

# Advice from Other ACTs

Collected by Savannah Crawford & Rob Zako, 3/3/2010

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## Northwest Oregon ACT (NWACT)

*Clatsop, Columbia, Tillamook and western rural Washington counties*

**Mary McArthur**, ACT Coordinator:

- Involved in ACT formation
- ACT formation took over a year. It was challenging to determine appropriate equity and facilitator was assigned to help process.
- Tried to get representative from all municipalities (primarily elected officials), special districts, special interests (freight, tourism), and ODOT rep.
- Determined 1 vote per county, 1 vote per district, and 1 private citizen per county.
- Tried to keep the Charter flexible, since it gets adopted by OTC. The bylaws do not.
- Mary is willing to be contacted again if we need additional information.

**Larry McKinley**, ODOT Area 1 Manager:

- Recommend contacting:
  1. **Shirley Kalkhoven**. She is very knowledgeable in transportation issues and well respected by the OTC.
  2. **Mark Labhart**, Tillamook County Commissioner, long-term member of NWACT. Mark is very active within the county on transportation related issues.

**Shirley Kalkhoven**, ACT Chair, Mayor of Nehalem, Chair of the League of Oregon Cities:

- Spoke with Mary McArthur, NWACT's invaluable staff person, who has been with the NWACT since its organization. She probably knows more than anyone about the formation of NWACT and has a wealth of information about processes. Asked her to get in touch with Rob to discuss the possibility of having her represent the NWACT.

## Mid-Willamette Valley ACT (MWACT)

*Marion, Polk and Yamhill counties*

**Dan Fricke**, ODOT Area 3 Planner:

- ACTs originated from the Blue Ribbon Committee, which was formed from the '95-'96 Transportation Initiative. Former Gov. Kitzhaber, who wanted more stakeholder involvement for transportation issues, was a key party in the Transportation Initiative.
- Recommend contacting:
  1. **Ken Woods, Jr.** See below and notes from Board meeting.
  2. **Cathy Clark**, Keizer City Councilor.

**Ken Woods, Jr.**, ACT Chair, Dallas City Councilor:

- Came and spoke to Board of County Commissioners regarding ACT process.
- Has a couple of questions in response to FACT-LC bylaws:

1. First of all, by my count there are 24 members [that is if under (b) does the City of Eugene appoint a councilor or mayor for their representative AND does the City of Eugene appoint another person that is part of the Central Lane MPO, making two representatives from the City of Eugene?] not counting "other stakeholders" for a one-county ACT. In my testimony to the Lane County Commissioners this past summer, I recommended representation by corridors or areas as well as representation from the larger cities. A large committee is hard to manage and hard to find a meeting date that everyone can make it. With all this representation for each city, who represents the highways between the cities? How far outside the city does the representative represent? Who represents the state highways vs. county roads? Who represents I-5 or Hwy 101 or the other major highways in between? Different representation along the same highway may not be healthy or consistent.
2. Who is the staff for the ACT, the COG or ODOT?
3. The representatives from cities and counties and others where appropriate should be elected officials.
4. The charter should explain the terms of each position and how a person is appointed to that position. It also should define the election of a chair and vice-chair, their terms and their responsibilities.
5. Minutes and agendas should be shared with all city managers within the county, and if possible, adjoining ACTs.

## **Cascades West ACT (CWACT)**

*Benton, Lincoln and Linn counties*

**John Detar**, ODOT Area 4 Planner:

- Was on Blue Ribbon Committee and helped formed MWACT.
- Recommended contacting:
  1. **Roger Nyquist**, Linn County Commissioner
  2. **Don Lindly**. Don would be an excellent resource, since he has been involved with CWACT since its formation and was involved when the MPO was formed. He couldn't attend the Board meeting to discuss the process, but offered to provide information on the formation
  3. **Linda Modrell**, Benton County Commissioner
  4. **Steve Rogers**, City of Corvallis Alternate and TAC member
  5. **Cynthia Solie**, Executive Director of CWCOC
  6. **Scott Wilson**, CWCOC. From what I recall, Scott does not have history on ACT formation, but is a good resource to discuss COG and MPO representation

**Linda Modrell**, ACT Vice-Chair, Benton County Commissioner:

- It was natural to form the CWACT, as the three counties are joined together by Highway 20 and no one county had authority over the whole highway. The "**tension**" between the three counties made an ACT a good idea. In contrast, as

ODOT Area 5, perhaps defined by Highway 126, consists of only one county, there has been less of a perceived need seen to form a Lane County ACT.

- CWACT strives to be as **inclusive** as possible and all counties and cities, tribes, ports and transit districts are welcome to participate.
- CWACT has a **culture of shared interests**, with members of the ACT looking out for what is best for the whole area, not just their small jurisdiction. When new members join the ACT, there is sometimes a learning process to get members thinking larger than their parochial concerns.
- CWACT operates by **consensus** whenever possible. When consensus cannot be reached, a 75% supermajority is required to make a decision. The supermajority rule is deliberate, as recommendations from the ACT arrived at by close votes are less useful to ODOT and less effective. Note that CWACT has been unable to reach consensus and take a vote only once in its 10-year history.
- Did not think the idea of just having county commissioners and mayors get together to decide who should be on an ACT was a very wise approach. She urged that **forethought** be given to what kinds of problems could arise and working out in advance how these will be addressed (before one is in the heat of the moment).
- CWACT deliberately opted to **NOT be supported by ODOT staff**, but rather is supported by Cascades West COG staff. The rationale is that having staff separate from ODOT allows the CWACT to be more independent of ODOT, and to pursue ideas that perhaps ODOT is less interested in or skilled at pursuing. (She cited an example of some non-highway priorities that CWACT wanted to pursue, for which ODOT staff was perhaps not best suited to help with.) Using ODOT staff is not good or bad, but is a policy choice to be made when setting up the ACT.

## **South West ACT (SWACT)**

*Coos, Curry and Douglas counties*

**Mike Baker**, ODOT Region 3 Principal Planner:

- Was involved in SWACT formation.
- Provisional Charter was developed prior to selection of ACT membership.
- Charter was agreed to and adopted by OTC after ACT was formed and agreed to provisional charter.
- Recommended contacting:
  1. **Jim McClellan**, SWACT Chair

**Jim McClellan**, ACT Chair, represent senior citizens, former mayor:

- Has been chair of SWACT from the beginning.
- Three things that have led to SWACT's success:
  1. SWACT has excellent private sector representatives
  2. Meetings begin exactly on time (10 AM) and end within two hours. Members arrive on time and appreciate being able to have the meetings end on time. We normally do not take a break but individuals at times step out for coffee and/or a restroom break.

3. Because SWACT covers three counties, hold most meetings in a central location, but one meeting each year in each of our three counties. This allows members to be better familiar with our entire area. No one county dominates the entire area.

## **Rogue Valley ACT (RVACT)**

*Jackson and Josephine counties*

**Mike Baker**, ODOT Region 3 Principal Planner:

- RVACT formation predated Mike.
- Recommended contacting:
  1. **Mike Montero**, RVACT Chair

**Mike Montero**, ACT Chair:

- RVACT has close collaboration and coordination with their ACT.
- MPC members are also members on the ACT to maintain close coordination.
- MPO activities remain a separate and discrete process (MTIP), jurisdictions submit for the STIP.
- Where the MTIP and STIP differ, there is a reconciliation process to help coordinate the two.
- Recommend the ACT be a deliberative process early on to maintain some autonomy.
- Primary suggestion for an effective ACT is to develop and maintain a culture of respect. I also heard a similar statement from Viviane Payne, ODOT Area 4 Manager.

“Please provide me a call in number if available and I will try to fit my schedule to it. In the event that I’m not able to participate, the following observations regarding what has worked and what issues we’ve navigated may be very helpful.

“The process in our ACT provides the following:

- a regional advisory voice to the OTC on State funded project prioritization / coordination
- a regional forum to vet jurisdictional transportation needs
- a regional opportunity to, within Highway Plan policy, leverage scarce transportation funds
- depending on the voting configuration, CAN expand the transportation project / funding dialog to the private sector

“We struggled early on with the voting configuration but decided to have the configuration that we have:

- 1 vote for each jurisdictional member (not population weighted)
- 1 vote for ODOT
- 1 vote for the transit provider
- 1 vote for the MPO
- 4 private sector votes from each County

“While each region must determine what works best for them, the 1 vote / entity was selected to eliminate any ‘big jurisdictional dominance.’ The resulting project

prioritization has always reflected a 'what's best for the State transportation system' spirit with virtually always unanimous vote.

"The unexpected dividend to the region for placing private voting representation has been the 'cross-pollination' of skill /advice / experience and cooperation. I point with some pride to the South Medford Interchange project whose substantial (voluntary) private sector funding made it happen.

"Having the MPO vote has additionally created an environment where project prioritization within a framework of overlapping regulations have been nearly seamless as well. While each body selects based on dispirit regulations, the ACT and MPO has developed a reconciliation process if needed. To my recollection we've used it once years ago and happy that we had the foresight to develop one.

"Of particular value was the development of selection criteria, embedded with sufficient flexibility to deal with much of the unexpected. RVACT spent a couple of years developing these criteria and revising as needed to insure that they are consistent with OTC Policy documents as these change, by necessity to meet Oregon's transportation needs and challenges.

"I believe that it is safe to say that much of the 'them versus us' has been eliminated."

**Stacey Kellenbeck**, ACT Chair:

"Please pass this on to Lane County...

"The first piece of advice that comes to my mind is to require a 'roll call' vote on all matters of money. Individual accountability is important to fairness in the process and I believe it's much harder to vote 'opposed' after it sounds like the whole room just voted 'in favor' in unison or vice versa.

"Second, project updates, including pictures, are an important part of every meeting because people need to see progress to feel like they are involved and making a difference.

"Terms without limits is also important. The learning curve is steep because the funding cycles take a long time to complete (review, approval, budget changes, approval ... and finally construction). Institutional knowledge is one of the biggest assets to the ACT and an important part of accountability and transparency. I'd say a member doesn't fully function until year 4-5. Certainly, individual backgrounds bring valuable assets to the table and everyone keeps up but there is an obvious difference in members after the 5yr mark."

## **Central Oregon ACT (COACT)**

*Crook, Deschutes and Jefferson counties*