

# Forum on an Area Commission on Transportation for Lane County (FACT-LC)

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April 21, 2010

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

**Re: Forum on an Area Commission on Transportation for Lane County (FACT-LC)  
Preliminary Report**

Dear County Commissioners, and other officials and transportation stakeholders:

I am pleased to present a *preliminary* report on behalf of the Forum on an Area Commission on Transportation for Lane County (FACT-LC). A *final* report will be completed by mid-May.

## Process

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

<b>PHASE 1: SET UP</b>	<b>(October–December 2009)</b>
⇒ <b>Project Team</b> interviews stakeholders and recommends FACT-LC to Board of County Commissioners (BCC)	
⇒ <b>BCC</b> creates FACT-LC to draft proposed bylaws	
<b>PHASE 2: DEVELOP PROPOSED BYLAWS</b>	<b>(January–April 2010)</b>
⇒ <b>FACT-LC</b> , with assistance from Project Team, drafts proposed bylaws	
⇒ <b>BCC</b> finalizes proposed bylaws and submits to Oregon Transportation Commission (OTC)	
<b>PHASE 3: FORM ACT</b>	<b>(Target schedule May–July 2010)</b>
⇒ <b>OTC</b> charters ACT	
⇒ <b>ACT</b> convenes and ratifies its own bylaws	

On December 15, 2009, the BCC approved Order No. 09-12-15-16 to establish the FACT-LC.

The charge to the FACT-LC was to submit a final report, not later than April 30, 2010, including (a) proposed bylaws for an ACT for Lane County, (b) a description of the level of support for the proposed bylaws, and (c) any minority opinions or alternative options.

The FACT-LC consists of 21 members representing Lane County, the 12 incorporated cities in Lane County (Coburg, Cottage Grove, Creswell, Dunes City, Eugene, Florence, Junction City, Lowell, Oakridge, Springfield, Veneta, and Westfir), the Confederated Tribes of the Coos, Lower Umpqua & Siuslaw Indians (“Tribes”), Lane Transit District (LTD), the Port of Siuslaw (“Port”), the Central Lane Metropolitan Planning Organization (CLMPO), the Lane County Roads Advisory Committee (LCRAC), the Central Lane Metropolitan Policy Organization Citizen Advisory Committee (CAC), the Oregon Department of Transportation (ODOT), and the Governor’s Economic Revitalization Team (ERT).

The FACT-LC met on January 13, February 10, March 10, and April 14. In addition, an *ad hoc* subcommittee of the FACT-LC met on January 26, February 16, and March 18 to propose and refine language.

At its last scheduled meeting on April 14, the FACT-LC reached consensus on proposed bylaws for an ACT (with Dunes City, Junction City, Oakridge and Westfir absent, and with Veneta having to leave the meeting early).

## Bylaws

The proposed bylaws are attached. The following notes are intended to explain key parts of the bylaws.

- **Preamble:** Sets the stages for the ACT, referring to “the importance of transportation to the long-term livability of the area and the desirability of speaking with one voice on major transportation issues.”
- **Purpose:** Summarizes the ACT as “an advisory body established to provide a forum for stakeholders to collaborate on transportation issues affecting” the area.
- **Mission:** Outlines the mission of the ACT as falling into six broad areas: 1) to provide a local forum for discussing transportation plans, policies, projects and funding, 2) to engage key stakeholders, 3) to consider all modes of transportation, 4) to review the condition of the area’s transportation system, 5) to recommend investment priorities, and 6) to coordinate with the Oregon Transportation Commission (OTC), other ACTs, and other organizations and interests.
- **Authority:** Makes clear that the ACT is a voluntary association of government and non-government transportation stakeholders chartered by the OTC with no legal, regulatory, policy, or administrative authority.
- **Members:** The ACT shall consist of up to 27 *voting* members representing Lane County, the 12 incorporated cities in Lane County, the Tribes, LTD, the Port, CLMPO, LCRAC, CAC, ODOT, the unincorporated communities along Highway 126 east of Springfield, and up to 6 citizens representing other interests. Note that the proposed membership of the ACT builds on the membership of the FACT-LC, dropping ERT, adding a representative for Highway 126 East, and adding citizens representatives. In addition, the ACT shall invite others to participate as *non-voting* members: adjacent ACTs, OTC members, ERT, state legislators, and members of Congress.
- **Staffing:** ODOT will provide staff support for the ACT. ODOT is looking to contract with the Lane Council of Governments (LCOG) to provide some of that staff support.
- **Decision Making:** Recognizing the benefits of speaking with one voice on transportation issues, the desire is for the ACT to enjoy full participation and for members to reach consensus whenever possible. With a consensus approach to decision making, there is less emphasis on “voting” and more emphasis on hearing all points of view and developing ways to address all interests. But recognizing that there might not always be time to reach consensus, the ACT can also make decisions by an 80% supermajority of those present. (Other ACTs report that they have needed to take a vote only a couple times in their long history.)
- **Work Plan & Report:** A work plan and report are intended to provide structure to the operations of the ACT, and to allow for the ACT and others to periodically review how well it is working.

- **Public Involvement:** As required by the OTC, the ACT will have a vigorous public involvement process, will look for opportunities to engage stakeholders, and will develop a Public Participation Plan.
- **Coordination:** The ACT will coordinate with CLMPO, nearby ACTs, the OTC and others.
- **Amendments:** If problems arise or needs change, the ACT bylaws can be amended by an 80% supermajority of all voting members. Such amendments will be reported to the OTC but need not be ratified by them.

Each ACT is different; there is no one best way to organize an ACT. The FACT-LC received advice from the OTC, ODOT and other ACTs about what makes for a good ACT: think regionally, look at the whole transportation system, and strive to reach broad agreement. The FACT-LC also adapted its proposed bylaws from language used by other ACTs.

The proposed bylaws have been developed to comply with the requirements of Senate Bill 944 and the OTC's *Policy on Formation and Operation of ACTs*. Depending on how they are embodied, the proposed bylaws could support an effective ACT.

## Next Steps

With this preliminary report, the FACT-LC is looking for comments from Lane County, other jurisdictions, and other transportation stakeholders. Ideally, comments won't represent hard and fast *positions* but rather will articulate *interests* (in other words, *outcomes*), thereby allowing for the possibility that all interests can be accommodated.

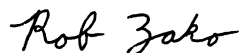
Ultimately, the OTC will be looking for "expressions of support" for the proposed bylaws.

The FACT-LC is asking for an extension to submit its final report by May 31, 2010. It is also asking jurisdictions to review and comment on the proposed bylaws by May 17, 2010. The FACT-LC's final report could be submitted to the Lane County Board of Commissioners as soon as May 19, 2010, for their final approval.

In turn, the county commissioners could submit proposed bylaws to the OTC as soon as their June 8-9, 2010, meeting in Jacksonville.

After the OTC gives approval, the ACT could hold its first organizational meeting sometime this summer, for example, on July 14, 2010. ODOT, with assistance from LCOG, is looking to be able to provide staff support by that time.

On behalf of the FACT-LC,



Rob Zako  
Project Manager  
Lane County Process to Form an ACT

cc: other elected officials and transportation stakeholders

attachment: proposed bylaws for Lane Area Commission on Transportation (LACT); Senate Bill 944, the OTC's *Policy on Formation and Operation of ACTs*, summaries of FACT-LC meetings, and other supporting documents are available online:  
[www.lanecounty.org/Departments/PW/TransPlanning/Pages/LaneCountyACT.aspx](http://www.lanecounty.org/Departments/PW/TransPlanning/Pages/LaneCountyACT.aspx)