

# **Mid-Willamette Valley Area Commission on Transportation (MWACT)**

## **Operating Agreements**

*Adopted August 7, 1997*

*Amended September 4, 1997*

*Amended January 7, 1999*

*Amended August 5, 1999*

*Amended February 1, 2001*

*Amended May 1, 2003*

*Amended September 1, 2005*

*Amended November 5, 2009*

*Amended November 16, 2011*

*Amended December 7, 2017*

## **Purpose**

The MWACT is established as an advisory body to the Oregon Transportation Commission (OTC) by a charter adopted by the OTC. It is to advise on transportation policies and issues and to contribute to the development of the Oregon Department of Transportation's (ODOT) Statewide Transportation Improvement Program (STIP) through making recommendations and prioritizing solutions to transportation problems. MWACT is responsible for bettering the transportation system of the Marion, Polk, and Yamhill Counties area through addressing and working together to resolve current and future transportation issues.

## **Mission**

The mission of the MWACT is to:

- Provide a forum for the discussion and coordination of current and future transportation issues affecting the Area's livability;
- Prioritize state transportation infrastructure and capital investments through the development of an implementation strategy based on transportation plans to the Mid-Willamette Valley area;
- Advocate Mid-Willamette Valley area transportation issues to neighboring regions and other organizations; and
- Advise the Oregon Transportation Commission on state and regional policies affecting the area's transportation system.

## **Recommendations of MWACT**

MWACT will work to produce recommendations for the Oregon Transportation Commission. These recommendations will be formally adopted by MWACT (*See Decision-Making Process below.*) and will be forwarded to the OTC. MWACT expects

to receive from OTC responses to MWACT recommendations, whether or not OTC adopts them.

## **Membership**

MWACT consists of 17 members. There will be one representative from each of the following:

- Marion County
- Polk County
- Yamhill County
- City of Salem
- City of Keizer
- Salem Area Mass Transit District
- ODOT Region 2
- Confederated Tribes of the Grand Ronde
- Yamhill County Transit Area

There shall be three representatives of the private sector, one to be appointed by each member county.

There shall be one elected official representing the cities in each of the five major transportation corridors:

- Highway 99W/18/47
- I-5
- Highway 22/51 (Polk County)
- Highway 22 (Marion County)
- Highway 99E/213

Each jurisdiction or corridor shall select its own representative. County commissioners will select private sector representatives.

Members are responsible to report to their individual constituency the content of discussions and decisions. They are responsible to contribute the interests of their constituency to the MWACT for the overall benefit of the area.

Should a member have to resign in mid-term, the alternate may continue to serve in the capacity of alternate until a new member is selected by the jurisdiction or appointing authority. The new member may select his/her own alternate. It is preferred that Alternates for elected officials also be elected and should represent the same jurisdiction or travel-shed but could be an appointed official or a staff member on an occasional basis.

### ***Attendance***

Should a member be absent from three (3) consecutive meetings without representation by the designated alternate, or have three (3) absences in a calendar year without representation by the designated alternate, the position shall be considered vacated. In such a case, the Commission shall direct ODOT and/or the Mid-Willamette Valley Council of Governments to recruit a replacement from the represented jurisdiction(s).

### ***Terms of Office***

The member and his/her alternate will serve for two years and may be reappointed. In the event the member's position becomes vacant, the alternate will complete the term. New Polk and Yamhill County members will be selected on even years and Marion County on odd years. The City of Salem member will be selected on even years. Keizer and the Confederated Tribes of the Grand Ronde members will be selected on odd years. Two of the three members from the private sector (those appointed by Polk and Yamhill Counties) will be selected on the even years, the third (appointed by Marion County) on an odd year. Representatives for Highway 99W/18/47 and I-5 will be selected on odd years and Highway 22/51 (Polk County), Highway 22 (Marion County), and Highway 99E/213 on even years. The Salem Area Mass Transit District position will be selected on odd years. The Yamhill County Transit Area representative will be renewed on even years.

### **Decision-Making**

MWACT will use a consensus decision-making process and will foster a collaborative approach to problem solving. Consensus means that all members agree to support the decision. Members may choose not to block the consensus even though they do not fully agree with the decision. They may need to register their view about it, but are willing to support the decision because they trust the wisdom of the group on the issue.

Once MWACT has reached a consensus decision, all members agree to support that decision in any forum in which it comes up.

Sufficient time will be provided for the members of MWACT to seek advice from constituents, agencies, or other experts, when desired, before a decision is adopted by MWACT.

Any member may abstain from the consensus and may request to be acknowledged as abstaining in any publication of the consensus. Abstaining is a choice not to block nor to support the decision. Someone who abstains will not take further action in regard to the issue.

An absent member, not represented by an alternate, will be deemed to have consented to a consensus decision on any issue that was clearly listed on the agenda, unless he/she has notified another member or staff of his/her objection in advance. When one or more

members are absent from the meeting, the members present will determine if they feel comfortable going forward with the decision or deferring it to another time.

If any member feels the need to stand in the way of consensus on a decision, he/she will explain his/her concern with the proposed decision to the group, and group will make every attempt to understand the concern and the underlying interests. The group will engage in joint problem solving to try to find a solution that addresses all of the interests. The group may decide to delegate the issue to a working group for further exploration, development or recommendation for the full group. The group may, by consensus, decide to vote on the issue and report a majority/minority view on the issue.

The group may delegate decisions on administrative matters to a smaller group to decide.

If the group is unable to reach consensus on any of the approaches above, and if a majority of the group feels it is important to reach a decision on the issue in controversy, the group will vote and will report to the Oregon Transportation Commission the majority and minority views on the issue. It is the intent of the MWACT to use this “fallback voting” procedure extremely infrequently so as not to turn its process into one of garnering votes rather than working collaboratively to find solutions all can recommend.

## **Meetings**

Meetings shall be held monthly, as needed, or members indicate a preference for more, or less, frequent meetings for a period of time. Meetings shall be noticed and open to the public.

## **Quorum**

For the purpose of conducting the business of the Commission, a quorum must be present. Nine members constitute a quorum. Should any particular issue require a vote to be decided as described in “DECISION-MAKING” above, a quorum must be present and the majority necessary to carry a motion shall be the majority of members present. If a vote of the members present results in a tie, the motion is considered failed.

The Commission may consider purely informational items with less than a quorum present.

## **Officers**

A Chairperson and Vice-Chairperson shall be selected by the membership. The Chair shall preside at all meetings he/she attends and shall be responsible for helping the group adhere to these operating agreements and conduct the meetings in a productive manner, respectful of the need for all interests and concerns to be raised. The Vice-Chair shall assume the duties of the Chair in his/her absence. The Chair and Vice-Chair shall be elected by the MWACT membership annually, at the second meeting of each calendar year.

## **Steering Committee and Meeting Agendas**

A Steering Committee will be established consisting of the officers, the immediate past chair, and an ODOT member, and others as selected by the membership. The Steering Committee will guide the work of the MWACT, and establish agendas for the meetings, as needed. Staff, members, and others may suggest agenda items to the Steering Committee. A short time shall be reserved at the end of each meeting to address items that need to be scheduled on future meeting agendas.

## **Emergency Meeting and Commission Member Notification Procedure**

In the event that the Oregon Transportation Commission or the Region 2 Manager requests a recommendation from the MWACT and a decision is required before the next regularly scheduled meeting, the Steering Committee is empowered to act on behalf of the full Commission subject to the following procedure:

1. A Steering Committee meeting will be scheduled at a time when a majority of Steering Committee members are available.
2. Notice of the time and place of the Steering Committee meeting will be given by e-mail, writing, and/or telephone to all members of the MWACT.
3. The Steering Committee meeting will be open to any MWACT member who can attend.
4. A full discussion of the action taken by the Steering Committee will be put on the next MWACT agenda.

## **Staff Support**

Staff support will be provided by ODOT and/or the Mid-Willamette Valley Council of Governments, or in any other manner acceptable to the MWACT and ODOT. The staff will provide note taking, publishing, and distribution of the MWACT meeting agenda, meeting summary, and other information. Staff will work under the direction of the Steering Committee.

## **Members Responsibility in Dealing with the Media and Giving Public Information**

All members are free to speak to the press or to various groups on issues before the MWACT. They should not represent MWACT's views unless it has reached a decision on an item. Members should not characterize the views of or comments made by other individual members in MWACT meetings. Members shall refrain from carrying on in the press, the debate that needs to be held within MWACT.

Specific media inquiries about MWACT will be directed to the Chair and/or Steering Committee.

## **Conduct in Meetings**

Members will treat each other with respect, will not monopolize meeting time, and will listen to and try to understand one another's views. Members will indicate to the chair or facilitator when they are waiting to speak, and will take their turn in order or as called on.

Members will search for opportunities to develop group solutions and to resolve conflicts.

Members will strive to adhere to these Operating Agreements and will be mutually responsible for enforcement of the Agreements.

## **MWACT Technical Advisory Committee**

Per the charter from the OTC, MWACT would form at least one technical advisory committee (TAC) to assist MWACT in considering the technical aspects of policy matters and would prepare alternatives and recommendations for the MWACT.

The TAC should be formed on the basis of need. There may be a need for different TAC's focusing on different components of the work plan. All may not be active at the same time.

MWACT members will ask communities to submit names of resources, including their field of expertise, in their communities who might be available to serve on a TAC. It may become a volunteer resource list which would be called upon as needed, depending on the issue. Lay citizens, including activists, should be considered for this list and for the TAC. In compiling the list, staff should also refer to the list of suggested agencies and groups in the MWACT charter.