC from the LCOG Board.**
2. **Continue discussion with the LCOG Board on other alternatives that will satisfy Federal MPO requirements.**

**D. Recommendation**

1. Above.

**E. Timing**

MPC will consider this issue at the December 12, 2002 meeting and take action on the bylaw changes on January 9, 2003 if the proposed schedule is followed.

**IV. IMPLEMENTATION/FOLLOW-UP**

Further sessions will be scheduled if needed. The adoption of MPC bylaw changes would be the first step in compliance with Federal requirements. The certification review in 2003 would clarify whether further changes are needed to fulfill Federal requirements.

**V. ATTACHMENTS**

Attachment 1 LCOG Board Resolution 2002-08 passed October 24, 2002.

Attachment 2 September 26, 2002 LCOG Background memo for October 3, 2002 MPC Meeting

Attachment 3 Draft By-law changes for December 12, 2002 MPC meeting discussion

## ATTACHMENT 1

## RESOLUTION NO. 2002-08

**DELEGATING LANE COUNCIL OF GOVERNMENT'S TRANSPORTATION PLANNING RESPONSIBILITIES TO THE METROPOLITAN POLICY COMMITTEE**

WHEREAS, each urbanized area, as a condition to the receipt of federal capital or operating assistance, is required to have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS, a metropolitan planning organization is designated for each urbanized area and has certain planning responsibilities specified in 23 U.S.C 134 and Section 8 of the Urban Mass Transportation Act as amended; and

WHEREAS, the Lane Council of Governments (LCOG) was designated by the Governor of the State of Oregon as the Metropolitan Planning Organization for the Eugene urbanized area on April 8, 1974; and

WHEREAS, subsequent to the United States 2000 Census, the Eugene metropolitan planning organization has been designated a Transportation Management Area by the Federal Highway Administration; and

WHEREAS, the Lane Council of Governments may seek assistance from other participants in the transportation planning process and may delegate those responsibilities it so chooses; and

WHEREAS, Lane County, the City of Eugene and the City of Springfield have created the Metropolitan Policy Committee to serve as a forum for cooperative decision-making on issues of metropolitan significance; and

WHEREAS, the Lane Council of Governments provides staff support to the Metropolitan Policy Committee; and

WHEREAS, the Lane Council of Governments has previously delegated certain of its transportation planning responsibilities to the Metropolitan Policy Committee via LCOG Resolution 87-4.

Now, therefore, be it **RESOLVED** by the Board of Directors of the Lane Council of Governments:

1. That the Board of Directors delegates to the Metropolitan Policy Committee responsibility for the discharge of responsibilities of the Eugene Metropolitan Planning Organization, including, but not limited to:
  - 1.1. Providing policy guidance related to the conduct of the transportation planning process,
  - 1.2. Adoption of the Regional Transportation Plan meeting federal requirements,
  - 1.3. Adoption of the annual Unified Planning Work Program,
  - 1.4. Adoption of the Transportation Improvement Program meeting federal requirements,
  - 1.5. Conducting the Air Quality Conformity determination,
  - 1.6. Adoption of a Congestion Management Plan,
  - 1.7. Other responsibilities of a Metropolitan Planning Organization/Transportation Management Area as set forth by federal or State statute or rule; and

2. That to ensure that it can carry out the duties of a Metropolitan Planning Organization/Transportation Management Area, the Metropolitan Policy Committee shall take any necessary steps, including amendment of its bylaws, so that its voting membership shall include, at a minimum, elected representatives of the local governments within the Eugene urbanized area as determined by the most recent United States Census; officials of agencies that administer or operate major modes or systems of transportation within the Eugene urbanized area; and the Oregon Department of Transportation; and
3. That the Metropolitan Policy Committee shall provide a report to the Board of Directors at least annually on performance of its Metropolitan Planning Organization duties, including the results of any federal certification review; and
4. That the Board of Directors continues to delegate to its Transportation Planning Committee responsibility for providing technical review and guidance to the Metropolitan Policy Committee on technical transportation issues; and
5. That the Lane Council of Governments shall continue to provide staff support for the Metropolitan Policy Committee; and
6. That the Board of Directors and the Metropolitan Policy Committee may separately or jointly reverse this delegation with not less than 30 days written notice to the other party; and
7. Should the Board of Directors determine that the responsibilities of the Eugene Metropolitan Planning Organization are not being carried out, it may, at its sole discretion, reverse this delegation; and
8. That this resolution shall supercede and replace LCOG Resolution 87-4; and
9. That this resolution shall take effect when signed by both the Chair of the Board of Directors and the Chair of the Metropolitan Policy Committee.

ATTEST:

  
George Kloeppel  
Executive Director  
Lane Council of Governments

  
Winn Wendell, Chair  
Board of Directors  
Lane Council of Governments

\_\_\_\_\_  
Lyle Hatfield, Chair  
Metropolitan Policy Committee



# Lane Council of Governments

99 East Broadway, Suite 400, Eugene, Oregon 97401-3111 (541) 682-4283 Fax: (541) 682-4099 TTY: (541) 682-4567

September 26, 2002

To: Metropolitan Policy Committee

From: Tom Schwetz

Subject: TMA Transition – Draft LCOG Board Resolution Delegating MPO Functions to MPC

## Background

The 2000 Census results indicate that the population of the Eugene-Springfield urbanized area has reached 224,049. Being over 200,000 requires the region to take on additional MPO-related activities. MPOs over 200,000 are classified as Transportation Management Areas (TMAs) by federal regulations. In 1987, the LCOG Board delegated some of their MPO responsibilities to MPC, most notably the adoption of the Regional Transportation Improvement Program (TIP). As part of the transition to TMA status, the Board has discussed delegating the remaining MPO responsibilities to MPC. A draft Resolution delegating those responsibilities to MPC is to be discussed at the LCOG Board meeting on September 26.

This memo summarizes the requirements for TMA transition and provides MPC with the draft Resolution to be discussed at the Board's September 26 meeting. Formal TMA designation was given to LCOG by USDOT July 8, 2002. With that designation, the region has a period of time in which to transition into compliance with TMA requirements.

## Overview of Federal Transportation Planning Requirements

Federal transportation planning requirements designate Metropolitan Planning Organizations' (MPOs) areas over 200,000 as Transportation Management Areas or TMAs. With this designation MPOs are given increased responsibilities related to congestion management, project selection and certification, as well as increased discretion over federal transportation funds.

LCOG has been the MPO for the Eugene-Springfield area since 1973. Over the past 29 years, the MPO operation has seen several changes:

- The structure of the LCOG Board has broadened with the addition of member agencies;
- The internal structure of the agency has changed in response to growth;
- State and federal transportation planning regulations have increased and become more complex;
- The MPO policy functions have been divided between the LCOG Board and MPC



Looking out over the next 3-5 years, the region faces increasingly difficult challenges in providing an adequate transportation system:

- Increasing levels of congestion
- Increasing time and complexity in project delivery
- Increasing competition for scarce resources
- Increasing costs for system improvements and operation
- Constrained revenues affecting the planning for, capital improvements to, and the operation and maintenance of the region's transportation system
- Difficulty in adopting a regional way of approaching transportation system problems

TMA Transition provides an opportunity and focus for change that can improve the MPO operation and position it to effectively address the challenges facing the region.

### **Primary Changes Required for TMA Transition**

There are two primary changes necessary to meet federal TMA requirements – changes to the MPO Boundary and changes to the MPO Policy Structure. This section outlines these two changes. Additional changes are required, however, these are operational in nature and can be made once the two primary changes are in place. These additional changes are described following this section.

### **Changes to MPO Boundary**

TMA transition, in combination with the 2000 Census results requires a reexamination of the MPO boundaries. The federal regulations read as follows:

#### **§ 450.308**

**Metropolitan planning organization: Metropolitan planning area boundaries.**

- (a) The metropolitan planning area boundary shall, as a minimum, cover the UZA(s) and the contiguous geographic area(s) likely to become urbanized within the twenty year forecast period covered by the transportation plan described in § 450.322 of this part.

At a minimum, we need to formally establish boundaries that equate with the 2000 Census urbanized area boundary (see Attachment 1). In addition, the area that we expect to become urbanized by 2030 (the planning horizon to be used in the next update of TransPlan) can be added to the plan boundary. With the minimum change in the planning boundary, the City of Coburg would be added to the formal MPO planning and operations.

Federal guidance on this issue also notes that “where appropriate, adjustments should be made to reflect the most comprehensive boundary to foster an effective planning process that ensures connectivity between modes, reduces access disadvantages experienced by modal systems, and promotes efficient overall transportation investment strategies.”

While there is some flexibility in establishing the new MPO planning boundary beyond the minimum of the 2000 urbanized area, the funding available to the MPO does not change if we expand the size of the planning boundary beyond the minimum called for in the federal regulations. The level of federal funds available directly to the MPO (federal Surface Transportation Fund money) is based on the 2000 urbanized area (UZA) population.

## Policy Structure

Federal regulations require that an MPO be designated for each metropolitan area over 50,000 in population to facilitate:

“a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs that consider all transportation modes and supports metropolitan community development and social goals. These plans and programs shall lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods.”

Further,

“The MPO in cooperation with the State and with operators of publicly owned transit services shall be responsible for carrying out the metropolitan transportation planning process.”

In addition, the federal regulations state that the policy body must include:

“representation of local elected officials, officials of agencies that administer or operate major modes or systems of transportation, e.g., transit operators, sponsors of major local airports, maritime ports, rail operators, etc. (including all transportation agencies that were included in the MPO on June 1, 1991), and appropriate State officials.”

In general, this language seeks to insure that the MPO policy body includes those agencies that are responsible for or are involved in decisions related to the major elements of the region's transportation system; including the cities of Eugene, Springfield, and Coburg, Lane County, ODOT and LTD. The policy structure should also be established to adequately carry out the continuing, cooperative, and comprehensive process described above.

In addition to the issue of membership, the MPO policy function is currently split between MPC (TIP adoption and general transportation policy discussion) and the LCOG Board (Unified Planning Work Program (UPWP), Regional Transportation Plan adoption, and air quality conformity determination). As a result, neither body has experience or authority over the full spectrum of MPO functions. This is unique among MPOs across the country. The TMA transition is an opportunity to consolidate the MPO functions.

Currently, LTD and ODOT are voting members of MPC. Membership on MPC covers the TIP adoption and general transportation policy discussion functions of the MPO, but ODOT and LTD are not MPO Policy Board members when the MPO considers the annual UPWP, MPO Plan adoption, or air quality conformity determination which are functions currently carried out by the LCOG Board. Attachment 2 provides the draft LCOG Board Resolution that would delegate the remaining MPO functions to MPC.

There are actually two changes suggested here; consolidation of MPO policy functions, and a broadening of the policy membership. A recent assessment of MPOs conducted for Congress by the University of Denver identified 7 key characteristics that make for a successful MPO operation. The characteristics are:

- Effective leadership (at both policy and staff levels)
- Staff competence and credibility
- A true regional way of thinking or "regional ethos"
- Public involvement (at all levels of decision making)
- Cooperative and productive relationship with the state DOT
- Streamlined, efficient processes
- Effective coordination of the interaction between transportation and land use

Consolidation of the MPO functions and a broadening of membership are critical in creating a policy-level body that understands and is engaged in the entire range of MPO functions in a manner that moves this MPO closer to those characteristics of success.

### **Other Required Changes**

In addition to the boundary and policy structure changes, there are several operational changes that will need to be made. These include:

- Development of a Congestion Management Plan,
- Changes to the MPO program certification process, and
- Increased discretion over federal transportation funds

These changes are briefly described below.

### **Congestion Management Plan**

The Congestion Management Plan would establish a congestion management system (CMS) that "provides for effective management of new and existing transportation facilities through the use of travel demand reduction and operation management strategies". A CMS is a systematic process that provides information on transportation system performance and alternative strategies to alleviate congestion and enhance the mobility of persons and goods. The intent of the CMS is to protect the region's investment in, and improve effectiveness of, the existing and future transportation networks. The CMS also represents a significant step toward interagency and interjurisdictional coordination in the implementation of CMS mitigation strategies and achieving air quality goals. It would likely feed into the TIP and STIP priority setting process.

### MPO Program Certification

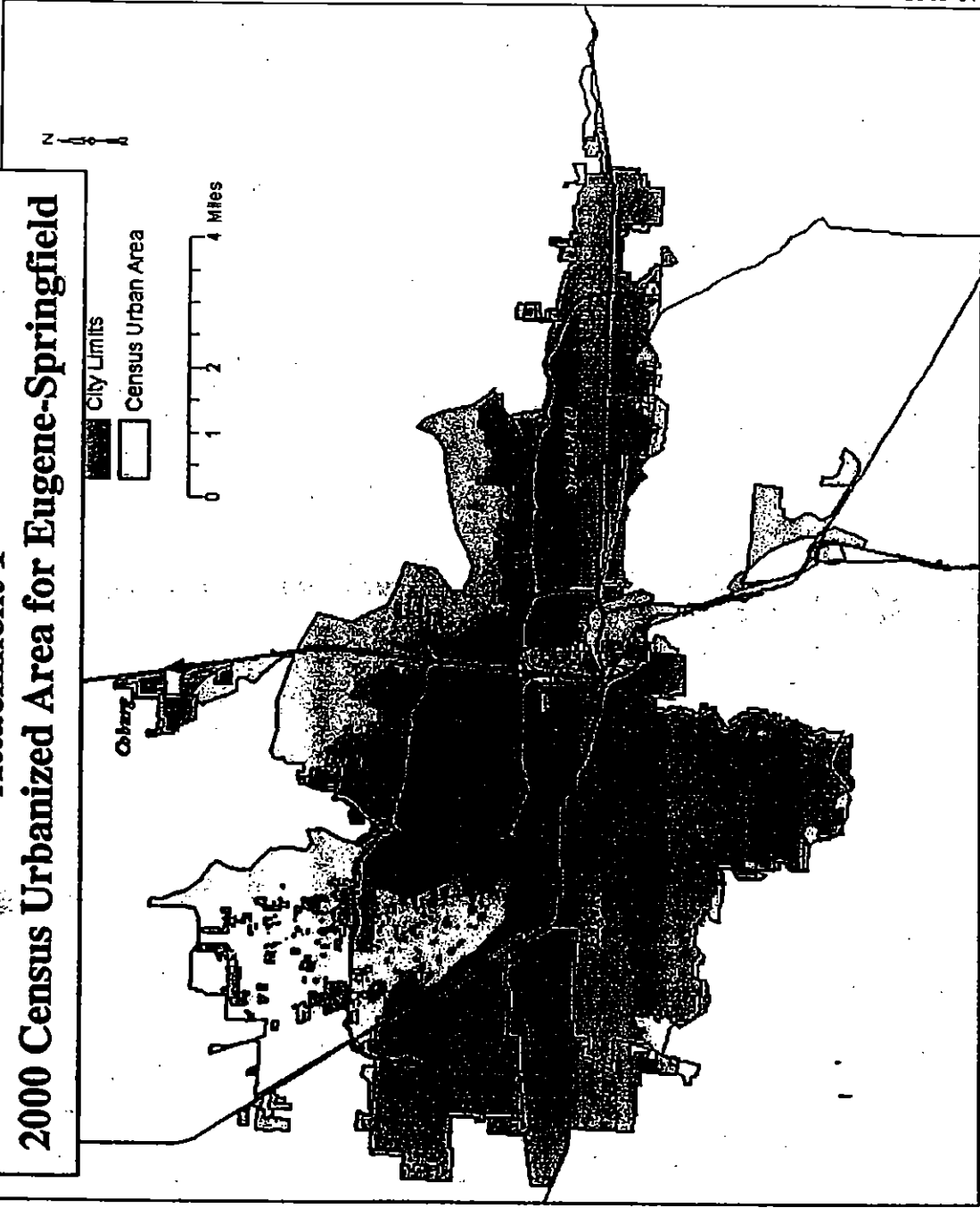
The relationship with USDOT (primarily FHWA and FTA) changes with respect to program certification. Currently LCOG self-certifies the program (most recently in a resolution passed by the Board last month). This would change under TMA status to a 3-year review performed directly by FTA and FHWA. Experience in other TMAs indicates that this is a much more formal and "robust" review of the MPO's performance of federal requirements.

### Increased Discretion over Federal Funds

The amount of federal funds allocated to the MPO also changes with TMA status. This area will be able to access a proportional share of Surface Transportation Program (STP) funds reserved at the state level for TMAs upon formal designation as a TMA. Currently, the MPO receives approximately \$1.4M in STP funds annually. While the amount available under TMA status has not been finalized at this point, ODOT's analysis indicates that as much as an additional \$1.6M would become available annually. Amendments to TransPlan and the Transportation Improvement Program (TIP) will likely be required in order to access these additional funds. In addition, changes in the process currently used for selection of projects using these funds will need to be made.

*LCOG: T:\MPO\COMMITTEES\MPC\FY03\OCTOBER 02\MPC 10302 ITEM ON TMA TRANSITIONS.DOC  
Last Saved: September 25, 2002*

**Attachment 1**  
**2000 Census Urbanized Area for Eugene-Springfield**



J.S. 0901 09/22/02

**Attachment 2**  
**Agenda Item Number**  
**10. A.**

**Transition to TMA Status: Delegation of MPO/TMA  
Responsibilities to the Metropolitan Policy Committee**

**Presenter:** Tom Schwetz

**Action Recommended:** None. Discuss and Provide Direction to Staff Regarding the Proposed Resolution.

**Issue Summary:**

The 2000 Census results, discussed at the Board's July meeting, indicate that the population of the Eugene-Springfield urbanized area has reached 224,049. Exceeding 200,000 requires that the region take on additional MPO-related activities. MPOs serving areas with populations over 200,000 are classified as Transportation Management Areas (TMAs) by federal regulations. As presented to the Board in July, staff recommends LCOG's responsibilities as a TMA be delegated to the Metropolitan Policy Committee. A proposed resolution to accomplish this delegation is attached; and action on this subject could be anticipated next month.

**Background**

LCOG has been the MPO for the Eugene-Springfield area since 1973. In 1987, LCOG delegated *some* MPO responsibilities to the Metropolitan Policy Committee (MPC), and retained other tasks for itself.

TMA Transition provides an opportunity and focus for change that can improve the MPO operation and position it to effectively address the challenges facing the region. By consolidating all MPO/TMA responsibilities in one body, transportation policy makers can concentrate on all aspects of federal transportation planning and decision-making.

It is suggested that the Board discuss the attached resolution, provide direction to staff and consider taking action at its October 24 meeting.

RESOLUTION NO. 2002-XX

DELEGATING LANE COUNCIL OF GOVERNMENT'S TRANSPORTATION PLANNING RESPONSIBILITIES TO THE METROPOLITAN POLICY COMMITTEE

WHEREAS, each urbanized area, as a condition to the receipt of federal capital or operating assistance, is required to have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS, a metropolitan planning organization is designated for each urbanized area and has certain planning responsibilities specified in 23 U.S.C 134 and Section 8 of the Urban Mass Transportation Act as amended; and

WHEREAS, the Lane Council of Governments (LCOG) was designated by the Governor of the State of Oregon as the Metropolitan Planning Organization for the Eugene urbanized area on April 8, 1974; and

WHEREAS, subsequent to the United States 2000 Census, the Eugene metropolitan planning organization has been designated a Transportation Management Area by the Federal Highway Administration; and

WHEREAS, the Lane Council of Governments may seek assistance from other participants in the transportation planning process and may delegate those responsibilities it so chooses; and

WHEREAS, Lane County, the City of Eugene and the City of Springfield have created the Metropolitan Policy Committee to serve as a forum for cooperative decision-making on issues of metropolitan significance; and

WHEREAS, the Lane Council of Governments provides staff support to the Metropolitan Policy Committee; and

WHEREAS, the Lane Council of Governments has previously delegated certain of its transportation planning responsibilities to the Metropolitan Policy Committee via LCOG Resolution 87-4.

Now, therefore, be it **RESOLVED** by the Board of Directors of the Lane Council of Governments:

1. That the Board of Directors delegates to the Metropolitan Policy Committee responsibility for the discharge of responsibilities of the Eugene Metropolitan Planning Organization, including, but not limited to:
  - 1.1. Providing policy guidance related to the conduct of the transportation planning process,
  - 1.2. Adoption of the Regional Transportation Plan meeting federal requirements,
  - 1.3. Adoption of the annual Unified Planning Work Program,
  - 1.4. Adoption of the Transportation Improvement Program meeting federal requirements,
  - 1.5. Conducting the Air Quality Conformity determination,
  - 1.6. Adoption of a Congestion Management Plan,

**1.7. Other responsibilities of a Metropolitan Planning Organization/Transportation Management Area as set forth by federal or State statute or rule; and**

- 2. That to ensure that it can carry out the duties of a Metropolitan Planning Organization/Transportation Management Area, the Metropolitan Policy Committee shall take any necessary steps, including amendment of its bylaws, so that its voting membership shall include, at a minimum, elected representatives of the local governments within the Eugene urbanized area as determined by the most recent United States Census; officials of agencies that administer or operate major modes or systems of transportation within the Eugene urbanized area; and the Oregon Department of Transportation; and**
- 3. That the Metropolitan Policy Committee shall provide a report to the Board of Directors at least annually on performance of its Metropolitan Planning Organization duties, including the results of any federal certification review; and**
- 4. That the Board of Directors continues to delegate to its Transportation Planning Committee responsibility for providing technical review and guidance to the Metropolitan Policy Committee on technical transportation issues; and**
- 5. That the Lane Council of Governments shall continue to provide staff support for the Metropolitan Policy Committee; and**
- 6. That the Board of Directors and the Metropolitan Policy Committee may separately or jointly reverse this delegation with not less than 30 days written notice to the other party; and**
- 7. Should the Board of Directors determine that the responsibilities of the Eugene Metropolitan Planning Organization are not being carried out, it may, at its sole discretion, reverse this delegation; and**
- 8. That this resolution shall supercede and replace LCOG Resolution 87-4; and**
- 9. That this resolution shall take effect when signed by both the Chair of the Board of Directors and the Chair of the Metropolitan Policy Committee.**

**ATTEST:**

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**George Kloeppe**  
**Executive Director**  
**Lane Council of Governments**

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**Winn Wendell, Chair**  
**Board of Directors**  
**Lane Council of Governments**

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**Lyle Hatfield, Chair**  
**Metropolitan Policy Committee**



**BYLAWS  
METROPOLITAN POLICY COMMITTEE**

**ARTICLE I: NAME**

This Committee, being duly and officially established by joint resolution of the Cities of Springfield and Eugene and Lane County, Oregon, shall be known as the Metropolitan Policy Committee (MPC).

**ARTICLE II: PURPOSES AND FUNCTIONS**

The MPC is an intergovernmental committee created to promote problem solving and to resolve intergovernmental disagreements among the two cities and the county.

A. Purpose: MPC's purposes are as follows:

1. To develop and negotiate solutions to intergovernmental problems.
2. To serve as a forum for developing recommendations for resolving intergovernmental disputes.
3. To identify a long-term agenda for intergovernmental efforts.
4. To promote intergovernmental cooperation and coordination between and among local governments.

B. Functions: MPC's functions are as follows:

1. To fulfill the functions of MPC, as outlined in the Eugene-Springfield Metropolitan Area General Plan, and to resolve intergovernmental land use issues.
2. To fulfill the intergovernmental policy committee functions associated with the metropolitan cable television system, as required of the Metropolitan Cable Television Commission under the franchise ordinances.
3. To fulfill the metropolitan transportation planning responsibilities as delegated by the Lane Council of Governments Board of Directors, the designated Metropolitan Planning Organization for the metropolitan region, including, but not limited to:
  - 3.1. Providing policy guidance related to the conduct of the transportation planning process.
  - 3.2. Adoption of the Regional Transportation Plan meeting federal requirements.
  - 3.3. Adoption of the annual Unified Planning Work Program.
  - 3.4. Adoption of the Transportation Improvement Program meeting federal requirements.
  - 3.5. Conducting the Air Quality Conformity determination.
  - 3.6. Adoption of a Congestion Management Plan, and
  - 3.7. Other responsibilities of a Metropolitan Planning Organization/Transportation Management Area as set forth by federal or State statute or rule.

3.8. Providing a report to the LCOG Board of Directors at least annually on performance of its Metropolitan Planning Organization duties, including the results of any federal certification review

~~3.9.~~

4. To fulfill the policy committee functions associated with the urban services transition process.
5. To fulfill the intergovernmental policy committee functions associated with the oversight of the Regional Parks and Open Space Study.
6. To fulfill other intergovernmental functions as recommended by one or more of the three elected bodies and formally accepted by MPC.

### **ARTICLE III: MEMBERSHIP**

#### **Section 1: General Membership**

The MPC shall consist of six voting members and three non-voting ex-officio members.

#### **Section 2: Special Membership**

When MPC is considering transportation matters related to the MPO, the MPC shall consist of ~~nine~~ten voting members and ~~five~~six non-voting ex-officio members.

When MPC is considering matters involving the Regional Parks and Open Space Study, the MPC shall consist of eight voting members and four non-voting ex-officio members.

#### **Section 3: Appointment**

The members of the MPC shall be appointed in the following manner:

- A. Eugene, Springfield, and Lane County shall each select two elected officials from their respective jurisdictions as voting members.
- B. For consideration of metropolitan transportation matters, the Board of the Lane Transit District shall appoint two of its members to serve as voting members.
- C. For consideration of transportation matters which are related to the MPO, the Director of ODOT shall appoint a senior staff representative (and one or more alternates) to serve as a voting member. The City of Coburg shall appoint an elected official from their jurisdiction to serve as a voting member.
- D. For consideration of regional parks and open space study matters, the Board of the Willamalane Park and Recreation District shall appoint two of its members to serve as voting members.
- E. The City Managers of Eugene and Springfield and the Lane County Administrator shall serve as

non-voting ex-officio members on all matters before MPC.

- F. When MPC is considering metropolitan transportation matters, the General Manager of Lane Transit District, the City Manager of Coburg, and the Director of the Oregon Department of Transportation or his/her designee shall also serve as non-voting ex-officio members.
- G. When MPC is considering regional parks and open space study matters, the Superintendent of Willamalane Park and Recreation District shall serve as a non-voting ex-officio member.

#### Section 4: Alternates

The Councils and Board of Commissioners may appoint an elected official alternate. The District Boards may appoint one of their members as an alternate. The ODOT Director may appoint senior staff as alternates. Each non-voting ex-officio member may designate an alternate.

#### Section 5: Tenure

The voting committee members shall serve at the pleasure of their respective Council, Board of Commissioners, District Board, or the ODOT Director.

#### Section 6: Vacancies

If a vacancy occurs, the respective Council, Board of Commissioners District Board, or the ODOT Director shall select a new member.

### **ARTICLE IV: VOTING**

Each member or alternate member of the Committee shall be entitled to one vote on all issues presented at regular and special meetings at which the member or alternate member is present. The ex-officio members shall have no vote and shall not make or second motions.

### **ARTICLE V: MEETINGS**

#### Section 1: Regular Meetings

The Committee shall establish the time and place for the holding of regular monthly meetings. Special meetings may be held as necessary.

#### Section 2: Special Meetings

- A. Special meetings of the Committee may be called by the Chairperson, Vice-Chairperson, or a majority of the Committee.
- B. The person(s) calling such meetings shall fix the time and place for the holding of such meetings.

### Section 3: Notice of Meetings

Notice of all meetings shall be given to all members and ex-officio members at least three days prior to such meetings.

### Section 4: Conduct of Meeting

- A. Four voting members, including at least one elected representative from each jurisdiction, shall constitute a quorum of the MPC.
- B. Five voting members, including at least one representative from each of the two Cities, the County, and the Lane Transit District, shall constitute a quorum when the MPC is considering metropolitan transportation.
- C. Five voting members, including at least one representative from each of the two Cities, the County, and the Willamalane Park and Recreation District, shall constitute a quorum when the MPC is considering regional parks and open space study matters.
- D. All formal actions shall require the vote of at least a simple majority of the quorum present and the affirmative vote of at least one elected representative of each general-purpose jurisdiction. In the case of a tie vote, the issue shall be considered unresolved and may be voted upon again.
- E. All meetings shall be conducted in accordance with "Roberts's Rules of Order. Newly Revised," and the Oregon Open Meetings Law (ORS 192.610 to 199.710).
- F. Ex-officio members can participate in all discussions and deliberations of the MPC.

## **ARTICLE VI: OFFICERS AND DUTIES**

### Section 1: Officers

- A. The officers of the Committee shall be a Chairperson and Vice-Chairperson elected by the voting membership for a one-year term.
- B. In the event an officer is not able to complete his or her duties, the Committee shall elect a new officer.

### Section 2: Duties

- A. The Chairperson shall preside at all meetings and is entitled to vote on all issues.
- B. The Vice-Chairperson shall perform all duties of the Chairperson when the Chairperson is absent; the Vice-Chairperson is entitled to vote on all issues.
- C. In the absence of the Chairperson and Vice-Chairperson, the Committee shall elect a

Chairperson Pro Tem for the particular meeting in question.

## **ARTICLE VII: ADOPTION AND AMENDMENTS TO BYLAWS**

Immediately following adoption of the original MPC bylaws, the bylaws shall be submitted to the two Councils and the Board of Commissioners for review. Any Council or Board objections to the original MPC bylaws shall be forwarded to MPC within 14 days of MPC action.

These bylaws may be amended or repealed, or new bylaws may be adopted, by an affirmative vote of the majority of the members of the Committee present at any meeting called for that purpose at which a quorum is present. Written notice of such proposed amendment and the nature thereof shall have been given to the membership of the Committee and the Councils and Board of Commissioners at least 30 days prior to the date of the meeting at which the amendments are to be considered. Any Council or Board objections to the proposed amendments shall be forwarded to MPC within 30 days of receipt.

Approved by MPC: 5/7/87

Amended by MPC: 11/14/91

Amended by MPC: 2/8/01

Amended by MPC: 8/15/02

*LCOG: L:\MPC\BYLAWS\MPCBYLAWREVISION081502.DOC  
Last Saved: August 19, 2002*

**MEMORANDUM**

December 16, 2002

To: Board of County Commissioners  
From: Tom Stinchfield, Transportation Planning Engineer

Subject: Supplemental Information for Item #16b, December 18, 2002 Agenda:  
**DISCUSSION/Changing Role of the Metropolitan Policy Committee (MPC) and Other Issues Related to Federal Metropolitan Planning Organization (MPO) Regulations.** (Tom Stinchfield & Ollie Snowden)

Attached is a revised Attachment 3 (rev 12/16/02) Draft MPC Bylaw Changes. Your packet contains a set of draft MPC by-law changes that were discussed at the December 12, 2002 MPC meeting. The discussion at MPC led to some changes to the draft by-laws. Here is a new draft provided by LCOG staff. MPC is now scheduled to consider these revised draft by-laws at the February 9, 2002 MPC meeting.

Generally, the changes relate to clarifying the role of the City of Coburg in voting, quorum, and selection of officers. In doing that, a few clarifications are made to distinguish transportation from other matters and to further distinguish federal MPO actions on metropolitan transportation from other metropolitan transportation actions. Here is a brief section-by-section description of the changes:

**Article III: MEMBERSHIP, Section 3 Appointments.** There are three proposed changes, with the intention of clarifying participation of the different agencies.

- Adds a phrase in subsection A to state that Eugene, Springfield, and Lane County act on all matters.
- Deletes reference to ODOT and Coburg in subsection F.
- Creates new subsection G, relating to MPO transportation matters, for ODOT representative and City Administrator of Coburg.

Note: This change distinguishes the role of LTD from that of ODOT and Coburg. LTD currently participates in all metropolitan transportation matters, not just federal MPO matters.

**Article IV: VOTING.** This section is eliminated. Covered in renumbered Article IV: Meetings

**Article IV: MEETINGS, Section 2. Special Meetings.** Clarifies who may call a special meeting.

**Article IV: MEETINGS, Section 4, Conduct of Meetings.** Four changes with the effect of clarifying voting and quorum issues. It distinguishes the quorum requirements for metropolitan transportation or parks issues from those of MPC for other topics.

- Renumbered subsection A establishes quorum for metropolitan transportation.
- Renumbered subsection B establishes quorum for parks and open space.
- Original subsection A renumbered to create a new subsection C to deal with general quorum requirement.
- New subsection F describes limitations on ex-officio members.

**Article V: OFFICERS AND DUTIES, Section 1.** Clarifies that officers will be from Eugene, Springfield, and Lane County voting membership.

**Article VI: ADOPTION AND AMENDMENTS TO BYLAWS.** Clarifies what constitutes notice to agencies for proposed changes. New language says notice will be sent to Chief Administrative Officers for distribution to respective councils and boards.

Attachments

Attachment 3 (revised 12/16/02) Draft MPC Bylaw Changes

**BYLAWS  
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  - 3.5. Conducting the Air Quality Conformity determination.
  - 3.6. Adoption of a Congestion Management Plan, and
  - 3.7. Other responsibilities of a Metropolitan Planning Organization/Transportation Management Area as set forth by federal or State statute or rule



3.8. Providing a report to the LCOG Board of Directors at least annually on performance of its Metropolitan Planning Organization duties, including the results of any federal certification review

4. To fulfill the policy committee functions associated with the urban services transition process.
5. To fulfill the intergovernmental policy committee functions associated with the oversight of the Regional Parks and Open Space Study.
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- D. For consideration of regional parks and open space study matters, the Board of the Willamalane Park and Recreation District shall appoint two of its members to serve as voting members.
- E. The City Managers of Eugene and Springfield and the Lane County Administrator shall serve as

non-voting ex-officio members on all matters before MPC.

F. When MPC is considering metropolitan transportation matters, the General Manager of Lane Transit District and the Director of the Oregon Department of Transportation or his/her designee shall also serve as non-voting ex-officio members.

G. For consideration of transportation matters which are related to the MPO, the Director of ODOT or his/her designee, and the City Administrator of Coburg or his/her designee shall serve as non-voting ex-officio members.

G.H. When MPC is considering regional parks and open space study matters, the Superintendent of Willamalane Park and Recreation District shall serve as a non-voting ex-officio member.

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#### Section 1: Regular Meetings

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A. Special meetings of the Committee may be called by the Chairperson, Vice-Chairperson, or a

majority of the ~~Committee~~ voting MPC membership from Eugene, Springfield, and Lane County.

- B. The person(s) calling such meetings shall fix the time and place for the holding of such meetings.

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Notice of all meetings shall be given to all members and ex-officio members at least three days prior to such meetings.

### Section 4: Conduct of Meeting

~~A. Four voting members, including at least one elected representative from each jurisdiction, shall constitute a quorum of the MPC.~~

~~B. A. Five voting members, including at least one representative from each of the two Cities Eugene, Springfield, the Lane County, and the Lane Transit District, shall constitute a quorum when the MPC is considering metropolitan transportation.~~

~~C. B. Five voting members, including at least one representative from each of the two Cities Eugene, Springfield, the Lane County, and the Willamalane Park and Recreation District, shall constitute a quorum when the MPC is considering regional parks and open space study matters.~~

C. Otherwise, Four voting members from Eugene, Springfield, and Lane County, including at least one elected representative from each of these jurisdictions, shall constitute a quorum of the MPC.

D. All formal actions shall require the vote of at least a simple majority of the quorum present and the affirmative vote of at least one elected representative of each general purpose jurisdiction from Eugene, Springfield, and Lane County. In the case of a tie vote, the issue shall be considered unresolved and may be voted upon again.

E. All meetings shall be conducted in accordance with "Roberts's Rules of Order, Newly Revised," and the Oregon Open Meetings Law (ORS 192.610 to 199.710).

F. Ex-officio members can participate in all discussions and deliberations of the MPC. The ex-officio members shall have no vote and shall not make or second motions.

## **ARTICLE VI: OFFICERS AND DUTIES**

### Section 1: Officers

A. The officers of the Committee shall be a Chairperson and Vice-Chairperson elected by the voting membership for a one-year term. Officers shall be drawn from Eugene, Springfield, or Lane County voting members.

- B. In the event an officer is not able to complete his or her duties, the Committee shall elect a new officer.

Section 2: Duties

- A. The Chairperson shall preside at all meetings and is entitled to vote on all issues.
- B. The Vice-Chairperson shall perform all duties of the Chairperson when the Chairperson is absent; the Vice-Chairperson is entitled to vote on all issues.
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These bylaws may be amended or repealed, or new bylaws may be adopted, by an affirmative vote of the majority of the members of the Committee present at any meeting called for that purpose at which a quorum is present. Written notice of such proposed amendment and the nature thereof shall have been given to the membership of the Committee and the Councils and Board of Commissioners at least 30 days prior to the date of the meeting at which the amendments are to be considered. Distribution of proposed bylaw changes to the Chief Administrative Officers of member agencies shall constitute notice to Councils and Boards. Any Council or Board objections to the proposed amendments shall be forwarded to MPC within 30 days of receipt.

Approved by MPC: 5/7/87  
Amended by MPC: 11/14/91  
Amended by MPC: 2/8/01  
Amended by MPC: 8/15/02

*LCOG: T:\MPO\COMMITTEES\MPC\FY03\DECEMBER 02\MPC 4A - ATTACHMENT 2 DRAFT MPC BYLAW REVISIONS - REVISED  
121102.DOC\MPCBYLAW\MPCBYLAWREVISION081502.DOC  
Last Saved: December 13, 2002 August 19, 2002*

**PASSED**

**IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY  
STATE OF OREGON**

ORDER NO. 02-8-13-1	) IN THE MATTER OF APPROVING A CHANGE ) TO THE METROPOLITAN POLICY ) COMMITTEE (MPC) BYLAWS ALLOWING A ) VOTE ON TRANSPORTATION MATTERS FOR ) THE OREGON DEPARTMENT OF ) TRANSPORTATION (ODOT)
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**WHEREAS**, the Metropolitan Policy Committee (MPC) has responsibility for transportation issues related to the Eugene-Springfield area and performs the role of the Metropolitan Policy Organization (MPO) for purposes related to Federal Highway Administration (FHWA) requirements and procedures; and

**WHEREAS**, FHWA guidelines require that representatives of transportation agencies and appropriate state officials have voting membership on the MPO policy body for MPO areas; and

**WHEREAS**, the Metropolitan Policy Committee (MPC) discussed this issue at their July 11, 2002 meeting, and sent out a proposed change of the MPC Bylaws for comment by local agencies; and

**WHEREAS**, the Lane County Board of Commissioners discussed the proposed bylaw amendments, attached here as Exhibit A, at the August 13, 2002 Board meeting; and

**WHEREAS**, the Lane County Board of Commissioners supports the proposed amendments in Exhibit A in order to comply with FHWA guidelines; now, therefore, it is hereby

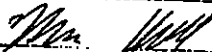
**ORDERED** that the Board indicates its support for the bylaws amendments, as shown on Exhibit A.

Dated this 13th day of August, 2002.

  
 \_\_\_\_\_  
 Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 8-1-02 Lane county

  
 \_\_\_\_\_  
 OFFICE OF LEGAL COUNSEL

**BYLAWS  
METROPOLITAN POLICY COMMITTEE**

**ARTICLE I: NAME**

This Committee, being duly and officially established by joint resolution of the Cities of Springfield and Eugene and Lane County, Oregon, shall be known as the Metropolitan Policy Committee (MPC).

**ARTICLE II: PURPOSES AND FUNCTIONS**

The MPC is an intergovernmental committee created to promote problem solving and to resolve intergovernmental disagreements among the two cities and the county.

**A. Purpose: MPC's purposes are as follows:**

1. To develop and negotiate solutions to intergovernmental problems.
2. To serve as a forum for developing recommendations for resolving intergovernmental disputes.
3. To identify a long-term agenda for intergovernmental efforts.
4. To promote intergovernmental cooperation and coordination between and among local governments.

**B. Functions: MPC's functions are as follows:**

1. To fulfill the functions of MPC, as outlined in the Eugene-Springfield Metropolitan Area General Plan, and to resolve intergovernmental land use issues.
2. To fulfill the intergovernmental policy committee functions associated with the metropolitan cable television system, as required of the Metropolitan Cable Television Commission under the franchise ordinances.
3. To fulfill the metropolitan transportation planning responsibilities as delegated by the Lane Council of Governments Board of Directors, the designated Metropolitan Planning Organization for the metropolitan region.
4. To fulfill the policy committee functions associated with the urban services transition process.
5. To fulfill the intergovernmental policy committee functions associated with the oversight of the Regional Parks and Open Space Study.
6. To fulfill other intergovernmental functions as recommended by one or more of the three elected bodies and formally accepted by MPC.

## ARTICLE III: MEMBERSHIP

### Section 1: General Membership

The MPC shall consist of six voting members and three non-voting ex-officio members.

### Section 2: Special Membership

~~When MPC is considering metropolitan transportation matters, the MPC shall consist of eight voting members and five non-voting ex-officio members.~~

When MPC is considering transportation matters related to the MPO, the MPC shall consist of nine voting members and five non-voting ex-officio members.

When MPC is considering matters involving the Regional Parks and Open Space Study, the MPC shall consist of eight voting members and four non-voting ex-officio members.

### Section 3: Appointment

The members of the MPC shall be appointed in the following manner:

- A. Eugene, Springfield, and Lane County shall each select two elected officials from their respective jurisdictions as voting members.
- B. For consideration of metropolitan transportation matters, the Board of the Lane Transit District shall appoint two of its members to serve as voting members.
- C. For consideration of transportation matters which are related to the MPO, the Director of ODOT shall appoint a senior staff representative (and one or more alternates) to serve as a voting member.
- C.D. For consideration of regional parks and open space study matters, the Board of the Willamalane Park and Recreation District shall appoint two of its members to serve as voting members
- D.E. The City Managers of Eugene and Springfield and the Lane County Administrator shall serve as non-voting ex-officio members on all matters before MPC.
- E.F. When MPC is considering metropolitan transportation matters, the General Manager of Lane Transit District and the Director of the Oregon Department of Transportation or his/her designee shall also serve as non-voting ex-officio members.
- F.G. When MPC is considering regional parks and open space study matters, the Superintendent of Willamalane Park and Recreation District shall serve as a non-voting ex-officio member.

Section 4: Alternates

The Councils and Board of Commissioners may appoint an elected official alternate. The District Boards may appoint one of their members as an alternate. The ODOT Director may appoint senior staff as alternates. Each non-voting ex-officio member may designate an alternate.

Section 5: Tenure

The voting committee members shall serve at the pleasure of their respective Council, Board of Commissioners, District Board, or the ODOT Director.

Section 6: Vacancies

If a vacancy occurs, the respective Council, Board of Commissioners District Board, or the ODOT Director shall select a new member.

**ARTICLE IV: VOTING**

Each member or alternate member of the Committee shall be entitled to one vote on all issues presented at regular and special meetings at which the member or alternate member is present. The ex-officio members shall have no vote and shall not make or second motions.

**ARTICLE V: MEETINGS**

Section 1: Regular Meetings

The Committee shall establish the time and place for the holding of regular monthly meetings. Special meetings may be held as necessary.

Section 2: Special Meetings

- A. Special meetings of the Committee may be called by the Chairperson, Vice-Chairperson, or a majority of the Committee.
- B. The person(s) calling such meetings shall fix the time and place for the holding of such meetings.

Section 3: Notice of Meetings

Notice of all meetings shall be given to all members and ex-officio members at least three days prior to such meetings.

Section 4: Conduct of Meeting

- A. Four voting members, including at least one elected representative from each jurisdiction, shall



constitute a quorum of the MPC.

- B. Five voting members, including at least one representative from each of the two Cities, the County, and the Lane Transit District, shall constitute a quorum when the MPC is considering metropolitan transportation.
- C. Five voting members, including at least one representative from each of the two Cities, the County, and the Willamalane Park and Recreation District, shall constitute a quorum when the MPC is considering regional parks and open space study matters.
- D. All formal actions shall require the vote of at least a simple majority of the quorum present and the affirmative vote of at least one elected representative of each general-purpose jurisdiction. In the case of a tie vote, the issue shall be considered unresolved and may be voted upon again.
- E. All meetings shall be conducted in accordance with "Roberts's Rules of Order. Newly Revised," and the Oregon Open Meetings Law (ORS 192.610 to 199.710).
- F. Ex-officio members can participate in all discussions and deliberations of the MPC.

## **ARTICLE VI: OFFICERS AND DUTIES**

### **Section 1: Officers**

- A. The officers of the Committee shall be a Chairperson and Vice-Chairperson elected by the voting membership for a one-year term.
- B. In the event an officer is not able to complete his or her duties, the Committee shall elect a new officer.

### **Section 2: Duties**

- A. The Chairperson shall preside at all meetings and is entitled to vote on all issues.
- B. The Vice-Chairperson shall perform all duties of the Chairperson when the Chairperson is absent; the Vice-Chairperson is entitled to vote on all issues.
- C. In the absence of the Chairperson and Vice-Chairperson, the Committee shall elect a Chairperson Pro Tem for the particular meeting in question.

## **ARTICLE VII: ADOPTION AND AMENDMENTS TO BYLAWS**

Immediately following adoption of the original MPC bylaws, the bylaws shall be submitted to the two Councils and the Board of Commissioners for review. Any Council or Board objections to the original MPC bylaws shall be forwarded to MPC within 14 days of MPC action.

These bylaws may be amended or repealed, or new bylaws may be adopted, by an affirmative vote of the majority of the members of the Committee present at any meeting called for that purpose at which a quorum is present. Written notice of such proposed amendment and the nature thereof shall have been given to the membership of the Committee and the Councils and Board of Commissioners at least 30 days prior to the date of the meeting at which the amendments are to be considered. Any Council or Board objections to the proposed amendments shall be forwarded to MPC within 30 days of receipt.

Approved by MPC: 5/7/87  
Amended by MPC: 11/14/91  
Amended by MPC: 2/8/01

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*Last Saved: July 17, 2002*