



March 7, 2007

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

Issue Summary

The Metropolitan Policy Committee (MPC) and the LCOG Board (through the Executive Committee) have set a joint meeting to discuss an alternative dispute resolution process for the MPC's actions as it fulfills the Metropolitan Planning Organization (MPO) duties, delegated it by the LCOG Board.

This meeting is currently scheduled for March 20, from 5:30 to 7:30 p.m. in the LCOG 4th Floor Large Conference Room in the Wells Fargo building. Jim Johnson will facilitate this session.

This memorandum outlines some potential talking points, and some pros and cons of various approaches. It assumes an interest based negotiations session, rather than a position based one.

It is intended to spur discussion at the Executive Committee meeting March 15.

What is LCOG's Interest in the MPO?

- Greg James has given a much better summary than this, but basically, the transportation decisions made and projects funded through the MPO impact the entire county and all agencies within it. Thus LCOG, representing 27 government entities throughout Lane County, has a legitimate interest in how the MPO operates.

- LCOG represents government agencies throughout Lane County and exists to foster regional coordination and cooperation.
- LCOG was appointed by the governor in 1973 to serve as the MPO and has a responsibility to ensure MPO duties are carried out.
- LCOG has expressed its interest in MPO activities by requiring the MPC to bring it an annual MPO status report.

Possible Directions the Executive Committee Could Take:

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 (*this is the staff recommended solution*)

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 serve as MPO – change membership

b) LCOG Board establish new MPO body – same membership as MPC.

Pros:

- Ensures MPO duties carried out.

Cons:

- Might be impossible given the one person-one vote provision in the LCOG Charter.
- 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.

What about the Nuclear Option?

The LCOG Board could choose to rescind the delegation of MPO duties to the MPC. Aside from the sheer volume of work the Board would be required to perform, there are other considerations, including:

- For the Board to rescind the authority requires an action by the Board. If Eugene, Springfield and/or Lane County chose to invoke the one person-one vote provision in the LCOG Charter, they could prevent the Board from taking this action.
- Assuming the Board did rescind the delegation, it would have to add LTD and ODOT to the Board to take any MPO actions. As the MPC now spends approximately 2 hours per month performing MPO functions, the Board would also have to dramatically increase its meeting schedule. Note the one person-one vote provision of the Charter would remain.
- Alternatively, the Board could rescind the delegation and create a separate subcommittee to perform MPO tasks. This would have advantages from a Board workload perspective, and the ability of the Board to set and control the subcommittee's bylaws, but would require Eugene, Springfield, Lane County, Coburg, ODOT and LTD to agree to participate.

Other Issues/Questions/Possibilities:

- It is critical to focus on the future, not the past. Rehashing the West Eugene Parkway will not be helpful.
- The MPC is the only policy setting body I'm aware of that has no mechanism for resolving a dispute. Note that it only assumes a policy setting role when acting as the MPO or the Metropolitan Cable Commission. In its other roles (MetroPlan dispute resolution and Parks and Open Space Commission), it serves in an advisory function, with its recommendations requiring action by the individual agencies' councils and boards to actually adopt policy. If you reflect on your agencies' councils and boards (and the LCOG Board for that matter), you will find you have some method of resolving a tie or impasse. Not so the MPC.
- In some venues, Mayor Piercy has expressed an interest in a broader discussion of transportation policy setting and decision making that extends beyond the MPO boundary. The LCOG Board has also raised this topic in its goal setting sessions. Noting the County's long-standing objection to establishment of an ACT in Lane County, there may be value in the joint meeting in exploring a broader range of transportation policy problem

solving to allow the group to move a bit away from the specific MPC disagreement, and set the stage for coming to group consensus on something, thus making it easier for the group to resolve the specific issue at hand.

- For the sake of argument, if the “affirmative vote veto” is vital to MPC members’ being able to protect their agencies’ interests, then should it not be extended to Coburg, LTD and ODOT? Or at least to Coburg? The issue here being what the population/size threshold is where a “veto” is an appropriate tool. This is probably a dangerous path to follow, but so far in separate discussions, Eugene and Springfield MPC representatives have indicated they need the “veto” to protect their respective cities.