

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Lane Area Commission on Transportation (LACT) Bylaws

Meeting Date: October 11, 2010
Department: Intergovernmental Relations
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Agenda Item Number: 4
Staff Contact: Brenda Wilson
Contact Telephone Number: 541-682-8441

ISSUE STATEMENT

This is an action item for the City Council to consider and take action on a revised set of proposed Bylaws for the Lane Area Commission on Transportation (LACT). The revised proposed Bylaws are included as Attachment A.

BACKGROUND

In 2009, the Oregon State Legislature passed Senate Bill (SB) 944 which requires Lane County “in consultation with other elected local officials and with transportation stakeholders in Lane County” to develop a proposed charter for the creation of an Area Commission on Transportation (ACT) by September 30, 2010. Lane County is one of only two areas in the state without an ACT with the Lane County Board of Commissioners (BCC) currently providing the advisory functions of an ACT for all of Lane County.

ACTs are advisory bodies chartered by the Oregon Transportation Commission (OTC) who primarily focus on the state transportation system. While ACTs have no legal, regulatory, policy, or administrative authority, they do make recommendations to the OTC about program funding for the Statewide Transportation Improvement (STIP) and special funding opportunities and programs like the ConnectOregon funding program.

Because of the necessity to show support for the proposed charter, the BCC undertook a three-stage process to form the ACT: identification of stakeholders; creation of a forum (FACT-LC) to draft Bylaws for the ACT; and ACT Bylaws approval. The FACT-LC was asked to submit a report to the BCC which included a set of proposed Bylaws for an ACT for Lane County; a description of the level of support for the proposed Bylaws; and any minority opinions or alternative options.

The FACT-LC met monthly between January and April 2010. At their final meeting they finalized, through consensus, a set of proposed Bylaws that were presented to the council for consideration on April 26, 2010. The council voted unanimously to support the FACT-LC’s Bylaws as written.

Subsequent to the council’s vote of support for the FACT-LC’s Bylaws, a series of events occurred which are summarized below:

On June 23, 2010, the BCC held a public hearing in which the FACT-LC’s final report was presented to the BCC. The BCC took public comments and discussed the proposal with members of the FACT-LC

and the Oregon Transportation Commission and others. The BCC did not take action at that meeting and voted to postpone the matter indefinitely.

On August 18, 2010, the BCC took up the Bylaws issue again. At that meeting, the BCC adopted Bylaws that differed in two ways from the FACT-LC's version. Specifically, the BCC's proposed Bylaws provided for 10 citizen members instead of the six proposed by the FACT-LC. More importantly, the BCC's Bylaws provided the BCC the ability to appoint all of the citizen members to the ACT resulting in the BCC having 13 appointments to the LACT. Coincidentally, that was one more member than the number of cities being represented.

On September 22, 2010, the OTC hosted a joint meeting with the BCC where the BCC submitted its proposed LACT Bylaws for adoption by the OTC. Representatives from the FACT-LC, including Mayor Piercy, attended the meeting and testified in opposition to the BCC's proposed Bylaws. Because there was not support from the stakeholders for the BCC's Bylaws, the OTC chose to send the formation of the LACT back to the County and the FACT-LC to work out the differences.

On October 6, 2010, the BCC held a work session to review possible versions for the LACT Bylaws. After much discussion with members of the public and FACT-LC members, a set of policies were unanimously passed by the BCC to be incorporated into the proposed Bylaws for the LACT, and are as follows:

- The final Bylaws will begin with the FACT-LC's May 18, 2010, version of the Bylaws;
- There will be a minimum of eight and a maximum of 10 citizen members;
- Of the citizen members, there shall be four designated seats for the following stakeholder groups: ped/bike, trucking, rail, and environmental land use. This will leave a minimum of four and a maximum of six at-large citizen members;
- Citizen members will hold staggered four-year terms.
- Initially (until the ACT is up and running) the members making up the FACT-LC, including the Hwy. 126 member appointed by the County, will select and appoint the four designated citizen members (ped/bike, trucking, rail, and environmental land use). Those four members will then join the members of the FACT-LC and the Hwy. 126 member to appoint the remaining four to six citizen members for a total of 8 to 10 citizen members.
- After the initial appointment of citizen members, the LACT will select and appoint all of the citizen members when vacancies arise.

RELATED CITY VALUES

City of Eugene Value # 4: Effective, Accountable Municipal Government.

COUNCIL OPTIONS

The council may support the proposed Bylaws, recommend amendments to the proposed Bylaws, or decline to support proposed Bylaws.

CITY MANAGER'S RECOMMENDATION

The City Manager has no recommendation on this item.

SUGGESTED MOTION

Move to support the October 11, 2010, proposed Bylaws dated for the Lane Area Commission on Transportation.

ATTACHMENTS

A. October 11, 2010, Proposed LACT Bylaws

FOR MORE INFORMATION

Staff Contact: Brenda Wilson

Telephone: 541-682-8441

Staff E-Mail: brenda.s.wilson@ci.eugene.or.us