

Summary of 2021 ACT Reset and Refocus Initiative

Revised August 2024

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1. Overview

This summary of the 2021 ODOT ACT Reset and Refocus initiative was prepared by Bill Johnston, ODOT Region Area 5 Transportation Planner and staff support to the LaneACT.

In 2020, in response to concerns expressed by some ACTs that the ACTs no longer had a clear purpose, ODOT and the Oregon Transportation Commission (OTC) initiated an effort to redefine the role of the ACTs. It was initially referred to as the ACT Reset. The final recommendations, completed in 2021, were referred to as the ACT Refocus.

The primary objective was to find ways for the ACTs remain relevant, and to keep the ACT members engaged. A secondary objective, not as clearly stated, was to establish expectations for the ACTs, to ensure the ACTs were aligned “with the direction of the Commission and the Agency.”¹ These

¹ Refer to ODOT’s ACT Reset Recommendations, p.8. These recommendations were discussed with the OTC on December 1, 2020 and again on March 11, 2021. The formal title of the document is Resetting OTC/ACT Engagement. A copy is provided in Appendix A of this summary.

expectations were discussed internally at ODOT, and with the OTC, and are reflected in the documents that were developed to implement the ACT Refocus.

The OTC and ODOT were concerned about the tone of the discussions at some ACT meetings. The ACTs were serving as a forum for some ACT members to voice their complaints about ODOT. This was not the OTC's intent in forming the ACTs.

The OTC was also concerned about conflicts between some of the ACTs and the ODOT Region staff that support them. Region staff represent the interests of the OTC and ODOT management. The OTC expects the ACTs to work cooperatively with Region staff.

To address these concerns, ODOT developed a code of conduct for the ACTs to consider adopting. The OTC also instituted a new requirement for the ACTs to develop two-year work plans that reflect (1) the priorities established by the OTC and ODOT, and (2) additional topics of interest to each individual ACT.

This document describes the ACT Reset and Refocus initiative and the resulting documents that were developed. Copies of these documents are included in the appendix. Some of these documents are also available to download from the ODOT ACT webpage. [\[link\]](#)

2. Process

The following is a summary of the process that ODOT followed in developing the ACT Refocus documents.

- ODOT management initiated the effort to review and redefine the role of the ACTs in 2020. The effort was initially referred to as the "ACT Reset."
- ODOT staff presented their preliminary recommendations to the OTC on December 1, 2020. Included in the meeting packet was a discussion paper titled *Resetting OTC/ACT Engagement*.
- Between December 2020 and February 2021, ODOT staff met with the ACTs individually to obtain their input on the preliminary recommendations.
- ODOT staff presented their revised recommendations, incorporating input from the ACTs, to the OTC on March 11, 2021. Included in the meeting packet was a shorter document titled *Refocus of Area Commissions on Transportation (ACTs): Next Steps and Recommendations*.
- On May 13, 2021, ODOT staff presented a work plan for implementing the recommendations to the OTC. It was titled *Implementation Work Plan: ACT Engagement Refocus*.
- One of the tasks identified in the work plan was to update the *OTC Policy on Formation and Operation of the ACTs*. This occurred later in the year, with additional input from the ACTs. The updated policy was adopted by the OTC on January 20, 2022. Another document that came out of the ACT Reset and Refocus initiative was the *Advisory Committee Code of Conduct*. This was not finalized until December 2022. This document is described in Section 8.
- The final document related to the ACT Reset and Refocus initiative was the ACT work plan template.

These documents are described in more detail in the following sections of this summary. Copies of the actual documents are included in the appendix.

3. LaneACT input

The LaneACT reviewed and discussed the ACT Reset and Refocus documents on the following dates:

- February 10, 2021
- September 8, 2021

The LaneACT reviewed, discussed, and provided input on, the updated *Policy on Formation and Operation of the ACTs* document on the following dates:

- November 10, 2021
- December 8, 2021
- March 9, 2022

4. ACT Reset

In 2020, in response to concerns expressed by some ACTs that the ACTs no longer had a clear purpose, ODOT and the OTC initiated an effort to redefine the role of the ACTs. It was initially referred to as the ACT Reset. (This was described previously in the Overview section of this document.)

The following is a summary of the discussion and preliminary recommendations included in the initial report prepared by ODOT staff titled *Resetting OTC/ACT Engagement*. A copy of the complete document is provided in Appendix A.

- The document reviews the history of the ACTs. It notes that the ACTs used to have more involvement in selecting projects for funding through the STIP Modernization and Enhance programs, and the Connect Oregon program. It explains that the role of the ACT has changed over the years. They are no longer as involved as they used to be in selecting projects.
- The document recommends several new opportunities for the ACTs to provide input to the OTC. For example, providing input on how to implement the new *Strategic Action Plan*, and providing input on the new ODOT Community Paths program.
- The document also identifies a need to update the *OTC Policy on Formation and Operation of the ACTs*, to clarify the role of the ACTs and reflect new direction provided in the *Strategic Action Plan*.

5. ACT Refocus

The following is a summary of the final recommendations included in the ACT Refocus document. A copy of the complete document is provided in Appendix B.

ACT engagement areas

- Each ACT is to include members from under-represented groups within the community.

- ODOT will engage with the ACTs to help them become more familiar with the ODOT Strategic Action Plan, which places increased emphasis on GHG reduction, system preservation (maintenance), economic development, and innovative technologies.
- ODOT will continue to provide opportunities for the ACTs to provide local input to assist ODOT and the OTC in prioritizing STIP projects.

OTC and ODOT coordination and communication with the ACTs

- Recognizes that the “ACTs are an important centralized transportation information hub for hearing from the public, providing information to the public and communicating local and regional transportation needs to ODOT staff and the OTC.”
- Emphasizes the importance of collaboration – both among the ACT members, and between the ACTs and ODOT region staff.

Internal ODOT improvements to strengthen ACT, OTC and ODOT relationships

- Designates an ODOT manager (Amanda Peitz) to provide direction to the ACTs, to clarify and implement the direction provided in the Refocus document.
- The Refocus document is not as detailed as the Reset document. Some of the recommendations included in the Reset document are not included in the Refocus document. They are however included in the Implementation Work Plan (described in the following section).

6. ACT Refocus: Implementation Work Plan

ODOT staff presented their recommendations to the OTC on March 11, 2021. This was described in the previous section. At the May 13 meeting, ODOT presented a work plan for implementing the recommendations to the OTC. It was titled *Implementation Work Plan: ACT Engagement Refocus*. The following is a summary of this 9-page document. A copy of the complete document is provided in Appendix C.

- Describes three phases of implementation: (1) Project initiation and leadership team creation. (2) Short and medium-term work tasks. (3) Long-range work tasks.
- Includes a 5-page table describing specific tasks.
- Describes those who will be involved in the implementation effort. This includes the ACTs, ODOT Region staff (Area Managers and ACT support staff), ODOT management and other agency staff.
- Describes a communication strategy to ensure all parties receive the information they need.

7. OTC Policy on Formation and Operation of the ACTs

The original document was adopted in 2003. It was updated in 2022 to be consistent with, and to help implement, the recommendations included in the ACT Refocus document. The following is a summary of the changes made to the original document.

- The document was updated to reflect new direction provided in the ODOT Strategic Action Plan.

- Clarifies that the ACTs still have an important role in providing input to ODOT and OTC, on specific topics when requested.
- Requires the ACTs to prepare a work plan every two years, using a template provided by ODOT, to be reviewed and approved by the OTC.

A copy of the updated policy is provided in Appendix D. This version shows the changes that were made to the original document, in strikethrough and underline format. A clean (final) version of the update document is available to download from the ODOT ACT webpage.

8. Code of Conduct

The ODOT ACT Steering Team developed a code of conduct template in 2022. It was completed in November 2022 and posted to the ODOT ACT webpage in April 2023. A copy of the document is provided in Appendix E. The ACTs are encouraged but not required to adopt the document. They may modify it to suit needs.

There is a section titled *Addressing Unacceptable Behavior*. It authorizes the ODOT Area Manager to remove ACT members who behave inappropriately, after providing them with two warnings (in writing) and after consulting with the ACT Chair. Hopefully such a dramatic action will never be required. If it was, it would only be in extraordinary situations.

This provision in the code provides important insight into the intent of the OTC and ODOT management to clarify the role of Region staff. In their capacity as a voting member of the ACT, the Area Manager only has one vote – on matters that require a vote. However, this is only one responsibility of the Area Manager. In addition to serving as a voting member, the Area Manager has a special role and responsibility to provide guidance to the ACT, and oversight, on behalf of the OTC and ODOT management.

9. ACT Work Plans

The updated *OTC Policy on Formation and Operation of the ACTs* (described in Section 7) requires the ACTs to prepare two-year work plans, which are to be updated every two years. This is a new requirement, even though most of the ACTs have prepared work plans in the past. It replaces the previous requirement for the ACTs to prepare a biennial report to present to the OTC every two years.

In April 2023, the ODOT Policy, Data, and Analysis Division (PDAD) Administrator (Amanda Pietz) provided a template for the ACTs to use in developing their work plans. The template includes a list of topics that all the ACTs are expected to include in their work plans. The ACTs may include additional topics if they choose. This reflects the OTC and ODOT's intent to be more involved than they have been in the past in establishing priorities and setting expectations for the ACTs.

A copy of the work plan template is provided in Appendix F. It is also available to download from the ODOT ACT webpage. [\[link\]](#)

Appendix

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Attachment A

ACT Reset



Oregon

Kate Brown, Governor

Oregon Transportation Commission

Office of the Director, MS 11

355 Capitol St NE

Salem, OR 97301-3871

DATE: November 16, 2020

TO: Oregon Transportation Commission

FROM: Kristopher W. Strickler
Director

SUBJECT: **Agenda K** – *Refocusing Engagement with Area Commissions on Transportation*

Requested Action:

Provide direction on ODOT's recommendations for Oregon Transportation Commission engagements with Area Commissions on Transportation (ACTs).

Background:

Since the OTC's approval of *Policy on Formation and Operation of the Area Commissions on Transportation* in 2003, the ACTs have focused their advice to the Oregon Transportation Commission (OTC) primarily on program and project recommendation especially around the Statewide Transportation Improvement Program (STIP) Modernization/Enhance Highway and Connect Oregon programs. They have also provided feedback on STIP funding allocations and some key policy efforts such as statewide modal plans or key planning efforts within their region.

In light of revised strategic direction within the OTC and ODOT and concerns from some ACT members of a lack of clear purpose for the area commissions in the absence of the opportunity to help prioritize projects, the OTC seeks to "reset" the ACTs through an intentional evaluation of the ACTs through the lens of the OTC's newly adopted Strategic Action Plan.

Next Steps:

After receiving initial feedback and direction on these recommendations in December, the ODOT team will socialize these recommendations with each ACT, receive their feedback and bring forth final recommendations to the Commission at the March 2021 meeting.

Attachments:

- Attachment 1 – *ODOT's ACT Reset Recommendations*

Resetting OTC/ACT Engagement

Leveraging ACT Input

Since the OTC’s approval of *Policy on Formation and Operation of the Area Commissions on Transportation* in 2003, the ACTs have focused their advice to the Oregon Transportation Commission primarily on program and project recommendation especially around the STIP Modernization/Enhance Highway and Connect Oregon programs. They have also provided feedback on STIP funding allocations and some key policy efforts such as statewide modal plans or key planning efforts within their region.

In light of revised strategic direction within the OTC and ODOT and concerns from some ACT members of a lack of clear purpose for the area commissions in the absence of the opportunity to help prioritize projects, the OTC seeks to “reset” the ACTs through an intentional evaluation of the ACTs through the lens of the OTC’s newly adopted Strategic Action Plan.

ODOT recommends the commission leverage the ACTs to provide guidance and recommendations in the areas described below.

Areas of Input	Historic or New	Rationale
Support Implementation of the SAP	New	By identifying a few of the SAP implementation actions, from the equity framework to OReGO, ACTs will more fully understand the direction of the agency and provide insight to the commission to facilitate successful implementation of the SAP.
STIP Project Prioritization	Historic	ACT level of involvement is dependent on the final determination of the program levels but they also look at their local projects – so there may be leveraging opportunities as well as making sure the timing of the projects by various jurisdictions successfully manages traffic during construction.
STIP Funding Allocation Engagement	Historic	ACT members have a good sense of the needs and wants within their communities, local governments are also supportive of maintaining transportation assets. Their understanding of the direction of state funding also impacts the decisions they make with their local transportation funds
Community Paths Program	New	OBPAC will take on the primary responsibility for recommending the projects for this program. One of the SAP actions is the development of multimodal priority framework – ACT engagement in this effort will help to frame what could be stronger state/local network and understand the priorities of the state from a multimodal perspective. Their understanding of this work can also be used to help leverage the legislature for more funds for other modes.
Oregon Transportation Plan Update and other Plans	Historic/New	There is usually ACT representation of some sort as updates to plans occur. Their engagement to help frame the vision for the future transportation system is important since the OTP includes all transportation -from local to state, from roads to bikeways.

Develop Area Strategies for Investments	New	This is a potential emerging item. A pilot is underway. The idea is using existing plans both at state and local level to identify needs- primarily those that are safety or operationally related. There is not an emphasis on large modernization projects. The intent is have the ACTs unify around a set of needs that could improve the operations of the system. There is a twofold benefit, one is the pushing the realization that large expensive modernization projects are difficult to fund and (2) over the course of a few years, the agency would have a list of key needed operational and safety improvements that have local support as well.
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ACT Engagement

Historically, the OTC has directly engaged ACTs in three ways:

- the OTC-hosted ACT workshop which typically takes place in October
- periodic ACT engagement during OTC road meetings during which the OTC would meet with each ACT on approximately two to three year cycles and review/approve ACT bylaws and membership changes
- occasional individual OTC commissioner participation in ACT meetings. This has historically varied by region and individual commissioner availability and desire.

Additionally, ODOT staff and region personnel have regular interactions with their respective ACTs and each region provides an ODOT liaison to each ACT. Senior executives within the agency—Director, Assistant Directors, and Division Administrators—have typically engaged the ACTs on occasion.

The department recommends the following interaction opportunities with the ACTs:

- Continue inviting local ACT members to OTC meetings when the Commission meets in their region.
- Develop a schedule that on an annual basis, ODOT leadership (Director’s Office) and a Commissioner hold a virtual “Open House” with each of the ACTs.
- Ensure that after each Commission meeting, the Chair of each ACT is sent a summary of Commission discussions.
- Engage the ACT Chairs in a STIP discussion, typically as the OTC is approving one STIP and beginning the next STIP process – would occur approximately every three years.
- Assess the feasibility of including ACT representation on task forces or advisory committees.
- Increase the regularity with which senior ODOT leadership engages ACTs.

ACT Communications

Beyond engaging ACTs in substantive discussions, the ACTs are also an important forum for communicating important information about ODOT’s major initiatives to key stakeholder groups. Going forward, ODOT should more deliberately ensure effective communications with the ACTs. This would include:

- Developing an ACT engagement/communication calendar each year to ensure that ACTs are receiving information and being engaged on major activities the agency is undertaking, such as the SAP, OReGO, ODOT’s budget, STIP development, etc.
- Designating a statewide ACT communications coordinator in the Director’s Office whose job it is to provide updates to ACTs and ensure regular engagement by key ODOT leaders in the ACTs.

ACT Reset Calendar

Resetting the OTC/ACT relationship should be done in the context of socializing the OTC/ODOT 2021-2023 Strategic Action Plan. In light of the equity focus of the plan, the commission may wish to direct the ACTs to review their membership to ensure the groups reflect a comprehensive range of regional voices, both in terms of social equity and in terms of multi-modal stakeholders.

Month	Activity
Dec 20	Commission discuss ACT “reset” as part of OTC meeting
Jan-Mar 21	Receive ACT input on “reset” focus areas through ODOT staff
Mar 21	OTC finalize updated ACT activities and annual OTC/ODOT/ACT engagement calendar
Mar-Jun 21	OTC provide guidance on ACT membership (aligned to equity considerations and modal stakeholders)
Jun-Dec 21	ACTs to review membership and make appropriate changes
Dec 21	OTC will review and approve memberships for all ACTs

Below is some additional information on the proposal and some historical information both on the Area Commissions on Transportation and their involvement in the STIP process.

Area Commission on Transportation

A. Background on the inception of the Area Commission on Transportation (ACT)

The Area Commissions on Transportation began forming in 1996. The first ACT that was chartered was the Mid-Willamette Valley ACT in November 1996, with the Rogue Valley ACT closely following in February 1997. The last ACT to form was the Region 1 ACT and the bylaws were approved by the Oregon Transportation Commission in 2016. With the formation of Region 1 Act all areas of the State now have an ACT bringing the total number of ACTs to twelve.

In June 2003, the OTC approved the Policy on the Formation and Operation of The Area Commissions on Transportation (ACTs) https://www.oregon.gov/odot/Get-Involved/ACT/OTC_ACTpolicy.pdf. This was one work item completed by the STIP Stakeholder Committee and the committee was chaired by OTC Chair Stuart Foster. This committee had formed a few years earlier to help improve the transparency of the STIP process to the public and other external stakeholders engaged in the STIP process. The ACT policy has not undergone any major changes since its inception, the few updates have been to clarify such things as what is meant by the recognized Tribes for the State of Oregon.

As part of the STIP Stakeholder process as well as legislation such as Oregon Transportation Investment Act in 2003, led to the requirement for the development of criteria for the selection of projects primarily for pavement and freight for the 2004-2007 STIP. However, this led the agency at the direction of the Commission to develop STIP criteria as an integral part of the STIP process. This continued to be a key part of the STIP process until the development of the 2018-2021 STIP. The 2015-2018 STIP was the first time that the Enhance program was approved by the OTC which included a substantial portion of the funds being available to the local governments for their projects provided they met certain criteria. In the 2018-2021 STIP the need for Fix It funds greatly reduced the Enhance program and the Jobs in Transportation Act had STIP consideration language that reframed how the STIP project selection process.

Also in 2005 the legislature had approved the first ConnectOregon program for \$100 million dollars. The legislature continued the infusion of \$100 million for the next two legislative sessions. This changed during the 2011 session where the lottery funds were reduced to 40 million, this range of funding continued until the 2017 session, where HB2017 included four dedicated projects to be funded with ConnectOregon funds.

Project selection had been a key part of the ACT engagement and so the evolution of the STIP and ConnectOregon process without a direct understanding of the “why” has led too much of the confusion for the ACTs.

In conversations with Area Managers and some earlier discussions with OTC members, everyone sees benefit to ACT engagement. This does look somewhat different depending on type of interactions and the specific ACT. Based on those information provided above, discussions with OTC and Area Managers, along with additional historical information (Attachment A) has led the framing of the recommendation below.

Recommendation

While there has been an evolution of the Agency, the Area Commission on Transportation (ACT) members’ role has essentially remained unchanged. ACTs have made a positive difference in how jurisdictions

communicate and coordinate within individual ACTs, especially on STIP project prioritization and a shared understanding of major local transportation needs as well. While there have been changes in how the agency functions and more importantly the STIP program levels, the expectations of the ACTs have essentially remained the same since the Commission approval of *the Policy on the Formation of the ACTs* back in 2003. In talking with staff that support the ACTs there is shared agreement that members are unclear as to their roles and how they can best support the OTC, especially during a time of change and financial uncertainty.

Given these discussions and the background information, it is recommended that the role of the ACTs be “reset” in a very deliberate process in 2021. Ultimately, this may necessitate the Commission modifying the *Policy on the Formation of the ACTs*. It is a logical extension of the Commission and Agency refocus given the development of the Strategic Action Plan. This would serve the foundation of the discussion for the reset. The three priorities of Equity, Sustainable Funding and a Modern Transportation Network can easily be the framework for reimagining the role of the ACTs in much of the same manner the Commission and the agency are undergoing this change.

There are a couple of key opportunities to begin to strength the relationship between the ACTs and the Commission/Agency.

A. STIP Program Level Engagement

- a. Staff has been seeking input on the STIP program levels during the earlier part of the process and this will be shared with the OTC in September.
- b. It will be important to continue to have the ACTs understand the proposed scenarios which will be shared with the OTC in September and the tradeoffs discussed at the October meeting. This is a good opportunity to increase communication and awareness.
 - i. Staff will provide information to the Area Managers and they will share with their ACTs the summary of the meetings and Commission direction for the September and October meetings.
 - ii. Between the October and December meeting when it is anticipated that the OTC will take action on the STIP Program levels – staff will continue to engage with the ACTs and provide information on the scenarios and tradeoffs – primarily through a webinar and sharing information with the Area Managers to share with the ACTs.
 - iii. Any feedback on the scenarios will be shared with the OTC at their December meeting.
 - iv. One of the most important observations made by ACT members is that they often don’t know the outcomes or the rationale for decisions made by the OTC – in this case the final determination of the STIP program levels for 24-27 STIP. Staff will summarize the OTC direction and rationale and ensure that Area Managers and ACT support staff have the necessary information to explain the decisions.

B. Strategic Action Plan Discussion with the ACTs

The key to success of this effort will be communicating both information and expectations. One of the key concerns that ACT members appears to be the lack of a feedback loop. The fully understand they are advisory to the Commission. So the timing of “resetting the ACTs” would come after their engagement on the STIP program levels, so they would have some knowledge of the Commission direction on investment strategies, commitment to addressing climate change, budgetary limitations, etc.

Recommendation for the Discussion on Strategic Action Plan

- Even without the pandemic it is difficult to travel to 12 ACTs in a reasonable amount of time.
 - a. Develop a webinar that includes the Commission or at a minimum the Chair, and Assistant Directors responsible for a specific priority/implementing actions.
 - i. Make that webinar available to each of the ACT members. Then do a follow up discussion at an ACT meeting. As the agency has gotten more comfortable with virtual meetings, the best scenario is for a Commissioner and an Assistant Director along with region staff to hear the ACT member's thoughts, observations etc.
 - ii. If we are able to group the ACT meetings during a three month span, comments/observations could be compiled on how they see their ACT engaging in assuring the success of the SAP.
 - 1. *Equity* -Depending on the work completed around Equity – this could be an opportunity to reestablish expectations around membership and representation whether optional or required. Their understanding of what is meant by building a diverse workforce, supported by equitable operations and policies, and establish an informed culture that delivers authentic inclusivity and how that might impact the way the frame recommendations will help them to understand what the future of the agency.
 - 2. *Sustainable Funding* – As the Commission and the agency start to make decisions on how the budget shortfall is going to be addressed keeping the Acts knowledgeable of those actions will be important. Explaining the rationale will be important but the ACTs can be an important conduit for sharing the information and understanding to the stakeholders that they represent. The second opportunity for consideration is that the ACT's currently do not have a formal strategy for strategic transportation investments within their respective areas. This could be an opportunity for the ACTs to unify and understand some key strategic investment needs. Currently. Staff is piloting the development of Area Strategies to help ACTs define what is most important in their area given limited funding, engaging them in the discussion of strategic investment priorities and programs, Other potential benefits include the opportunity to identify and clarify critical priorities in need of planning and preliminary work, clarification of critical priorities for future grant requests, and increased transparency and promoting cross-area and regional engagement. This will need to be careful considered given resources needed to do this work and likely will take a number of years to complete. After the pilots are have completed some of the initial work, staff can share what has been learned both with the Commission and others. This likely will also be a place where the OTC will need to be clear on their expectations of this work. This is currently being piloted with two ACTs (Lane and NEACT). This information ultimately could be valuable in the development of future investment strategies and a source of information for the development on STIP Program investment levels.

3. *Modern Transportation Network* – While the Area Strategies work could impact this priority area- when thinking about the other strategic implementation actions around climate change, accessibility and mobility, OreGO and innovation opportunities – engagement with the ACTs in understanding the “why” and “how” of these efforts will be important to ensure the integration of this work into the daily efforts of the agency.

There are some immediate opportunities for education:

- a. This would also be an opportunity for the Public Transportation Division to do some outreach to the ACTs, in part with the vision that they have for the SRTS and Community Paths program and the potential direction of how to prioritize multimodal projects and a multimodal network.
- b. Staff is in the preliminary stages with regards to the kick off of the Oregon Transportation Plan. ACT involvement will help to shape the future vision of the state’s transportation system.
- c. The work program for Climate Office/ implementation of the Statewide Transportation Strategy is also another area of interest.

The key to success in any of these elements is to reshape expectations around *communications* and the role of the staff assigned to support the ACTs. One of the keys to success will be the feedback loop between the OTC and the ACT. This will likely require more involvement by the ACT staff as well as perhaps ongoing communication between the OTC and ACTs as part of any key milestone actions/decisions that the OTC might make. This could be done a number of ways from ‘headquarters’ staff working with staff that support the ACTs, to emails to ACT members highlighting Commission direction and actions. Some things they would like to see include:

- Provide concise and objective informational materials that educate stakeholders about statewide planning and STIP processes relevant to local and regional partners; Materials should be provided well in advance of meetings, both in printed format and online/electronic format.
- Provide more frequent briefings and presentations with local and regional jurisdictions regarding topics such as Oregon’s transportation and land-use policies, the STIP development process or resource allocations for the STIP cycle currently in development; Educate decision-makers and stakeholders on how their input influences the STIP development process.
- The ACTs do value the time when the Commission travels around the state and is able to meet with them and that is something that should continue if possible in the future.
- Getting the ACT chairs together is an important forum but likely the structure of that discussion should change to only include the ACT chairs. While it is important for the OTC to talk with other Advisory Committees or MPOs, combining that discussion is not necessarily advantageous for either group, especially if the direction of these discussions is more policy focused vs. project focused.

Finally, after some engagement with the ACTs, it will be important to update and ultimately get OTC approval on an Updated *Policy on the Formation of the ACTs*. This will allow the Commission to be clear on their expectations, especially around

- Any new membership and their roles;
- What engagement with the SAP looks like; and

- Clarity on how the OTC engages with the ACTs.

The conclusion of resetting the ACTs would align them with the direction of the Commission and the Agency. While it would take some time to do this given 12 ACTs, especially having to phase in the development of Area Strategies, there will be “actions” that the Commission and the agency are working on that likely the ACTs would like to engage in.

Historical Information to Support Recommendation Discussion

Governor Kitzhaber commissioned a report entitled the Governor’s Transportation Initiative and this report was released in July 1996. That work was developed with the assistance of five regional advisory committees along with a statewide committee. Although there were a number of recommendations in that report- one included the support for regional decision making which began to lay the foundation for the OTC to begin to frame the formation of Area Commissions on Transportation.

On June 18, 2003, the Oregon Transportation Commission adopted the “*Policy on Formation and Operation of the Area Commissions on Transportation.*” The policy was developed with input from a 17-member stakeholder committee assisting ODOT with review of the Statewide Transportation Improvement Program (STIP) process.

1. Some of the purposes stated in the policy for creation of the ACTs included:

- Broaden opportunities for advising the OTC on policy issues;
- Improve project recommendations and coordination at the local level;
- Broaden the regional transportation perspective;
- Increase stakeholder support for and commitment to projects;
- Control project costs and facilitate private sector capital investments;
- Support timely completion of projects and maximize ODOT’s capacity to deliver projects;
- Improve Oregon’s economy by addressing transportation challenges;

2. The policy lists the following primary roles of the ACTs:

- Provide a forum to advance public awareness/understanding among transportation stakeholders;
- Establish a public process that is consistent with state and federal laws, regulations and policies;
- Provide recommendations to the OTC regarding program funding allocations for the STIP, balancing local, regional and statewide perspectives;
- Prioritize Area Modernization project recommendations for the Development STIP and Construction STIP based on state and local transportation plans related to the area;
- Make recommendations to ODOT regarding special funding opportunities and programs;
- Communicate and coordinate Regional priorities with other organizations, including: other ODOT Regions and ACTs; MPOs; Economic Revitalization Teams (ERTs); Regional Partnerships; Investment Boards; and advisory committees;
- As applicable, consider all modes and aspects of the transportation system in formulating recommendations, taking into account the provision of elements and connections between air, marine, rail, highway, trucking, transit, bicycle and pedestrian facilities; and

- Provide documentation to the OTC of the public process and recommendations; provide report to the OTC at least once every two years;

3. *Optional Activities listed for the ACTs are:*

- Provide advice on Corridor Plans or Transportation System Plans (TSPs) that contain projects of regional significance;
- Review projects and policies for other STIP funding programs (e.g. Bridge, Freight, Rail, etc.);
- Advise the OTC on state and regional policies;
- Provide input into prioritizing long-range planning projects (especially refinement plans);
- Establish and monitor benchmarks for regional transportation improvements; and
- Other transportation related policy or funding issues relevant to a particular ACT

The policy also highlights the role of the OTC and ODOT staff. It does identify the need for an OTC member to be a liaison to the ACT, there are also expectations around communication, financial support and the role of ODOT as a voting representative on the ACT. The rest of the policy goes into the actual structure of the ACT including geographic coverage, membership and operations of the ACT. The geographic area and membership are really two areas where the ACTs had flexibility both essentially being framed by their “community of interest”. This was true for the first ten ACTs. The Lane ACT is unique that it encompasses only one county, although it is a very diverse county. There is also flexibility in the membership of the ACT, requiring at least 50 percent be elected officials but that it needed to consider all modes and aspects of the transportation system.

The membership on the ACTs vary in size and description. The largest ACT is Cascades West with 40 members and the smallest is Lower John Day with 14 members. They all have elected officials that make up the required majority but in most cases the other half represents non-elected members. The membership and how it is described varies greatly, a majority include a tribal member, ports and transit as applicable to the ACT. Some refer to their other membership as citizens at large or selected by a specific county. Only a few of the ACTs actually call out their membership to include freight, bike/ped or being active transportation related. A few identified members that represent universities or economic development organizations. The OTC reviews the charter/bylaws of each of ACTs every two years which includes the membership of the ACTs.

In 2011, Governor Kitzhaber spoke to the OTC at their October workshop. This led to a conversation with the ACT chairs the following month to discuss both direction and membership – which is articulated in a letter OTC Chair Pat Egan sent to each of the ACTs. https://www.oregon.gov/odot/Get-Involved/ACT/RoleOfACTs_OTC.pdf

A key aspect of the ACTs work and recommendations to the Commission revolved around project selection. The following provides a background and sequencing of events by the Commission and agency around project selection that is helpful in understanding some of the confusion and uncertainty by ACT members as to their role and responsibilities.

In late 2011, as the Commission was getting ready to approve the 2012-2015 STIP and had begun work on the 2015-2018 STIP, the agency created the Active Transportation Section within the Transportation Development Division (now Policy, Data and Analysis). At the same time, Governor Kitzhaber spoke to the Commission and challenged the Commission and the Agency to create a 21st century transportation system that best serves

Oregonians. He went to speak to a need for a transportation system that chooses the right projects for communities that attract or grow business; provide mobility, reduce the carbon impacts of transportation, and transition into a truly multimodal and efficient transportation system for the State of Oregon.

With that discussion in mind, and as the OTC was getting ready to embark on the development of the 2015-2018 STIP (*the first time the STIP would include the Enhance Program*); the OTC met with the ACT chairs to gain their support on being a truly multimodal transportation agency. In the letter to the ACTs, the following questions were raised in a letter by Chair Egan:

- Do we have the right group of individuals at the table at the beginning of the process to define the problem and solution together?
- Are we creating programs that don't simply invest in the future of the transportation system but meet a multitude of community objectives?
- Does each decision move us closer to a sustainable, safe, lower-carbon, multimodal system?
- Does the decision maximize benefit for the least cost under the limited resources available?

The expectation was that the ACTs would lean into this discussion, The ACTs primarily looked at their membership and made some adjustments there but there was not a wholesale reassessment of the ACTs and their role at that time.

Since 2012, the Agency has also undergone an evolution. In 2013, the Agency put together an Intermodal Leadership Team, made up primarily of Division Administrators of Safety, Rail and Public Transportation, Highway including the Region Managers and Transportation Development Division. This team worked on a number of initiatives to better integrate modal needs into the planning processes as well as development and delivery of projects by the regions regardless of mode. This work continued for a couple of years until the management review completed by McKinsey in 2016 and the development of Strategic Business Plan which was primarily internally focused. This led to a further evolution of the operational priorities of the agency. Most recently this led to a further reorganization of the agency, especially bringing today the financial and operational responsibilities of the agency under respective Assistant Directors.

At the time the ACTs were looking at their membership to be more inclusive of other modal needs, they were also starting to see changes in their involvement in project selection, there was a reduction in ConnectOregon funds as well as an emphasis on Fix-It program funding (2018-2021 STIP) due to the conditions primarily of bridge and pavement.

In many respects, the recent conversations with Area Managers and others is a reflection on the survey that was sent out to ACT members in 2018 in preparation for a discussion with the ACTs at the October 2018 workshop. Some of the results of the survey indicate the following:

When asked their three primary functions as ACT members; 80 percent indicated the following:

- Provide regional stakeholder input on program implementation and rulemaking;
- Provide a forum to advance transportation issues; and
- Advise the Transportation Commission

While the survey results did reinforce their wish to have their primary role be one of:

- Advocating for projects and monies coming to their communities;
- Prioritizing and direct spending of transportation funds;
- Prioritizing regional projects; and
- Be a forum for development of regional transportation coordination and advance regional needs

They also recognized that in their role as ACTs they could:

- Advocate for funding and help build consensus and support for additional funding;
- Help the OTC understand the local needs and the role that played in the overall transportation network;
- Move the resiliency agenda forward; and
- Serve as a sounding board for statewide policy initiatives such as tolling, OReGO, emerging technological changes, etc.

They recognized as an ACT- some of the benefits included:

- Collaboration and communication that occurred among the members;
- Providing a central forum for updates on transportation programs; and
- As members they brought good institutional knowledge and relationships both between the governments represented and with the Agency.

Their concerns included the following:

- Determining their relevancy;
- The future of ACT program seems to be questionable and what is a useful role ;
- Lack of knowledge of need of the OTC and their priorities; and
- Needing clarity on the role of the ACT especially given the role of some of the advisory committees to select projects (STIF, SRTS, etc.).

Attachment B

ACT Refocus



Oregon

Kate Brown, Governor

Oregon Transportation Commission

Office of the Director, MS 11

355 Capitol St NE

Salem, OR 97301-3871

DATE: March 03, 2021
TO: Oregon Transportation Commission

FROM: Kristopher W. Strickler
Director

SUBJECT: **Agenda K** – *Refocus of Area Commissions on Transportation (ACTs) and discussion with ACT Members*

Requested Action:

Direction on refocusing Area Commissions on Transportation activities in support of the Commission and ODOT.

Background:

The Commission heard a presentation on ACT engagement and were provided a report at their December meeting summarizing both the current role of the ACTs, as well as some initial recommendations on how to move forward (Attachment 1). The Commission directed staff to meet with each of the ACTs to share these draft recommendations and get ACT feedback.

Jerri Bohard, former Division Administrator for Policy, Data and Analysis, provided a presentation to the majority of the ACTs in collaboration with region staff who represent the agency and provide support with each ACT. All ACT members were provided the report given to the Commission as well as the Strategic Action Plan overview materials. While the conversations with the ACTs varied, they were framed around three key areas: (1) diversity of membership on the ACTs and what might need to change to meet the needs of their area from an Equity standpoint; (2) what areas of the Strategic Action Plan did they believe most benefitted from ACT engagement, and (3) how can Commission/ACT communications be improved. The following is a list of the key themes heard during those discussions, though generalized and not specific to any one ACT.

A. Equity

- a. Most ACT members believe they have a good understanding of the diversity/demographics of communities, and those that see a need to augment their membership are not sure how. They want a clear and relatable definition of equity;
- b. Many ACT members also identified specific membership areas such as freight, the elderly, and the disabled;
- c. They recognize Equity is a challenge, as an area can go from urban to agriculture and everything in between. This includes for any given ACT, perspectives of both social and economic equity;

- d. They expressed concerns over the ability to ensure newly invited individual members would have enough incentive or capacity to continue attending meetings; and
- e. Many see the work of completing *Area Strategies* as a way to address Equity needs – such as addressing needs to make the system accessible to all.

B. Agency Initiatives

- a. ACT members recognized that one of the key roles of their efforts was the importance of collaboration, not only among ACT members, but agency (region) representatives. This includes local initiatives, transportation projects undertaken by the region, and any other transportation related or operational initiatives or efforts that benefitted from a discussion and awareness at the ACT table;
- b. They do believe that many of the initiatives in the SAP could benefit from ACT input and participation, including any efforts that had a statewide impact;
- c. They expressed that awareness of any and all funding programs that support transportation would be important for the ACTs to understand;
- d. They are interested in having a better understanding of needs across the system, the impact of those needs, and how they differ, whether within parts of the ACT, across ACTs, or across the state.
- e. They wish to continue to engage in STIP development, throughout the process, and to gain a better understanding of final directions envisioned, and opportunities for coordination and collaboration; and
- f. They wish to continue or expand on weighing in on all transportation programs, plan updates, and major/mega projects (e.g., Rose Quarter, I-5 Bridge Replacement) around the state, for all modes of transportation, supported by the OTC and ODOT.

C. Communication

- a. ACT members are recognizing the benefits of technology and how it could help with engagement, not only with the public they represent, and membership, but sharing of information on efforts that the agency is engaging in; as well as a way that they hope the OTC or OTC members could engage on a more regular basis with the ACTs and ACT members.
- b. They would like to see regularly scheduled engagement with the OTC or Agency leadership; and would like to see a regular statewide gathering of ACT Chairs;
- c. They suggest that more ACT members should be represented in statewide committees and task forces; and
- d. They are interested in seeing a clear and consistent feedback loop established as decisions are made or being considered, helping them to understand the impact of their recommendations.

Next Steps and Recommendations:

Based on this ACT input, see Attachment 2 for revised recommendations. Pending OTC direction, the agency anticipates bringing back a finalized work plan in May.

Attachments:

- Attachment 1 – *ODOT's ACT Reset Recommendations Report (from December 01, 2020 meeting)*
- Attachment 2 – *ODOT's ACT Refocus Recommendations*

Refocus of Area Commissions on Transportation (ACTs) Next Steps and Recommendations

1. ACT Engagement Areas

- a. *Equity*
 - i. Membership - Review to assure inclusion and diversity of membership to represent the various communities that make up the Area.
 - ii. Investing in the Equity discussion and impact to recommendations provided by the ACTs to the agency and OTC (e.g., support the Social Equity Engagement Framework).
- b. *Strategic Action Plan*
 - i. Engage in opportunities for the ACTs to more fully understand the direction and provide insight as the OTC and agency work on the Strategic Outcomes of the Plan. (e.g. climate initiatives, system preservation and stewardship, mobility and as it relates to economic development, and innovative technologies; and how all of these relate to sufficient and reliable funding).
- c. *Statewide Transportation Improvement Program (STIP)*
 - i. Continued engagement in STIP project prioritization and opportunities to coordinate, collaborate and leverage investments and funding across the entire transportation system (specific emphasis on non-highway categories).
 - ii. Opportunity to provide input on statewide projects (e.g. Rose Quarter, I-5 Bridge, Tolling).
- d. *Area Strategies*
 - i. ACTs indicated an interest in continuing the work of the pilots and providing a similar opportunity for all ACTs. For the ACTs not in the pilot, recommend encouraging a start at the identification of needs and opportunities.

2. OTC and ODOT Coordination and Communication with the ACTs

- a. OTC designating two members as liaisons to the ACTs, currently Commissioner Brown has volunteered, and second member is to be determined.
- b. Annual engagement with OTC members, the Director's Office, and other agency HQs leadership, through participation with virtual meeting tools in ACT meetings.
- c. Direct in-person engagement a minimum of once every two years, within one of our local communities and preferably with all members of the OTC, conditions allowing. This could include Charter updates and ACT progress reporting.
- d. It would be beneficial for statewide "gatherings" among the ACT Chairs, separate from the modal Advisory Committee Chairs.
- e. Develop a consistent feedback loop as to decisions made by Commission and the impact ACT recommendations had on those decisions.

- f. ACTs are an important centralized transportation information hub for hearing from the public, providing information to the public and communicating local and regional transportation needs to ODOT staff and the OTC.
- g. Formalizing the importance of one of the key roles of ACT engagement, in providing collaboration, not only among ACT members, but agency (region) representatives. Typical collaboration efforts include local initiatives, transportation projects undertaken by the region, and any other transportation related or operational initiatives and ongoing work that affects the Area's system.

3. Internal ODOT Improvements to strengthen ACT/OTC/ODOT Relationships

- a. Agency staff to develop tools and processes that allows ACTs to have a better awareness of current initiatives and programs, as well as understanding of needs across the system, the impact of those needs, and how they differ, whether within parts of the ACT, across ACTs, or across the state.
- b. Designating a statewide leader within ODOT staff, for the OTC/ACT framework, and the full spectrum of addressing, implementing, and managing the above next steps and recommendations, including support to staff who participate with the ACTs. (e.g., developing a calendar of topics that would be shared consistently with all ACTs).
- c. Designating a statewide ACT communications coordinator within ODOT staff, for a variety of OTC/ACT engagement needs and opportunities for two-way information sharing.

Attachment C

ACT Refocus: Implementation Work Plan

Introduction & Overview

In December 2020 Oregon Department of Transportation (ODOT, Agency) staff presented a report to the Oregon Transportation Commission (OTC, Commission) about Area Commission on Transportation (ACT) engagement, summarizing the current role of the ACTs and initial recommendations to refocus on priority transportation topics, while strengthening processes for interaction and collaboration among OTC members, Agency staff, and ACT membership. In March 2021 Agency staff presented a follow-up report to the OTC summarizing [feedback](#) from a majority of the ACTs, along with final [recommendations](#) on how to move forward. In response to the many points of feedback and recommendations from the ACTs, the OTC and Agency staff set in motion an effort to address three key areas for improvement:

- ❖ Engagement of the Area Commissions on Transportation (ACTs)
 - ✓ Strategic Action Plan (SAP) Implementation
 - ✓ Social equity focus for the ACTs
 - ✓ Statewide Transportation Improvement Plan (STIP)
 - ✓ Area Strategies
- ❖ OTC and ODOT Coordination and Communication with the ACTs
 - ✓ OTC designating members as liaisons to the ACTs
 - ✓ Engagement with OTC members, Director's Office, and Agency Headquarters (HQ) staff
 - ✓ Statewide gatherings for ACT chairs
 - ✓ Consistent feedback loop between the OTC and the ACTs
- ❖ Internal ODOT Improvements to strengthen ACT/OTC/ODOT Relationships
 - ✓ Designating a statewide leader within ODOT staff, for the OTC/ACT framework
 - ✓ Designating a statewide ACT communications coordinator within ODOT staff
 - ✓ Communication Tool(s) for the ACTs

This Refocus effort upholds the purpose statement in the [Policy on Formation and Operation of the Area Commissions on Transportation \(ACTs\)](#):

The Oregon Transportation Commission (OTC) established the Area Commissions on Transportation (ACTs) to improve communication and interaction between the OTC and local stakeholders who share a transportation-focused community of interest.

This purpose is still valid today, along with these expectations also from the Policy:

By increasing stakeholder commitment and understanding of transportation programs, funding, and issues, the OTC expects to:

- *Broaden opportunities for advising the OTC on policy issues.*
- *Improve project recommendations and coordination at the local level.*
- *Broaden the Regional transportation perspective.*
- *Increase stakeholder support for and commitment to projects.*
- *Maximize ODOT's capacity to deliver projects.*
- *Improve Oregon's economy by addressing transportation challenges.*

This Refocus effort also upholds the Policy's ACT Mission statement:

The mission of the ACTs is to provide a forum for the discussion and coordination of current and future transportation issues and to make recommendations to the OTC.

Meeting these communication and collaboration expectations among Agency staff, the OTC, and ACTs has become challenging, but there new and emerging processes, tools and expectations being used or which can be implemented to inform the ACT Engagement and Refocus effort. Here are two examples:

During the last year, the ACTs have continued to meet virtually and have generally found their engagement role to be effective. The virtual meeting format has been beneficial, particularly in rural areas, with ACT members not having to drive long distances to a centralized location. Many of those involved with ACT engagement, including ODOT staff, OTC members, and ACT members, are recognizing the benefits of technology and how it could help with future collaboration with the public that ACTs represent, their membership, and with sharing information on Agency efforts. The hope is that such virtual meeting technology could also support the OTC meetings and OTC members when engaging on a more regular basis with the ACTs and ACT members.

The ACT Engagement and Refocus work will also be responsive to emerging direction for the Agency. An example is alignment with the passage of [HB2985](#) that directs ODOT to ensure membership of advisory committees reflects racial, ethnic, and ability composition of Oregon.

This work plan has been developed in collaboration with the Agency's Area Managers (AMs), along with input from other Agency staff who provide support to the ACTs. The planned actions consider both the resources of Agency staff and the availability of the many volunteers who make up current ACT membership across the state. The plan also reflects a phasing approach that is supportive of the Agency's priorities outlined within the [Strategic Action Plan \(SAP\)](#).

The intent of this plan is to bring more structure, consistency, and alignment to the work of ACTs and define mutual engagement expectations of the ACTs and the OTC. The expected outcome is to enhance the ACTs' awareness and knowledge about the strategic direction and needs of the Commission and the Agency. Ultimately, through improved communication, coordination, and engagement, the ACTs' recommendations and collaboration efforts will help provide insight to the Commission and the Agency to ensure that their future decision making is in alignment with the Strategic Action Plan and overall Commission and Agency vision. Agency Staff recognizes that full implementation will develop into an ongoing effort, and the details of many planned work items will continue to progress over time.

Work Tasks

The Refocus implementation will be completed in three phases:

Phase 1 includes the project initiation, leadership team creation, development of the work shared with the Commission to date, and key engagement efforts underway (e.g., SAP, 2024-27 STIP Update).

Phase 2 includes work on short- and mid-term work tasks to be completed by a large number of Agency staff in collaboration with the OTC members, ACT members, and various stakeholders. This engagement may require long lead times to allow ACTs and stakeholders to learn and digest information, convene to respond, finalize responses, and provide meaningful feedback. An example of this is the development of Area Strategies that will be based upon the current Area Strategies pilot projects.

Phase 3 includes completion of the long-range work tasks to be more clearly defined or identified during Phase 2. A key example would be the continuation of the Area Strategies pilot to other ACTs.

Many task areas will be occurring in parallel. For example, coordination and engagement in the SAP, 2024-27 STIP, and other current engagement needs will continue throughout all phases of this effort and ongoing engagement with the ACTs will particularly help inform direction on work tasks occurring in Phase 2.

A more detailed scope and specific deliverables, measurables, timeline, monitoring, and progress reporting is being developed in coordination with the Area Managers (AMs), other ODOT ACT support staff, and senior leadership. From a monitoring stand point, staff is envisioning using a template similar to what is being used for the SAP and sharing that report on a regular basis with the Commission.

Work Task Details	Partnership with Implementation Team	Priority/ Timing
1. ACT Engagement with Strategic Action Plan (SAP) as Framework		
<p>A. Strategic Action Plan The SAP provides the overall work plan framework for the below specific engagement areas (Social equity, STIP, Area Strategies), actions items, and SAP engagement opportunities. <u>Outcome:</u> Enhance the ACTs' understanding of the SAP direction and provide insight as the OTC and Agency work on the current Strategic Outcomes of the plan:</p> <ul style="list-style-type: none"> ✓ Coordinate with headquarters (HQ) staff implementing and updating progress on the SAP, the Area Managers, and ACT support staff to develop materials for presentation at each upcoming ACT meeting in 2021, and ensure that SAP timeline aligns with ACT discussions. ✓ Recognizing the ACTs want to support the SAP in general, develop means and methods beyond their meetings to help them fully understand the direction (including items of statewide impact), and provide insight to help facilitate successful implementation. ✓ Many of the specific SAP 2021-23 Goal items, and Strategic Outcomes, Metrics, and Actions are of interest to the ACTs and of importance for ACT engagement. Agency 	Assistant Directors (ADs), Area Managers (AMs), ACT staff support, Headquarter (HQ), Policy, Data & Analysis Division (PDAD) and other Division staff	High / Phase 1, ongoing

<p>liaisons and support staff to the ACTs will work with the Agency leads for various SAP elements and initiatives to ensure most effective ACT engagement occurs in these varying areas. To illustrate - the Action <i>Apply GHG emission standards in making ODOT investment decisions</i> may be more for informational sharing, where the Action <i>Define a priority multimodal network to enable more strategic and equitable selection of future projects and programs</i> may be more for ongoing interactive involvement, feedback, recommendations, etc.</p>		
<p>B. Social Equity Two key Expectations: (1) Membership - Review to assure inclusion and diversity of membership is representative of the various communities that make up the area by clarifying key purpose/need/outcomes (e.g., providing "access to the table"). Include consideration that ACTS are each unique, and flexibility is important to establish and maintain their ownership, priorities, investment strategies, etc.; Ultimately, the ACTs may bring forward changes to their membership as they update their Charters or Bylaws to be consistent with this expectation. (2) Agency Staff are accountable, capable, and have the tools to ensure that social equity considerations are a key component of any discussions and/or recommendations that the ACTs put forward.</p> <p>Organizational Discussion <u>Outcome</u> – ACT membership that is diverse and equitable and reflects and represents the various communities that make up the area.</p> <ul style="list-style-type: none"> ✓ Collaborate with Office of Social Equity to prepare guidance and presentation materials, linking to the SAP and Social Equity Engagement Framework. ✓ Work with Government Relations staff to align with HB2985 and receive input on updating ACT membership statewide that "reflects racial and ethnic and ability composition of Oregon." Coordinate with region Public Information Officers (PIOs) to address creating broader awareness to the public and various stakeholders on what expanding benefits the ACTs can provide, reflecting on the State of Oregon's definitions of Diversity, Equity, and Inclusion (<i>see attached Appendix A</i>), and how economic/socio-economic factors fit in. ✓ Work with Agency staff to build a map and database of the ACT boundaries and corresponding demographics. ✓ Gather info (including all current ACT "Charters"/"Operating Guidelines"/"Reports") from the AMs and support staff. ✓ Provide timely support, guidance, and recommendations to the ACTs on membership and representation decisions. <p>Investing in Social Equity- <u>Outcome</u> – Discussion and impact to recommendations provided by the ACTs to the Agency and OTC resulting in mutual support (including their support for implementation) of the Social Equity Engagement Framework.</p> <ul style="list-style-type: none"> ✓ Work with Office of Social Equity in their development of the Social Equity Engagement Framework and its implications for investment decisions (e.g., projects). ✓ Collaborate among HQs and Region support staff, AMs, and ACT Chairs on best practices for making social equity an ongoing dialogue for the ACTs, while concurrently working with the OTC and agency leadership to evolve the social equity topic. ✓ Coordinate with statewide Active Transportation Needs Inventory assessments as an element to the social equity discussion. 	<p>Office of Social Equity, AMs, ACT Support Staff, HQ, Director's Office staff, Region Public Information Officers (PIOs), PDAD and other Division staff</p>	<p>High, Phase 2, ongoing</p>

<ul style="list-style-type: none"> ✓ Establish processes for the ACTs to consider social equity needs and how to identify gaps in multimodal corridors to support local system accessibility to all. ✓ Combine ongoing Investment in social equity efforts with ACT needs list development and Area Strategies efforts (see Area Strategies section). ✓ Summarize social equity information for the ACTs and provide assistance to ensure that their work supports the Social Equity Engagement Framework implementation. 		
<p>C. Statewide Transportation Improvement Program (STIP) Continue supporting this expectation in the ACT Formation Policy: <i>An ACT plays a key advisory role in the development of the STIP.</i></p> <p><u>Outcome</u> – Enhanced OTC/Agency/ACT communication, engagement, and coordination to better inform decision making on area transportation infrastructure and capital investments, contributing to statewide transportation system priorities and management.</p> <ul style="list-style-type: none"> ✓ Continue engagement in 2024-27 STIP project prioritization and opportunities to coordinate, collaborate, and leverage investments and funding across the entire transportation system with specific emphasis on Public and Active Transportation categories. The purpose of this engagement is to improve ACT coordination and facilitate a better understanding of STIP topics through ACT feedback and questions. ✓ Establish ongoing, year-round calendar that will include the timing for ACT presentations/discussions on the current 2024-27 STIP Updates, Fix It, Safety, Enhance, Public & Active Transportation, GHG Emissions Reduction, and other related topics. ✓ Provide opportunity for awareness and input on statewide projects such as Rose Quarter, I-5 Bridge, Tolling projects / and other major efforts), with consistency on messaging and presentations. ✓ Coordinate ongoing STIP engagement with recommendations on ACT interest, and consistent direction in developing system needs/priorities, for example, that may fit a set of categories such as enhance, safety, bicycle/pedestrian on state system, freight, transit, airport, climate, corridors, and funding at large or small amounts (see Areas Strategies section). ✓ Coordinate with STIP Update calendar. 	<p>HQ Director's Office staff, AMs, ACT support staff, HQ staff, PDAD and other Division staff</p>	<p>High, Phase 1, ongoing</p> <p>Medium / Phase 2</p>
<p>D. Area Strategies There are currently two pilot efforts (Lane ACT and NEACT) underway to assess what to include in and how to do this work, likely to be completed within the next nine months. Currently,, agency staff is starting to assess the feasibility of a framework to compile system needs and opportunities within any of the ACTs.</p> <p><u>Outcome</u> – Effective Area Strategies and a basic understanding of needs for ACTs statewide, for example for information sharing at statewide gatherings (see "Statewide Annual/Periodic Gatherings" below under "Coordination and Communication" section).</p> <ul style="list-style-type: none"> ✓ Track to determine if the two pilot Strategy efforts show positive results, including recommended framework and amount of flexibility for implementation with the other ACTs. Pilot reporting will include a guidance document providing a framework for consistency in the development of future Area Strategies. The decision to complete Area Strategies will be determined based upon the value of such effort, including availability of both staff and ACT resources. ✓ Gain input from AMs and other Agency staff who represent ODOT and support the ACTs, on how best to encourage a starting point for initiating the identification of needs and opportunities. This should include reviewing needs that have already been identified from local or state planning processes or local capital facilities' needs. 	<p>PDAD Planning, Region Planning, AMs, ACT support staff</p>	<p>Medium to High / Pilots & early inputs Phase 2, All ACTS Phase 3</p>

<p>2. OTC and ODOT Coordination and Communication with the ACTs Key Outcome from the ACT Formation Policy – <i>Success of the ACT is linked to communication with the OTC.</i></p>		
<p>A. OTC Liaisons <u>Outcome</u> – Improved OTC/ACT engagement. OTC designating members as liaisons to the ACTS -</p> <ul style="list-style-type: none"> ✓ Currently Commissioner Brown has volunteered to be an ACT liaison. ✓ Create more specific recommendations (roles, expectations, staff involvement, etc.) by engaging with Commissioner Brown and other OTC members. 	OTC Members, AMs, OTC and ACT Support Staff,	Medium / Phase 2 tied to “Internal Improvements” section
<p>B. Statewide Annual/Periodic Gatherings <u>Outcome</u> – Cross communication among all ACTs so there is a better understanding of individual ACT issues and concerns, and the related implications for developing and maintaining a statewide transportation system. <u>Outcome</u> – Ensure opportunities for mutual awareness, collaboration, coordination, and alignment among the ACTs, following the ACT Formation Policy – <i>ACT coordination should include...other ACTs within and across ODOT Regions. ...communicate and coordinate Regional priorities with other ODOT Regions and ACTs.</i></p> <ul style="list-style-type: none"> ✓ Establish a coordination plan in collaboration with staff for the OTC, Director’s office and HQ to plan recurring gatherings for the ACT chairs, OTC Liaisons, key ODOT staff, including gathering purpose, goals, and advanced information sharing and expectations, agenda development, etc. ✓ Consider opportunities for dialogue to include the OTC, local officials, legislators, the business community and appropriate stakeholders, and regional/area ODOT staff, panel discussions on the SAP, state system highlights, climate, innovations, and other key topics. ✓ Create more specific recommendations (roles, expectations, staff involvement, etc.) by engaging with Commissioner Brown and other OTC members ✓ Apply actions and outcomes from the “Internal ODOT Improvements” Section to make this happen. 	OTC Members, AMs, OTC and ACT Support Staff, PDAD staff	Medium / Phase 2 tied to “Internal Improvements” section
<p>C. Continue Biennial ACT Charter / Report Updates between OTC and each ACT The ACT charters ensure mutual accountability and align with the ACT Formation Policy – <i>Conducting a biennial review of the ACT Charter and Operating Agreements.</i> <u>Outcome</u> – Implement policy through ACT charters that are updated biennially.</p> <ul style="list-style-type: none"> ✓ Establish coordination plan in collaboration with staff for the OTC, Director’s office and HQ for these reporting and check-ins, including options for them to occur with each ACT community, area, and region. ✓ Create more specific recommendations (roles, expectations, staff involvement, etc.) by engaging with Commissioner Brown and other OTC members ✓ Apply actions and outcomes from the “Internal ODOT Improvements” section to make this happen. 	OTC Members, AMs, OTC and ACT Support Staff	Medium / Phase 2 tied to “Internal Improvements” section
<p>D. Consistent Feedback Loop, Multi Way Communication – <u>Outcome</u> – Provide timely feedback to the ACTs regarding decisions that were made based on the ACT recommendations, including how recommendations are addressed.</p> <ul style="list-style-type: none"> ✓ Work with OTC staff, the Government Relations group, and region PIOs to develop consistent feedback loop for OTC decisions and the influence ACT recommendations had on those decisions. ✓ Work with OTC staff, AMs and other support staff, and the Government Relations group, to ensure multi-way discussions between the OTC, ACT members, and key stakeholders in each area. 	OTC and ACT support staff, Government Relations, AMs	High / Phase 1/2, tied to “Internal Improvements” section

<ul style="list-style-type: none"> ✓ Develop process and structure providing more opportunities for ACT members to participate on statewide task forces and advisory committees sponsored by the OTC and/or ODOT. ✓ Apply actions and outcomes from the “Internal ODOT Improvements” section to make this happen. ✓ Create more specific recommendations (roles, expectations, staff involvement, etc.) by engaging with Commissioner Brown and other OTC members. 		
<p>E. Update to the ACT Formation Policy – ACTs as Local Collaboration Forums <u>Outcome</u> – Reinforce a key role of ACT engagement in providing collaboration among ACT members, agency (Region) representatives to cover local initiatives, Region/Area projects, many transportation related or operational initiatives, and ongoing work affecting the ODOT Area’s systems. The Policy on Formation and Operations of the ACTs states that ACTs are to <i>Provide a forum to advance the public’s awareness and understanding among transportation stakeholders of transportation issues.</i></p> <ul style="list-style-type: none"> ✓ Develop policy language that establishes expectations for all ACTs, to emphasize their importance as centralized transportation information hubs for hearing from the public, providing information to the public, and communicating local and regional transportation needs to ODOT staff and the OTC. ✓ Provide clarification on expectations for when and how consultation and coordination is expected among the ACTs and MPOs. ✓ Create more specific recommendations (roles, expectations, staff involvement, etc.) by engaging with Commissioner Brown and other OTC members. ✓ Apply actions per the “Internal ODOT Improvements” section, to make this happen. ✓ Prepare/present recommendations and draft policy changes to ACTs. 	OTC and ACT support staff, Gov Relations, AMs, PDAD staff	Low / Phase 3
<p>3. Internal ODOT Improvements – Key Outcome - Strengthen ACT/OTC/ODOT Relationships</p>		
<p>A. OTC/ACT Framework Executive Lead <u>Outcome</u> – HQ leadership, direction, and support to the Delivery & Operations (D&O) Regions and other affected Divisions / Branches on structure, alignment, and consistency of OTC/ACT/Agency engagement, along with ongoing coordination on how all can meet expectations and stay accountable to the entire ACT engagement process.</p> <ul style="list-style-type: none"> ✓ PDAD Administrator Amanda Pietz will be the <i>Executive Lead</i> with ODOT staff, for the OTC/ACT framework, and the full spectrum of addressing, implementing, and managing work plan tasks and recommendations, including support to staff who participate with the ACTs. (e.g., developing a calendar of topics that would be shared consistently with all ACTs). 	HQ Director’s Office staff, Implementation Team	High / Phase 1
<p>B. Statewide ACT Communications Coordinator <u>Outcome</u> – Fully supporting a variety of OTC/ACT engagement needs and opportunities for multi-way information sharing.</p> <ul style="list-style-type: none"> ✓ Designate a statewide ACT communications coordinator within ODOT staff. 	Framework Executive Lead, Implementation Team	High / Phase 1
<p>C. Communication Tool for ACTs <u>Outcome</u> - ACTs well informed of OTC and Agency initiatives, policies, and programs.</p> <ul style="list-style-type: none"> ✓ Collaborate with Communications Coordinator, PIOs who support the D&O Regions, HQs, Government Relations, and OTC staff to develop tools and processes that allows ACTs to have a better awareness of current initiatives and programs. This includes a clearer understanding of needs across the system, the impact of those needs, and how they differ within parts of the ACT, across ACTs, or across the state. ✓ Create a continuous schedule and calendar of monthly/quarterly key topics for ACT presentations, briefings, engagement needs closely coordinated with ODOT initiatives, and anticipated OTC topics. Make available to ACTs and support staff. ✓ Develop a specific guidance documents to ODOT staff, on all aspects of supporting and engaging the ACTs, including accountabilities. 	Implementation Team, AMs, ACT support staff, Statewide ACT Communications Coordinator, Region PIOs, Government Relations	High / Phase 2 / 3

Implementation Team

The implementation team for this effort is extensive. Although the work plan centers around the ACTs and ODOT representatives (e.g., Area Managers and ACT support staff), they are not solely responsible for the tasks. Success will require numerous ODOT staff from various areas, working in collaboration and with ongoing OTC and ACT member interaction, recognizing that other stakeholders may also be part of the engagement process. The effort will require and includes strong overall Agency support from an executive sponsor, a leadership team, and Agency staff with the expertise and experience in seeing the work tasks through to outcomes that are easy to identify and measure. An important early work task is the designation of a senior leader to serve as the OTC/ACT Framework Lead, supported by the designation of a statewide ACT Communications Coordinator.

Communications Strategy

Communication will be conducted throughout all phases of this effort to provide information and receive feedback from leadership and stakeholders. This includes the OTC, executive management, ODOT leadership groups, the ACT members, and other ODOT stakeholders. The specifics of the communication strategy will be refined with leadership from the ACT Communications Coordinator for the engagement element of the work plan. OTC members, Area Managers, ACT members, Agency staff supporting the ACTs will be instrumental in ensuring that partners and stakeholders are clearly identified and that the content and timing of communication is consistent and coordinated among various committees and forums. Additionally, using or developing effective communication methods and tools will be essential to reaching our various customers, partners, and stakeholders. Finally, the agreed upon approach can be used to help inform the desired outcome of this work.

Resources / References

1. [ODOT's ACT Website](#)
2. [Policy on Formation and Operation of Area Commissions on Transportation](#)
3. [HB 2985](#)
4. [Strategic Action Plan \(SAP\)](#)
5. [2024-2027 STIP](#)
6. [Letter to OTC Dec 2020 Meeting: Refocusing Engagement with the ACTs](#)
7. [OTC Dec 2020 Meeting: Refocusing Engagement with ACTs PowerPoint](#)
8. [Letter to OTC: March 2021 Meeting Refocus of ACTs](#)
9. [OTC March 2021 Meeting: Refocus of ACTS Recommendations](#)

Appendix A



State of Oregon's Definition of Diversity, Equity, Inclusion

Diversity is the appreciation and prioritization of different backgrounds, identities, and experiences collectively and as individuals. It emphasizes the need for representation of communities that are systemically underrepresented and under-resourced. These differences are strengths that maximize the state's competitive advantage through innovation, effectiveness, and adaptability.

Equity acknowledges that not all people, or all communities, are starting from the same place due to historic and current systems of oppression. Equity is the effort to provide different levels of support based on an individual's or group's needs in order to achieve fairness in outcomes. Equity actionably empowers communities most impacted by systemic oppression and requires the redistribution of resources, power, and opportunity to those communities.

Inclusion is a state of belonging when persons of different backgrounds, experiences, and identities are valued, integrated, and welcomed equitably as decision makers, collaborators, and colleagues. Ultimately, inclusion is the environment that organizations create to allow these differences to thrive.

NOTE: Extracted from page 10 of https://www.oregon.gov/gov/policy/Documents/EquityFrameworkCovid19_2020.pdf

Attachment D

OTC Policy on Formation and Operation of the ACTs

This version of the document shows the changes that were made to the original document, in strikethrough and underline format. A clean (final) version of the update document is available to download from the ODOT ACT webpage at the following link:

https://www.oregon.gov/odot/Get-Involved/Pages/Area_Commissions.aspx

POLICY ON FORMATION AND OPERATION OF AREA COMMISSIONS ON TRANSPORTATION (ACTs)

INTRODUCTION

The Oregon Transportation Commission (OTC) established the Area Commissions on Transportation (ACTs) to improve communication and interaction between the OTC and local stakeholders who share a transportation-focused community of interest. ~~That dialogue will include the OTC, local officials, legislators, the business community and appropriate stakeholders, and the Oregon Department of Transportation (ODOT).~~

~~By increasing stakeholder commitment and understanding of transportation programs, funding, and issues~~ Through the ACTs, the OTC expects to:

- Broaden opportunities for advising the OTC on policy, investment and project issues.
- Implement policy.
- Improve project recommendations and coordination at the local level.
- ~~Broaden the Regional~~ Hear diverse regional transportation ~~perspective~~ perspectives.
- Increase stakeholder support for and commitment to policies, programs, and projects.
- ~~Control project costs.~~
- ~~Support timely completion of projects.~~
- ~~Meet~~ Establish expectations for quality policies, projects, and programs.
- ~~Facilitate private sector capital investments.~~
- ~~Maximize ODOT's capacity to deliver projects.~~
- ~~Improve Oregon's economy by addressing transportation challenges.~~
- Collaboratively co-advance goals such as climate, equity, safety, and the economy.

The OTC adopted *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 encourage a reasonable degree of consistency statewide in their role and operation.¹ The document is intended to provide statewide consistency for the ACTs while balancing local needs for flexibility and uniqueness. Each ACT will adopt Operating Agreements to further define its operating procedures. Topics addressed include the following:

- I.** Mission
- II.** Roles and Responsibilities
- III.** Authority
- IV.** ACT Structure and Membership
- V.** Operations of the ACT
- VI.** Basis for Decision Making
- VII.** Coordination

As the need arises, the OTC may review this document and update as appropriate.

¹ See Attachment B.

The OTC will ~~give significant weight to~~carefully consider recommendations from the ACTs that follow the procedures described in this document. The ACT, however, is an advisory body to the OTC, and the OTC is the final decision-maker. ~~Geographic areas that do not have an ACT or MPO must adhere to the same standards of accountability as ACTs and demonstrate to the OTC that recommendations were developed in accordance with ACT obligations. Prior to starting the process to prioritize project recommendations, the appropriate ODOT Region and the non-ACT geographic area will reach consensus on the process for determining compliance with this policy. This process could utilize previously adopted documents as appropriate.~~

In order to clarify the document, a glossary² was prepared which defines the terms Region, Regional, Area, Transportation System, and a series of verbs used throughout the document. The verbs convey varying levels of action or responsibility and include the following: must, shall, will, should, and may.

POLICY ON FORMATION AND OPERATION OF AREA COMMISSIONS ON TRANSPORTATION (ACTs)

I. MISSION

The mission of the ACTs is to provide a forum for the discussion and coordination of current and future transportation issues and to make recommendations to the OTC. ~~An ACT plays a key advisory role in the development of the Statewide Transportation Improvement Program (STIP). The ACTs shall recommend priorities for state transportation infrastructure and capital investments based on state and local transportation plans related to the geographic boundary of the ACT.~~

II. ROLES AND RESPONSIBILITIES

ACTs have a primary role of establishing priorities, seeking public input and making recommendations to the OTC regarding project selection for perspectives within their area related to policies, funding, investments, system operations, and projects of local or Regional significance. ACTs may also be requested to provide input to the OTC on investments and projects of statewide importance and on statewide policy issues.

A. Primary Role of the ACTs

At a minimum, ACTs shall perform the following:

- Provide a forum ~~to advance the public's awareness and for~~ understanding among and discussing transportation issues amongst transportation stakeholders ~~of transportation issues.~~
- Provide opportunity for all members to provide updates on relevant and timely topics, project status, projects likely to be funded, project in design phase and those in construction.
- Establish a public involvement process that is consistent with state and federal laws, regulations, and policies.
- Inform the development and implementation of the Oregon Transportation Plan (OTP) and associated mode and topic plans.
- Identify regional considerations, needs, opportunities, and priorities specific to the geography of each ACT and in consideration of locally adopted plans (e.g. TSPs, Regional Transportation Plans, etc.).
- Develop, implement and regularly update a two-year Work Plan following the established format including expectations of the OTC and ODOT, with the flexibility to identify interest areas and priorities specific to each ACT.
- ~~Provide recommendations to the OTC regarding program funding allocations for the STIP, balancing local, Regional, and statewide perspectives².~~
- ~~Prioritize Area Modernization project recommendations for the Development STIP and Construction STIP based on state and local transportation plans related to the Area~~ various investment programs.
- Make recommendations to ODOT regarding special funding opportunities and programs.

- [Advance the priorities of the OTC as stated in the Strategic Action Plan, OTP, etc.](#)
- Communicate and coordinate Regional priorities with other organizations, including the following:
 - Other ODOT Regions and ACTs
 - Metropolitan Planning Organizations (MPOs)
 - Regional Solutions Teams (RST)
 - Regional Partnerships and Regional Investment Boards

- ODOT advisory committees

Consider² ~~Techniques ACTs may use to achieve statewide perspective include: interacting with other ACTs, hosting forums on statewide issues such as access management and highway segment designations, and having the ODOT Director or OTC liaison attend and participate in ACT meetings. By using criteria established by the OTC and adherence to those standards, ACTs achieve a statewide vantage point.~~

- ~~As applicable, consider~~ all modes and aspects of the Transportation System in formulating recommendations, taking into account the provision of elements and connections between air, marine, rail, highway, trucking, transit, bicycle, and pedestrian facilities.
- ~~The Transportation System includes the following modes and aspects:~~
 - ~~Air, marine, rail (freight and passenger)~~
 - ~~Highway (trucks, buses, cars)~~
 - ~~Transit~~
 - ~~Bicycle/Pedestrian~~
- ~~Provide documentation to the OTC of the public process and resulting recommendations forwarded by the ACT including alternatives for solutions and outcomes of decisions.~~
- ~~Provide a report to the OTC at least once every two years.~~
- In providing any recommendations to the OTC or ODOT consider, at a minimum, implications to equity and climate, and balance other objectives including the economy, safety, health, mobility for all modes and state of good repair. Consider local, area, regional, and statewide perspectives and needs.³

B. Optional Activities of the ACTs

In addition to the above, ACTs may choose to provide advice on activities such as:

- ODOT corridor plans or local Transportation System Plans (TSPs) that ~~contain~~ contain projects of Regional significance (e.g. a new highway bypass).
- Review OTC and ODOT investment strategies, investments, projects and policies for other ~~STIP funding~~ programs and categories that have advisory committees or processes in place ~~and advise ODOT on any special~~.
- Special circumstances or opportunities ~~that apply. These programs are primarily as applicable. Examples include STIP Fix-It, Enhance, Active and Public Transportation, Safe Routes to School or others such as~~ Federal Lands Access Program, and ConnectOregon.
- ~~Advise the OTC on state and Regional policies affecting the Area's Transportation System, including proposed ODOT policies & their implementation.~~
- ~~Input into prioritization of long-range planning projects (especially refinement plans) in the ODOT Region planning work programs.~~
- ~~Establishment and monitoring of benchmarks for Regional transportation improvements.~~
- Other transportation related policy or funding issues relevant to a particular ACT that would benefit from the coordinated committee discussion afforded by the ACT structure.

See Attachment C for a flowchart showing ACT involvement in the typical process elements for the STIP.

C. Role of OTC

Success of the ACT is linked to communication with the OTC. The OTC ~~role includes~~ will:

- Designating one ~~Designate two~~ OTC ~~member~~ members as the ~~liaison~~ liaisons to the ACTs who should:
 - Between liaisons, attend at least one meeting of each ACT annually.

- ~~o Encouraging the OTC liaison to attend~~ Engage with ACT members during ACT meetings;
- ~~Providing financial support in an amount sufficient to meet OTC expectations.~~
 - o ~~Facilitating~~ Report on OTC priorities and important topics regularly to each ACT; and,
 - o Provide ACT information and updates at OTC meetings on a regular basis.
- Direct the OTC liaisons to interact frequently with the ACTs, periodically attending meetings and providing opportunity to directly hear and report ACT comments to the OTC, resulting in the ACTs receiving feedback on OTC actions related to topics on which the ACT provided input.
- Facilitate communication between the OTC and ~~the ODOT representative to the~~ ACT.
- ~~Describing~~ Describe expectations and providing adequate lead time when requesting input from ~~the~~ an ACT.
- ~~Engaging the ACT Chair or their representative in workshop opportunities with the~~ OTC.

- ~~Providing training opportunities for the ACTs to enhance understanding of statewide programs and issues.~~
- ~~Giving significant~~ **Carefully consider and give** weight to recommendations from ACTs ~~that follow procedures and requirements described in this document.~~

³ Techniques ACTs may use to achieve statewide perspective include: interacting with other ACTs, hosting forums on statewide issues such as access management and highway segment designations, and having the ODOT Director or OTC liaison attend and participate in ACT meetings. By using criteria established by the OTC and adherence to those standards, ACTs achieve a statewide vantage point.

- ~~• Providing feedback to the ACTs regarding decisions that were made based on the ACT recommendations.~~
- ~~• Conducting a biennial review of the ACT Charter and Operating Agreements.~~
- Approve ACT Charters and Work Plans.

D. Role of ODOT Staff

ODOT staff provides a key role in the successful operation of the ACT. ODOT ~~shall assign~~will:

- Provide financial assistance (including Equitable Engagement Compensation Policy) and support for primary group meetings and to a ~~senior~~ lesser amount, support for optional ACT activities (e.g. subgroup meetings).
- Provide training opportunities for the ACTs to enhance understanding programs and issues.
- Provide guidance on development of Charters, Work Plans and membership.
- Provide technical and policy information in a timely and meaningful manner, affording ample time for input, to assist the ACT in carrying out its roles and responsibilities for providing recommendations and input to the OTC decision-making process.
- Assign an Area Manager or other manager within the Region with good communication skills as its voting representative to the ACT. The ODOT representative shall:
 - ~~o~~ Serve as a communication liaison between voting member of the ACT, ODOT-Region, and ODOT Director's Office.
- ~~• Bring a statewide perspective to discussions of local transportation issues.~~
- ~~• Coordinate~~Provide staffing support to the ACT, including timely preparation of agenda items for action by the ACT.
- ~~• Provide technical and policy information in a timely manner to assist the ACT in carrying out its roles and responsibilities.~~
- ~~• Provide information on project status:~~
 - ~~o~~ Coordinate~~coordination with the ACT chair, coordination of presentations and education regarding state and federal programs and priorities., and support sharing back how recommendations and feedback from the ACTs was used in~~ OTC or ODOT final decisions
 - ~~o~~ Advise~~Inform the ACT of~~ACTs on ODOT ~~views~~statewide policies and criteria during program ~~and project~~investment discussions to assist in the ACTs in providing input for OTC action and decision making.
- ~~• Provide staff support as agreed upon (Section V.B.):~~
 - ~~o~~ Advise~~Inform~~ ACTs on technical or policy issues relating to transportation safety, bicycle and pedestrian facilities, passenger rail and freight, trucking, public transportation, scenic byways, motor carriers, and state/local government relationships, and outcomes such as climate, equity, safety and other key considerations.
 - o Provide project status as member of the ACT.
 - o Conduct a biennial review of the ACT Charter and/or Operating Agreements.
 - o Provide documentation to the OTC of the public process and resulting recommendations forwarded by each ACT including alternatives for solutions and outcomes of decisions.
- Complete "feedback loop" with the ACTs, ensuring two-way communication is

completed, particularly timely communication regarding how their recommendations and feedback was or was not used in making final decisions.

III. AUTHORITY

ORS 184.610 to 184.666 gives the ~~Oregon Transportation Commission~~OTC the authority to establish the policies for the operation of ~~the Oregon Department of Transportation~~ODOT and for the administration of programs related to transportation. ~~The Area Commissions on Transportation~~The ACTs are advisory bodies chartered under authority of the OTC. The OTC may charter an ACT when it demonstrates, and as long as it maintains, a structure consistent with the requirements contained in this document. The OTC retains oversight and final decision making authority to assure-

efficient management of the state Transportation System. ACTs provide valuable input and recommendations to that process.

An ACT is a voluntary association of government and non-government transportation stakeholders and has no legal regulatory, policy, or administrative authority. The ACT process and resulting recommendations shall comply with relevant laws, regulations, and policies. As an advisory body to the OTC with authority to make recommendations on policy or administration, ACTs meet the definition of a “Governing Body” and fall under the requirements of the Public Meetings Law (-ORS 192.610 to 192.690). An ACT's members shall comply with the requirements of Oregon Government Standards and Practices laws concerning conflict of interest.

ACTs should apply a statewide perspective to address the Transportation System with primary focus on the state Transportation System (see Glossary, Attachment D). ACTs may also consider Regional and local transportation issues. Multi-ACT collaboration may be requested to facilitate consideration of issues that have a broader geographic scope than any one ACT. The needs of urban and rural areas may be different and discussions may include ACT representatives from more than one ODOT Region to help focus discussions on corridor or system needs.

IV. ACT STRUCTURE AND MEMBERSHIP

A. Geographic Coverage

Because the ACTs (and, where applicable, the MPOs) are primary advisors to the OTC with regard to transportation policies and programs which affect them, the OTC strongly encourages coverage of the State with respect to ACT or MPO representation.

The OTC recognizes that there is strength in member familiarity with Regional issues, and thus, expects that an ACT will encompass an area that geographically represents all its interests. The rationale for ACT boundaries should be consistent with a “geographical community of interest” regarding the state Transportation System and coordinated with existing Regional inter-governmental relationships. Shared interest might include a similarity of population, economy, land use, infrastructure needs, contiguous boundaries, commute shed, political and programmatic interests, and collaborative opportunities. The geographic boundaries of an ACT ~~or MPO~~ may change over time and if this occurs, an amendment to the boundaries will be negotiated and agreed upon by the affected parties, and a formal request for change will be submitted in ~~writing to~~ [writing to](#) the OTC for approval. Each ACT will develop an Operating Agreement (Section V. ~~7~~, A.) and this agreement will articulate the rationale for its specific boundaries.

B. Membership

When establishing the ~~voting~~⁴ [voting](#)⁴ membership, an ACT needs to consider all modes and aspects of the Transportation System. An ACT ~~will~~ [must](#) have a voting membership which is reflective of its [socio-demographic](#) population and interest groups and will be broadly representative of those impacted by ACT recommendations. At a minimum, ACT representation will include at least 50% elected officials from the Area. Representation shall include City, County, and MPO officials within the ACT boundaries. Representatives of the nine federally recognized Tribal-

⁴ [Voting may be by consensus or majority, as defined in the individual ACT Operating Agreement\(Section V.A.\).](#)

Governments in Oregon as named in ORS 172.110, Port officials, and Transit officials⁵ shall also be invited to participate ~~as voting~~as voting members and will count toward the requirement of at least 50% elected officials. The remainder of the representation should be from interested stakeholders which ~~may~~should represent, but are not limited to: ~~freight~~, trucking, air, rail bicycle, pedestrian, public transportation~~-system~~, public interest advocacy groups, environmental or climate, land use, local citizens, business, education, public safety providers or organization, non-profit organizations, etc. ODOT will be a voting member on each ACT. Members should be carefully selected so that transportation recommendations are coordinated with other local and Regional community development activities, creating consensus within ~~the~~ AreatheArea on transportation issues and priorities. The ACT will determine the total number and selection of ACT members.

⁴ ~~Voting may be by consensus or majority, as defined in the individual ACT Operating Agreement (Section V.A.).~~

⁵ ~~In some geographic areas, Port and Transit officials are appointed, not elected.~~

In addition to the official membership, each ACT should include appropriate ex officio members and give full consideration to their comments and recommendations. Ex officio members may include:

- Oregon Transportation Commissioners, state legislators, and local congressional aides.
- Regional Solutions Teams.
- State and federal agencies such as US Forest Service, BLM, Fish and Wildlife, Department of Environmental Quality, Department of Land Conservation and Development, or Department of Aviation.
- City and county road district or department.
- Regional groups that have an interest in transportation issues such as housing advocates, Regional Partnerships and Regional Investment Boards, law enforcement agencies, etc.

The ACT should encourage participation of adjacent ACTs and consider inviting representatives as ex officio members. Adjoining ACTs should be included on all mailing lists and be invited to attend all ACT meetings.

As an ACT experiences membership turnover, it should review representation to ensure continued balance of all groups the committee represents. When providing reports to the OTC, ACTS will be asked to describe how they have met the membership guidance. If ~~circumstances within~~circumstances within the ACT (e.g. small population and large geographic area) prevent the ACT from ~~meeting the~~meeting the minimum membership requirements, the ACT may develop an alternate proposal for approval by the OTC during its biennial review.

C. Technical Advisory Committee and Other Subgroups

Although not required, the ACT may establish ~~a~~ad hoc subgroups such as technical advisory committee (TAC) as needed to assist during project or policy discussions. The ~~TAC~~subgroups may be a standing committee to the ACT or formed on an ad-hoc basis as needed. The ACT will determine membership of the ~~TAC~~subgroups and ~~its~~their role will be defined in the Operating Agreement or related document.

V. OPERATIONS OF THE ACT

A. ACT Operating Agreements, Charters, Bylaws

ACT Operating Agreements, Charters and/or Bylaws must clarify the roles and processes between

⁵ In some geographic areas, Port and Transit officials are appointed, not elected.

-members, agencies, ODOT, and the OTC. Operating agreements and bylaws are acceptable substitutes for charters. They are intended to specify how members will be selected and define membership beyond that required in this document, including the total number and the voting status of each member. Operating ~~agreements~~ Agreements, Charters and/or Bylaws shall provide for a wide solicitation for non-elected membership, and specify the solicitation process used. In addition, ~~Operating Agreements shall specify~~ these documents shall specify when, where, and how meetings will be conducted, officers and terms of office, whether or not alternates will be allowed, the public involvement processes which the ACT will use, number of members required to constitute a quorum, decision making process (e.g. ~~consensus or~~ consensus or majority vote), and whether technical advisory committees or subgroups will be used and how they will be constituted.

Some ACTs may choose to have an executive/steering committee and if so, the Operating ~~Agreement~~ Agreements, Charters and/or Bylaws will describe the committee's authority and how it meets the requirements of ~~this document~~ this document, particularly in regard to membership and public involvement. ~~The Operating~~

~~Agreement~~ [These documents](#) will articulate how the executive/steering committee will communicate with the full ACT.

The Operating Agreements [and other documents](#) shall clarify that ACTs are advisory bodies that ~~make recommendations~~ [makerecommendations](#) to the Oregon Transportation Commission.

B. Staffing and Financial Support

An ACT must be staffed either by ODOT or an organization with which ODOT could contract administrative services. The ACT and ODOT will jointly agree on how the ACT will be staffed. ODOT will provide planning staff assistance to the ACT and financial support for administration of the ACT in an amount sufficient to meet OTC expectations. Where it makes financial and logistical sense, the management and technical support services of an MPO and an ACT may be combined to increase consistency, cost-efficiency, and coordination.

C. Public Involvement

As an advisory body that has authority to make recommendations to the OTC on policy or administration, an ACT must comply with the requirements of Oregon's Public Meetings Law found at ORS 192.610 to 192.690. The policy underlying the law is to ensure an open governmental decision making process, and so facilitate the public's awareness "of the deliberations and decisions of governing bodies and the information upon which such decisions were made" (ORS 192.620.).

The Public Involvement section gives more detail than other portions of this document. Attachment A provides the minimum and preferred public involvement requirements for different types of ACT meetings. The ACT may use Attachment A as a template to incorporate into its bylaws. The goal is to achieve statewide consistency through an open, understandable process that meets state and federal public involvement policies, while continuing to recognize Regional differences in issues and priorities. In its ~~biennial report to the OTC~~ [Work Plan](#), the ACT will describe how it meets ~~the~~ minimum [public involvement](#) requirements. The ACTs must follow all relevant federal laws, regulations, and policies for public involvement, including Title VI and Environmental Justice requirements, and all applicable ODOT policies.

For ACTs to fulfill their advisory role in prioritizing transportation problems and solutions and recommending ~~projects~~ [investment strategies and investments](#), the ACTs must involve the public and-

stakeholders in their decision making processes. As the ACTs consider local, Regional and statewide transportation issues, ~~it is~~[itis](#) important that they use the appropriate level of public involvement and/or public information. -To comply with federal Environmental Justice requirements [as well as state equity expectations](#), the public involvement process needs to identify a strategy for engaging minority and low income populations in transportation decision making. Meeting materials and facilities shall be accessible to those with disabilities pursuant to ADA standards.

The responsibility for developing agendas, distributing materials, taking minutes, website maintenance, and other duties related to ACT public involvement shall be covered in the joint agreement identified in Section V.B., Staffing and Financial Support. ODOT will maintain a website that provides information and links to each of the ACTs:

~~(http://www.oregon.gov/ODOT/COMM/Pages/act_main.aspx).~~ https://www.oregon.gov/odot/Get-Involved/Pages/Area_Commissions.aspx

VI. BASIS FOR DECISION MAKING

The ACT shall function as an advisory body to the OTC, which has final decision authority. The ACT process and resulting recommendations shall comply with relevant laws, regulations, and policies. ACT recommendations must comply with the policies and standards adopted by the OTC when they are considering recommendations relative to the STIP. When ACTs are providing recommendations on policy, they have greater latitude in formulating their response.

Recommendations shall be based on local, state, and federal adopted transportation plans, policies, and procedures including, but not limited to:

- Oregon Transportation Plan and supporting mode plans (e.g. Oregon Highway Plan and Oregon Public Transportation Plan)
- Oregon Public Meetings Law, ORS 192.610 to 192.690 (See State of Oregon, Department of Justice, *Attorney General's Public Records and Meetings Manual*)
- State corridor and facility plans
- Transportation Planning Rule, OAR 660-012
- Transportation system plans
- MPO regional transportation plans
- Federal transportation planning regulations
- Local government plans, regulations, and ordinances
- Project selection criteria and prioritization factors approved by the OTC, including Oregon Transportation Management System data
- State Agency Coordination Program, OAR 731-15
- Additional criteria established by the OTC
- Oregon Government Standards and Practices, ORS Chapter 244
(See *Oregon Government Standards and Practices Laws, a Guide for Public Officials*, by the Oregon Government Standards and Practices Commission)

ACTs may use additional criteria to select and rank projects provided the criteria do not conflict with any criteria established by the OTC. If an ACT chooses to use additional criteria, they must inform those developing project proposals about the criteria. ACTs shall apply Regional-

and statewide perspectives to their considerations, refining recommendations after consultation with ~~any affected~~any affected metropolitan planning organization.

Recommendations ~~to the OTC~~ shall be documented and forwarded to ~~the OTC~~ODOT with the factors used to develop the recommendation, including any additional criteria used by the ACT in forming its recommendation. Documentation developed by a member whose recommendations were not incorporated into the final ACT recommendations will be forwarded to the OTC with other materials documenting ACT recommendations.

~~Recommendations to the OTC will be made in accordance with the approved STIP-
Development Timeline: (<http://www.oregon.gov/ODOT/TD/STIP/Pages/default.aspx>).~~ODOT will ensure that feedback loop is completed.

ODOT has established processes to apply Oregon Transportation Management System information for the identification, prioritization, and development of Fix-It projects, primarily bridge replacement/rehabilitation and pavement preservation projects. If the ACT reviews Bridge

or Preservation projects based on OTC approved criteria, the role of the ACT shall be to review the recommended lists of projects and to provide information to ODOT regarding any special circumstances within the Area that may apply to the prioritized list. Due to the highly technical nature of the bridge project selection, prioritization is primarily the responsibility of the technical staff utilizing the Bridge Management System. For preservation projects, the list from the Pavement Management System is enhanced by ACT knowledge/information that helps meet state and local objectives (e.g. leverage funding sources, bundle with other projects, or coordinate with local projects).

Federal regulations require MPOs to select transportation projects within the MPO boundaries from a limited pool of projects identified in the MPO's financially constrained regional plan. Selection of other projects within the MPO boundary requires coordination with the MPO and amendment of the MPO plan and TIP prior to adding them to the STIP. Outside MPO boundaries, ACTs may draw from a larger pool of projects found in local transportation system plans, which are not necessarily financially constrained.

VII. COORDINATION

Because of the fundamental importance placed on recommendations by the ACTs, coordination shall be a primary obligation and ACTs are expected to meet a high standard in this area. To ensure that recommendations have been reviewed for local, Regional, and statewide issues and perspectives, ACTs should communicate with others that may have knowledge or interest in the area. Working with a broad representation of stakeholder groups should also help provide a balance between local/Regional priorities and statewide priorities. ACT coordination should include, but not be limited to, the following groups:

• ~~ODOT Oregon Transportation Commission~~

•

- Other ACTs within and across ODOT Regions
- ODOT Advisory Committees
- Regional Solutions Teams
- Regional Partnerships and Regional Investment Boards
- Nine federally recognized Tribal Governments in Oregon as named in ORS 172.110
- MPOs
- Local Governments, Transit and Port Districts
- Stakeholder groups (e.g. environmental, business, state and federal agencies with ~~land~~ ~~holdings within the ACT boundary~~)

land holdings within the ACT boundary)

- General public

It is recommended that the ACT develop a diagram or flowchart showing the numerous relationships within the ACT. The diagram should be available at each meeting of the ACT.

A. Oregon Transportation Commission

ACTs will ~~provide complete~~ a ~~report to the OTC at least once~~ Work Plan every two years. The ~~report~~ Work Plan will provide an opportunity for the Commission to review the ACT charter; ~~operating agreements~~ and proposed work program. If modifications are required to comply with new or updated OTC direction (e.g.

revising processes to conform to the revised “Policy on Formation and Operation of Area Commissions on Transportation (ACT)”), changes will be incorporated at that time. An ACT, [ODOT](#), or the OTC may initiate additional communication on an as-needed basis.

~~ACTs will forward their recommendations and supporting information to the OTC for consideration. The OTC will provide feedback to the ACTs regarding actions taken.~~

B. ACTs Within and Across ODOT Regions

ACTs will coordinate with other ACTs as needed for recommendations to the OTC that may have a Regional impact (e.g. priorities along a specific highway corridor). To facilitate regular communications, adjacent ACTs should be included on the ACT mailing lists and invited to all ACT meetings. Meeting agendas and minutes should be provided to adjacent ACTs. The ACT should consider adjacent ACT representatives for inclusion as ex officio members.

C. ODOT Advisory Committees

ACTs are encouraged to keep ODOT’s specialized standing committees (~~e.g. Rail, Freight, Public Transportation, Bicycle/Pedestrian, Scenic Byways, and the Tri-Agency Committee for the~~ informed and to seek their comment on major policies and programs under consideration. Representatives should be included on the ACT mailing lists and invited to all ACT meetings. The committees have a mutual obligation to provide information to the ACTs regarding processes, technical data, and recommendations specific to the program.

D. Regional Solutions Teams

The Governor’s approach to community and economic development, established by Executive Order and enacted by House Bill 4015, recognizes the unique needs of each Oregon Region and the importance of working locally to identify priorities, solve problems, and seize opportunities to get projects done. The Regional Solutions Teams recognize the unique needs of each Oregon Region, and the importance of working locally to identify priorities, solve problems, and seize opportunities to get projects done.

Representatives of the RST should be included on the ACT mailing lists and invited to all ACT meetings: (~~<http://www.oregon.gov/gov/admin/regional-solutions/Pages/default.aspx>~~)<https://www.oregon.gov/gov/admin/regional-solutions/Pages/default.aspx> .

E. Regional Partnerships and Regional Investment Boards

Regional Partnerships and Regional Investment Boards are composed of local partners in two or more counties and the cities, ports, and tribes within those counties who agree to work together to provide a forum for coordination of economic and community development planning and investments so that strategies and processes for economic and community development are leveraged to the greatest extent possible to meet agreed upon priority issues, challenges, and goals.

Representatives of Regional Partnerships or Regional Investment Boards should be included on the

ACT mailing lists and invited to all ACT meetings. ACTs are encouraged to either be one and the same with a Regional Partnership or be organized to work effectively with and contribute to the work of a Regional Partnership.

F. Tribal Governments

OTC recognizes that the nine federally recognized Tribal Governments in Oregon, as named in ORS 172.110, represent sovereign nations. ACT recommendations will consider the needs of these nine Tribal Governments, as well as coordination with the tribal Transportation Improvement Program (TIP) and other projects being developed by the Tribal Governments. To provide this coordination and understanding, representatives of the above described Tribal Governments shall be invited as voting members of the ACT, as applicable.

G. MPOs

While the ACTs provide valuable advice on project priorities and other policy issues, the MPO is 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 develop a Transportation Improvement Program (TIP) that approves all projects that are regionally significant or that include federal funds, by year and by phase within the MPO planning areas. Before FHWA and FTA can approve Federal transportation funding for projects or activities within urbanized areas, they must be consistent with the MPO's Regional Transportation Plan (RTP) and TIP.

~~The MPO must have a continuing, cooperative and comprehensive transportation planning process that results in plans and programs that consider all transportation modes and supports metropolitan community development and social goals. These plans and programs shall lead to the development and operation of an integrated intermodal transportation system that facilitates the efficient, economic movement of people and goods (23 CFR 450.312).~~

ACTs and MPOs should coordinate their efforts to assure a better decision making process which results in better coordination of projects. The form of coordination should be different depending upon where MPO and ACT boundaries fall. When ACT and MPO boundaries overlap, a higher level of clearly defined coordination is needed and it is important that ACT activities fully coordinate with the MPO planning process. The MPO and ACT should ~~jointly agree~~jointly agree on a process for maintaining consistency between ACT recommendations and the MPO

Plan and TIP, where this occurs. An MPO representative shall be included as a voting member on the ACT if within the same geographic area as an ACT.

For ACTs that are near or adjacent to an MPO, a sufficient level of coordination can be achieved by simply communicating the priorities of each group. This might be done through ex officio membership on committees or some other mutually agreeable, less formal method.

H. Local Governments, Transit and Port Districts

Transportation recommendations will be coordinated with other local and Regional community development activities. ACT representation shall include port and transit officials from the area. ACT representatives of these groups are responsible for providing regular updates to their respective organizations on actions and recommendations being considered by the ACTs.

I. Stakeholder Groups

While it may be impractical to include representatives from every stakeholder group on the ACT, the ACT needs to make a concerted effort to hear the concerns and recommendations of stakeholders prior to making decisions regarding recommendations to the OTC. The ACT will provide easy access to technical materials and supporting documentation considered by the ACT during its decision making process and shall consider and respond to public input received during the planning and program development process. (Section V.C. and Attachment A).

Attachment A Public Involvement

ACT meetings will comply with the requirements of the Oregon Public Meetings Law, ORS 192.610 to 192.690. “Meeting” means “the convening of a governing body of a public body for which a quorum is required to make a decision or deliberate toward a decision on any matter” ORS 192.610(5). Meetings include information-gathering sessions, working lunches, and electronic meetings. All ACT meetings will be open to public attendance and any member of the public may attend any meeting of the ACT.

A. MINIMUM REQUIREMENTS FOR REGULARLY SCHEDULED MEETINGS

The ACT will conduct all meetings in accordance with the following minimum requirements and will strive to meet the preferred standards. The regular meeting requirements will be supplemented with the methods found in Table 1 if the meeting falls into the following additional categories:

- Developing project priorities for Draft STIP using approved criteria
- Draft STIP public hearing
- Special meetings
- Electronic meetings

Meeting Notice

- Advance notice to interested persons and stakeholder groups on ACT mailing list and to news media which have requested notice.
- Notices must include time, place, agenda (principal subjects), and name of person and telephone number (including TTY number) at the public body to contact to make a request for an interpreter for the hearing impaired or for other communication aids.
- A good faith effort must be made to provide an interpreter for hearing-impaired persons on receipt of proper notice (ORS 192.630(5)).

Meeting Materials

- Distribute decision item information to everyone in attendance at the meeting.
- Provide time on the agenda for general public comment.

Meeting Schedule

- If regularly scheduled meetings are not possible, the minimum standard is to provide extra public notification by following the preferred method of meeting notification.

Meeting Location

- Meets accessibility requirements of the Americans with Disabilities Act (ADA).
- No meeting may be held in buildings where discrimination (race, sex, age, national origin, color, creed, disability) is practiced (ORS 192.630(3)).
- Generally held within the geographic boundaries of the ACT’s jurisdiction. Training sessions may be held anywhere.
- Contains adequate seating and facilities to encourage attendance by the general public.

Meeting Minutes

- Minutes shall be prepared for all ACT meetings. Minutes must include at least:
 - Members present.
 - All motions, proposals, and resolutions proposed and their disposition.
 - Results of all votes/decisions. Secret ballots are prohibited.
 - Substance of all discussion.
 - Reference to all documents discussed (confidentiality of records exempt from disclosure may be protected).
 - After each ACT meeting the ACT shall prepare and distribute the minutes prior to the next ACT meeting.
 - As appropriate to the Area, meeting minutes should be provided in languages other than English.⁶
 - Minutes must be preserved for a reasonable time.

B. PREFERRED STANDARD FOR REGULAR MEETINGS

In addition to the minimum requirements, the preferred standard for regular meetings includes:

Meeting Notice

- One week advance notice.
- Notices posted at local public institutions (city hall, library, community center, etc.).
- Notice posted on ACT website, along with links to meeting agendas, past meeting minutes, technical materials and documentation.

Meeting Materials

- Provide an advance agenda one week prior to the meeting, either on the ACT website or through the mail.
- For decision items, provide technical materials and supporting documentation one week prior to the ACT meeting. Materials can be distributed through the ACT website and/or through the mail.
- Provide copies of all correspondence received prior to the meeting to ACT members and the public attending the meeting.

Meeting Schedule

- Regular schedule (e.g. meetings at 1:00 p.m. on the last Thursday of each month).

Meeting Location

- Easily accessible by public transportation.

Meeting Minutes

- Post minutes from the meeting on the ACT website.

⁶ A Governor's task force is currently working on methodology for meeting the federal requirements for Limited English Proficiency. Public involvement at the ACTs will need to comply with the guidance developed.

C. EXECUTIVE SESSIONS

The responsibilities of the ACT do not include work permitted in an executive session (ORS 192.660).

D. CONTROL OF MEETINGS

- The presiding officer has inherent authority to keep order at meetings – can “reasonably” regulate the use of cameras and audio recorders.
- No smoking is permitted at any meeting of the ACT.

E. ROLES AND RESPONSIBILITIES

Roles and responsibilities of parties engaged in public involvement activities on behalf of ACT will be designated in the joint agreement identified in Section V.B. Staffing and Financial Support.

F. PUBLIC COMMENT

The public shall be provided opportunities to speak to the merits of proposals before the ACT and to forward their own proposals. Public comment may be taken at any time during the ACT meeting. Copies of all correspondence received prior to the meeting should be available for ACT members and the public at the meeting. The ACT public involvement process shall demonstrate explicit consideration and response to public input during the planning and program development process.

Type of Meeting	Meeting Notice		Meeting Materials		Meeting Schedule		Meeting Location	
	Minimum	Preferred	Minimum	Preferred	Minimum	Preferred	Minimum	Preferred
Developing Project Priorities for Draft STIP Using Approved Criteria 	-Same as Regular Meetings	-Same as Regular Meetings plus -Paid Advertising	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings plus -In establishing outreach activities for-specific projects or topics consider locations that would be frequented by that community (e.g., social service organizations, schools).
Draft STIP Public Hearing 	-Same as Regular Meetings plus -Paid Advertising	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	Same as Developing Project Priorities for Draft STIP Using Approved Criteria
Special Meetings 	-Same as Regular Meetings plus -Minimum 24 hours hours' notice	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings
Electronic Requirements apply to all meetings by electronic means (e.g., personal computers).	-Same as Minimum for meeting type listed above. All procedural and formal requirements apply (minutes, notices, etc.). ORS 192.670.	- Same as Preferred for-appropriate meeting type listed above	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	-Same as Regular Meetings	Same as Regular Meetings plus -Room with "listening" device	-Same as Regular Meetings

Attachment A Table 1

Attachment B

How An Act Is Established and ~~Biennial-~~ ~~Report~~Work Plan Structure

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)~~.ACT. The proposal should address the key questions listed below. The proposal is circulated among local jurisdictions for comment, revision, and eventually expressions of support. The State Community Solutions Team reviews the proposal for coordination with the Regional Partnership Initiative. The ~~Oregon-Transportation Commission~~OTC reviews the proposal. Once the ~~Commission~~OTC accepts the proposal, it adopts a resolution providing a provisional charter for the Area Commission on Transportation. The ACT selects its members and begins to function as an official advisory body to the Oregon Transportation Commission.

The ~~Biennial Report~~Work Plan development should follow a similar process in addressing the questions below and should be reviewed by the ACT membership before submitting to ~~the-OTC~~ODOT.

Key Questions to be addressed in an ACT Proposal

~~The Oregon Transportation Commission~~The OTC expects that for an ACT to be effective it will represent the political environment of the Area. Therefore, each ACT may look and function somewhat differently than another.-

However, each proposal or biennial report for an ACT should address ~~at least~~at least the following questions:

1. What is the rationale for the geographic boundaries of the proposed ACT? If the boundaries are being modified, why?
2. What are the proposed voting and ex officio membership categories and how do they ensure coordination with existing Regional public agencies?
3. Is the membership broadly representative of local elected officials and inclusive of other key stakeholders and interests (IV.B. Membership)? If key representation is not included, explain the justification.
4. How would/does the ACT coordinate with adjacent ACTs and/or MPOs and involve state legislators?
5. What is the proposed work program of the ACT?
6. How will/does the ACT meet the minimum public involvement standards as shown in Attachment A of this document?
7. Who would/does help guide the work program and agendas of the ACT? Indicate the general operational structure.

| 8. How would/does the ACT secure technical assistance on transportation issues?

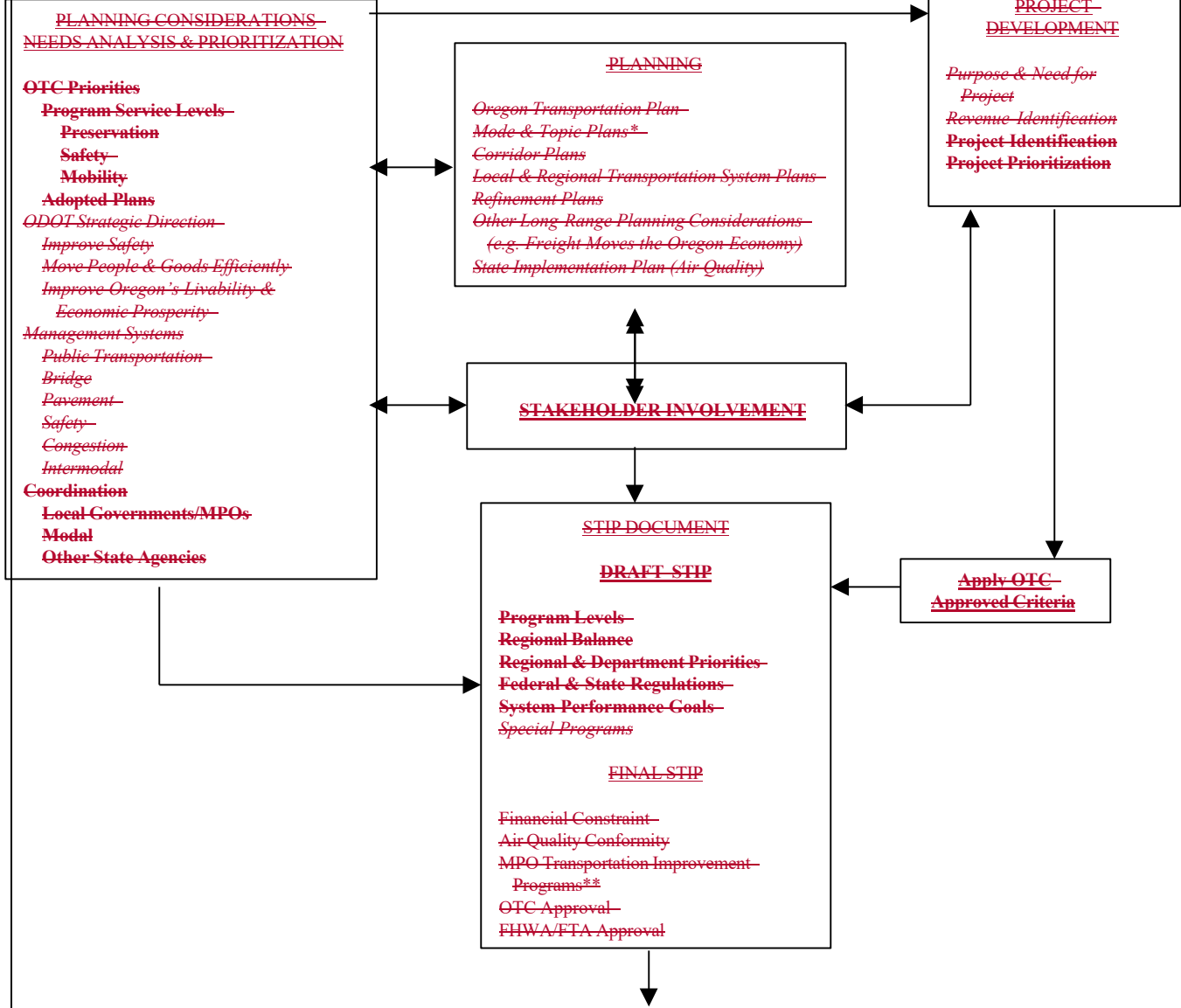
9. What key work efforts will be / have been addressed by the ACT?

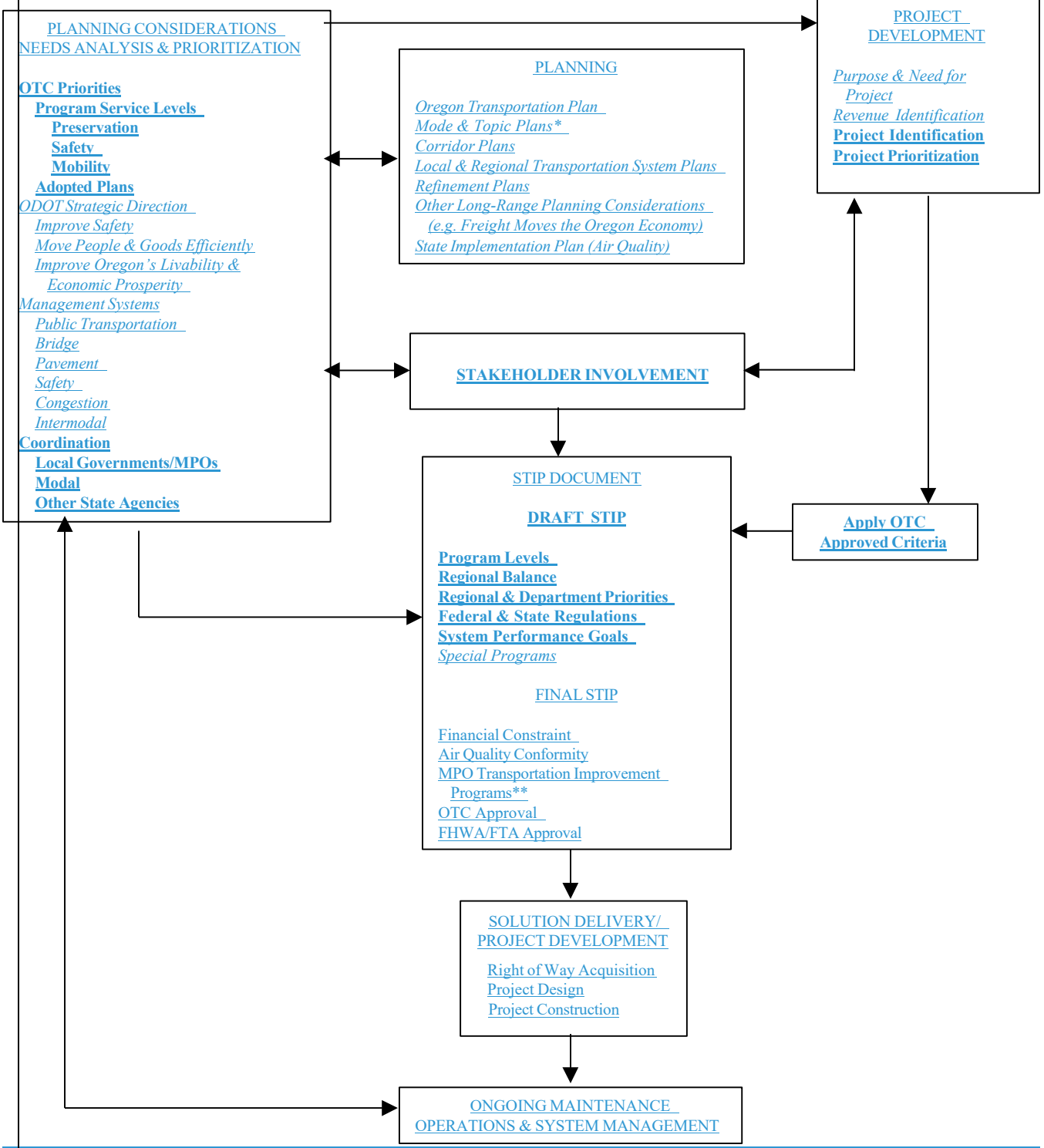
10. Who would/does provide support staff to the ACT?

11. What will be / is the decision making process used by the ACT?

**ATTACHMENT C: ACT
PARTICIPATION TYPICAL
PROCESS ELEMENTS**

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM





* Bicycle/Pedestrian, Highway, Public Transportation, Rail Freight, Rail Passenger, Transportation Safety Action, Aviation
 ** MPO TIPS must be included in ODOT's STIP without modification. To ensure state priorities are considered, ODOT must be involved in the local planning project selection process.

Bold Text = Primary Role for ACTs
Italicized Text = Optional Role for ACTs
 Black Text = Not covered for Formation and Operation of ACTs document

Attachment D

Glossary of Terms

Area—When capitalized, describes the geographic area of the Area Commission on Transportation.

Region—When capitalized, describes the Oregon Department of Transportation geographic regions.

Regional—When capitalized, includes considerations of other communities, regional movements, and patterns of transportation.

Transportation System—When capitalized, includes the following modes and aspects:

- Air, marine, & rail (freight and passenger)
- Highway (trucks, buses, and cars)
- Transit
- Bicycle/Pedestrian

To consider all modes and aspects of the Transportation System in formulating recommendations, ACTs would take into account the provision of elements and connections between air, marine, rail, highway, trucking, transit, bike, and pedestrian facilities.

Verbs:

Obligation—This category of terms shows the ACTs' responsibility to ensure the outcome to the OTC. The terms that fall within this category include:

- Must
- Shall
- Will

Encouraged—This category of terms provides the ACTs some flexibility with their responsibilities to the OTC. The terms that fall within this category include:

- Should

Permitted—This is the most flexible category of terms. It allows the ACTs to decide whether or not to engage in evaluation of the particular situation. Terms that fall within this category include:

- May

Attachment E

Code of Conduct

Name of ACT**INSERT DATE**

Code of Conduct

{The following language is recommended but may be revised by each ACT.}

Purpose

The primary mission of the [NAME] Area Commission on Transportation is to advise the Oregon Transportation Commission (OTC) on state and regional policies, funding, and investments affecting the transportation system.

To achieve this mission, each ACT meeting should be an open forum where members feel secure sharing their values and viewpoints and all opinions are respected. Additionally, any reference to or discussions about ACT members outside ACT meetings should be respectful.

The Code of Conduct policy sets expectations to guide [NAME] ACT members in their actions during and outside of ACT meetings. This policy establishes options for managing conflict and a process for addressing unacceptable behavior.

Conduct

During ACT Meetings

- Communicate in a respectful and professional manner
- Hold oneself accountable
- Respect physical and verbal boundaries
- Build positive relationships
- Act in the best interest of the ACT's agreed-upon purpose
- Avoid personal comments that are intended to, or could reasonably be construed to, offend others
- Create opportunities for everyone to speak
- Exercise tolerance of the perspectives and opinions of others
- Refrain from making inappropriate comments
- Be welcoming to speakers and treat them with respect

Outside of ACT Meetings

- Communicate in a respectful manner
- Limit discourse outside of meetings
- Discuss topic areas thoughtfully rather than attacking individual behaviors
- Be aware of the public nature of written notes, calendars, voicemail messages, and e-mail
- Understand proper political involvement
- Make no promises on behalf of the ACT in unofficial settings

Name of ACT

INSERT DATE

Managing Meetings

ACT Chairs play an important role in ensuring meetings are open to all those who wish to participate in a respectful and constructive manner.

ODOT Region ACT staff, whether or not a member of the ACT, should encourage ACT members to participate by establishing and maintaining open and constructive meetings and partner with the ACT Chair.

To encourage respectful dialogue and meeting efficiency, ODOT Region ACT staff and ACT Chair should ensure meetings should be conducted with the following actions:

Maintain control	Set clear expectations of time allotment and goals.
Keep to the agenda	Note when discussion has wandered away from the agenda topic and get back to the agenda item when necessary.
Encourage full participation	Ensure a respectful and safe environment for everyone to participate; free of insults, disrespect, yelling or other inappropriate behavior.
Discourage time monopolizing	Some members may monopolize time and discourage others from participation. The Chair should discourage this behavior and encourage quieter members to participate by allotting them time to speak.
Weigh all contributions and summarize discussion points	It is important to recognize all participation and consider all contributions. The Chair should note all the viewpoints and summarize impartially before any decisions are made.
Keep calm with strong leadership	ACT Chairs are considered leaders and others look to them to stay calm and provide fairness to all members.

Addressing Unacceptable Behavior

During ACT Meetings

ACT Chairs and ODOT Region ACT staff should follow the steps below when addressing unacceptable behavior during ACT meetings while ACT members may also assume this responsibility:

1	Redirect	Redirecting discussions back to the agenda topic may prevent escalated behavior and language.
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Name of ACT

INSERT DATE

2	Verbal warning	Any member or attendee acting inappropriately will be notified by the ODOT Region ACT staff or ACT Chair of such with a verbal warning.
3	Asked to leave meeting	Following a verbal warning, anyone who continues acting inappropriately will be asked by ODOT Region ACT staff or ACT Chair to leave the meeting for the remainder of the meeting.
4	Written warning	A written warning from ODOT Region ACT staff or ACT Chair will be issued to anyone who is asked to leave a meeting or is found to behave inappropriately toward an ACT member or other participant(s).
5	Warning of removal from ACT	ODOT Region ACT staff or ACT Chair may issue a warning of ACT termination to any member who continuously behaves inappropriately during or outside of meetings resulting in more than two written warnings in a span of 12 months.
6	Removal from ACT	The ODOT Region ACT Member should consult with the ACT Chair for removal of any ACT member who behaves inappropriately. This decision will be based on the severity and/or frequency of behavior resulting in written warnings.

Outside of ACT Meetings

In instances where inappropriate behavior associated with the ACT has occurred to anyone affiliated with the ACT (members, staff, the public, presenters), the following steps should be taken to address this behavior:

1	Verbal warning	Any member or attendee acting inappropriately will be notified by ODOT Region ACT staff or ACT Chair with a verbal warning that their behavior is offensive or inappropriate.
2	Warning of removal from ACT	A written warning from ODOT Region ACT staff or ACT Chair will be issued to anyone who has engaged in unacceptable behavior toward an ACT member or ACT meeting participants outside of the meeting whether in person, via email or other methods.
3	Written warning	The ODOT Region ACT staff or ACT Chair will issue a warning of ACT termination to any member who continues behavior after initial warning.

Name of ACT

INSERT DATE

4	Removal from ACT	The ODOT Region ACT staff should consult with the ACT Chair for removal of any ACT member who behaves inappropriately. This decision will be based on the severity and/or frequency of behavior resulting in written warnings.
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Reporting

Anyone witnessing or experiencing inappropriate behavior related to ACT activities may wish to discuss informally with ACT Chair or ODOT Region ACT staff and may wish to resolve the issue personally. ACT Chairs and ODOT Region ACT staff should be available to anyone wishing to discuss concerning behavior.

ACT Chairs should make themselves easily approachable and available for anyone who wishes to discuss concerning behavior or incidents. ACT Chairs will determine if and when inappropriate behavior has occurred and work closely with ACT Region ACT staff to determine appropriate next steps and communicate with those parties involved. It is understandable that some actions or behavior may need additional exploration for determining if action is needed and ACT Chairs will work closely with ODOT Region ACT staff to make the most informed decision.

Behavior that is considered unacceptable toward anyone associated with ACTs should be reported as soon as possible to the designated individual(s) such as ODOT Region ACT staff or ACT Chair. Any member of the ACT, general public, staff, or presenters should report inappropriate or offensive behavior as soon as possible.

Reporting Inappropriate Behavior

Reports of inappropriate behavior can be to ODOT Region ACT staff or ACT Chair made by phone, email, or in person and can be made into formal record or not. If individuals feel comfortable doing so, it is recommended to document as many details as possible including related statements, physical actions, or other details as soon as possible after the incident. Reports of such behavior should be made to the ODOT Region ACT staff assigned to the ACT and include the ACT Chair and staff if they are not involved in the incident. Any incidents that involved the ODOT Region ACT staff, ACT Chair and other staff should be reported to the ODOT Region Planning Manager.

A report should contain the following:

- Names of all parties involved including witnesses.
- Date(s), time(s), and locations of occurrence.
- Specific and detailed account of conduct believed to be inappropriate or offensive.
- Include related screenshots, recording, or other documents.

Name of ACT**INSERT DATE*****Responding to a Report of Inappropriate Behavior***

The following steps should be completed when responding to a report or following an event:

- Provide specific information to facilitate understanding of what actions were deemed inappropriate.
- Offer resources or training to support the individual in addressing inappropriate behavior.
- Provide information on next steps if the actions occur again.
- Be made aware of any retaliation that occurs.
- Dismiss member, if necessary, by following the process described in the [NAME ACT] Bylaws or others guiding documents.
- Report back to those who filed the initial report or to the group if deemed appropriate.

Additional Resources Available

The following resources related to codes of conduct and inappropriate behavior may be useful:

State of Oregon Department of Administrative Services State HR Policy on Professional Workplace Behavior: <https://www.oregon.gov/das/Policies/50-010-03.pdf>

Resource needed: Recognizing Bias

Resource needed: Conflict resolution

Resource needed: Intervening

Contentious Meetings: Managing and Preventing <https://www.naco.org/articles/contentious-meetings-managing-and-preventing>

Attachment F

ACT work plan template

Name of ACT Work Plan

INSERT DATE

Work Plan for the Name of ACT

Dates Covered: 2023-2025

This template includes sample language. This language is provided to support ACTs in completing the necessary documentation. Each ACT should feel free to add its own language.

Introduction – Purpose

Area Commissions on Transportation offer venues to discuss regional transportation issues and provide input to the Oregon Transportation Commission (OTC) to inform their decisions. Per the OTC [Policy on Formation and Operation of ACTs](#), each ACT is expected to prepare a two-year Work Plan that identifies their areas of interest and priorities. Doing so is intended to help focus the work of each ACT and clarify how the group will engage and inform regional and statewide issues. The Work Plan is pre-populated with statewide items that the OTC and ODOT have identified will benefit from ACT engagement. Within this Work Plan the ACT should identify the topics to be covered over the next two years, recognizing things will arise that will require ACT attention that are not yet anticipated. Any identified topic should have a transportation nexus and be tailored to the ACTs ability to contribute or influence.

ACT Chair

Name of ACT Chair

Name of ACT Vice Chair or Co- Chair if applicable

Interest Areas and Priorities

{Include and describe a list of ACT interest areas and priorities specific to your ACT and those listed in the ACT Charter. This is the space to detail the priorities as discussed and agreed upon by the individual ACT. This can include a range of topics such as improve economic vitality, decrease crashes, support climate change actions, improve public transportation connections and accessibility, etc. with a nexus to how the ACT can support such outcomes.}

Two-Year Goals and Initiatives

Name of ACT Work Plan**INSERT DATE**

{Identifying goals and related initiatives for this two-year period that relate to the interest areas and priorities and further regional conversations or provide input to the OTC.}

Use this space to provide the ACT two-year goals and initiatives. Be specific. These goals should relate to the ACT priorities articulated above and have related outcomes and/or strategies. Examples include: learn more about growing industries and related regional transportation needs, engage more members of the public, seek understanding of connection between housing and transportation, etc. tied to tangible desired outcomes of how the ACT will engage in, advance, inform, or learn about different topics in order to advance transportation goals.

Goal 1

Desired outcomes and strategies

Goal 2

Desired outcomes and strategies

Goal 3

Desired outcomes and strategies

Meeting Topic Plan

Each ACT should identify a two-year meeting plan with dates/timing and discussion topics.

{All ACTs have a minimum list of topics (provided by OTC staff). This section should include that minimum list and others selected to support and inform the ACT members. Examples of required topics include Federal Infrastructure Bill presentations, STIP process, Connect Oregon review, Oregon Transportation Plan and other modal plan updates. Optional topic examples include regional priorities, ODOT Climate Change initiatives, Strategic Action Plan Implementation, Oregon State Rail Plan Implementation, etc.}

The minimum list for 2023-2025 includes:

- 2027-2030 STIP development
 - May-June 2023: This phase will focus on introducing the public to the STIP and the funding constraints for the 2027-2030 STIP. ODOT seeking ACT input on funding priorities.
 - August-October 2023: This phase will focus on seeking input on the funding scenarios.
- Connect Oregon
 - Likely early – mid 2024
- Oregon Highway Plan
 - ACT engagement in this plan update to begin in in 2024
- Rail Plan
 - ACT engagement in this plan update in 2024
- Transportation Safety Action Plan
 - Next update on this plan to begin in late 2024

Name of ACT Work Plan

INSERT DATE

- Issues of statewide interest (e.g. revenue and funding discussions, legislation, etc.)
- Identify regional funding needs and priorities
- Seek support for legislative funding requests
- Equity and transportation
 - Engage diverse voices
 - Consider equity in transportation plans, projects and processes

{Use this space to provide a meeting plan to achieve ACT Goals and Key Topics coverage.}

Reference: OTC ACT Formation Policy

https://www.oregon.gov/odot/Get-Involved/ACT/OTC_ACTpolicy.pdf