

# Lane Area Commission on Transportation (LACT)

## Proposed Bylaws

Working Draft, ~~3/3/4/6/~~2010

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*Other names are possible, if not necessarily compelling nor accurate:*

- *Emerald Valley ACT*
- *Southern Willamette Valley ACT*
- *Coast-to-Cascades ACT*
- *Twin Rivers ACT*

***SB 944 calls for a “proposed charter for an area commission on transportation for Lane County.”***

*Although the OTC charters ACTs, an Area is not actually required to develop a “charter” per se, merely a “proposal” addressing certain questions and an “Operating Agreement” to further define the operation of the ACT (Policy on ACTs, Attachment B).*

*Other ACTs refer to their fundamental operating agreements as a “Charter” (LJDACT, SCOACT, SEACT), “Bylaws” (NWACT, CWACT, SWACT, RVACT), “Operating Bylaws” (NEACT), “Operating Guidelines” (COACT), or a “Proposal” (MWACT).*

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*OTC: "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" (p. i)*

*Other ACTs include the following major sections:*

- Background (NWACT, LJDACT), Rationale for Establishment (MWACT), Representation (NEACT), Operating Philosophy (COACT)*
- Purpose & Responsibilities (CWACT)*
- Rationale for Geographic Boundaries (SWACT), Geographic/Economic Factors (LJDACT)*
- Board (NWACT), Membership (CWACT, SWACT, LJDACT)*
- Officers (COACT, NEACT), Officers & Staffing (CWACT), Steering Committee (SWACT), Executive Committee (COACT), Executive Committee and Officers (SCOACT), Committees (CWACT), Subcommittee Formation (COACT, NEACT)*
- Proposed Technical Assistance (SWACT), Technical Assistance (LJDACT), Technical Advisory Committee (SCOACT)*
- Meetings (SCOACT), Meeting Location & Staff Support (SWACT), Staff(ing) Support (LJDACT, NEACT, COACT), Staff and Financial Support (SCOACT)*
- Organization Procedures (CWACT, NEACT), Operational Structure (LJDACT), Decision Making (COACT, NEACT), Meeting Conduct (COACT, NEACT)*
- Assurance of Regional Coordination (SWACT), Coordination with Adjacent Areas and State Legislators (SWACT), Relationship to Decision Making Bodies and Community Interest (RVACT)*
- Work Plan (SWACT)*
- Media Relations (COACT, NEACT), Public Involvement (& Meeting Notice) (NWACT, NEACT, SEACT, LJDACT), Public Outreach Process (COACT)*
- Amending Bylaws (NWACT), Amendments (SWACT)*
- Glossary (NWACT), Glossary of Terms (SCOACT)*

Recognizing the importance of transportation to the long-term livability of the area and the desirability of speaking with one voice on major transportation issues, and in fulfillment of the requirements of Senate Bill 944 (Section 1, Chapter 509, Oregon Laws 2009), the Board of County Commissioners of Lane County is submitting to the Oregon Transportation Commission (OTC) this proposal for the formation of an area commission on transportation (ACT) for Lane County.

## I. PURPOSE

The Lane Area Commission on Transportation (LACT) is an advisory body established to provide a forum for stakeholders to collaborate on transportation issues affecting Oregon Department of Transportation Region 2, Area 5 (“Area”) and to strengthen state/local partnerships in transportation.

*Once the OTC grants a charter, this introductory paragraph should be modified accordingly.*

*Lane County: “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.”*

*NWACT, LJDACT, COACT, NEACT provide background/history on their being chartered. MWACT provides an introduction and a “Rationale for Establishment.”*

*The “Purpose” section briefly states the name of the ACT, what it is, and its geographical area.*

*OTC: “The mission of the ACTs is to provide a forum for the discussion and coordination of current and future transportation issues and to make recommendations to the OTC. An ACT plays a key advisory role in the development of the Statewide Transportation Improvement Program (STIP). The ACTs shall recommend priorities for state transportation infrastructure and capital investments based on state and local transportation plans related to the geographic boundary of the ACT.” (p. 1)*

***OTC: “1. What is the rationale for the geographic boundaries of the proposed ACT? If the boundaries are being modified, why?” (Att. B)***

*OTC: “Because the ACTs (and, where applicable, the MPOs) are primary advisors to the OTC with regard to transportation policies and programs which effect them, the OTC strongly encourages coverage of the State with respect to ACT or MPO representation.*

*The OTC recognizes that there is strength in member familiarity with Regional issues, and thus, expects that an ACT will encompass an area that geographically represents all its interests. The rationale for ACT boundaries should be consistent with a ‘geographical community of interest’ regarding the state Transportation System and coordinated with existing Regional intergovernmental relationships. Shared interest might include a similarity of population, economy, land use, infrastructure needs, contiguous boundaries, commute shed, political and programmatic interests, and collaborative opportunities. The geographic boundaries of an ACT or MPO may change over time and if this occurs, an amendment to the boundaries will be negotiated and agreed upon by the affected parties, and a formal request for change will be submitted in writing to the OTC for approval. Each ACT will develop an Operating Agreement (Section V. A.) and this agreement will articulate the rationale for its specific boundaries.” (p. 4)*

*OTC: The glossary to the Policy on Formation and Operation of ACTs defines the following terms:*

- **Area**—When capitalized, describes the geographic area of the Area Commission on Transportation.
- **Region**—When capitalized, describes the Oregon Department of Transportation geographic regions.
- **Regional**—When capitalized, includes considerations of other communities, regional movements and patterns of transportation.

*The language regarding “strengthening state/local partnerships” is adapted from SWACT and RVACT.*

*CWACT: “The concerns of the Cascades West Area Commission on Transportation (CWACT) shall include issues that affect the regional transportation system and its links to areas beyond the region. The Commission recognizes that developing and improving the transportation system is a long-term process. Therefore, CWACT strives to build and sustain the consensus and support for project priorities, plans and policies that benefit the region’s transportation system.” (Att. D)*

## II. MISSION

The mission of LACT is to:

1. Provide a local forum for sharing information, understanding, coordinating, and gaining consensus around transportation plans, policies, projects and funding;

### ***OTC: "9. What key work efforts will be/have been addressed by the ACT?" (Att. B)***

*OTC (Primary): "Provide a forum to advance the public's awareness and understanding among transportation stakeholders of transportation issues." (p. 1)*

*OTC (Optional): "Provide advice on ... other transportation related policy or funding issues relevant to a particular ACT that would benefit from the coordinated committee discussion afforded by the ACT structure." (p. 2)*

*SCOACT (Goal): "Increase stakeholder commitment and understanding of transportation projects, programs, funding, and issues."*

*ODOT Study (5.4.2 Consider providing opportunities for ACTs to review county, city and MPO transportation system plans that contain transportation projects of regional significance): "This review is already identified by the OTC as an optional activity for ACTs. It could help inform ACTs about the need for particular projects and provide additional context for project prioritization. The review could include a consideration of how TSPs might affect regionally significant projects and vice versa. The processes for accomplishing this would require ACTs to work within the local government adoption process."*

*ODOT Study (5.4.3 Consider ways for ACTs to participate in regional transportation planning): "Because MPOs do not have planning authority outside of their boundaries, participation by ACTs in regional transportation planning could help to address transportation issues that exist outside of MPO boundaries in the 'greater regions' that surround urban centers. In order to effectively address the development patterns and land use-transportation interactions that affect travel behavior, regional collaboration is needed across jurisdictional boundaries in travel sheds."*

*Increased involvement by ACTs in regional transportation planning could also improve the STIP project prioritization process in both urban and rural areas by exposing ACT members to the longer-term transportation planning discussions. Local governments within each ACT could share, review and discuss their local comprehensive plans (including Transportation System Plans) to increase understanding of land use and transportation interactions within the ACT area and with neighboring ACTs.*

*The scope of ACT involvement in regional transportation planning would need to be carefully considered so that it was consistent with the authority of existing governmental entities such as counties or MPOs."*

2. Engage key stakeholders and the general public with a process consistent with state and federal laws, regulations and policies;

*OTC (Primary): "Establish a public process that is consistent with state and federal laws, regulations and policies." (p. 1)*

*SWACT: "To educate the public, neighboring regions, legislators, and other interested organizations about South West area transportation issues."*

3. As applicable, consider all modes and aspects of the transportation system, including air, marine, rail (freight and passenger), road, transit, bicycle, pedestrian, and pipelines;

*OTC (Primary): "As applicable, consider all modes and aspects of the Transportation System in formulating recommendations, taking into account the provision of elements and connections between air, marine, rail, highway, trucking, transit, bicycle and pedestrian facilities. The Transportation System includes the following modes and aspects: Air, marine, rail (freight and passenger); Highway (trucks, buses, cars); Transit; Bicycle/Pedestrian." (p. 2)*

4. Review and monitor the condition of the Area's transportation system, using appropriate benchmarks;

*OTC (Optional): "Provide advice on ... [the] establishment and monitoring of benchmarks for Regional transportation improvements." (p. 2)*

5. Recommend short- and long-term transportation investment priorities based on state and local plans and addressing identified needs of the Area's transportation system while balancing local, regional and statewide perspectives; and

*OTC (Primary): "Provide recommendations to the OTC regarding program funding allocations for the STIP, balancing local, Regional and statewide perspectives." (p. 1)*

*OTC (Primary): "Prioritize Area Modernization project recommendations for the Development STIP and Construction STIP based on state and local transportation plans related to the Area." (p. 1)*

*OTC (Primary): "Make recommendations to ODOT regarding special funding opportunities and programs." (p. 1)*

*OTC (Authority): "ACTs should apply a statewide perspective to address the Transportation System with primary focus on the state Transportation System (Glossary, Attachment D). ACTs may also consider Regional and local transportation issues." (p. 4)*

*OTC (Optional): "[Provide] input into prioritization of long-range planning projects (especially refinement plans) in the ODOT Region planning work programs." (p. 2)*

6. Communicate and coordinate regional recommendations, priorities and activities, and collaborate with other organizations and interests, including as applicable the Central Lane Metropolitan Planning Organization (CLMPO), other ACTs, the OTC, ODOT advisory committees, the Governor's Economic Revitalization Team (ERT), regional partnerships and investment boards, state legislators, Oregon's congressional delegation, and other agencies and stakeholders.

*OTC (Primary): "Communicate and coordinate Regional priorities with other organizations, including the following: Other ODOT Regions and ACTs, Metropolitan Planning Organizations (MPOs), Community Solutions Team (CST), Regional Partnerships and Regional Investment Boards, ODOT advisory committees." (p. 1)*

*OTC (Primary): "Provide documentation to the OTC of the public process and resulting recommendations forwarded by the ACT including alternatives for solutions and outcomes of decisions." (p. 2)*

*OTC (Primary): "Provide a report to the Oregon Transportation Commission at least once every two years." (p. 2)*

*OTC (Optional): "Provide advice on ... ODOT corridor plans or local transportation system plans (TSPs) that contain projects of Regional significance (for example, a new highway bypass)." (p. 2)*

*OTC (Optional): "Review projects and policies for other STIP funding programs and categories that have advisory committees or processes in place and advise ODOT on any special circumstances or opportunities that apply. These programs include Preservation, Safety, Bridge, Operations, Public Transportation, Freight, Rail, Bicycle/Pedestrian, Transportation Enhancement, Scenic Byways, Federal Lands Highways, and Fish Culverts." (p. 2)*

*OTC (Optional): "Advise the OTC on state and Regional policies affecting the Area's Transportation System, including proposed ODOT policies & their implementation." (p. 2)*

*OTC (Authority): "Multi-ACT collaboration may be requested to facilitate consideration of issues that have a broader geographic scope than any one ACT. The needs of urban and rural areas may be different and discussions may include ACT representatives from more than one ODOT Region to help focus discussions on corridor or system needs." (p. 4)*

*OTC (Coordination): "Because of the fundamental importance placed on recommendations by the ACTs, coordination shall be a primary obligation and ACTs are expected to meet a high standard in this area. To ensure that recommendations have been reviewed for local, Regional and statewide issues and perspectives, ACTs should communicate with others that may have knowledge or interest in the Area. Working with a broad representation of stakeholder groups should also help provide*

*a balance between local/Regional priorities and statewide priorities. ACT coordination should include, but not be limited to the following groups: Oregon Transportation Commission; Other ACTs within and across ODOT Regions; ODOT Advisory Committees; Community Solutions Team; Regional Partnerships and Regional Investment Boards; Tribal Governments MPOs; Local Governments, Transit and Port Districts; Stakeholder groups (e.g., environmental, business, state and federal agencies with land holdings within the ACT boundary).” (p. 8)*

### **III. AUTHORITY**

LACT is an advisory body chartered under authority of the OTC. ORS 184.610 to 184.666 gives the OTC the authority to establish ~~the~~ policies for the operation of ODOT and for the administration of programs related to transportation. The OTC may charter an ACT when it demonstrates, and as long as it maintains, a structure consistent with the requirements of the *Policy on Formation and Operations of ACTs*. The OTC retains oversight and final decision-making authority to assure efficient management of the state transportation system. ACTs provide valuable input and recommendations to that process.

*The “Authority” section provides the legal authority for the establishment of the ACT. Suggested language here is adapted from boilerplate language contained in the Policy on Formation and Operation of ACTs (p. 3), and echoed in the charters for NWACT, RVACT, NEACT, and SEACT.*

LACT is a ~~an~~ **voluntary** association of government and non-government transportation stakeholders and has no legal regulatory, policy or administrative authority. LACT processes and resulting recommendations shall comply with relevant laws, regulations and policies. As an advisory body to the OTC with authority to make recommendations on policy or administration, LACT meets the definition of a “Governing Body” and falls under the requirements of the Public Meetings Law, ORS 192.610 to 192.690. LACT members shall comply with the requirements of Oregon Government Standards and Practices laws concerning conflict of interest.

#### **IV. ORGANIZATION**

##### **A. Voting Members**

*In comparison, Lane Council of Governments is a “membership association of governments” established under the authority of ORS 190.003 to 190.110 relating to intergovernmental cooperation.*

***OTC: “2. What are the proposed voting and ex officio membership categories and how do they ensure coordination with existing Regional public agencies?” (Att. B)***

***OTC: “3. Is the membership broadly representative of local elected officials and inclusive of other key stakeholders and interests (see Section IV, Subsection B., Membership)? If key representation is not included, explain the justification.” (Att. B)***

*OTC: “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. ... 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. ... As an ACT experiences membership turnover, it should review representation to ensure continued balance of all groups the [commission] represents. When providing*

*reports to the OTC, ACTs will be asked to describe how they have met the membership guidance. If circumstances within the ACT (e.g., small population and large geographic area) prevent the ACT from meeting the minimum membership requirements, the ACT may develop an alternate proposal for approval by the OTC during its biennial review.” (p. 4)*

*OTC: “Voting may be by consensus or majority, as defined in the individual ACT Operating Agreement (Section V. A.)” (p. 4)*

*The number of voting members in other ACTs ranges from 14 to 40: NWACT (28), MWACT (17), CWACT (40), SWACT (40), RVACT (26), LJDACT (14), COACT (15), SCOACT (27), NEACT (18), SEACT (16). For more details, see Savannah Crawford’s August 24, 2009, memo.*

*OTC: “Representation shall include City, County, and MPO officials within the ACT boundaries.” (p. 4)*

LACT is comprised of up to 27 voting members, determined as follows:

1. **Counties and Cities:** The governing bodies of Lane County and the incorporated cities within the Area (Coburg, Cottage Grove, Creswell, Dunes City, Eugene, Florence, Junction City, Lowell, Oakridge, Springfield, Veneta and Westfir) are each invited to appoint-designate a primary representative and an alternate representative to LACT. A primary representative shall be an *elected official* but an alternate need not be. In order to facilitate better coordination between LACT and CLMPO, each city that is part of CLMPO is encouraged to appoint a primary representative that is also a member of the CLMPO policy board. (13 members)

2. **Tribes, Ports and Transit Districts:** The governing bodies of the Confederated Tribes of the Coos, Lower Umpqua & Siuslaw Indians (“Tribes”); the Port of Siuslaw (“Port”); and Lane Transit District (LTD) are each invited to ~~appoint~~ designate a primary representative and an alternate representative to LACT. A primary representative shall be an *appointed or elected official* but an alternate need not be. (3 members)

*OTC: “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.” (p. 4)*

3. **MPOs:** CLMPO is invited to ~~appoint~~ designate a primary representative and an alternate representative to LACT. Such representatives need not be *elected officials*, but should be well versed in federal MPO requirements. (1 member)

*OTC: “An MPO representative shall be included as a voting member on the ACT if within the same geographic area as an ACT.” (p. 10)*

4. **Transportation Advisory Committees:** The Lane County Roads Advisory Committee (LCRAC) and the CLMPO Citizen Advisory Committee (CAC), with the approval of the CLMPO, are each invited to ~~appoint~~ designate a primary representative and an alternate representative to LACT. (2 members)

5. Highway 126 East: The Lane County commissioners shall appoint a primary representative and an alternate representative for the Highway 126 corridor east of Springfield. (1 member)

6. **Citizens (Private Sector):** Following public advertisement, LACT shall appoint ~~[and the Lane County Commissioners shall confirm]~~ up to ~~seven (7)~~ six (6) citizens as members of LACT. ~~One citizen shall be selected to represent the interests of the Highway 126 corridor and the McKenzie River Valley east of Springfield.~~ The other citizens should be selected to represent a diversity of interests, which may include airports, rail (passenger & freight), trucking, public transit (bus & rail) riders, bicyclists and pedestrians, business, freight, tourism, public safety, public health, schools, neighborhoods, senior citizens, special transportation needs, minorities, environment, land use, parts of Lane County not otherwise well represented on LACT, and other interests. ~~LACT shall appoint [and the Lane County Commissioners shall confirm] a sufficient number of alternates for citizen (private sector) voting members to ensure good attendance at meetings. (up to 76 members)~~

*OTC: "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." (p. 4)*

*OTC: " While it may be impractical to include representatives from every stakeholder group on the ACT, the ACT needs to make a concerted effort to hear the concerns and recommendations of stakeholders prior to making decisions regarding recommendations to the OTC. The ACT will provide easy access to technical materials and supporting documentation considered by the ACT during its decision making process and shall consider and respond to public input received during the planning and program development process. (Section V. C. and Attachment A)." (p. 11)*

*OTC: "ACT operating agreements must clarify the roles and processes between members, agencies, ODOT and the OTC. They are intended to specify how members will be selected and define membership beyond that required in this document, including the total number and the voting status of each member. Operating agreements shall provide for a wide solicitation for non-elected membership, and specify the solicitation process used." (p. 5)*

*The number of private sector members in other ACTs ranges from 2 to 8: NWACT (8), MWACT (3), CWACT (6), SWACT (8), RVACT (8), LJDACT (4), COACT (2), SCOACT (8), NEACT (5), SEACT (3).*

*Lane County: "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, senior citizens, people with disabilities, minorities, environment, land use, unincorporated areas of Lane County, other."*

7. **ODOT:** The ODOT Lane County Area Manager is a voting member of LACT and shall designate an alternate. (1 member)

**Alternates:** In order to ensure good representation, when a primary member is unable to attend a meeting, ~~an~~ he/she should contact his/her alternate ~~should be contacted~~ to serve in his ~~or~~ /her place. An alternate member may attend and participate in any meeting, but may vote only when the primary member is absent. In rare cases when both primary and alternate members are unable to attend a meeting, someone else may vote by written authority from the member jurisdiction/entity. Citizen (Private Sector) representatives shall not have alternates.

**Terms:** Primary and alternate voting members Highway 126 East and Citizen (Private Sector) members will serve two-year terms ~~starting in January of even-numbered years~~ and may be reappointed. All other voting members may be designated or replaced at any time by their represented jurisdictions/entities.

*OTC: "ODOT will be a voting member on each ACT." (p. 4)*

*NWACT: "Jurisdictions appointing a primary member are responsible for selecting and assuring the qualifications of their alternate. The vote of the Alternate is assumed to represent the vote of the ACT member for whom they are standing in. Members shall inform their Alternate when she/he is needed to attend the NWACT meeting in their place and provide them with direction regarding any issues up for consideration. Alternates representing local governmental agencies need not be elected. When votes are taken, an alternate may vote in place of the primary member only if the primary member is absent. Should a member have to resign in mid-term, the alternate may continue to serve in the capacity of alternate until a new member is selected by the jurisdiction or appointing authority. Citizens-at-Large shall not have alternates."*

*RVACT: "Each member jurisdiction will appoint an alternate. The first member, and alternate second, are both authorized to vote on RVACT. If neither is in attendance, then another may vote by written authority from the member jurisdiction."*

Repeated Absences: All voting members of LACT are expected to participate in all meetings, or to send an alternate if applicable. Should a voting jurisdiction or entity be unrepresented member be absent for three (3) consecutive meetings, LACT shall notify the member (and his/her represented jurisdiction or /entity if applicable) and encourage more active participation. ~~In such an event, the represented jurisdiction or entity may choose to make a replacement appointment at any time. Should a primary citizen member be absent from three (3) consecutive meetings, LACT may opt to permanently replace that citizen member with an alternate. The responsible jurisdiction/entity may replace its own repeatedly absent voting member, even if his/her term has not yet expired. The LACT may replace a repeatedly absent unaffiliated Citizen (Private Sector) member. LACT may deem a repeatedly absent voting member eliminated for the purposes of establishing a quorum and decision-making, until such time as the voting member or his/her replacement attends a meeting.~~

*NWACT: "Should a member be absent from three (3) consecutive meetings, NWACT shall notify the represented jurisdiction and encourage more active participation. In such an event, the represented jurisdiction may choose to make a replacement appointment at any time."*

*CWACT: "If a member (representative or alternate) is not in attendance (physically or electronically) during two (2) consecutive full ACT meetings, the Chair will notify, in writing, the highest elected official of the entity being represented. If the representative is one of the private sector members, the notification will be sent to the County Commission of the county from which that private sector member was appointed. The notification will state that unless either the representative or alternate are in attendance during at least one of the two next meetings, the member will be removed from membership in the CWACT for the remainder of the term that the representative was serving. The member will be allowed to re-join the CWACT at the beginning of the next term. If the discontinued member was a private sector representative, the relevant county may immediately appoint a new representative to fill out the term of the discontinued member."*

*RVACT: "Community members missing 3 consecutive meetings without excusal will automatically be removed from RVACT membership."*

## B. Non-Voting Members

The following officials are invited to be non-voting, *ex officio* members of LACT or participate in any LACT meetings:

- ~~The~~ ODOT Area Managers for ~~other~~ Areas ~~near adjacent to~~ Lane County.
- ~~The~~ Oregon Transportation Commissioners ~~assigned to Lane County~~.
- The member of the Governor's Economic Revitalization Team responsible for Lane County.
- State legislators representing parts of Lane County.
- Members of Congress representing parts of Lane County.

Space and time permitting, staff to jurisdictions or entities that are members of LACT are invited to participate in discussions as non-voting members.

LACT may ~~appoint~~ invite other non-voting members to represent relevant areas of interest or expertise and to participate in discussions, on either an *ad hoc* or ongoing basis.

*OTC: "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; 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." (p. 5)*

*ODOT Study (5.3.1 Reexamine ACT membership and clarify the required and optional standards for membership): "This research study provides information about how different ACTs have dealt with representation and stakeholder involvement in varying ways. This information can be the basis for discussion and further exploration by ODOT staff, ACTs, and areas without ACTs, of the issues and opportunities related to representation and participation.*

*Questions that should be considered in the reexamination of ACT membership include:*

- *Are there ways to improve/increase private sector representation and participation?*
- *Should other stakeholder groups be included that are not currently represented?*
- *Is there a way to increase tribal participation?*
- *Are ACTs taking advantage of opportunities to involve all levels of government— including federal and state agencies?*
- *Can private sector, not for profit and citizen representation be accomplished as well through advisory committees?*
- *If ACTs are given more responsibility in the transportation planning process (see Section 5.4), what additional responsibilities should they have and how would that affect membership?"*

### C. Staffing and Financial Support

~~The Lane Council of Governments (LCOG)~~ and ODOT will ~~provide-arrange~~ staff support for LACT, with funding provided by ODOT. Specific responsibilities shall be determined by mutual agreement between LACT and ODOT.

Ed. Note: ODOT will arrange for initial staffing support in advance of the first meeting of LACT.

#### ***OTC: “10. Who would/does provide support staff to the ACT?” (Att. B)***

*OTC: An ACT must be staffed either by ODOT or an organization with which ODOT could contract administrative services. The ACT and ODOT will jointly agree on how the ACT will be staffed. ODOT will provide planning staff assistance to the ACT and financial support for administration of the ACT in an amount sufficient to meet OTC expectations. Where it makes financial and logistical sense, the management and technical support services of an MPO and an ACT may be combined to increase consistency, cost-efficiency, and coordination.” (p. 6)*

*NWACT: “NWACT is staffed either by ODOT or an organization with which ODOT contracts administrative services. NWACT and ODOT jointly agree how NWACT is staffed. ODOT provides planning staff assistance to NWACT and financial support sufficient for administration of NWACT to meet OTC expectations. Primary NWACT staff duties include...”*

*CWACT: “The CWCOG and ODOT will provide staff support for the CWACT.”*

*SWACT: “ODOT will staff the meeting.”*

*RVACT: “RVCOG and ODOT will staff the meetings.”*

*COACT: “Staff support will be provided by ODOT and/or the Central Oregon Intergovernmental Council or in any matter acceptable to COACT and ODOT.”*

## V. OPERATION

### A. Decision-Making

**Quorum:** All voting members of LACT are expected to participate in all meetings, or to send an alternate if applicable. A quorum for decision-making purposes will be 51% of the voting membership ~~[including at least five (5) representatives of non-MPO cities]~~. A quorum may include teleconferencing of members, if feasible. LACT may consider purely informational items with less than a quorum present.

**Consensus:** LACT will use a consensus decision-making process and will foster mutual respect and a collaborative approach to problem solving. Members will seek to advance broad interests and look for win-win solutions. Consensus means that all voting members present agree to support can live with the decision. ~~Members may choose to not block the consensus even though they do not fully agree with the decision.~~ Members are encouraged to voice and have recorded all views. Once a consensus decision has been reached, all members agree to support that decision.

**Supermajority Vote:** In rare cases where consensus cannot be reached, decisions will be made by a 7580% supermajority of the total number of voting members, both present and absent. A simple majority of voting members present may call for the end of discussion and a supermajority vote.

*SB 944: "The proposed [bylaws] ... must include ... 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."*

**OTC: "11. What will be/is the decision making process used by the ACT?" (Att. B)**

*OTC: "Voting may be by consensus or majority, as defined in the individual ACT Operating Agreement (Section V. A.). ... 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." (p. 4)*

*NWACT: "Nine (9) or more members or alternates must be present in order for NWACT to conduct a vote. The vote outcome will be determined by a simple majority of those present. Quorum may include teleconferencing of members, if feasible. The Commission may consider purely informational items with less than a quorum present. ... NWACT uses a collaborative approach to problem solving where all members agree to support decisions made by majority vote or by consensus. Decisions shall be sought by consensus first, and by majority vote if a consensus cannot be reached. Consensus means that all members agree to accept the decision even though they do not fully agree with the decision."*

*CWACT: "For the purpose of conducting official business, a quorum shall exist when representatives from fifty-one (51) percent of the voting members are in attendance. Decisions shall be reached by a consensus process whenever possible. If it is not possible to obtain concurrence of all voting members present, a seventy-five (75) percent concurrence of the voting members present shall be necessary for approval."*

*SWACT: "A quorum for decision-making purposes will be 50% of the membership of the Steering Committee. SWACT will strive for complete consensus when making decisions by quorum. When consensus cannot be arrived at, decisions will be made by a majority of members in attendance. Any member of the Steering Committee can call for a decision to be made."*

Ed. Note: For example, if the total number of voting members were 25, then a quorum of 13 would be needed to make decisions. A consensus of the 13 or more voting members present could make a decision. Alternatively, a supermajority of 20 or more voting members could make a decision—assuming that at least 20 voting members were actually present.

Basis for Making Decisions: LACT shall develop criteria for making recommendations shall be based on local, state, and federal adopted transportation plans, policies and procedures.

*RVACT: “A quorum for decision-making purposes will be 50% of the membership plus one member. RVACT will strive for complete consensus when making decisions. When consensus cannot be arrived at, decisions will be made by a majority of members in attendance. Any member of the RVACT can call for a decision to be made by a 2/3 majority of the members present.”*

*COACT: “COACT will use a consensus decision-making process and will foster a collaborative approach to problem solving. Consensus means that all members agree to support the decision. Members may choose not to block the consensus even though they do not fully agree with the decision. Members are encouraged to voice and have recorded all views. Once a consensus decision has been reached, all members agree to support that decision. ... Members will treat each other with respect and in a manner that provides opportunity for group decision making. Conflict will also be addressed in keeping with the operating guidelines.”*

*ODOT Study (4.2 Collaborative Practices): “To identify potential options for cross-jurisdictional collaboration in Oregon, the research team reviewed the literature from fields such as urban planning, transportation, and environmental management. This review focused on the elements of effective consensus building, and the factors supporting ongoing collaboration. A full synthesis of this review is provided in Appendix E.”*

***SB 944: “The proposed [bylaws] ... must include ... 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.”***

*OTC: “The ACT shall function as an advisory body to the OTC, which has final decision authority. The ACT process and resulting recommendations shall comply with relevant laws, regulations and policies. When ACTs are considering recommendations relative to the STIP, their recommendations must comply with the policies and standards adopted by the OTC. When ACTs are providing recommendations on policy, they have greater latitude in formulating their response.*

*Recommendations shall be based on local, state, and federal adopted transportation*

*plans, policies and procedures including, but not limited to:*

- *Oregon Transportation Plan and supporting mode plans (e.g., Oregon Highway Plan and Oregon Public Transportation Plan)*
- *Oregon Public Meetings Law, ORS 192.610 to 192.690 (See State of Oregon, Department of Justice, Attorney General's Public Records and Meetings Manual)*
- *State corridor and facility plans*
- *Transportation Planning Rule, OAR 660-012*
- *Transportation system plans*
- *MPO regional transportation plans*
- *Federal transportation planning regulations*
- *Local government plans, regulations, and ordinances*
- *Project selection criteria and prioritization factors approved by the OTC, including Oregon Transportation Management System data*
- *State Agency Coordination Program, OAR 731-15*
- *Additional criteria established by the OTC*
- *Oregon Government Standards and Practices, ORS Chapter 244 (See Oregon Government Standards and Practices Laws, a Guide for Public Officials, by the Oregon Government Standards and Practices Commission)*

*ACTs may use additional criteria to select and rank projects provided the criteria do not conflict with any criteria established by the OTC. If an ACT chooses to use additional criteria, they must inform those developing project proposals about the criteria. ACTs shall apply Regional and statewide perspectives to their considerations, refining recommendations after consultation with any affected metropolitan planning organization.*

*Recommendations to the OTC shall be documented and forwarded to the OTC with the factors used to develop the recommendation, including any additional criteria used by the ACT in forming its recommendation. Documentation developed by a member whose recommendations were not incorporated into the final ACT recommendations will be forwarded to the OTC with other materials documenting ACT recommendations. Recommendations to the OTC will be made in accordance with the approved STIP Development Timeline (on the Web at: <http://www.odot.state.or.us/stip/>).*

*ODOT has established special committees and processes to apply Oregon Transportation Management System information for the identification, prioritization and development of bridge replacement/rehabilitation and pavement preservation projects. If the ACT reviews Bridge or Preservation projects based on OTC approved criteria, the role of the ACT shall be to review the recommended lists of projects and to provide information to ODOT regarding any special circumstances within the Area that may apply to the prioritized list. Due to the highly technical nature of the bridge project selection, prioritization is primarily the responsibility of the technical staff utilizing the Bridge Management System. For preservation projects, the list from the Pavement Management System is enhanced by ACT knowledge/ information that helps meet state and local objectives (e.g., leverage funding sources, bundle with other projects, coordinate with local projects).*

*Federal regulations require MPOs to select transportation projects within the MPO boundaries from a limited pool of projects identified in the MPO's financially constrained regional plan. Selection of other projects within the MPO boundary requires coordination with the MPO and amendment of the MPO plan and TIP prior to adding them to the STIP. Outside MPO boundaries, ACTs may draw from a larger pool of projects found in local transportation system plans, which are not necessarily financially constrained." (pp. 7-8)*

## **B. Officers**

**Chair and Vice-Chair:** A Chair and Vice-Chair shall be elected by the voting members ~~and serve two-year terms beginning in January of even-numbered years.~~ The Chair shall preside at all meetings attended, sign documents and correspondence, orient new members, approve agendas, ~~oversee staff,~~ represent LACT in other venues and serve as LACT's official spokesperson. The Vice-Chair shall serve as the Chair's primary alternate and shall preside at LACT meetings in the Chair's absence and assist the Chair in new member orientations as needed.

*NWACT: "A Chair, Vice-Chair, and Second Vice-Chair shall be elected by the membership and serve a one year term. NWACT officers may be re-elected to more than one term of office. The Chair shall preside at all meetings attended, sign documents and correspondence, orient new members, approve agendas, oversee staff, represent NWACT in other venues and serve as NWACT's official spokesperson. The Vice-Chair shall serve as the Chair's primary alternate and shall preside at NWACT meetings in the Chair's absence and assist the Chair in new Board member orientations as needed. The Vice-Chair shall also chair subcommittees as required. The Vice-Chair may be considered a developmental position for election to NWACT Chair in the future. The Second Vice-Chair shall serve as the Chair's secondary alternate and shall preside at NWACT meetings in the Chair and Vice-Chair's absence. The Second Vice-Chair shall also chair subcommittees as required. NWACT's Chair, Vice-Chair, and Second Vice-Chair shall be elected annually. A Nominating Committee shall be appointed by the Board Chair one meeting prior to the last scheduled meeting of the year to recommend the annual NWACT officer*

Ambassador(s): Optionally, LACT may elect one or more Ambassadors to represent it, in place of the Chair or Vice-Chair, when coordinating with the OTC, other ACTs and other entities.

Elections: Decision-making shall be as described in Section V.A, Decision Making. Officers may be ~~re~~-elected to more than one term of office.

*slate. Nominations for officers will be presented to the Board in December or at the last scheduled meeting of the year, with election of officers in January, or the first scheduled meeting of the year. To be elected, officers must be in good standing with no more than three (3) consecutive absences in the past year. If the Chair position becomes vacant at any time during the term, the Vice-Chair shall replace the Chair. Similarly, if the Vice Chair position becomes vacant, the Second Vice-Chair shall replace that position. If more than one vacancy occurs, an election may be scheduled at the direction of NWACT members."*

*CWACT: "Officers shall consist of a Chair and a Chair-Elect, both of which shall be County Commissioners. The Chair and Chair-Elect shall be from different counties, and the positions shall rotate among the Commissioners from each of the three counties. Officers shall serve one-year terms and the Chair-Elect shall assume the office of Chair upon completion of a one-year term as Chair-Elect. The Chair shall preside at all CWACT meetings and shall be an ex-officio member of all committees. The Chair may vote on any item before the CWACT; however, she/he may not vote if her/his vote would create a tie. The Chair is the official spokesperson for the CWACT unless this responsibility is specifically delegated. The CWACT Chair shall appoint chairs of all committees. In the absence of the Chair, the Chair-Elect shall execute all the functions of the Chair. In the event that the Chair cannot complete her/his full-term, the Chair-Elect shall assume the office of Chair and serve the remainder of the term and a new Chair-Elect selected. No person shall serve as Chair or Chair-Elect for a period of more than twenty-three (23) consecutive months. Terms for all officers shall begin on January 1."*

*RVACT: "RVACT meetings will be presided over by a chair. Co-Chairs, one each from Jackson and Josephine counties, will be nominated from and elected by the members. Both Co-Chairs will be nominated from and elected by the members for a two-year term starting January of each (even- Josephine/odd- Jackson) numbered year."*

*COACT: "A Chairperson and Vice-Chairperson shall rotate annually between the three County representatives. The Chair shall preside at all meetings he/she attends and shall be responsible for helping the group adhere to the operating guidelines. The Chairperson will conduct all meetings in a productive manner, respectful of the need for all interests and concerns to be raised. The Vice-Chairperson shall assume the duties of the Chair in his/her absence."*

### C. Committees

LACT may establish a Steering Committee. The Steering Committee shall consist of the Chair, Vice-Chair, the ODOT Area 5 Manager and ~~two up to five (5)~~ other primary voting members of LACT elected by the voting members of LACT. ~~[The Steering Committee must include at least three (3) representatives of non-MPO cities.]~~ Duties of the Steering Committee include development of meeting agendas, development and monitoring of a Work Plan, and mentoring of new members, ~~and performance reviews of staff.~~

LACT may form other standing or *ad hoc* committees as needed, for example, a Technical Advisory Committee. Committees may develop options and make recommendations, but policy decisions must be made by the voting members of LACT.

**OTC: “7. Who would/does help guide the work program and agendas of the ACT? Indicate the general operational structure.” (Att. B)**

**OTC: “8. How would/does the ACT secure technical assistance on transportation issues?” (Att. B)**

*OTC: “[T]he ACT may establish a technical advisory committee to assist during project or policy discussions. The TAC may be a standing committee to the ACT or formed on an ad-hoc basis as needed. The ACT will determine membership of the TAC and its role will be defined in the Operating Agreement.” (p. 5)*

*NWACT: “NWACT’s Executive Steering Committee shall consist of the Chair, Vice-Chair, Second Vice-Chair and ODOT Region 1 and 2 representatives and shall meet as needed. Duties of the Executive Steering Committee included development of NWACT agendas for final approval by the NWACT Chair, development and monitoring of NWACT’s Work Plan, mentoring of new members and annual performance reviews of NWACT and ODOT staff. The Executive Committee is empowered to act on behalf of the full NWACT subject to the following procedures...”*

*CWACT: “An Executive Committee shall consist of one County Commissioner from each County, the ODOT Area Manager and one additional representative from each County. The Executive Committee shall include the Chair and Chair-Elect. The additional representative of each County shall be selected annually by representatives of that County at a regularly scheduled meeting of the ACT. ... The Executive Committee shall meet as called by the Chair to (a) Act on behalf of the full CWACT between meetings. (b) Take needed timely action on issues within the context of decisions or positions previously taken by the full CWACT. However, the Executive Committee shall refrain from action on items that can wait for a regular CWACT meeting, and refrain from making decisions regarding project priorities. (c) Take action in situations determined by the Chair to be emergencies. (d) Be responsible for routine housekeeping duties, such as determining the content of agendas.”*

*COACT: “The Executive Committee will consist of the three appointed representatives from each County Government, Tribal Government, and a Region 4 ODOT Representative. The Executive Committee will guide the work of COACT by establishing agendas and meeting dates. All members may suggest agenda items.”*

#### D. Work Plan & Report

LACT shall develop and adopt ~~an annual~~ Work Plan. The Work Plan can be amended at any time.

~~Annual~~ accomplishments, based on the Work Plan and other achievements, shall be reviewed at least once a every two years and an ~~Annual~~ Report prepared. The Report shall review how well LACT is functioning, including staffing, public participation, and coordination with other entities. The Report shall be provided to the OTC.

#### E. Meetings

LACT will hold ~~regular monthly~~ meetings ~~on the second Wednesday of each month from 5:30 PM to 8:00 PM at a regularly scheduled time~~, unless it determines there is no need to meet.

All meetings will be held ~~at the ODOT Area offices, within the geographic boundaries of LACT. except that two m~~ Meetings ~~per year will can sometimes~~ be held at ~~other different~~ locations in the Area in order to experience transportation issues first hand. Meeting field trips may be made a part of the regular meeting to allow greater community input on local issues and priorities.

~~Once a year, LACT shall invite neighboring ACTs to participate in a joint meeting.~~

When urgent business must be conducted, the Steering Committee may call a special meeting with 10 days advance notice.

#### OTC: "5. What is the proposed work program of the ACT?" (Att. B)

*NWACT: "NWACT's Executive Steering Committee shall develop an annual work plan that is reviewed and adopted by NWACT members. The Work Plan can be amended at any time. Annual accomplishments, based on the Work Plan and other achievements, shall be reviewed once a year and an Annual Report prepared."*

*OTC (Primary): "Provide a report to the Oregon Transportation Commission at least once every two years." (p. 2)*

*NWACT: "Meetings are held monthly unless extenuating circumstances prohibit or members indicate a preference for more, or less, frequent meetings for a period of time. Meetings are open to the public and the media is notified. ... In the event the Oregon Transportation Commission or the ODOT Region 1 or 2 Manager requests a recommendation from NWACT and a decision is required prior to the next regularly scheduled meeting, the Executive Committee is empowered to act on behalf of the full NWACT subject to the following procedures ..."*

*SWACT: "Meetings will be held at least once each quarter within the geographic boundaries of the area. A minimum of one meeting each 12 months shall be held in each of the subgroup areas. Meeting field trips may be made a part of the regular meeting to allow greater community input on local issues and priorities."*

*RVACT: "Meetings will be held on the second Tuesday of every other month from 9:00 a.m. to 12 noon and rotated, as determined by the RVACT, between locations in Jackson and Josephine Counties. Meeting field trips may be made a part of the regular meeting to allow greater community input on local issues and priorities. Special out-of-cycle RVACT meetings may be called by an RVACT chair with 10 days advance notice."*

*COACT: "COACT meets twice monthly, and a regular, established meeting time. COACT meetings will be held only in facilities that meet the accessibility requirements of the Americans with Disabilities Act (ADA). No meeting will be held in buildings where discrimination ... is practiced."*

## F. Public Involvement

LACT will develop a Public Participation Plan ~~and review how well the public is being engaged every two years. At least once every two years as part of its regular Report, LACT shall review the effectiveness of its public participation efforts.~~

~~For LACT In order~~ to fulfill its advisory role in prioritizing transportation problems and solutions and recommending projects, the LACT ~~will~~ involves the public and stakeholders in its decision making process, ~~as prescribed in following~~ its Public Involvement Plan. As LACT considers local, regional and statewide transportation issues, it ~~will~~ provides public information and involves the public in its deliberations. To comply with federal environmental justice requirements, the public involvement process ~~will~~ includes a strategy for engaging minority and low-income populations in transportation decision-making.

LACT will look for opportunities to engage representatives of key interests as voting members, non-voting members, or invited guests, as appropriate.

***SB 944: “The proposed [bylaws] ... must include ... a plan for public involvement with the [ACT].”***

***OTC: “6. How will/does the ACT meet the minimum public involvement standards as shown in Attachment A of this document?” (Att. B)***

*OTC: “As an advisory body that has authority to make recommendations to the OTC on policy or administration, an ACT must comply with the requirements of Oregon’s Public Meetings Law found at ORS 192.610 to 192.690. The policy underlying the law is to ensure an open governmental decision making process and so facilitate the public’s awareness ‘of the deliberations and decisions of governing bodies and the information upon which such decisions were made.’ (ORS 192.620.)*

*The Public Involvement section gives more detail than other portions of this document. Attachment A provides the minimum and preferred public involvement requirements for different types of ACT meetings. The ACT may use Attachment A as a template to incorporate into its bylaws. The goal is to achieve statewide consistency through an open, understandable process that meets state and federal public involvement policies, while continuing to recognize Regional differences in issues and priorities. In its biennial report to the OTC, the ACT will describe how it meets the minimum requirements. The ACTs must follow all relevant federal laws, regulations and policies for public involvement, including Title VI and Environmental Justice requirements, and all applicable ODOT policies.*

*For ACTs to fulfill their advisory role in prioritizing transportation problems and solutions and recommending projects, the ACTs must involve the public and stakeholders in their decision making processes. As the ACTs consider local, Regional and statewide transportation issues, it is important that they use the appropriate level of public involvement and/or public information. To comply with federal Environmental Justice requirements, the public involvement process needs to identify a strategy for engaging minority and low-income populations in transportation decision-making. Meeting materials and facilities shall be accessible to those with disabilities pursuant to ADA standards.*

*The responsibility for developing agendas, distributing materials, taking minutes, website maintenance and other duties related to ACT public involvement shall be covered in the joint agreement identified in Section V. B, Staffing and Financial*

*Support.” (p. 6)*

*NWACT: “For NWACT to fulfill its advisory role in prioritizing transportation problems and solutions and recommending projects, the ACT involves the public and stakeholders in its decision making process following its Public Involvement Plan. As NWACT considers local, regional and statewide transportation issues, it provides public information and involves the public in its deliberations. To comply with federal Environmental Justice requirements, the public involvement process includes a strategy for engaging minority and low-income populations in transportation decision-making.*

*As an advisory body that has authority to make recommendations to the OTC on policy or administration, NWACT complies with the requirements of Oregon's Public Meetings Law, ORS 192.610 to 162.690 and follows all relevant federal laws, regulations and policies for public involvement, including Title VI, and all applicable ODOT policies. Meeting materials and facilities are accessible to those with disabilities pursuant to ADA standards. Sign language interpreters shall be provided upon a request being made no later than 72 hours prior to the meeting time. An attempt will be made to provide assistive listening devices and/or bilingual interpretative services upon a request being made no later than 72 hours prior to the meeting time. In its biennial report, NWACT describes how it meets these minimum requirements.”*

*The International Association for Public Involvement (IA2P) defines a spectrum of public participation: 1) Inform, 2) Consult, 3) Involve, 4) Collaborate, and 5) Empower. See <http://www.iap2.org/associations/4748/files/spectrum.pdf>*

*CWACT: “The CWACT will encourage and support public involvement by implementing the methods outlined in Attachment A, the Policy on Formation and Operation of Area Commissions on Transportation, adopted by the Oregon Transportation Commission on June 18, 2003.”*

*SWACT: “Meetings will be open to the public and minutes and agendas will be distributed in advance. ... The public will be invited to participate in the process and there will be a standing agenda item for public input with a three-minute limit per person. All meetings will be advertised in advance.”*

*RVACT: “Meetings will be open to the public and minutes and agendas will be*

## VI. COORDINATION

LACT will communicate and coordinate with others that may have transportation related knowledge or interest in the Area. Working with a broad representation of stakeholder groups should also will help provide a balance between local/regional priorities and statewide priorities.

LACT will jointly develop Coordination Protocols with CLMPO.

LACT will provide regular notice to nearby ACTs, and look for opportunities to coordinate ~~and invite nearby ACTs to participate in a joint meeting once per year~~. LACT supports a joint annual meeting of all ACTs within ODOT Region 2.

~~LACT will establish a regularly maintained website, using staffing assistance.~~

As part of its ~~biennial review of the Public Participation Plan regular Report~~, LACT ~~will develop and shall~~ review ~~a diagram or flowchart showing~~ how it coordinates with other bodies and interests.

*distributed in advance. ... The public will be invited to participate in the process and there will be a standing agenda item for public input with a five-minute limit per person. All meetings will be advertised in advance."*

*COACT: "All COACT meetings will be open to public attendance and any member of the public may attend any meeting. The public is encouraged to participate at the appropriate time on the meeting agenda. ..."*

***SB 944: "The proposed [bylaws] ... must include ... a plan for regular and consistent communication and coordination among the adjacent area commissions and with metropolitan planning organizations."***

***OTC: "4. How would/does the ACT coordinate with adjacent ACTs and/or MPOs and involve state legislators?" (Att. B)***

*OTC: "Because of the fundamental importance placed on recommendations by the ACTs, coordination shall be a primary obligation and ACTs are expected to meet a high standard in this area. To ensure that recommendations have been reviewed for local, Regional and statewide issues and perspectives, ACTs should communicate with others that may have knowledge or interest in the Area. Working with a broad representation of stakeholder groups should also help provide a balance between local/Regional priorities and statewide priorities. ACT coordination should include, but not be limited to the following groups:*

- Oregon Transportation Commission
- Other ACTs within and across ODOT Regions
- ODOT Advisory Committees
- Community Solutions Team
- Regional Partnerships and Regional Investment Boards
- Tribal Governments
- MPOs
- Local Governments, Transit and Port Districts
- Stakeholder groups (e.g., environmental, business, state and federal agencies with land holdings within the ACT boundary)

*It is recommended that the ACT develop a diagram or flowchart showing the numerous relationships within the ACT. The diagram should be available at each meeting of the ACT. ..." (p. 8)*

*SWACT: "SWACT shall communicate and coordinate regional priorities with other organizations, including the following: other ODOT Regions and ACTs, metropolitan planning organizations (MPOs), Community Solutions Team, regional partnerships and regional investment boards, ODOT advisory committees. Adjoining area commissions such as Rogue Valley ACT and State Legislators will be on SWACT's regular mailing list and invited to attend SWACT meetings."*

*ODOT Study (5.1.1 Improve Coordination & Communication across ACTs): "Create additional opportunities for ACTs to share information and discuss transportation issues that cross ACT boundaries, such as:*

- Annual statewide meeting of ACT chairs (and possibly other ACT members), convened by the ODOT Director or OTC.*
- All-region or multi-region meetings of ACTs that could address project prioritization (STIP, ConnectOregon, etc.) and/or other issues.*
- Forums for ACTs to work together within and across ODOT Regions on travel sheds, transportation corridors or larger regional transportation issues."*

*ODOT Study (5.1.2 Improve ACT-MPO Coordination): "Coordination of ACTs and MPOs could be improved through a variety of approaches. The following options could be pursued separately or in combination:*

- Clarify the roles and responsibilities of MPOs and ACTs.*
- Offer technical assistance for individual ACTs and MPOs to help them develop guidelines for ACT and MPO interaction on decision-making.*
- Develop a state strategy and criteria for formation of new MPOs that considers state and local interests as well as fiscal constraints.*
- Improve communication among MPOs and ACTs through shared staffing (e.g., through Councils of Governments).*
- Experiment with meetings of all ACTs and MPOs within a particular region of the state (e.g., Willamette Valley or along a highway corridor).*
- Establish guidelines for MPO representation on ACTs."*

*ODOT Study (5.1.3 Maintain and Improve ACT-OTC Communications): "To ensure adequate flow of information between ACTs and the OTC, the following options were identified:*

- Continue recent practice of OTC meetings with ACTs 'in the field' to ensure*

*opportunities for direct communication between ACTs and Commission members.*

- *Increase feedback from the OTC to ACTs about statewide decisions and ACT recommendations; this could be accomplished by a letter from the OTC Chair or ODOT Director to the ACT chairs, or at an annual meeting of the ACTs.”*

*ODOT Study (5.2.1 Evaluate alternative mechanisms for addressing metropolitan area travel shed issues including the roles and responsibilities of MPOs and ACTs): “Evaluating opportunities for increasing the effectiveness of MPOs and ACTs in urban travel sheds could potentially include: expanding MPO boundaries, developing additional mechanisms for involving stakeholder groups, and/or increasing shared membership and staffing of MPOs and ACTs.*

*Additional analysis and discussion of the formation of multiple MPOs in a region is also needed. This has created problems in some parts of the country, such as Florida. There are several areas in Oregon where this could occur, such as the Cascade West ACT area, where Albany is approaching the population threshold for MPO formation.*

*The Oregon MPO Consortium (OMPOC) and ODOT could collaborate on this analysis.”*

*ODOT Study (5.2.3 Review the ODOT corridor planning and transportation facility planning process and consider updating and creating plans with the participation of ACTs along those corridors): “ODOT’s ‘Policy on Formation and Operation of the Area Commissions on Transportation’ identifies providing advice on ODOT Corridor Plans as an optional activity of the ACTs. In the past, corridor plans have been used in conjunction with other planning efforts to develop the Statewide Transportation Improvement Program (STIP) and to develop specific transportation improvement projects. In the 1990s, corridor planning became a significant initiative of ODOT. There has been shift in focus to transportation facility planning. It may be productive to select a few high priority corridors or facilities where cross-jurisdictional cooperation is especially needed, and involve the ACTs along that corridor or facility.”*

## VII. AMENDMENTS

LACT defines its manner of conducting business through agreed upon Bylaws. Recommendations to repeal, amend, add to or replace these Bylaws may be made by ~~consensus—or by an 75~~<sup>80</sup>~~percent vote supermajority—~~ of all voting members ~~either in person or by proxy~~. Such changes shall be presented at one LACT meeting, acted upon at the subsequent meeting, and effective the following meeting.

## VIII. GLOSSARY

*NWACT: “NWACT defines its manner of conducting business through agreed upon Operating Bylaws. Recommendations to repeal, amend, add to or replace these bylaws may be made by a seventy-five (75) percent vote of all voting members either in person or by proxy. Such changes shall be presented at one NWACT meeting, acted upon at the subsequent meeting, and effective the following meeting.”*

*CWACT: “Recommendations to the CWCOC Board to repeal, amend, add to or replace these bylaws may be made by a seventy-five (75) percent majority vote of the voting membership present. Such changes shall be presented at one meeting of the CWACT and acted upon at a subsequent meeting. A positive vote to change shall be forwarded to the CWCOC Board for action at their next meeting. The CWCOC Board may initiate a change in these bylaws. Such change shall be presented at one meeting of the Board. If it receives a positive, majority vote, it shall be referred to the CWACT for comment. Subsequently, it shall be presented for adoption by the Board with the comment of the CWACT. A seventy-five percent vote of the CWCOC Board is required to adopt the proposed change.”*

*SWACT: “Steering Committee may amend the bylaws after giving not less than 30 days notice to all members of SWACT.”*

*RVACT: “The bylaws may be amended as necessary, after giving not less than 30 days notice to all members of RVACT, by a 2/3 majority vote of all RVACT members.”*