



January 8, 2007

To: LCOG Executive Committee
From: Byron Vanderpool
Subject: Joint MPC/Executive Committee Meeting
Action Recommended: None. Information Only.

Issue Summary

At its June 2006 meeting the LCOG Board of Directors sent a letter to the MPC regarding MPC's MPO duties. In its letter, the LCOG Board requested the MPC:

"Not later than the January 2007 MPC meeting (6 months), the MPC will develop a dispute resolution process for delegated MPO duties which ensures MPO responsibilities will be met. This process and supporting changes to MPC bylaws must meet the approval of the LCOG Board."

At its November 2007 meeting, the MPC directed staff to schedule a joint meeting between the MPC and the LCOG Board to discuss this issue. At this date, it appears this meeting will be scheduled for February 13. Jim Johnson has agreed to serve as meeting facilitator.

Under this agenda item, staff is providing the Executive Committee with relevant background materials to assist Executive Committee members in preparation for this meeting.

Background

In 1973, the governor designated LCOG as the Eugene/Springfield Metropolitan Planning Organization (MPO.) MPO's are responsible for performing certain regional transportation planning activities in urbanized areas of more than 50,000 population to meet federal requirements.

Between 1973 and 2003, the MPO functions were performed jointly by the LCOG Board and the Metropolitan Policy Committee (MPC), as directed by the LCOG board.

As of the 2000 census, the Eugene/Springfield metropolitan area exceeded 200,000 population, thus passing the threshold to become a Transportation Management Area (TMA), a special kind of MPO with expanded responsibilities.

At this time, a federal review of MPO operations noted deficiencies in the areas of public involvement and MPO representation. To address these issues, staff recommended, and the LCOG Board adopted, a delegation of full MPO responsibilities to the MPC, requiring the MPC to add appropriate representation (Coburg and ODOT), and to report its progress to the Board at least annually.

MPC made these changes in 2003 and assumed full responsibility for all MPO functions. MPC spends at least 2 hours per month discharging these duties. Transportation issues have dominated the MPC agenda since 2003.

In addition to its role in MPO functions, the MPC also serves as a dispute resolution/discussion body for MetroPlan issues, as the Metropolitan Cable Commission, and as the Metropolitan Parks and Open Space Committee. Its membership and voting structure change as it assumes each role. What stays constant is an “affirmative veto” provision, whereby each action taken requires at least one affirmative vote from each of Eugene, Springfield and Lane County. In all instances, Eugene, Springfield and Lane County are allowed two voting members each.

In November 2005, the MPC failed to pass an update to the Metropolitan Transportation Improvement Plan (MTIP) on a vote of 7 in favor and 2 opposed, the motion failing under the affirmative veto provision of the MPC bylaws.

The MPC remained at impasse over this issue into 2006. In early 2006, staff made the LCOG Board aware of a potential problem with continued federal transportation funding due to expiration of the old MTIP.

In February, MPC Chair Bobby Green was asked to provide a status update to the LCOG Board. Chair Green was later asked to attend the May Executive Committee meeting.

LCOG staff updated the Board and Executive Committee regularly throughout 2006.

At its June 2006 meeting the LCOG Board of Directors sent a letter to the MPC regarding MPC's MPO duties. In its letter, the LCOG Board requested the MPC do two things:

“1) At your July 13, 2006 meeting you will pass an FY06-09 MTIP. Its composition is left to MPC to decide; and

2) Not later than the January 2007 MPC meeting (6 months), the MPC will develop a dispute resolution process for delegated MPO duties which ensures MPO responsibilities will be met. This process and supporting changes to MPC bylaws must meet the approval of the LCOG Board.”

In July 2006, ODOT determined it would end the West Eugene Parkway project. With the project gone, the MPC passed an updated MTIP at its July meeting.

Federal regulations require the MPO have representatives of the policy makers within the MPO boundary, any local transit authority, and the state transportation authority. For the Central Lane MPO, this means representatives from Eugene, Springfield, Coburg, Lane County, LTD and ODOT.

Alternatives/Recommendation

1) LCOG Board removes request for MPC bylaws change.

Pros:

- Simplest approach.
- Protects affirmative veto for Eugene, Springfield, Lane County

Cons:

- Potential for MPO tasks to not be carried out, thus jeopardizing federal funding.

2) Reach compromise w/MPC

Pros:

- Ensures MPO duties carried out.
- Allows all parties to engage in crafting a solution.

Cons:

- May be difficult to craft a solution agreeable to all parties.

3) Rescind authority

- a) LCOG Board carry out – change membership
- b) LCOG Board establish new body – same membership as MPC.

Pros:

- Ensures MPO duties carried out.

Cons:

- Likely to result in dire political ramifications for LCOG which extend beyond MPO functions/issues.
- Requires LCOG Board to either change its membership and expand its transportation focus, or create a new body with the same representation, and likely the same membership, as MPC.

Recommend option 2.

Attachments:

1. Letter from LCOG Board to MPC dated June 22, 2006
2. MPC Cover Memo dated August 2, 2006 on Alternative Dispute Resolution Mechanisms.