

W.9a.
SUPPLEMENTAL MATERIAL

Supplementary Memo

Memo Date: December 28, 2009

Meeting Date: January 6, 2010 (Original Work Session date December 15, 2009)

TO: Board of County Commissioners

FROM: Rob Zako, Consultant
Celia Barry, Public Works, Transportation Planning & Traffic

RE: DISCUSSION AND ACTION/Providing Direction on a Process to Develop a Proposed Charter for the Formation of an Area Commission on Transportation (ACT) for Lane County

On December 15, 2009, the Board approved Board Order 09-12-15-16 forming a Forum on an Area Commission on Transportation for Lane County (FACT-LC) to develop a proposed charter for an ACT by April 30, 2010. Attached are the Board materials for that meeting and the signed Board Order.

Section (6)(a) of Exhibit "A" to that Order calls for one (1) representative from Lane County to the FACT-LC. Section (8) provides for an alternate. For this meeting, staff is looking to the Board to designate that representative and alternate.

Currently, the Board has designated Commissioner Handy to represent Lane County in the ODOT Region 2 (Northwest Oregon) "Super ACT." Commissioner Stewart has also expressed an interest in the formation of an ACT, and participated with Commissioner Handy in a meeting with mayors on October 29. An email from Chair Sorenson, dated December 23, 2009, indicated that Commissioners Stewart or Handy are likely interested in fulfilling this appointment.

While the meeting dates for the FACT-LC have not yet been finalized, it appears likely these will be on the second Wednesday of the month in the evening: January 13, February 10, March 10, April 14. Whomever the Board designates should be available for these meetings.

Options include:

1. Designate Commissioner Handy or Stewart as Lane County's representative to the FACT-LC, with the other as an alternate.
2. Designate some other commissioners as the representative and alternate to the FACT-LC.
3. Other options would require a new Board Order repealing the previously adopted Board Order and an amendment to Exhibit A reflecting the change.

The Board is requested to provide direction on this matter at your January 6, 2010 work session in order to precede the likely first meeting of the FACT-LC on January 13, 2010.

Attachments

December 15, 2009 Work Session Materials including signed Board Order 09-12-15-16 and Exhibit "A"

Memorandum Date: November 30, 2009
Meeting Date: December 16, 2009

TO: Board of County Commissioners

DEPARTMENT: Public Works

PRESENTED BY: Rob Zako, Consultant
Celia Barry, Transportation Planning & Traffic

AGENDA ITEM TITLE: DISCUSSION AND ACTION/Providing Direction on a Process to Develop a Proposed Charter for the Formation of an Area Commission on Transportation (ACT) for Lane County

I. MOTION

Move approval of staff recommendation.

II. AGENDA ITEM SUMMARY

Staff is providing alternatives and seeking Board direction on establishing a task force to develop a proposed charter for the formation of an Area Commission on Transportation (ACT) for Lane County, to be delivered to the Oregon Transportation Commission (OTC) no later than September 30, 2010, pursuant to Senate Bill (SB) 944.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The 2009 Oregon Legislative session enacted SB 944, requiring Lane County, in consultation with other elected local officials and with transportation stakeholders in Lane County, to develop, not later than September 30, 2010, a proposed charter for the formation of an ACT.

Since July 15, 2009, ODOT and Lane County staff held meetings on the topic with various stakeholders and made related reports to the Board of Commissioners. The Board also hired a consultant, Rob Zako, to assist in developing the charter and forming an ACT. Mr. Zako provided a monthly status report via email on November 30, 2009, in Attachment 1.

For this meeting, staff is recommending the Board establish a task force made up of elected officials and other stakeholders to develop a proposed charter for the Board to review at a future date. Detailed recommendations on the make up of the task force and its charge will be provided in a follow up memo prior to the Board's meeting.

B. Policy Issues

SB 944 provides legislative direction. The Board has a history of seeking stakeholder input on matters of policy and forming a task force to assist in formation of an ACT is consistent with

past Board practice.

C. Board Goals

The following two goals from the Strategic Plan, page 13, are relevant:

- *Provide opportunities for citizen participation in decisionmaking, voting, volunteerism and civic and community involvement.*

The Lane County Board of Commissioners met in March and again in July of 2008 to discuss the County's priorities and set goals to guide the organization for the coming one to two years. Goals for 2008 to 2010 include:

- *Build public trust through intensive communication and engagement.*

D. Financial and/or Resource Considerations

The Board would not be making any financial commitment by acting on this matter, other than staff resources already committed to the ACT formation effort.

E. Analysis

SB 944 gives the Board the sole authority to develop a proposed charter, in compliance with the *Policy on Formation and Operation of Area Commissions on Transportation*, and to submit the charter to the OTC for approval.

But the *Policy on Formation and Operation of Area Commissions on Transportation*, provides:

“In establishing an ACT, local elected officials and staff work together with the ODOT Region Manager and the OTC member representing the Area to develop a proposal for the formation of an Area Commission on Transportation (ACT). ... The proposal is circulated among local jurisdictions for comment, revision and eventually expressions of support.” (Emphasis added.)

Thus the OTC will expect the proposed charter to enjoy “expressions of support” from local jurisdictions. Moreover, for the ACT to be successful, its eventual members will need to “buy in” to the charter as approved.

The idea of a establishing a task force allows for broader input into the form and operation of the ACT, and for other jurisdictions to review and support the proposed charter, while still giving the Board the final say over the proposed charter.

F. Alternatives/Options

1. Form the task force as recommended by Mr. Zako.
2. Form a task force composed of an amended membership.
3. Do not form a task force and provide direction as to an alternative method to accomplish the goals of the task force.

IV. TIMING/IMPLEMENTATION

It is important to make continued, timely progress in this matter in order to meet the timelines spelled out in SB 944. September 30, 2010 is the required deadline to develop a proposed charter for the formation of an ACT. Moreover, it would be ideal to form an ACT closer to the start of the 2012-1015 Statewide Transportation Improvement Program (STIP)

cycle, i.e., in Spring 2010.

V. RECOMMENDATION

Option 1.

VI. FOLLOW-UP

VII. ATTACHMENTS

1. Email from Mr. Zako to the Board providing a November status report.
2. Detailed recommendations on the make up of the task force and its charge will be provided in a follow up memo prior to the Board's meeting.

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

ORDER NO. 09-12-15-16

-) In the Matter of Providing Direction on a Process
-) to Develop a Proposed Charter for the
-) Formation of an Area Commission on
-) Transportation (ACT) for Lane County

WHEREAS, Senate Bill (SB) 944, enacted by the State of Oregon as Oregon Laws 2009, chapter 509, directs Lane County to develop a proposed charter for formation of an area commission on transportation on or before September 30, 2010; and

WHEREAS, the Lane County Board of Commissioners hired a consultant in order to comply with SB 944; and

WHEREAS, on December 15, 2009 the consultant proposed formation of a task force to be called the Forum on an Area Commission on Transportation for Lane County (FACT-LC); and

WHEREAS, the consultant proposed that the FACT-LC be charged with developing the proposed charter for the formation of an ACT, in compliance with SB 944; and

WHEREAS, the Board of Commissioners has considered the proposal and agrees that the proposal is the appropriate process to develop the proposed ACT charter; now, therefore, it is hereby

ORDERED that the consultant, in cooperation with the Project Team identified in item (12) of Exhibit "A", attached hereto and incorporated herein by reference, is directed to create the FACT-LC as described in Exhibit "A", and carry out the Purpose and Task described in Exhibit "A", consistent with Exhibit "A" in its entirety.

Dated this 15th day of December.



Pete Sorenson, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 12-15-09 Lane County


OFFICE OF LEGAL COUNSEL

Forum on an Area Commission on Transportation for Lane County

Forum on an Area Commission on Transportation for Lane County

- (1) **Creation:** There is created a Forum on an Area Commission on Transportation for Lane County (Forum or FACT-LC).
- (2) **Purpose:** The purpose of the Forum is to provide a forum for jurisdictions in (and around) Lane County and other stakeholders in Lane County's transportation system to discuss and reach broad agreement on the formation of an Area Commission on Transportation (ACT) for Lane County.
- (3) **Task:** The Forum shall develop a proposed charter for an ACT and seek comment, revision and eventually expressions of support from jurisdictions and other stakeholders. The Forum shall strive for consensus on the proposed charter.
- (4) **Issues to Address:** The Forum shall develop a proposed charter for an ACT that meets the needs of jurisdictions and other stakeholders in Lane County. In so doing, the Forum shall address issues identified in Senate Bill 944 and in the Oregon Transportation Commission's *Policy on Formation and Operation of ACTs*. The Forum should also consider the options identified in Chapter 5: Options for Consideration of the Oregon's ACTs, *Cross-Jurisdictional Collaboration and Improved Transportation Planning* research study.
- (5) **Final Report:** Not later than April 30, 2010, the Forum shall submit a Final Report to the Board of County Commissioners of Lane County. The Final Report shall include:
 - (a) a proposed charter for an ACT for Lane County,
 - (b) a description of the level of support for the proposed charter, and
 - (c) any minority opinions or alternative options.
- (6) **Jurisdictions:** Representatives of jurisdictions to the Forum shall be determined as follows:
 - (a) **Lane County:** Lane County shall designate one (1) representative to the Forum, for example, a county commissioner.
 - (b) **Cities:** Each of the twelve (12) incorporated cities in Lane County (Coburg, Cottage Grove, Creswell, Dunes City, Eugene, Florence, Junction City, Lowell, Oakridge, Springfield, Veneta and Westfir) is invited to designate a representative to the Forum, for example, a mayor or city councilor. In order to facilitate better coordination between the eventual ACT and the Central Lane MPO, each city that is part of the MPO (Coburg, Eugene and Springfield) is encouraged to designate a

Exhibit "A"

representative to the Forum who also serves as a member of the Metropolitan Policy Committee (MPC).

- (c) **Tribes:** The Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians is invited to designate one (1) representative to the Forum.
 - (d) **Public Transit:** Lane Transit District (LTD) is invited to designate one (1) representative to the Forum, for example, the president or other member of the Board of Directors.
 - (e) **Ports:** The Port of Siuslaw is invited to designate one (1) representative to the Forum.
 - (f) **ODOT:** The Oregon Department of Transportation shall designate one (1) representative to the Forum, for example, the ODOT Area 5 Manager.
 - (g) **MPO:** In order to facilitate better coordination between the eventual ACT and the Central Lane MPO, the Central Lane MPO is invited to designate one (1) representative to the Forum. A staff person well versed in the federal transportation requirements that apply to MPOs is recommended. This representative shall be in addition to any representatives of jurisdictions that are part of the Central Lane MPO.
 - (h) **RAC:** In order to facilitate better coordination between the eventual ACT and the Lane County Roads Advisory Committee (RAC), the RAC is invited to designate one (1) representative to the Forum.
 - (i) **CAC:** In order to facilitate coordination between public involvement conducted by the eventual ACT and public involvement conducted by the Central Lane MPO, the Central Lane MPO Citizen Advisory Committee (CAC) is invited to designate one (1) representative to the Forum.
 - (j) **ERT:** In order to facilitate better coordination between the eventual ACT and other agencies, the Oregon Economic Revitalization Team (ERT) is invited to designate one (1) representative to the Forum, for example, the Regional Coordinator for the Willamette Valley/Mid-Coast region.
- (7) **Other Stakeholders:** The Forum is encouraged to invite representatives of other stakeholders to participant in the discussion. Other stakeholders may include:
- airports
 - rail (passenger & freight)
 - trucking
 - public transit (bus & rail) riders
 - bicyclists and pedestrians
 - business
 - freight
 - tourism
 - public safety and health
 - schools
 - neighborhoods

Exhibit "A"

- senior citizens
 - people with disabilities
 - minorities
 - environment
 - land use
 - unincorporated areas of Lane County
 - other
- (8) **Alternates:** Alternate representatives to the Forum may participate in lieu of designated representatives.
- (9) **Public Involvement:** All regular meetings of the Forum shall follow at least the minimum standard for public involvement detailed in Attachment A: Public Involvement of the Oregon Transportation Commission's *Policy on Formation and Operation of ACTs*, including standards for notice and public comment.
- (10) **Subcommittees:** The Forum may create subcommittees to explore options and develop proposals. Subcommittee meetings are not subject to the public involvement requirements for regular meetings.
- (11) **Decision Making:** The Forum is encouraged to make decisions by consensus, but may make procedural or provisional decisions by simple majority. The Forum shall strive to approve its Final Report by consensus, if possible.
- (12) **Project Team:** A Project Team, consisting of the independent consultant hired by the Board of County Commissioners and Lane County and ODOT staff, shall support the work of the Forum. The independent consultant shall facilitate Forum meetings. Lane County and ODOT shall provide other resources needed by the Forum, for example, meeting space and materials. The support provided by ODOT shall be consistent with ODOT policy.

Detailed Recommendations

Inspiration

E pluribus unum: out of many one. Originally suggesting that out of many colonies or states emerge a single nation, the motto has come to suggest that out of many peoples, races, religions and ancestries has emerged a single people and nation. The phrase also harkens back to the development of the United States Constitution, which establishes a balance of power between the federal government and the states, between the three branches of government, and between large states and small states in the two houses of Congress.

Now as Lane County looks to form an ACT, it should also strive for *e pluribus unum*: for Lane County to balance power between different interests and to merge these into one voice on transportation issues, in particular, to ODOT and other Areas of the state.

Collected Guidance

The Legislature and the Oregon Department of Transportation (ODOT) provide guidance on the process to form an ACT (see Appendix A), the membership of an ACT (see Appendix B), and issues to address in developing a proposed charter for an ACT (see Appendix C).

The Project Team has also been meeting with various local groups: mayors and other leaders of jurisdictions, city managers, the Lane County Roads Advisory Committee, the Metropolitan Policy Committee, and some other stakeholders.

The mayors and city managers suggested not reinventing the wheel and keeping the process to form an ACT simple. Many are anxious to get an ACT up and running soon, and see transportation as the *raison d'être* of an ACT. Mayors and city managers indicated that they want all cities (and other jurisdictions) to have an opportunity to be involved.

The Lane County Roads Advisory Committee noted that some people in Lane County live outside of incorporated cities, and suggested that such people have their own voice in the process. They also indicated an interest in being involved in the process to form an ACT.

The Metropolitan Policy Committee expressed an interest in having a staff person well versed in the federal transportation requirements that apply to MPOs involved in the process to form an ACT. MPC also supported the idea of having the Citizen Advisory Committee involved in the process. (Although we have not yet had an opportunity to meet with the CAC, their chair indicated an interest in being involved in the process to form an ACT.)

We have also started talking to various other stakeholders: business, tourism, bicyclists, and land use advocates, etc. While some stakeholders are interested in being involved in the ACT in some way, in many cases it is unclear exactly which organization or individual might best represent a particular interest.

Finally, we have been soliciting advice from other ACTs and ODOT area managers. In general, they support the idea of a facilitated process to form an ACT. They also underscore the importance of mutual respect and looking beyond local interests to area-wide interests in an effective ACT.

Recommendation

Based on this guidance, the Project Team (Rob Zako, Celia Barry, Sonny Chickering and Savannah Crawford) recommends the Board create a task force—we are now suggesting it to be called the Forum on an Area Commission on Transportation for Lane County (FACT-LC)—as outlined in Exhibit A to the suggested Board Order.

In recommending the charge and structure of the FACT-LC, we have tried to be as inclusive as reasonable and to balance different interests, and to set clear and reasonable expectations.

The FACT-LC is set up as an advisory body to the Board, and is charged with recommending, not later than April 30, 2010, a proposed charter for an ACT for the Board to review and ultimately submit to the Oregon Transportation Commission for final approval.

Note that we recommend that each jurisdiction—Lane County, each city, Lane Transit District, etc.—designate one (1) representative to the FACT-LC. This approach assures that each jurisdiction has a voice in the process to form an ACT. But the Board, as the body ultimately responsible for developing a proposed charter for an ACT, might want to designate two (2) representatives to the FACT-LC, for example, a metro commissioner and a rural commissioner, to better engage in the development of the proposed charter.

Note also that the Oregon Transportation Commission, the Lane County Roads Advisory Committee and others see it as important to include other stakeholders besides government jurisdictions in an ACT. But given that in many cases it is unclear exactly who should represent various other stakeholders, we recommend charging the FACT-LC with including other stakeholders in the discussion, leaving it to them to determine later how best to do so and who to include.

APPENDIX A

ACT Formation

Senate Bill 944 requires the Board, "in consultation with other elected local officials and with transportation stakeholders in Lane County, [to] develop, not later than September 30, 2010, a proposed charter for the formation of an area commission on transportation for Lane County."¹

Senate Bill 944 further requires that "[t]he proposed charter ... comply with the policy guidelines established in the *Policy on Formation and Operation of Area Commissions on Transportation* as approved by the Oregon Transportation Commission."²

In turn, the *Policy on Formation and Operation of ACTs* specifies how an ACT is to be formed:

"In establishing an ACT, local elected officials and staff work together with the ODOT Region Manager and the OTC member representing the Area to develop a proposal for the formation of an Area Commission on Transportation (ACT). ... **The proposal is circulated among local jurisdictions for comment, revision and eventually expressions of support.** The State Community Solutions Team [now Economic Revitalization Team]³ reviews the proposal for coordination with the Regional Partnership Initiative. The Oregon Transportation Commission reviews the proposal. Once the Commission accepts the proposal, it adopts a resolution providing a provisional charter for the Area Commission on Transportation. The ACT selects its members and begins to function as an official advisory body to the Oregon Transportation Commission."⁴

(Emphasis added.)

¹ Senate Bill 944, Section 1(1).

² Senate Bill 944, Section 1(2).

³ In 2003, the Community Solutions Team (CST) was superseded by the Economic Revitalization Team (ERT) and its membership expanded. Marguerite Nabeta is the ERT Regional Coordinator for the Willamette Valley/Mid-Coast region.

⁴ *Policy on Formation and Operation of ACTs*, Attachment B: How An Act Is Established and Biennial Report Structure, p. 1.

APPENDIX B

ACT Membership

The OTC's *Policy on Formation and Operation of ACTs* states:

"When establishing the voting membership, an ACT needs to consider all modes and aspects of the Transportation System. An ACT will have a voting membership which is reflective of its population and interest groups and will be broadly representative of those impacted by ACT recommendations. At a minimum, ACT representation will include at least 50% elected officials from the Area. Representation shall include **City, County, and MPO officials** within the ACT boundaries. **Tribal Governments, Port officials, and Transit officials** shall also be invited to participate as voting members and will count toward the requirement of at least 50% elected officials. The remainder of the representation should be from interested stakeholders which may represent, but are not limited to: **freight, trucking, bicycle, pedestrian, public transportation system, public interest advocacy groups, environmental, land use, local citizens, business, education, public safety providers, non-profit organizations, etc.** ODOT will be a voting member on each ACT. Members should be carefully selected so that transportation recommendations are coordinated with other local and Regional community development activities, creating consensus within the Area on transportation issues and priorities. The ACT will determine the total number and selection of ACT members.

In addition to the official membership, each ACT should include appropriate *ex officio* members and give full consideration to their comments and recommendations. *Ex officio* members may include:

- Oregon Transportation Commissioners, state legislators, and local congressional aides
- Community Solutions Team [now Economic Revitalization Team]
- State and federal agencies such as US Forest Service, BLM, Fish and Wildlife,
- Department of Environmental Quality, Department of Land Conservation and
- Development, Department of Aviation
- City and county road district or department
- Regional groups that have an interest in transportation issues such as housing advocates, Regional Partnerships and Regional Investment Boards, law enforcement agencies, etc.

The ACT should encourage participation of adjacent ACTs and consider inviting representatives as *ex officio* members. Adjoining ACTs should be included on all mailing lists and be invited to attend all ACT meetings."⁵

(Emphasis added.)

⁵ *Policy on Formation and Operation of ACTs*, Subsection IV.B. Membership, pp. 4-5.

APPENDIX C

ACT Issues

Three documents offer guidance on issues to be addressed in forming an ACT:

- Senate Bill 944
- *Policy on Formation and Operation of ACT*
- *Oregon's ACTs, Cross-Jurisdictional Collaboration and Improved Transportation Planning*

Senate Bill 944

Senate Bill 944 requires that "[t]he proposed charter ... must include:

- (a) A description of the criteria that the area commission on transportation will use in prioritizing project selection and a statement of expectations regarding feedback from the Oregon Transportation Commission to the area commission on transportation when the Oregon Transportation Commission receives the area commission's priorities.
- (b) A description of the conflict resolution process the area commission will use to produce equitable outcomes, including the prioritization of spending on urban and rural projects, and a process for tracking and maintaining records of resolutions and outcomes.
- (c) A plan for regular and consistent communication and coordination among the adjacent area commissions and with metropolitan planning organizations.
- (d) A plan for public involvement with the area commission."⁶

Policy on Formation and Operation of ACTs

The OTC's *Policy on Formation and Operation of ACTs* states:

"Each ACT will adopt Operating Agreements to further define its operating procedures. Topics addressed include the following:

- I. Mission
- II. Roles and Responsibilities
- III. Authority
- IV. ACT Structure and Membership
- V. Operations of the ACT
- VI. Basis for Decision Making
- VII. Coordination"⁷

In more detail, the *Policy on Formation and Operation of ACTs* states:

"The Oregon Transportation Commission expects that for an ACT to be effective it will represent the political environment of the Area. Therefore, each ACT may

⁶ Senate Bill 944, Section 1(2).

⁷ *Policy on Formation and Operation of ACTs*, Introduction, p. i.

look and function somewhat differently than another. However, each proposal ... for an ACT should address at least the following questions:

1. What is the rationale for the geographic boundaries of the proposed ACT? If the boundaries are being modified, why?
2. What are the proposed voting and *ex officio* membership categories and how do they ensure coordination with existing Regional public agencies?
3. Is the membership broadly representative of local elected officials and inclusive of other key stakeholders and interests ...? If key representation is not included, explain the justification.
4. How would/does the ACT coordinate with adjacent ACTs and/or MPOs and involve state legislators?
5. What is the proposed work program of the ACT?
6. How will/does the ACT meet the minimum public involvement standards...?
7. Who would/does help guide the work program and agendas of the ACT? Indicate the general operational structure.
8. How would/does the ACT secure technical assistance on transportation issues?
9. What key work efforts will be /have been addressed by the ACT?
10. Who would/does provide support staff to the ACT?
11. What will be/is the decision making process used by the ACT?"⁸

Oregon's ACTs, Cross-Jurisdictional Collaboration and Improved Transportation Planning, Chapter 5: Options for Consideration

The Oregon Department of Transportation (ODOT) sponsored *Oregon's ACTs, Cross-Jurisdictional Collaboration and Improved Transportation Planning*, a research study completed in January 2009 that examines the role ACTs have played in addressing regional transportation issues and identifies possible options for the future.

In particular, Chapter 5: Options for Consideration states:

"Based on the online survey, interviews, and case and comparative studies, the research team has developed options for ODOT and the OTC to consider that could enhance the effectiveness of ACTs and MPOs in addressing travel shed, and other regional, cross-jurisdictional, transportation issues. The options presented in this chapter are preliminary and reflect considerations put forward by the research team and other stakeholders and do not necessarily represent consensus or even majority recommendations. The options presented merit further consideration."⁹

These options include:

1. **Coordination & Communication**
 - 1.1. Improve Coordination & Communication across ACTs
 - 1.2. Improve ACT-MPO Coordination
 - 1.3. Maintain and Improve ACT-OTC Communications

⁸ *Policy on Formation and Operation of ACTs*, Attachment B: How An Act Is Established and Biennial Report Structure, pp. 1-2.

⁹ *Oregon's ACTs, Cross-Jurisdictional Collaboration and Improved Transportation Planning*, p. 45.

- 2. Travel Shed & Boundary Issues**
 - 2.1. Evaluate alternative mechanisms for addressing metropolitan area travel shed issues**
 - 2.2. Evaluate the experience of regional transportation planning organizations in other states**
 - 2.3. Review the ODOT corridor planning and transportation facility planning process**
 - 2.4. Develop an investment initiative**
- 3. Representation & Stakeholder Involvement**
 - 3.1. Reexamine ACT membership and clarify the required and optional standards for membership**
 - 3.2. Create venues for ACTs to meet periodically with various ODOT advisory committees**
 - 3.3. Improve coordination between ACTs and federal land management agencies**
- 4. Policy & Planning**
 - 4.1. Involve ACTs earlier in reviewing ODOT policy documents and provide more lead time for comments.**
 - 4.2. Consider providing opportunities for ACTs to review county, city and MPO transportation system plans that contain transportation projects of regional significance.**
 - 4.3. Consider ways for ACTs to participate in regional transportation planning**
- 5. STIP Prioritization Process**
 - 5.1. Provide incentives for cross-ACT coordination through special funding for transportation projects**
 - 5.2. Clarify prioritization criteria at the state and ODOT region level**

Rob Zako

Transportation Policy • Community Planning • Public Involvement

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November 30, 2009

Lane County Board of County Commissioners
Lane County Public Services Building
125 East 8th Avenue
Eugene, OR 97401

Re: Progress Report on Process to Form an ACT for Lane County

Dear County Commissioners:

I appreciate the opportunity to assist you in forming an area commission on transportation (ACT) for Lane County, and have hit the ground running.

Overview of Process

In a nutshell, the process to form an ACT consists of three phases:

PHASE 1: SET UP	(October–December 2009)
⇒ Project Team interviews stakeholders and recommends Task Force to BCC	
⇒ BCC creates Task Force to draft a proposed charter	
PHASE 2: DEVELOP PROPOSED CHARTER	(January–April 2010 ???)
⇒ Task Force , with assistance from Project Team, drafts a proposed charter	
⇒ BCC finalizes proposed charter and submits to OTC	
PHASE 3: FORM ACT	(May–June 2010 ???)
⇒ OTC approves charter	
⇒ ACT convenes and ratifies its own charter	

Progress

During the Set Up phase, your project team—Celia Barry, Sonny Chickering, Savannah Crawford and I—have been reaching out to stakeholders and collecting basic information and advice:

- At ODOT Region 2 “Super ACT” meeting, announced effort to form ACT (10/29)
- Preview meeting with leaders of key jurisdictions (10/29)
- Preview meeting with regional managers of Lane County and cities (11/19)
- Outreach to other stakeholders: business, tourism, bicyclists and land use
- Seeking advice from other ACTs and select experts

- **Developing an email list of stakeholders, initially with officials and staff from affected jurisdictions: 12 cities, Confederated Tribes, Lane County, LTD, LCOG, Port of Siuslaw and ODOT**
- **Maintaining a web page on the Lane County web site to provide information about process, including meetings, reference materials and maps**
- **Updated the ODOT's Lane County ACT web page to reflect the formation of an ACT**
- **Reviewing guidelines for forming an ACT and other sources of info**

We will be meeting with the Lane County Roads Advisory Committee on December 2 and the Metropolitan Policy Committee (Central Lane MPO) on December 10.

To gain more detailed information about where we are starting and where there are areas of agreement and disagreement, we are about to survey stakeholders using SurveyMoney.

On December 16, we plan to come to you with recommendations for forming the Task Force ("Pre-ACT").

Time and Cost

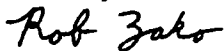
We plan to begin Task Force meetings in January. Stakeholders we have heard from so far are anxious to get an ACT up and running ASAP, and want to keep things simple.

As the next Statewide Transportation Improvement Program (STIP) cycle will be getting underway this coming spring, it would be ideal to push the original schedule in order to have an ACT formed by then. Whether or not that will be possible will depend on how many outstanding issues are identified and how long it takes stakeholders to reach agreement on these.

Finally, we have heard some concerns expressed about the budget for the project and whether it is realistic. The big unknown is how difficult it will be to reach agreement on the purposes, structure and operation of an ACT. If stakeholders can translate their haste into agreement, we will be able to form an ACT early and under budget. On the other hand, if it takes many meetings to work through significant philosophical differences about what an ACT should be, then additional resources could be required. So far, we are close to being on schedule and within budget. We should have a better sense of the lay of the land in the next month or so and will keep you apprised.

Finally, if you have any suggestions or concerns, please do not hesitate to contact me or other members of the Project Team.

Sincerely,



Rob Zako

Project Manager

Lane County Process to Form an ACT