

Transportation Policy, Communication, and Coordination Assessment Report

January 29, 2014

Background

Stakeholders in the non-Metro areas of ODOT Region 1 have increasingly expressed concerns regarding their desire to have more input into decisions related to priorities for transportation funding. The primary tool that the Oregon Transportation Commission and ODOT relies upon for public engagement for the State Transportation Improvement Plan (STIP) and other statewide transportation policy planning processes is through Area Commissions on Transportation (ACTs). ODOT Region 1 is the one area in the State where there is not an ACT. The urban portion of Region 1, the areas that falls within the Metro boundary, is represented by JPACT, where there is inter-jurisdictional coordination for transportation project funding recommendations and public engagement. The areas outside of the Metro boundary, which mostly fall in Clackamas County and Hood River County, do not have the same opportunity for project coordination and public engagement.

Over the past several years, some rural Clackamas County stakeholders have been exploring the creation of a rural ACT. This led to the introduction of House Bill 2945 in the 2013 legislative session, which if enacted would have created such an ACT. In response to this situation and interest in whether these or related concerns might be shared by other rural areas, ODOT, Metro and Clackamas County jointly sought the assistance of Oregon Consensus¹ to conduct a broad assessment of the issues related to current transportation decision making. Specifically, the sponsors sought a neutral assessment of issues related to representation in the decision-making process regarding transportation policies, program mechanics and project prioritization and whether and how a collaborative, agreement seeking process could be used to address these issues.

During the period of September through November of 2013, Oregon Consensus staff members conducted interviews with over 60 stakeholders representing many interests including rural communities, urban areas, statewide policy makers, planners, local and regional governments, ports, and others. This report captures the themes that emerged from those interviews and provides recommendations of potential collaborative process options to enhance transportation decision making. The list of individuals interviewed and the questions asked are available at the back of this document.

¹ Oregon Consensus (OC) is part of the Oregon Solutions Network and serves as Oregon's official program established to promote effective, collaborative approaches for public decision-making in the state. OC provides assessment, facilitation, mediation and other alternative dispute resolution services to public entities and their stakeholders throughout Oregon. OC is a university based program located in Portland State University's Hatfield School of Government. OC offers state agencies, local governments and the public a neutral forum and neutral services in support of collaborative governance. An assessment conducted by a neutral third party is often critical to assuring that information gained is given freely and analyzed without bias.

Key Themes

- Clackamas County stakeholders are the most vocal and united in desiring more input on transportation decisions impacting their area. They have pursued efforts in the past to form a rural ACT and repeatedly suggested that prior efforts should be built upon rather than discarded. However, they perceive that ODOT does not support the creation of a rural ACT without reasonable explanation or exploration of realistic alternatives. In addition, these stakeholders had the impression that ODOT made a commitment to meet with them on a regular basis to discuss transportation issues, but this has not happened, to their knowledge. Nevertheless, they do seem to welcome the idea of expanding the ACT to include other areas of interest including Hood River County, east Multnomah County, and perhaps northern Marion County communities in the French Prairie area. However, other stakeholders representing these areas expressed some concerns about joining with Clackamas County in a larger ACT, noting political, geographical, logistical, and other issue differences.
- Metro councilors and staff, together with Portland, Beaverton, Lake Oswego, and Multnomah County seem most satisfied with the current approach, including JPACT's representation and functions. Metro Councilors and staff are invested in their current functions and responsibilities, although they are not necessarily opposed to the formation of ACTs that do not usurp their authority. These stakeholders also point out the required MPO functions that operate in accordance with long established agreements between Metro, ODOT, the Governor's Office, and the federal government (primarily FHWA).
- Other cities and counties within the MPO are less satisfied with their representation on JPACT and feel underrepresented. Numerous parties were interested in discussing JPACT membership and, in particular, reducing the number of Metro Councilors and adding at least one city representative for each county. The issue that interviewees described as "overrepresentation" of Metro on JPACT (three Metro Councilors including the chair), often came up in the context of the requirement that the Metro Council must also approve JPACT's recommendations. (Interestingly, a 2010 Portland City Club report, *"Moving Forward, a Better Way to Govern Regional Transportation"* also addressed this issue among other relevant issues discussed in this assessment. We did not find that any of the report's recommendations were enacted, though it may serve as a useful resource moving forward.) Others were less critical of Metro representation, noting that the councilors are elected from periodically adjusted districts within the metro area based on population size. Even so, Metro critics perceive Metro Councilors as having an "urban and multimodal bias" at the expense of highway modernization projects that would otherwise benefit the transportation needs of the growing outer metropolitan ring.
- The ODOT guidance on the formation of ACTs calls for diverse public and private membership. Views are mixed on the desirability of adding private sector interests to JPACT although a number of stakeholders mentioned the trucking industry and high tech industries as key stakeholders in the region whose interests should be represented on JPACT. A number of interviewees asked to learn more about how private sector interests have influenced the actions of other ACTs.

- Hood River County is also somewhat satisfied with the current approach since they have successfully received highway project funding as a result of their participation on the Region 1 STIP Committee and their other advocacy efforts (the Bridge of the Gods project was frequently mentioned). However, they expressed more interest in joining an ACT that has a focus on transportation connections along the Gorge, across the river in Washington, and to the Mt. Hood area. Their primary concern is with their limited capacity to participate in regional meetings and a concern about their voices being drowned out by the bigger players in Region 1. Columbia River Gorge Commission staff also voiced strong interests in playing a larger role in transportation planning for the region. The geographic area that they represent includes stakeholders from both states that have been identified as logical parties for undertaking regional transportation planning work, perhaps in an ACT-like structure.
- There is a widely held perception by those both within and outside of the Metro area that there is a lack of informative dialogue between the urban and rural areas. Rural stakeholders consistently complained of the lack of appreciation for the importance of highway improvements to support the transportation of goods and services that originate in rural areas (such as farm to market roads) and to support the tourism and recreation travel needs of urban residents. Conversely, some Metro stakeholders pointed out the lack of understanding in suburban and rural areas about their requirements to achieve clean air standards through the prioritization of multimodal projects.
- Many interviewees cited the Region 1 STIP selection committee, chaired by Bill Wyatt, as a good example of a region-wide collaborative effort that also included private sector interests. They also commended ODOT staff for their helpful role in this process. For these interviewees, this process provided an example of well-balanced representation. Others, particularly Metro representatives, were somewhat less satisfied with the STIP process because it resulted in disproportionate recommendations for funding projects outside of the MPO area.
- A number of people expressed that it would be difficult to change the status quo without some directive from the OTC and Governor's Office since JPACT and Metro's composition and authority as the MPO comes from agreement between the Governor's Office and the federal government in accordance with FHWA/FTA guidelines.
- Many interviewees discussed the possibility of forming several ACTs or a larger ACT-like entity with subcommittees structured around "communities of interest" or transportation corridors. Often cited examples included the Mt. Hood triangle of Highways 84, 26 and 35, the Columbia Gorge Scenic Area, and the Clackamas and Marion County areas around Highways 211, 213, 214 and 99E.
- There are significant differences between each of the five counties (including Marion County) which would present challenges to any collaborative effort among them. These differences include political orientation, geographic dissimilarities, financial capacity—both capital and human, rural vs. urban, and multimodal-oriented vs. highway-oriented.

- Many perceive Metro’s policy planning as “top down” and prefer a more traditional ACT where transportation policies and priorities emerge from the discussions of the various stakeholder interests. Even many JPACT members expressed a desire to re-examine how transportation planning policy issues are initiated and prioritized.
- There is near-universal agreement that the most significant transportation-related challenge facing all stakeholders is the lack of available funding to meet growing transportation maintenance and enhancement needs throughout the region.

Process Recommendations

The assessment interviews indicated that there is broad support to move forward with a consensus-seeking process to form one or more Area Commissions on Transportation (ACTs) or ACT-like structures representing ODOT Region 1. While it is not yet clear how one or more ACTs or ACT-like structures would overlap or otherwise impact Metro and JPACT's MPO responsibilities for transportation planning, many interviewees welcomed a facilitated discussion on that specific topic, as well as how the non-metro areas of Region 1 could be better organized and more effective. The Oregon Consensus assessment process was intended to determine whether there was potential for a collaborative process to be helpful and, if so, to recommend suggested processes to advance this conversation.

Based on the interview process, we believe that a collaborative effort may be beneficial provided that: A) Each of the co-sponsors indicate a willingness to consider new alternative models for transportation planning and project selection in the region, B) a broad-based group of stakeholders is engaged to fairly represent the many diverse regions and interests throughout the region, and C) clear objectives and a limited time frame are agreed upon by the participants.

With these provisions in mind, we recommend the following processes as potential next steps:

1. That the Governor's Office convene an ODOT Region 1 task force comprised of representatives of diverse interests in the region facilitated by a neutral entity, and charged with the following tasks:
 - a. Review the summary and recommendations of the Oregon Consensus Assessment Report and seek additional comments and ideas from task force members.
 - b. Reach consensus on task force objectives and develop an agreed upon timeframe for completing the tasks below.
 - c. Examine the history and experiences of other Oregon ACTs and urban/rural areas in other states that include or are adjacent to MPOs.
 - d. Develop one or more alternatives for the creation of one or more ACTs representing transportation interests within ODOT Region 1. These alternatives would include working assumptions about any overlap in responsibilities and coordination with the MPO/JPACT/Metro and would consider needs for addressing the community of interest with

- the Columbia River Gorge Scenic Area, including appropriate Washington stakeholders as an ACT or ACT-like structure.
- e. Plan a region-wide transportation summit for participation by all the region's transportation stakeholders. The summit would be designed by the task force and could include the following elements:
 - i. Summit opening remarks by the OTC Chair or ODOT Director and/or Governor's Office representative to indicate their willingness to consider a consensus-based proposal.
 - ii. Presentation of the Oregon Consensus assessment process and findings
 - iii. Overview of existing transportation funding structure and resulting regional funding allocations and methodology
 - iv. Overview of the history and experience of Oregon ACTs and MPOs
 - v. Presentation of two or more alternatives for creation of ODOT District 1 ACTs or ACT-like structures
 - vi. Breakout discussions to evaluate and comment on the alternatives
 - vii. Reporting back to the larger group
 - viii. Closing remarks including delivery of the assignments and expectations for the task force moving forward.
 - f. Review the results of the summit and select one or more alternative models for further study and stakeholder review.
 - g. Receive public and stakeholder comments on the selected alternative(s).
 - h. Seek collaborative agreement on a new structure and/or modified structures for transportation planning and project selection in the region.
 - i. If one or more ACTs or ACT-like structures are recommended, develop a proposed charter(s) for submission to the OTC. Alternatively, recommend other steps for improving transportation planning coordination within the region.
2. That the Metro Council give advance consideration to the issue of JPACT membership composition (as raised in the third theme on page 2) and whether it might be advantageous to initiate this conversation with JPACT members and other interested parties as a facilitated discussion independent from the broader discussion of creating new ACTs or ACT-like structures in Region 1. Alternatively, this issue should be dealt with as part of the discussion of how JPACT might look different within one or more of the structures that the task force examines.

Individuals Interviewed

Paul Koch (Port of Cascade Locks)
Bob Reeves (Village at Mt. Hood)
Mike Wagner (Mulino Hamlet)
Margaret Middleton (City of Beaverton)
Bill Wyatt (Port of Portland)
Rob Sadowsky (Bicycle Transportation Alliance)
Commissioner Janet Carlson and Don Russo
(Marion County)
Nancy Boyer and Richard Schmidt (Mid Willamette
Valley COG)
Donna Jordan (Lake Oswego City Council)
Brian Hodson (Mayor of Canby)
Michael McElwee (Port of Hood River)
Jason Tell (ODOT)
Diane McKeel (Multnomah County Commission)
Joanna Valencia and Sean Files (Multnomah County)
John Ludlow (Clackamas County Commission)
Roy Rogers (Washington County Commission)
Andy Cotugno and Ted Leybold (Metro)
Kathryn Harrington (Metro Council)
Shirley Craddick (Metro Council)
Darren Nichols, Jennifer Kaden and Jeff Litwak
(Columbia River Gorge Commission staff)
Shane Bemis (Mayor of Gresham; written answers)
Josh Alpert (Portland Mayor's office)
Steve Bates (Boring CPO)
Paul Savas (Clackamas County Commission)
David Meriwether (Hood River County) and Karen
Joplin (Hood River County Commission)
Pat Egan (Oregon Transportation Commission)
Deborah Rogge (Mayor of Molalla)
Representative Bill Kennemer (Oregon State
Legislature)
Jerry Wiley (Mayor of Hillsboro)
Don Odermott and Rob Dixon (City of Hillsboro)
Carlotta Collette (Metro Council)

Groups Interviewed

Clackamas County C4 Metro Advisory Committee:

Paul Savas (Clackamas County Commission)
Tim Knapp (Mayor of Wilsonville)
William Wild (Oak Lodge Sanitary District)
Jody Carson (West Linn City Council)
Betty Mumm (Oregon City Commissioner)
Wilda Parks (citizen member, MPAC)
Stephen Lashbrook (SMART)
Nancy Kraushaar (Wilsonville)
Dan Chandler (Clackamas County)
Doug Neely (Mayor of Oregon City)
Jeff Gudman (Lake Oswego City Councilor)
Carlotta Collette (Metro Council)
John Ludlow (Clackamas County
Commission)
Mayor Lori DeRemer (Happy Valley)
Martha Schrader (Clackamas County
Commission)
Karen Buehrig (Clackamas County)

Clackamas County REACT Committee:

Marge Stewart (Firwood CPO)
Bill Merchant (Beavercreek Hamlet)
Warren Jones (Mulino Hamlet)
Bob Reeves (Villages at Mt. Hood)
Pat Sharp (Villages at Mt. Hood)
Charlene DeBruin (Eagle Creek-Barton)
Windy Ingle (Stafford Hamlet)
Mike Wagner (Mulino citizen)
Laurie Freeman Swanson (Molalla CPO)
Glenn Koehrsen (TSP Committee)

French Prairie Forum Group:

Greg Leo (lobbyist)
Don Russo (Marion County)
Mayor Catherine Fidler (Woodburn)
Bill Graupp (Mayor of Aurora)
Mark Ottenad (Wilsonville)
Nancy Kraushaar (Wilsonville)
Bryan Brown (Canby)



Interview Questions

1. Please tell us about your background, affiliation, involvement and interests with respect to transportation policy and or programs.
2. What do you see as the major issues that need to be addressed related to transportation policy and coordination among ODOT, Metro, and the city and county governments within Clackamas, Hood River, Marion, Multnomah and Washington counties?
3. What are the challenges or barriers to addressing these issues? Do you have any suggestions for how they might be overcome?
4. What approach or process would be helpful for addressing the above topics and why?
5. What do you see as the appropriate scope and scale of a potential collaborative effort?
6. What do you think will happen if the “status quo” continues?
7. Are there lessons learned from past efforts to resolve these issue that you think should be applied to future effort?
8. Do you think there are information/data gaps and if so, what are the sources of data and resources do you think should be utilized and considered?
9. Is there anyone else you think we should be interviewing?
10. What should we have asked that we did not?
11. Do you have any questions for us?