



January 14, 2010

To: Citizen Advisory Committee
From: Andrea Riner
Subject: CAC Agenda Item 6: Forum on an Area Commission on Transportation for Lane County (FACT-LC)

Action Recommended: Appoint a CAC member and alternate to represent the MPO on the FACT-LC

Purpose

Oregon Senate Bill 944 was passed during the recent 2009 Legislative Session (see Attachment 1). The bill requires the governing body of Lane County to develop a proposed charter for the creation of an Area Commission on Transportation (ACT) by September 30, 2010.

Coordination with the Central Lane MPO will be one of the functions of the ACT. As a result, this agenda item provides the CAC an opportunity to:

- Become familiar with the function and purposes of an ACT,
- Understand that the responsibilities of the ACT and MPO overlap somewhat, in particular, in making recommendations on Statewide Transportation Improvement Program priorities and state transportation policy,
- To start the conversation on how the ACT and MPO can best coordinate their efforts, and
- To discuss how the CAC, in particular, through its representative to the FACT-LC, can assist in coordinating public involvement activities.

In addition, the CAC has been invited to designate one representative to the FACT-LC. This position has been established as part of the order passed by the Lane County Commissioners establishing the FACT-LC (see Attachment 2). CAC membership on the FACT-LC is intended to facilitate coordination between public involvement activities conducted by the eventual ACT and public involvement activities conducted by the CAC. CAC Chair Dave Jacobson has agreed to serve on the FACT-LC.

Summary of Key Terms:

ACT: Area Commission on Transportation. Advisory board to the OTC. Membership to be determined as part of the development of the charter, which is currently underway.

FACT-LC: Forum on an Area Commission on Transportation for Lane County. Forum established by Lane County Commissioners to develop the charter for the future Lane County Area Commission on Transportation.

OTC: Oregon Transportation Commission. Establishes state transportation policy. Appointed by Governor.

Background

Formation and Operation of ACTs

The purpose of an ACT is to improve communication and interaction between the Oregon Transportation Commission (OTC) and stakeholders at the local level. The OTC establishes state transportation policy and guides the planning, development and management of the statewide transportation network. There are currently 10 other ACTs operating within the State (see Attachment 3) and the Lane County ACT is the most recent to be established.

ACTs function as an advisory body to the OTC with authority to make recommendations on policy or administration. Specifically, an ACT plays an advisory role in the development of the Statewide Transportation Improvement Program, as well as providing input to the OTC on projects of statewide importance and on statewide policy issues. Unlike the Central Lane MPO, the boundary for the Lane County ACT will contain all of Lane County. As a result, participants from each of the 12 cities within Lane County have been invited to designate a representative to serve on the FACT-LC.

The OTC has adopted a *Policy on Formation and Operation of Area Commissions on Transportation* to provide answers to common questions about the purpose, formation and function of ACTs and to provide statewide consistency for the ACTs, while balancing local needs for flexibility and uniqueness (see Attachment 4). This Attachment overviews:

- Primary Role of the ACTs
- Optional Activities of the ACTs
- Role of the OTC and ODOT Staff
- Authorities
- ACT Structure and Membership
- Operations of the ACT
- Basis for Decision Making; and
- Coordination, including Coordination with the MPO

Attachment 4 distinguishes where the function and role of ACTs and MPOs differ as follows:

- ACTs are advisory bodies chartered by the OTC to address all aspects of transportation, with primary focus on the state transportation system, whereas
- MPOs are responsible for carrying out the metropolitan transportation planning process within urbanized areas in cooperation with the State and transit operators (23 CFR 450.312). MPOs receive their mandates from the federal government and, along with the State, are part of the federal system of transportation planning and project funding. MPOs develop a Transportation Improvement Program that approves all projects that are regionally significant or

that include federal funds, by year and by phase within the MPO planning areas. Before the Federal Highway Administration and the Federal Transit Administration can approve federal transportation funding for projects or activities within urbanized areas, they must be consistent with the MPO's Regional Transportation Plan and Transportation Improvement Program.

There are generally five categories of activities where coordination between the MPO and ACT is anticipated:

- Prioritization of transportation improvement projects (e.g. Statewide Transportation Improvement Program project identification and prioritization);
- Input to the State on transportation plans, programs and policies;
- Development or amendment of MPO plans, strategies and studies (e.g. Regional Transportation Plan, etc.);
- Development or amendment of ACT plans, strategies, and studies; and
- Receipt of public input or comment.

However, the extent to which the MPO and ACT coordinate and on what type of specific plans still needs to be determined. When ACT and MPO boundaries overlap, as is the case with the Central Lane MPO and Lane County ACT, a higher level of coordination may be desired. As the formation of the ACT continues, it will be important to establish a process for the MPO and ACT to coordinate their activities. The Cascades West ACT has established protocols for coordinating MPO and ACT activities (see Attachment 5) that could be evaluated as part of the ACT formation.

As is the case with the MPO, public involvement will be a key function of the Lane County ACT. In order for the ACT to fulfill its advisory role in prioritizing transportation problems and solutions and recommending projects, the ACT must involve the public and stakeholders in its decision making processes. In its policy, the OTC has recommended a public involvement strategy to be used by ACTs (see Attachment A of Attachment 4).

Lane County ACT

Lane County is now engaged in a three-phase process to form an ACT, including: the identification of stakeholders; the creation of a task force to draft a charter for the ACT; and the ACT charter approval.

Rob Zako has been retained as the project manager to work with Lane County and ODOT staff to assist in the formation of an ACT for Lane County.

On [December 15, 2009](#), the Board of County Commissioners took action to create a task force to draft a charter for the ACT by establishing the FACT-LC.

Through this process, key decisions will be made about the following type of issues:

- Geographic boundaries of the ACT.

- Stakeholder representation and voting and *ex officio* membership categories.
- Coordination with existing Regional public agencies, such as the Central Lane MPO.
- Operational structure of the ACT.
- Work program and key work efforts of the ACT.
- Public involvement activities.
- Decision-making process.

Attachment 2 provides additional information about the FACT-LC. The FACT-LC will begin meeting in January 2010. Meetings will be open to the public.

For more information on the charter process, visit [Lane County's website](#). For more information on the purposes and function of ACTs within Oregon State, please visit [Oregon State's website](#).

Recommendation

Confirm Chair Dave Jacobson as the CAC representative to serve on the FACT-LC and select an alternate.

Attachments

1. Senate Bill 944
2. Forum on an Area Commission on Transportation for Lane County
3. Map of ACT Boundaries
4. OTC's *Policy on Formation and Operation of Area Commissions on Transportation*
5. ACT-MPO Coordination Protocols from the Cascades West ACT

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