

***Charter for the  
South Central Oregon Area Commission on Transportation***

***Approved by SCOACT: August 3, 2013***

***Approved by OTC: September 18, 2013***

**Mission:**

The South Central Oregon Area Commission on Transportation (SCOACT) is an advisory body chartered under the authority of the Oregon Transportation Commission (OTC). The SCOACT participates in all aspects of transportation planning and project development (surface, marine, air, and transportation safety) with its primary focus on the development of the Statewide Transportation Improvement Program (STIP). Through the STIP process, the SCOACT prioritizes transportation problems and solutions considering regional and local issues that affect the system. The SCOACT then recommends projects in the area to be included in the STIP. The ACT is guided by the policy adopted by the OTC for the Formation and Operation of Area Commissions on Transportation (ACTs).

**Roles and Responsibilities:**

***Section 1 Primary Role***

The primary role of the SCOACT is as follows:

- To provide a forum for the discussion, understanding and coordination of transportation issues affecting the South Central Oregon Region.
- To establish a public process for determining transportation infrastructure, capital investments and project prioritization in the South Central Oregon Region consistent with State and Federal laws, regulations, and policies.
- To recommend priorities to the OTC regarding program funding allocations for the STIP and capital investments through the development of an implementation strategy based on State and local transportation plans related to the South Central Oregon Region.
- To support South Central Oregon Transportation issues to neighboring regions, area legislators, and other interested organizations.
- Advise the Oregon Transportation Commission on State and Regional policies affecting South Central Oregon's transportation system, including proposed ODOT policies and their implementation.
- Make recommendations to ODOT regarding special funding opportunities and programs.
- Communicate and coordinate Regional priorities with other organizations, including the following:
  - Other ODOT Regions and ACTs

- Regional Solutions Team, Regional Investment Boards, and South Central Oregon Economic Development District Board.
- ODOT Advisory Committees
- Provide documentation to the OTC of the public process and resulting recommendations forwarded by the ACT including alternatives for solutions and outcomes of decisions.

## **Section 2    *Operating Philosophy***

SCOACT meetings will be scheduled the second Friday of the month, quarterly as a means to achieve the above mentioned roles and responsibility. Additional meetings will be scheduled upon the request of the OTC, the ODOT Area and/or Regional Manager, or by the desire of SCOACT. All meetings and committee functions will comply with the requirements of the Oregon Public Meetings Law, ORS 192.610 to 192.690, and every attempt will be made to involve the broadest spectrum of regional transportation stakeholders.

## **Section 3    *Optional Activities of the ACT***

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

- ODOT corridor plans or local transportation system plans (TSPs) that contain projects of regional significance (for example, a new highway bypass).
- Review projects and policies for other STIP funding programs and categories that have advisory committees or processes in place and advise ODOT on any special circumstances or opportunities that apply. These programs include Preservation, Safety, Bridge, Operations, Public Transportation, Freight, Rail, Bicycle/Pedestrian, Transportation Enhancement, Scenic Byways, Federal Lands Highways, and Fish Culverts.
- Input into the 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 ACT structure.

## **Section 4    *Goals***

The goals of the SCOACT are as follows:

- Provide a forum for the discussion and coordination for State and Regional transportation issues.
- Advise the Oregon Transportation Commission on State and Regional policies and issues.
- Increase stakeholder commitment and understanding of transportation projects, programs, funding, and issues.
- Improved communication between ODOT, local officials, legislators and business community.

- Reduce project costs and project time to completion.
- Better fulfill expectations of quality.

### ***Section 5 Yearly Work Program***

The ACT will establish a work program at the beginning of each year with the following guiding principles:

1. Gain understanding of ODOT organization, processes, and funding.
2. Develop a process of identifying regional issues and proposed solutions.
3. Develop a transportation improvement action strategy.
4. Advise and meet with Oregon Transportation Commission as needed.
5. Conduct a workshop on transportation issues with the public, area legislators, and other commissions.

### ***Section 6 Report to the Oregon Transportation Commission***

The ACT will provide to the Oregon Transportation Commission (OTC) at least once every two years a report on activities and accomplishments.

## **Authority of the ACT**

The South Central Area Commission on Transportation is an advisory body chartered by Oregon Transportation Commission (OTC). The OTC retains oversight and final decision-making authority to assure efficient management of the state Transportation System. The ACT provides valuable input and recommendations to that process.

The 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.

The ACT should apply a statewide perspective to address local and Regional Transportation System with primary focus on the state Transportation System.

## **ACT Structure and Membership**

### ***Section 1 Geographic Boundaries***

The ACT will serve as the area commission on transportation for the Klamath and Lake Counties region of Oregon. The boundaries are Klamath and Lake Counties, consistent with the Regional Solutions Team Initiative for South Central Oregon and the South Central Oregon Economic Development District. The region is linked economically and by common transportation facilities and services of highway, transit, rail, air, marine, and bicycle and pedestrian transport.

**Section 2 Voting and Ex-Officio Membership**

SCOACT’s membership is broadly based and consists of at least 50% elected officials from counties and cities. The remainder consists of Tribal Government, Transit, local citizens, business, education, State agencies, State Representative, State Senator and other stakeholders within the ACT boundaries. The voting and non-voting members are described below.

*Voting Members are as follows:*

- 1. Lake County Commissioner Position #1
- 2. Lake County Commissioner Position #2
- 3. Lake County Commissioner Position #2
- 4. Klamath County Commissioner Position #1
- 5. Klamath County Commissioner Position #2
- 6. Klamath County Commissioner Position #3
- 7. Mayor, Town of Lakeview – or designee
- 8. Mayor, City of Klamath Falls - or designee
- 9. Mayor, City of Malin – or designee
- 10. Mayor, City of Merrill – or designee
- 11. Mayor, City of Bonanza – or designee
- 12. Mayor, City of Paisley – or designee
- 13. Mayor, City of Chiloquin – or designee
- 14. Klamath Tribes
- 15. Private Industry Representative – Lake County
- 16. Private Industry Representative – Klamath County
- 17. At-Large Member – Lake County #1
- 18. At-Large Member - Lake County #2
- 19. At-Large Member – Lake County #3
- 20. At-Large Member – Klamath County #1
- 21. At-Large Member - Klamath County #2
- 22. Area Manager, Oregon Department of Transportation
- 23. Business Development Officer, Oregon Business Development Department
- 24. Higher Education Representative
- 25. Representative of unemployed/underemployed
- 26. Basin Transit
- 27. Aviation Mode, City of Klamath Falls, City Manager
- 28. Bicycle & Pedestrian
- 29. Rail, Lake County Commissioner or until other representation is found.
- 30. American with Disabilities Act
- 31. Trucking/Freight

*Non-Voting Members Ex-Officio are as follows:*

1. The Oregon Transportation Commission representative to the ACT
2. Central Oregon Area Commission on Transportation Representative
3. Rogue Valley Area Commission on Transportation Representative
4. Department of Aviation
5. The following state and federal agencies: US Forest Service, BLM, Fish & Wildlife
6. State of Nevada
7. State of California
8. Regional Officer, Oregon Department of Housing and Community Services
9. Regional Manager, Oregon Department of Land Conservation and Development
10. Regional Representative, Oregon Department of Environmental Quality
11. Regional Representative, Oregon Department of Agriculture
12. Klamath County Economic Development (ad hoc)
13. Lake County Economic Development (ad hoc)
14. State Representative #1
15. State Representative #2
16. State Senator

### ***Section 3 Appointment and Selection of Members***

The appropriate elected official shall fill County Commissioners and Mayors positions. Mayors given the nature of the position may from time to time, designate a representative as a voting member. Klamath Tribe and named agencies are given representation as such, and so from time to time may have a different person acting as voting members. Appointment to agency positions is at the discretion of the appropriate agency. Other positions shall be filled by specific persons appointed by the Board of County Commissioners, which are interested stakeholders.

### ***Section 4 Vacancies***

Vacancies shall be filled by the authority responsible for their appointment. Should an entity or organization neglect or decline to select a replacement to fill the vacancy, then responsibility for making the appointment shall fall to the Executive Committee. Those selected shall complete the unexpired term of the person they replaced.

### ***Section 5 Authority***

The ACT shall have the authority to adopt and amend the Charter with final approval for the Charter by the OTC; to elect and install officers to manage and carry out the functions of the ACT on its behalf; to develop, review, and approve the STIP recommendations for the South Central Area to the OTC; and to adopt an annual work program to fulfill the primary role of the ACT.

**Section 6 Quorums and Decision-making**

For the purposes of holding regular meetings, a quorum shall consist of a majority of those who have declared a desire to be counted in the quorum. A quorum will include at least two commissioners from each county. ACT decisions shall be made by a majority vote.

**Section 7 Conflict of Interest**

Issues regarding potential conflict of interest by ACT members will be covered by appropriate State laws.

**Executive Committee and Officers**

**Section 1 Executive Committee**

The Executive Committee shall consist of ten (10) members selected from the full board, two (2) shall be elected county officials one (1) from Klamath County and one (1) from Lake County; two (2) shall be elected officials from cities or towns one (1) from the City of Klamath Falls or their designee and one (1) from the Town of Lakeview or their designee; one (1) shall be the South Central Area Manager; one (1) shall be a Transit Official; one (1) the Immediate past Chair shall retain a seat on the Executive Committee for the biennium following his/her replacement. The appropriate elected official shall fill County Commissioners and Mayors positions. Mayors given the nature of the position may from time to time designate a representative as a voting member.

**Members are as follows:**

1. Klamath County Commissioner
2. Lake County Commissioner
3. Mayor, City of Klamath Falls – or designee
4. Mayor, Town of Lakeview – or designee
5. Area Manager, Oregon Department of Transportation
6. Transit Official
7. Klamath County Economic Director
8. Lake County Economic Director – or Lake County designee
9. Immediate Past Chair

## **Section 2 Officers**

The officers of the ACT shall consist of a Chair and a Vice Chair. The positions of the Chair and Vice Chair shall be held by County Commissioners, one from each county and should rotate every two years between counties. Officers shall have the following responsibilities:

*Chair:* The Chair shall be the ACT's principal officer and shall exercise general supervision and control over all the business and affairs of the ACT, including staff. The Chair shall convene and preside at meetings of the Board of Commissioners and Executive Committee and see to it that all orders and resolutions of these bodies carried into effect.

*Vice Chair:* The Vice Chair shall preside at meetings when the Chair is absent.

## **Section 3 Election and Terms**

Elections for officers shall be held every other year at the first quarterly meeting of the full ACT during the election year. Terms shall begin on July 1 and last two full years.

## **Section 4 Vacancies**

Vacancies in any officer position can only be filled by vote of the full ACT.

## **Section 5 Authority**

The Executive Committee shall have the authority to oversee and manage the business of the ACT, with the policies and charter established by the ACT. The Executive Committee shall be accountable to the ACT for its actions at regular meetings of the ACT. The Executive Committee shall have the power to enter into agreements and to appoint special committees for the purpose of furthering the ACT goals or carrying out its functions.

## **Section 6 Quorums and Decision-making**

For the purposes of holding Executive Committee regular meetings, a quorum shall consist of two (2) officers and three (3) other members. Executive Committee decisions shall be by majority vote.

## **Section 7 Executive Session**

ORS 192.610 to 192.690 do not prevent the governing body of a public body from holding executive session during a regular, special or emergency meeting, after the presiding officer has identified the authorization under ORS 192.610 to 192.960 for holding the executive session.

ORS 192.660(6) makes clear that no final decision may be taken during an executive session. All such actions must be made in a public session.

## **Technical Advisory Committee**

The ACT will have a Technical Advisory Committee (TAC).

### ***Section 1 Appointment of Members***

The TAC will of a six (6) member committee one (1) Public Works Director from Klamath County, one (1) Road Master from Lake County, one (1) Public Works Director for the City of Klamath Falls, one (1) Public Works Director from the Town of Lakeview, one (1) Planner from ODOT, and one (1) Area Manager form ODOT.

The TAC members may bring any staff necessary for project and policy discussions as needed.

The Area Manager will be permanent Chair for the TAC.

### ***Section 2 Vacancies***

Vacancies shall be filled by authority responsible for their appointment. Should an entity or organization neglect or decline to select a replacement to fill the vacancy, and then the responsibility for making the appointment shall fall to the Executive Committee.

### ***Section 3 Authority***

The TAC is only an advisory committee to provide input to the ACT on project and policy discussions.

### ***Section 4 Quorums and Decision-making***

For the purpose of holding a TAC meeting a quorum shall consist of at one (1) county and one (1) city official from each county or their designee. The TAC may find it efficient to hold TAC meetings at different times and dates in each county within the ACT boundaries. The TAC is a consensus making committee for recommendations to the ACT.

## **Meetings**

### ***Section1 Regular Meetings***

ACT Full Board meetings shall be held to coincide with meetings of the Regional Partnership on the second Friday of the month, quarterly. The ACT Executive Committee will meet monthly normally the first Friday of each month or as needed according to the meeting minutes on February 2, 2013.

### ***Section 2 Control of Meetings***

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



### **Section 3 Meeting Materials**

- An advance agenda will be provided one week prior to the meeting, either on the ACT website, e-mail, or through the mail.
- The agenda will provide for general public comment.
- For decision items, technical materials and supporting documentation will be provided one week prior to the ACT meeting. Materials can be distributed through the ACT website, e-mail or through the mail, and make sure that copies are available to distribute to everyone in attendance at the meeting.
- Copies of all correspondence received prior to the meeting will be provided to ACT members and the public attending the meeting.

### **Section 4 Meeting Locations**

Meeting location for the ACT and Executive Committee will meet the following requirements:

- Meets accessibility requirements of the Americans with Disabilities Act (ADA).
- No meeting may be held in buildings where discrimination 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, including listening devices, to encourage attendance by the general public.
- Easily accessible by the public transportation.

ACT meeting location will alternate locations within Klamath and Lake Counties to coincide with meeting of the Regional Partnership.

The Executive Committee will meet at locations within Klamath and Lake Counties via teleconference or videoconference.

### **Section 5 Meeting Notice**

The Executive Committee shall determine a schedule for meeting dates for the next year's regular meetings for the ACT and Executive Committee at its November meetings of each year. Notice of any changes to the regular meeting schedule and special meetings must be sent via dependable communications to each member at least 10 days prior to the proposed meeting date. (See Section 7 for Public Notice requirements.)

### **Section 6 Meeting Minutes**

Minutes shall be prepared for all ACT and Executive Committee meetings. Minutes must include at least:

- Members present.
- All motions, proposals and resolutions proposed and their disposition.
- Results of all votes/decisions. Secret ballots 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.
- Minutes must be preserved for a reasonable time.
- Post minutes from the meeting on the ACT website.

### **Section 7 Public Notice**

The ACT and Executive Committee shall provide the public notice for meeting as follows:

- One week advance notice.
- Notices posted at local public institutions (city hall, library, community center, etc.).
- Notices posted on ACT website, along with links to meeting agendas, past meeting minutes, technical materials and documentation.
- 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 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. ORS192.630(5).

### **Section 8 Public Comment**

All SCOACT meetings will be open to public attendance and any member of the public may attend any meeting. The public is encouraged to participate at the appropriate time on the meeting agenda.

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.

## Coordination

With the fundamental importance that the OTC places on the recommendation of the Act, the ACT shall ensure that recommendations have been reviewed for local, Regional and statewide issues and perspectives. The ACT should communicate and coordinate with others that may have knowledge or interest in the Area. The ACT communication and coordination will include, but will not be limited to the following groups:

- Oregon Transportation Commission
- Other ACTs within and across ODOT Regions
- ODOT Advisory Committees
- Regional Solutions Team, Regional Partnerships, Regional Investment Boards, and South Central Oregon Economic Development District
- Tribal Governments
- MPOs
- Local Governments Transit and Port Districts
- Stakeholder groups (e.g. environmental, business, state and federal agencies within the ACT boundary)

## ACT Staff and Financial Support

- ODOT or an organization that ODOT can contract with for administrative services will staff the ACT.
- The AT and ODOT have jointly agree to on how the ACT will be staffed and the administrative duties that will be required to be performed.
- ODOT will contribute financially for administration of the ACT in a sufficient amount to meet OTC expectations.
- ODOT will provide planning staff assistance to the ACT.

## ***Attachment B***

### Glossary of Terms

**Area** – When capitalized, describes the geographic area of the Area Commission on Transportation as Klamath and Lake Counties.

**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, cars)
- Transit
- Bicycle/Pedestrian

To consider all modes and aspects of the Transportation System in formulating recommendations, the ACT 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 ACT 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