

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

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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.

Rob Zako

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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 SurveyMonkey.

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

Time and Cost

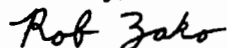
We plan to begin Task Force meetings in January. Stakeholders we have heard from so far are anxious to get an ACT up and running ASAP, and want to keep things simple.

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