

Agenda
Salem-Keizer Area Transportation Study (SKATS)

Policy Committee (PC)

This meeting is a ‘hybrid’ meeting: Staff and Committee members may choose to attend in person or remotely. The public may also attend in person or via your computer or smartphone (software install is required) or via a phone call. The information to join the meeting:

Join via computer: <https://zoom.us>

or call: 1-253-215-8782

Meeting ID: 839 4733 4557

NOTE NEW ID!

Passcode: None

Direct link for this meeting: <https://us06web.zoom.us/j/83947334557>

Meetings are being recorded in compliance with Oregon Public Records regulations.

Meetings from April 2022 onward are available on the SKATS YouTube channel:

https://www.youtube.com/channel/UCtWMuelCK0nJzyZ5_cMGGng

(or in YouTube, search for “SKATS Salem”)

If participation by phone or video conferencing is not an option, please contact our offices (at 503 588 6177) 24 hours in advance of the meeting. If you are having trouble connecting to the meeting, contact Theresa Whisenhunt (503 540 1630)

twhisenhunt@mwvcog.org

Date: Tuesday, February 27, 2024

Time: 12:00 Noon

Place: Hybrid Meeting (100 High St. SE, Suite 200 Salem or Zoom)

Phone: (503) 588 6177

E-mail: mwvcog@mwvcog.org

Website: www.mwvcog.org

A. Call to Order Cathy Clark

B. Approval of PC Minutes January 23, 2024 Cathy Clark

C. Public Comment Cathy Clark

The Mid-Willamette Valley Council of Governments is pleased to comply with the Americans with Disabilities Act (ADA). If you need special accommodations or translation services to attend this meeting, please contact Theresa Whisenhunt at (503) 540-1630 or send e-mail to twhisenhunt@mwvcog.org at least 72 hours prior to the meeting. *Hearing impaired please call Oregon Telecommunications Relay Service, 7-1-1.* Thank you.

D. Amendments to the SKATS FFY 2024-2029 TIP Steve Dobrinich

Background: The purpose of this agenda item is to review three full amendments to the SKATS FFY 2024-29 Transportation Improvement Program (TIP). See **attachments** for additional information.

- **Resolution 24-2: Pringle Creek Path Connection (Salem) (Key # 23504)**: Increase total project cost by \$1,553,274 to include local overmatch. Remove Oregon Community Paths funds from Right of Way phase.
- **Resolution 24-3: Oregon Transportation Network – SAMTD FFY22 (Key # 22029)**: Increase project estimate by \$402,236 to match FTA grant allocation amount.
- **Resolution 24-4: Transit Urban (5339) Formula Program 2023 SKT (Key # 21912)**: Decrease project cost by \$481,105 to match actual apportionment. Funding amount listed is out of date.

Action

Requested: (1) Adopt **Resolution 24-2** adding \$1,553,274 in local overmatch to Project Key Number 23504 [Pringle Creek Path Connection (Salem)].

(2) Adopt **Resolution 24-3** adding \$402,236 to Project Key Number 22029 [Oregon Transportation Network – SAMTD FFY22] to match Federal Transit Administration (FTA) grant allocation.

(3) Adopt **Resolution 24-4 (attached)** decreasing the cost of Project Key Number 21912 [Transit Urban (5339) Formula Program 2023 SKT] by \$481,105 to match actual apportionment.

E. Discussion on MPO Structure Mike Jaffe

Background: This is a continuation of previous discussions in June and August about updating the MPO Policy Committee representation and the SKATS Cooperative Agreement to add the city of Aumsville. The **enclosed memo** gives background on the subject, including information on the 2021 change to federal law that MPO Boards consider the equitable and proportional representation of the population of the metropolitan planning area. **Attachment A** includes four options for adding a city of Aumsville representative and a second city of Salem representative to the Policy Committee; it also provides options for tiered (weighted) voting, which is used as an option for proportional representation by some MPOs, as described in **Attachment C**.

Action

Requested: Discussion of the materials and the options presented in Attachment A.

F. TIP Modifications Steve Dobrinich

Background: Staff-approved modifications made to the SKATS TIP since the January 2024 Policy Committee meeting are summarized in the ***attached*** table. PC-approved amendments and adjustments are also included.

Action

Requested: Informational item.

G. Other Business..... SKATS Staff

- OMPOC Summary
- Next Policy Committee Meeting – **March 26, 2024**
- Next TAC Meeting – **March 12, 2024**

H. Adjournment..... Cathy Clark

DRAFT

Minutes

Salem-Keizer Area Transportation Study (SKATS)
Policy Committee
January 23, 2024
100 High St. SE, Suite 200
Salem, OR
Noon

This was a hybrid meeting: attendance was online via Zoom & in-person in the MWVCOG Conference room.

Policy Committee Members Present

Anna Henson, ODOT Region 2
Cathy Clark, 2023 Chair, Keizer Mayor
Kevin Cameron, Marion County Board of Commissioners
Maria Hinojos Pressey, Salem-Keizer School District
Sadie Carney, SAMTD Board of Directors
Trevor Phillips, Salem City Council (Zoom)

Policy Committee Members Absent

Lyle Mordhorst, 2023 Vice Chair, Polk County Board of Commissioners
Steve Horning, Turner Mayor

Others Present

Allan Pollock, SAMTD (Zoom)
Ashley Bryers, FWHA (Zoom)
Brandon Williams, ODOT Region 2 (Zoom)
Della Seney, City of Aumsville (Zoom)
Julie Hanson, Salem Public Works (Zoom)
Jacqueline Green, NE Keizer Neighborhood Association (Zoom)
Janelle Shanahan, Marion County Public Works (Zoom)
Kim Sapunar, MWVCOG-SKATS
Lani Radtke, Marion County Public Works (Zoom)
Mike Jaffe, MWVCOG-SKATS
Ray Jackson, MWVCOG-SKATS
Sara Duncan, SAMTD Board of Directors
Shofi Ull-Azum, SAMTD (Zoom)
Steve Dobrinich, MWVCOG-SKATS
Tammy Kunz, Keizer Community Diversity Engagement Committee (Zoom)
Theresa Whisenhunt, MWVCOG-SKATS

Agenda Item A. Call to Order

Chair Cathy Clark called the meeting to order at noon. Introductions, in person and online, were made. *(note: Lyle Mordhorst had advised the committee in advance that he would be absent and unable to represent Polk County at today's meeting).*

Agenda Item B. Approval of Minutes of November 28, 2023

Motion was made by Trevor Phillips, seconded by Kevin Cameron, to approve the minutes of the November 28, 2023, meeting. Those voting in favor of the motion were Anna Henson, Brandon Williams, Cathy Clark, Kevin Cameron, Maria Hinojos Pressey, Sadie Carney, and Trevor Phillips. **The motion passed unanimously.**

Agenda Item C. Public Comment

No public Comment

Agenda Item D. Election of Chair and Vice-Chair for 2024

At the beginning of each calendar year, the SKATS Policy Committee votes to select a Chair and Vice-Chair. The Chair runs the monthly Policy Committee meeting, works with staff on agendas and letters from SKATS, and represents SKATS on the Oregon Metropolitan Planning Organization Consortium (OMPOC) and other committees and meetings. The Vice-Chair assumes the duties of the Chair in their absence.

Chair Clark opened the floor for nominations for the Chair. Kevin Cameron nominated Cathy Clark for Chair; seconded by Anna Henson. No objections and no further nominations.

Motion was made by Kevin Cameron, seconded by Trevor Phillips, to close nominations for the Chair. Those voting in favor of the motion were Anna Henson, Brandon Williams, Cathy Clark, Kevin Cameron, Maria Hinojos Pressey, Sadie Carney, and Trevor Phillips. **The motion passed unanimously.**

Motion was made by Kevin Cameron, seconded by Trevor Phillips, to elect Cathy Clark as the Chair. Those voting in favor of the motion were Anna Henson, Brandon Williams, Cathy Clark, Kevin Cameron, Maria Hinojos Pressey, Sadie Carney, and Trevor Phillips. **The motion passed unanimously.**

Chair Clark opened the floor for nominations for the Vice-Chair. Trevor Phillips nominated Sadie Carney for Vice-Chair; seconded by Maria Hinojos Pressey. No objections and no further nominations.

Motion was made by Maria Hinojos Pressey, seconded by Trevor Phillips, to close nominations for the Vice-Chair. Those voting in favor of the motion were Anna Henson, Brandon Williams, Cathy Clark, Kevin Cameron, Maria Hinojos Pressey, Sadie Carney, and Trevor Phillips. **The motion passed unanimously.**

Motion was made by Maria Hinojos Pressey, seconded by Kevin Cameron, to elect Sadie Carney as the Vice-Chair. Those voting in favor of the motion were Anna Henson, Brandon Williams, Cathy Clark, Kevin Cameron, Maria Hinojos Pressey, Sadie Carney, and Trevor Phillips. **The motion passed unanimously.**

Before the next agenda item, Mike Jaffe spoke about the MPO structure discussion being added to the agenda for the Feb 27, 2024, meeting and asked for confirmed attendance. All members in attendance confirmed they would attend.

Agenda Item E. Amendments to the SKATS FFY 2024-2029 TIP

The purpose of this agenda item is to review the following amendment to the SKATS FFY 2024-29 Transportation Improvement Program (TIP):

- City of Salem South Signal Improvements (2027) (Key # 22697). Add \$780,034 (total cost) to the project (\$164,429.55 to the Preliminary Engineering phase; \$615,604.45 to the Construction phase) and add a 10% local match requirement.

Steve Dobrinich presented the proposed amendment to the committee.

Sadie Carney asked for clarification on how updating the signal controls will increase the safety of vehicles and pedestrians. Ms. Clark remarked that it is upgrading to the current technology making the system more efficient and asked Julie Hanson to speak about the upgrades. Ms. Hanson stated that upgrading the controllers, as well as some of the signal hardware allows the programming of additional safety functions that include flashing yellow lights and will change how the pedestrian crossings are coordinated; i.e. if a pedestrian call button gets pushed, it can make that flashing arrow stop flashing and just have a red arrow. Ms. Hanson informed the members that the original ARTS¹ application for this project was on the cusp of funding and ODOT asked the city of Salem if they would accept a partial award and scale the project to the available funds. The increase is not tied to cost escalation but to ODOT finding more funds to increase the allocation closer to the original amount requested by Salem. ODOT has allowed the city of Salem to scale the project to fit the budget. Ms. Clark added that with the upgrading of the system when there is a need to adjust the timing of the lights for higher safety, it can be done remotely.

Maria Hinojos Pressey asked Ms. Hanson if the updates would work with the Transit Signal Priority Project SAMTD has been working on. Ms. Hanson stated that these updates would be

¹ ARTS – ODOT's All Road Transportation Safety program

necessary for working with the Transit Signal Priority Project which is currently in a pilot phase. The information gathered from the pilot program will be applied to other corridors where the upgraded controllers are in place.

Motion was made by Kevin Cameron, seconded by Trevor Phillips, to adopt Resolution 24-1 to add \$780,034 to Project Key Number 22697 [City of Salem South Signal Improvements (2027)] including the addition of the required ten percent local match. Those voting in favor of the motion were Anna Henson, Kevin Cameron, Sadie Carney, Cathy Clark, Brandon Williams, Trevor Phillips, and Maria Hinojos Pressey. **The motion passed unanimously.**

Agenda Item F. Draft SKATS 2024-2025 Unified Planning Work Program

Each year, SKATS is required to develop and adopt a Unified Planning Work Program (UPWP) that describes anticipated federally funded and regional transportation planning activities within the MPO. This UPWP covers from July 1, 2024, through June 30, 2025.

To prepare this draft, an outline of the activities was presented and discussed at the October 24, 2023, PC meeting. Staff then developed a draft UPWP which was reviewed by the Technical Advisory Committee (TAC) at its January 9, 2024, meeting. (In early January, the Policy Committee also received the draft UPWP version sent to the TAC, to give PC members additional time to review the UPWP's content). After a discussion with the TAC, MPO staff made some additional changes to that version².

Following today's review and recommended modifications by the Policy Committee, the draft UPWP will be forwarded to ODOT, FHWA, and FTA for their comments including an interagency review to be held on February 20, 2024. A final version of the FY 2024-2025 UPWP will be provided for the Policy Committee's review and adoption at either their March or April meeting.

Chair Clark opened the floor for comments and questions.

Director Carney asked that the federal guidance documents in the introduction be noted with a link to the online version for easy lookup. She also suggested a visual for the schedule of work that starts on page 10 and includes a section titled *Continuing Activities*; i.e. a calendar or table. Mr. Jaffe stated there may be an issue with this because there are no precise dates for some of the work. Ray Jackson recommended a "vaguer" calendar that did not have specific dates but more of a timeline overview. Mr. Jaffe stated he would do some research as to the best way to organize a visual that will be simple to see connections of tasks and dates.

Chair Clark instructed the members to continue their review of the draft and send any comments or suggestions to SKATS staff.

² Agenda item F of the packet.

Agenda Item G. SKATS FFY 2023 Annual List of Federal Obligations

Each Year, SKATS is required to publish a listing of projects for which federal funds were obligated in the preceding federal fiscal year (FFY).³

Mr. Dobrinich presented the report to the members. He highlighted the summary of obligated funds dating back to 2008 that shows fluctuations from year to year depending on projects that were taking place. He went into detail regarding 2023's obligated projects: 21 FHWA projects and seven FTA projects, for a total of 28 projects and about \$40.6 million that obligated in our region.

Moving on to page five of the document, Mr. Dobrinich spoke about the subset of funding SKATS has discretion over. SKATS has discretion over five federal funding programs that resulted in \$8,089,754 in obligated funds during FFY 2023. Obligation rates and targets tracked by SKATS apply specifically to the SKATS discretionary funds. For the reporting period, 89% of the funds programmed to obligate in FFY 2023 were obligated, which exceeds the minimum target of 65% for the period. The Hilfiker Ln SE at Commercial St SE (Salem) project only partially obligated, keeping the discretionary funds from reaching a 100% obligation rate. That project has since been obligated fully and will be reflected in next year's report. Because of the good work done meeting the targets for last year, SKATS received \$1,006,799 of redistribution funds provided by ODOT⁴.

Mr. Jaffe added that prior to having this kind of push to obligate on time, only about 40% of the funds were obligated in the year programmed and the other 60% or so was being slipped. This was impacting ODOT in its ability to spend all the federal funds in order to receive redistribution funds. That was when ODOT and the MPOs developed an agreement that if MPOs obligate their discretionary funds at or above the target, they get a share of the redistribution funds. Our MPO has taken advantage of this and worked with ODOT to inform them of any slipped projects on a timeline that would not affect the obligation deadlines.

Director Hinojos Pressey asked for staff to help her define "obligation" so she may better pass on the information. Mr. Jaffe suggested that she think of it as a construction project that has multiple phases; to spend the money, certain prerequisites must be met. Once those are met, Federal Highway can go to the agency and confirm the prerequisites are met, allowing them to obligate those funds. Obligating the funds means that they are available to be spent and they can move forward with that phase. Chair Clark offered another term: *committed*. "They're now yours. You may now go ahead and use them. Until you get that obligation, which is your signing your agreement, they're sitting there waiting for you, but you have to sign on the dotted line, essentially. Once they've said that's a go, those funds are available for you to spend. It's like, when you deposit your paycheck and when you're allowed to spend it."

³ The FFY 2023 Annual Listing of Federal Obligations is available at: <https://www.mwvcog.org/media/4996>

⁴ Each federal fiscal year, funds that state DOTs have not obligated are redistributed by FHWA to the states.

Agenda Item H. Summary of SKATS Funds Programmed in the TIP (2003-2027)

Commissioner Mordhorst contacted staff in December and requested a summary of how SKATS has programmed federal funds from 2003 to the FY 2024 – 2027 SKATS Transportation Improvement Program (TIP).⁵

Mr. Jaffe presented that the information outlined in the memo and table shows only the five types of federal funds⁶ that the SKATS Policy Committee receives allocation and has discretion for programming to projects, which totals over \$127 million for 2003-2027:

- Surface Transportation Block Grant-Urban (STBG-U)
- Transportation Alternatives Program-Urban (TA-U)
- Congestion Mitigation and Air Quality Program (CMAQ)
- Carbon Reduction Program (CRP)
- Highway Improvement Program (HIP)

The listing of project funding does not include the following:

- Local match dollars spent on projects in the summary table.
- Federal and state funds programmed for ODOT projects within the SKATS planning area (e.g. I-5 widening; design and environmental work for the Highway 22 Safety Corridor in Polk County; Center Street bridge seismic upgrade, etc.)
- Other federal and state grants (e.g. ARTS safety grants, Safe Routes to School construction grants, RAISE grants, etc.) received by local jurisdictions and the transit district.
- Transit formula funds and federal/state grants received by SAMTD.

Mr. Jaffe went on to explain that when reviewing the data, it is important to consider not just the jurisdiction that received the funds, but who benefits from the project. This is particularly true for multiple Marion County projects in NE Salem that also benefit residents of Salem who live adjacent or close to these projects. Polk County has not typically submitted TIP applications but did request \$500,000 of SKATS STBG-U funds be used for the Highway 22W project and that would also benefit a Polk County project in the area. Mr. Jaffe noted that the regional and ITS programs in the table (Transportation Options / Rideshare, Regional Traffic Control Center, Safe Routes to School Education program) benefit all jurisdictions. He also said that most of the projects shown in the Road/Bridge category include pedestrian/bicycle facilities and safety enhancements as major elements of the project.

⁵ A full list of projects receiving SKATS discretionary funds, as well as summary tables, can be found in the Item H attachment of the January 2024 agenda packet.

⁶ SKATS receives formula funding for STBG-U, TA-U, CMAQ, and CRP funds. HIP funds were a limited time allocation by Congress.

Mr. Dobrinich presented Table 1: *“SKATS Discretionary Funds by Jurisdiction (Population and Road Miles)”*⁷ and visual aids showing the 2020 Census Population compared to the Regional Road Miles and All Funds Obligated or Programmed totaling \$127 million. He moved on to Table 2: *“SKATS Discretionary Funds (Funds Received by Cities and Counties Combined)”* and Table 3: *“SKATS Discretionary Funds (Funds Received by Cities and Counties Only)”*⁸. Table 2 combines the cities and counties within the SKATS planning area into one group to compare the total amount of discretionary funds received against regional spending captured in the SAMTD, Region-wide, and ODOT categories. Table 3 looks at funds received by cities and counties without other categories included.

Mr. Dobrinich concluded with a visual showing Funds Obligated or Programmed to Cities & Counties Only (Total \$81.7 Million). This includes five jurisdictions –cities of Keizer, Salem, Turner, Marion County, and Polk County.

Mr. Jaffe clarified with the members that the presentation was missing one project that wasn’t included on the list. Staff will update and review for any other small discrepancies. The project missed was money for the Safe Routes to School Program. It will not affect the splits by jurisdictions and although at roughly \$500,000 it is significant in amount; the overall picture of the full amount isn’t going to change much.

Commissioner Cameron asked if the percentage of the project that's applied to bicycle/ pedestrian improvements is accurate. For example, looking at Marion County’s 45th Avenue improvements in Hayesville, it says Road/ Bridge and other projects are labeled as Pedestrian/Bicycle in other areas. He further asked how staff describes Road/ Bridge versus Pedestrian/Bicycle. Mr. Jaffe responded that staff reviews the projects and discusses the main purpose of that project to determine the classification. Most projects are not going to be strictly Pedestrian/Bicycle without some Road/Bridge element and vice versa; it is difficult to separate for classification. Projects could be classified in multiple ways and the Pedestrian/Bicycle classification is mainly meant to list projects specifically for bicyclists and pedestrians, such as the Union Street Family-Friendly Bikeway.

Director Carney asked why the Travel Behavior Survey from 2010 was a stand-alone in that period of time. Ray Jackson stated that Oregon has done travel behavior surveys every decade and is trying to move that to be more frequent. The last survey was in 2010 and funded by federal dollars; that is why it is listed. SKATS is currently participating in a survey with ODOT and the other MPOs, using a combination of SKATS and ODOT funds. Surveys and data collection will continue through the spring with a report early next year.

⁷ Page 2 of Item H attachment of the agenda packet.

⁸ Page 2 of Item H attachment of the agenda packet.

Lani Radtke shared with the members that Marion County has employed a behavioral psychologist (Eileen Collins) in their Traffic Engineering Section to bring a different approach to how they analyze safety and have become eligible for grant opportunities.

Director Hinojos Pressey asked why the range of years (2003 to 2027) was chosen. Mr. Jaffe stated that 2003 was chosen because the SKATS area became a Transportation Management Area (TMA) in 2003 when it surpassed a population of over 200,000, and by being a TMA additional formula funding was made available to SKATS.

Agenda Item I. TIP Modifications

Staff-approved modifications made to the SKATS TIP since the November 2023 Policy Committee meeting⁹; PC-approved amendments and adjustments are also included. Of the nine amendments made since November 2023, four were PC-approved amendments and the other five are staff-approved administrative amendments.

Agenda Item J. Other Business

- Next OMPOC meeting – **February 9, 2024**
- Letter from the city of Aumsville about SKATS PC representation¹⁰. Councilor Seney stated that the letter was from the full council. The letter will be included in the agenda for February's meeting.
- City of Salem's request for a letter of support for the RAISE (Rebuilding American Infrastructure with Sustainability and Equity) Discretionary Grant program (Front Street NE). Julie Hanson spoke about the grant application for the planning study. There were no objections from the PC for staff assisting Ms. Hanson in drafting the letter of support.
- Oregon Transportation Plan (OTP) Implementation (ODOT slides from 11/3/23 OMPOC meeting)¹¹ were provided in the agenda packet. More information about OTP and its implementation can be found on ODOT's website.¹²
- Next Policy Committee Meeting – **February 27, 2024**
- Next TAC Meeting – **February 13, 2024**
- Theresa Whisenhunt, Administrative Specialist III – Transportation has accepted a new role with the MWVCOG in the finance department as the Financial Analyst. The Administrative Specialist position will be advertised for candidate review.

Chair Cathy Clark adjourned the meeting at 1:29 p.m.

⁹ Item I attachment of the agenda packet.

¹⁰ Page 1 & 2, Item J attachment of the agenda packet.

¹¹ Beginning on page 3, Item J attachment of the agenda packet.

¹² <https://www.oregon.gov/odot/planning/pages/plans.aspx>

Agenda Item D

Amendments to the SKATS FFY 2024-2029 TIP

SKATS Policy Committee

February 27, 2024

Action Requested:

- (1) Adopt Resolution 24-2 adding \$1,553,274 in local overmatch to Project Key Number 23504 [Pringle Creek Path Connection (Salem)].
- (2) Adopt Resolution 24-3 adding \$402,236 to Project Key Number 22029 [Oregon Transportation Network – SAMTD FFY22] to match Federal Transit Administration (FTA) grant allocation.
- (3) Adopt Resolution 24-4 (attached) decreasing the cost of Project Key Number 21912 [Transit Urban (5339) Formula Program 2023 SKT] by \$481,105 to match actual apportionment.

DRAFT Resolution 24-2

Resolution Amending the Adopted Salem-Keizer Area Transportation Study (SKATS) FY 2024-2029 Transportation Improvement Program (TIP)

WHEREAS, the Salem-Keizer Area Transportation Study Policy Committee has been designated by the State of Oregon as the official Metropolitan Planning Organization (MPO) for the Salem Urbanized Area; and

WHEREAS, the Policy Committee is authorized by an intergovernmental Cooperative Agreement to adopt and adjust the Transportation Improvement Program; and

WHEREAS, it is the responsibility of the Policy Committee to identify transportation projects for inclusion in the SKATS Transportation Improvement Program; and

WHEREAS, the adopted SKATS Transportation Improvement Program needs to program federal transportation funds being spent in the urbanized area;

NOW THEREFORE, BE IT RESOLVED BY THE POLICY COMMITTEE OF THE SALEM-KEIZER AREA TRANSPORTATION STUDY:

THAT the proposed activities are consistent with the adopted MTP and affected local plans;

THAT the proposed amendment is consistent with the financial constraint provisions of federal requirements;

THAT the proposed amendment does not negatively impact regional air quality emissions;

THAT the project will help achieve the Oregon Department of Transportation performance measure targets;

THAT the proposed changes to the TIP are consistent with the management process established in the adopted TIP; and

THAT \$1,553,274 in local overmatch, be added to Project Key Number 23504 [Pringle Creek Path Connection (Salem)].

ADOPTED by the Policy Committee of the Salem-Keizer Area Transportation Study on the 27th day of February 2024.

Chair
Salem-Keizer Area Transportation Study
Policy Committee

DRAFT Resolution 24-3

Resolution Amending the Adopted Salem-Keizer Area Transportation Study (SKATS) FY 2024-2029 Transportation Improvement Program (TIP)

WHEREAS, the Salem-Keizer Area Transportation Study Policy Committee has been designated by the State of Oregon as the official Metropolitan Planning Organization (MPO) for the Salem Urbanized Area; and

WHEREAS, the Policy Committee is authorized by an intergovernmental Cooperative Agreement to adopt and adjust the Transportation Improvement Program; and

WHEREAS, it is the responsibility of the Policy Committee to identify transportation projects for inclusion in the SKATS Transportation Improvement Program; and

WHEREAS, the adopted SKATS Transportation Improvement Program needs to program federal transportation funds being spent in the urbanized area;

NOW THEREFORE, BE IT RESOLVED BY THE POLICY COMMITTEE OF THE SALEM-KEIZER AREA TRANSPORTATION STUDY:

THAT the proposed activities are consistent with the adopted MTP and affected local plans;

THAT the proposed amendment is consistent with the financial constraint provisions of federal requirements;

THAT the proposed amendment does not negatively impact regional air quality emissions;

THAT the project will help achieve the Oregon Department of Transportation performance measure targets;

THAT the proposed changes to the TIP are consistent with the management process established in the adopted TIP; and

THAT the cost of Project Key Number 22029 [Oregon Transportation Network – SAMTD FFY22] be increased by \$402,236 to match Federal Transit Administration (FTA) grant allocation amount.

ADOPTED by the Policy Committee of the Salem-Keizer Area Transportation Study on the 27th day of February 2024.

Chair
Salem-Keizer Area Transportation Study
Policy Committee

DRAFT Resolution 24-4

**Resolution Amending the Adopted Salem-Keizer Area Transportation Study (SKATS)
FY 2024-2029 Transportation Improvement Program (TIP)**

WHEREAS, the Salem-Keizer Area Transportation Study Policy Committee has been designated by the State of Oregon as the official Metropolitan Planning Organization (MPO) for the Salem Urbanized Area; and

WHEREAS, the Policy Committee is authorized by an intergovernmental Cooperative Agreement to adopt and adjust the Transportation Improvement Program; and

WHEREAS, it is the responsibility of the Policy Committee to identify transportation projects for inclusion in the SKATS Transportation Improvement Program; and

WHEREAS, the adopted SKATS Transportation Improvement Program needs to program federal transportation funds being spent in the urbanized area;

NOW THEREFORE, BE IT RESOLVED BY THE POLICY COMMITTEE OF THE SALEM-KEIZER AREA TRANSPORTATION STUDY:

THAT the proposed activities are consistent with the adopted MTP and affected local plans;

THAT the proposed amendment is consistent with the financial constraint provisions of federal requirements;

THAT the proposed amendment does not negatively impact regional air quality emissions;

THAT the project will help achieve the Oregon Department of Transportation performance measure targets;

THAT the proposed changes to the TIP are consistent with the management process established in the adopted TIP; and

THAT the cost of Project Key Number 21912 [Transit Urban (5339) Formula Program 2023 SKT] be decreased by \$481,105 to match actual apportionment.

ADOPTED by the Policy Committee of the Salem-Keizer Area Transportation Study on the 27th day of February 2024.

Chair
Salem-Keizer Area Transportation Study
Policy Committee

SKATS Transportation Improvement Program (TIP)

Public Notification of Pending Amendment



Proposed TIP Amendment

Project Name: Pringle Creek Path Connection (Salem)

The public review period for this project is **February 13, 2024 through noon on February 27, 2024.**

As a Formal Amendment to the TIP, additional details about the project will be presented to SKATS' Policy Committee for approval on **February 27, 2024**, at noon at 100 High Street SE, Suite 200, Salem, Oregon (***hybrid meeting with virtual option available***).

Comments or concerns about this amendment should be submitted to Steve Dobrinich, via email at sdobrinich@mwvcog.org

This amendment may be revised to address comments received during the public comment period. The most recently amended TIP is available at the MWVCOG website at: <https://www.mwvcog.org/transportation/page/transportation-improvement-program>

Project Amendment Details

Amendment No.	24-2				
Project KN:	23504	Project Sponsor:	Salem	Total Project Cost:	\$8,240,000
Project Name:	Pringle Creek Path Connection (Salem)				
Purpose of amendment: Increase total project estimate by \$1,553,274 to include local overmatch. Remove Oregon Community Paths funds from Right of Way phase. Increase Preliminary Engineering phase by \$709,729.65, increase the Right of Way phase by \$23,104.55, and increase the Construction phase by \$820,439.80.					
Project Description: Construct missing segment of Pringle Creek Path along the north bank of Pringle Creek connecting existing Pringle Creek paths and Salem Civic Center to Riverfront Park and to paths that extend from there to Minto Island and west Salem. The path will improve access and safety for people walking and biking.					

SKATS Transportation Improvement Program (TIP)

Public Notification of Pending Amendment



Project information before amendment:

Name: Pringle Creek Path Connection (Salem)										Key: 23504	
Description: Construct missing segment of Pringle Creek Path along the north bank of Pringle Creek connecting existing Pringle Creek paths and Salem Civic Center to Riverfront Park and to paths that extend from there to Minto Island and west Salem. The path will improve access and safety for people walking and biking.										Region: 2	
MPO: Salem/Keizer Area MPO				Air Quality Status: Exempt		Work Type: BIKPED					
Applicant: CITY OF SALEM						Status: PROJECT SCHEDULED FOR CONSTRUCTION					
Location(s)-											
Mileposts		Length		Route		Highway		ACT		County(s)	
								MID-WILLAMETTE VALLEY ACT		MARION	
Current Project Estimate											
Planning		Prelim. Engineering		Right of Way		Utility Relocation		Construction		Other	
Year		2024		2025				2026			
Total		\$2,061,741		\$111,445				\$4,513,541		\$6,686,727	
Fund 1		TAP \$1,850,000		TAP \$100,000				TAP \$4,050,000		\$6,000,000	
Match		\$211,741		\$11,445				\$463,541		\$686,727	
Fund 2											
Match											
Fund 3											
Match											
Footnote: Oregon Community Paths project, non-MPO TAP funds											
Most Recent Approved Amendment											
Amendment No:		23-22		MTIP Approval Date:		11/28/2023		STIP Approval Date:			
Requested Action:		Create new project. This project is funded by the Oregon Community Paths Program as approved by the Oregon Transportation Commission in July 2023.									

SKATS Transportation Improvement Program (TIP)

Public Notification of Pending Amendment



Project information after amendment:

Name: Pringle Creek Path Connection (Salem)										Key: 23504	
Description: Construct missing segment of Pringle Creek Path along the north bank of Pringle Creek connecting existing Pringle Creek paths and Salem Civic Center to Riverfront Park and to paths that extend from there to Minto Island and west Salem. The path will improve access and safety for people walking and biking.										Region: 2	
MPO: Salem/Keizer Area MPO				Air Quality Status: Exempt		Work Type: BIKPED					
Applicant: CITY OF SALEM						Status: PROJECT SCHEDULED FOR CONSTRUCTION					
Location(s)-											
Mileposts		Length		Route		Highway		ACT		County(s)	
								MID-WILLAMETTE VALLEY ACT		MARION	
Current Project Estimate											
Planning		Prelim. Engineering		Right of Way		Utility Relocation		Construction		Other	
Year		2024		2025				2026			
Total		\$2,771,470		\$134,550				\$5,333,980		\$8,240,000	
Fund 1		TAP	\$2,051,570	TAP				TAP	\$3,948,430		\$6,000,000
Match			\$234,811						\$451,915		\$686,726
Fund 2		Local	\$485,089		\$134,550				\$933,635		\$1,553,274
Match											
Fund 3											
Match											
Footnote: Oregon Community Paths project, non-MPO TAP funds											
Most Recent Approved Amendment											
Amendment No:		24-2		MTIP Approval Date:		2/27/2024		STIP Approval Date:			
Requested Action:		Increase project cost by \$1,553,274 (\$485,089 to PE, \$134,550 to RW, \$933,635 to CN) to include for local overmatch.									
Amendment No:		23-22		MTIP Approval Date:		11/28/2023		STIP Approval Date:			
Requested Action:		Create new project. This project is funded by the Oregon Community Paths Program as approved by the Oregon Transportation Commission in July 2023.									

SKATS Transportation Improvement Program (TIP)

Public Notification of Pending Amendment



Proposed TIP Amendment

Project Name: Oregon Transportation Network – SAMTD FFY22

The public review period for this project is February 13, 2024 through noon on February 27, 2024.

As a Formal Amendment to the TIP, additional details about the project will be presented to SKATS' Policy Committee for approval on **February 27, 2024**, at noon at 100 High Street SE, Suite 200, Salem, Oregon (*hybrid meeting with virtual option available*).

Comments or concerns about this amendment should be submitted to Steve Dobrinich, via email at sdobrinich@mwvcog.org

This amendment may be revised to address comments received during the public comment period. The most recently amended TIP is available at the MWVCOG website at: <https://www.mwvcog.org/transportation/page/transportation-improvement-program>

Project Amendment Details

Amendment No.	24-3				
Project KN:	22029	Project Sponsor:	ODOT Transit	Total Project Cost:	\$1,590,614
Project Name:	Oregon Transportation Network – SAMTD FFY22				
Purpose of amendment: Increase project estimate by \$402,236 to match FTA grant/allocation amount.					
Project Description: Urbanized public transit capital funding for Federal fiscal year 2022. Funds will be transferred to FTA for delivery. Projects and programs to be determined based on funding requirements.					

SKATS Transportation Improvement Program (TIP)

Public Notification of Pending Amendment



Project information before amendment:

Name: Oregon Transportation Network - SAMTD FFY22										Key: 22029	
Description: Urbanized public transit capital funding for Federal fiscal year 2022. Funds will be transferred to FTA for delivery. Projects and programs to be determined based on funding requirements.										Region: 2	
MPO: Salem/Keizer Area MPO			Air Quality Status:		Work Type: TRANST						
Applicant: ODOT Transit Section			Exempt		Status: NON-CONSTRUCTION PROJECT						
Location(s)-											
Mileposts		Length		Route		Highway		ACT		County(s)	
								MID-WILLAMETTE VALLEY ACT		MARION	
Current Project Estimate											
Planning		Prelim. Engineering		Right of Way		Utility Relocation		Construction		Other	
Year										2024	
Total										\$1,188,378	
Fund 1										\$1,066,332	
Match										\$122,046	
Footnote:											
Most Recent Approved Amendment											
Amendment No:		23-AA28		MTIP Approval Date:		8/30/2023		STIP Approval Date:			
Requested Action:		Slip the project to start in federal fiscal year 2024.									
Amendment No:		23-AA20		MTIP Approval Date:		7/22/2022		STIP Approval Date:		7/30/2022	
Requested Action:		Slip the other phase to start in FY 2023 for obligation.									
Amendment No:		22-AA11		MTIP Approval Date:		7/22/2022		STIP Approval Date:		7/30/2022	
Requested Action:		Advance the other phase to start in FY 2022 for obligation.									
Amendment No:		22-AA10		MTIP Approval Date:		7/8/2022		STIP Approval Date:		7/13/2022	
Requested Action:		Slip the other phase to start in FY 2023.									

SKATS Transportation Improvement Program (TIP)

Public Notification of Pending Amendment



Project information after amendment:

Name: Oregon Transportation Network - SAMTD FFY22										Key: 22029	
Description: Urbanized public transit capital funding for Federal fiscal year 2022. Funds will be transferred to FTA for delivery. Projects and programs to be determined based on funding requirements.										Region: 2	
MPO: Salem/Keizer Area MPO				Air Quality Status:		Work Type: TRANST					
Applicant: ODOT Transit Section				Exempt		Status: NON-CONSTRUCTION PROJECT					
Location(s)-											
Mileposts		Length		Route		Highway		ACT		County(s)	
								MID-WILLAMETTE VALLEY ACT		MARION	
Current Project Estimate											
Planning		Prelim. Engineering		Right of Way		Utility Relocation		Construction		Other	
Year										2024	
Total										\$1,590,614	
Fund 1										5310	
Match										\$163,356	
Footnote:											
Most Recent Approved Amendment											
Amendment No:		24-3				MTIP Approval Date:		2/27/2024		STIP Approval Date:	
Requested Action:		Increase project estimate by \$402,236 to match FTA grant/allocation amount.									
Amendment No:		23-AA28				MTIP Approval Date:		8/30/2023		STIP Approval Date:	
Requested Action:		Slip the project to start in federal fiscal year 2024.									
Amendment No:		23-AA20				MTIP Approval Date:		7/22/2022		STIP Approval Date:	
Requested Action:		Slip the other phase to start in FY 2023 for obligation.									
Amendment No:		22-AA11				MTIP Approval Date:		7/22/2022		STIP Approval Date:	
Requested Action:		Advance the other phase to start in FY 2022 for obligation.									
Amendment No:		22-AA10				MTIP Approval Date:		7/8/2022		STIP Approval Date:	
Requested Action:		Slip the other phase to start in FY 2023.									

SKATS Transportation Improvement Program (TIP)

Public Notification of Pending Amendment



Proposed TIP Amendment

Project Name: Transit Urban (5339) Formula Program 2023 SKT

The public review period for this project is February 13, 2024 through noon on February 27, 2024.

As a Formal Amendment to the TIP, additional details about the project will be presented to SKATS' Policy Committee for approval on **February 27, 2024**, at noon at 100 High Street SE, Suite 200, Salem, Oregon (*hybrid meeting with virtual option available*).

Comments or concerns about this amendment should be submitted to Steve Dobrinich, via email at sdobrinich@mwvcog.org

This amendment may be revised to address comments received during the public comment period. The most recently amended TIP is available at the MWVCOG website at: <https://www.mwvcog.org/transportation/page/transportation-improvement-program>

Project Amendment Details

Amendment No.	24-4				
Project KN:	21912	Project Sponsor:	Salem	Total Project Cost:	\$601,395
Project Name:	Transit Urban (5339) Formula Program 2023 SKT				
Purpose of amendment: Decrease project cost by \$481,105 to match actual apportionment. Funding amount listed is out of date.					
Project Description: Allocation used for bus and bus facilities to provide alternative forms of transportation.					

SKATS Transportation Improvement Program (TIP)

Public Notification of Pending Amendment



Project information before amendment:

Name: Transit Urban (5339) Formula Program 2023 SKT										Key: 21912	
Description: Allocation used for bus and bus facilities to provide alternative forms of transportation.										Region: 2	
MPO: Salem/Keizer Area MPO				Air Quality Status:		Work Type: TRANST					
Applicant: SALEM-KEIZER TRANSIT DISTRICT				Exempt		Status: NON-CONSTRUCTION PROJECT					
Location(s)-											
Mileposts	Length	Route	Highway			ACT			County(s)		
						MID-WILLAMETTE VALLEY ACT			MARION		
Current Project Estimate											
	Planning	Prelim. Engineering	Right of Way	Utility Relocation	Construction	Other	Project Total				
Year						2024					
Total						\$1,082,500	\$1,082,500				
Fund 1						5339	\$866,000	\$866,000			
Match							\$216,500	\$216,500			
Footnote:											
Most Recent Approved Amendment											
Amendment No:		23-AA37		MTIP Approval Date:		9/14/2023		STIP Approval Date:			
Requested Action:		Slip OTH phase to FFY24.									

Project information after amendment:

Name: Transit Urban (5339) Formula Program 2023 SKT										Key: 21912	
Description: Allocation used for bus and bus facilities to provide alternative forms of transportation.										Region: 2	
MPO: Salem/Keizer Area MPO				Air Quality Status:		Work Type: TRANST					
Applicant: SALEM-KEIZER TRANSIT DISTRICT				Exempt		Status: NON-CONSTRUCTION PROJECT					
Location(s)-											
Mileposts	Length	Route	Highway			ACT			County(s)		
						MID-WILLAMETTE VALLEY ACT			MARION		
Current Project Estimate											
	Planning	Prelim. Engineering	Right of Way	Utility Relocation	Construction	Other	Project Total				
Year						2024					
Total						\$601,395	\$601,395				
Fund 1						5339	\$481,116	\$481,116			
Match							\$120,279	\$120,279			
Footnote:											
Most Recent Approved Amendment											
Amendment No:		24-4		MTIP Approval Date:		2/27/2024		STIP Approval Date:			
Requested Action:		Decrease project cost by \$481,105 to match actual apportionment. Funding amount listed is out of date.									
Amendment No:		23-AA37		MTIP Approval Date:		9/14/2023		STIP Approval Date:			
Requested Action:		Slip OTH phase to FFY24.									

Agenda Item E

Discussion on MPO Structure

SKATS Policy Committee

February 27, 2024

Action Requested:

Discussion of the materials and the options presented in Attachment A.

Memorandum

Date: February 20, 2024
To: SKATS Policy Committee
From: Mike Jaffe, Transportation Planning Director
Re: Further Discussion on SKATS MPO Policy Committee Structure and Voting

Introduction

The Policy Committee discussed changes to MPO membership at their June and August 2023 meetings and will continue discussion of this subject in February 2024. This memo summarizes information staff has previously provided in papers and memos, and a section about the new provision in federal law for “equitable and proportional representation of the population”. It also summarizes the previous Policy Committee discussions in August. A list of potential options for MPO membership and voting is provided for discussion purposed as **Attachment A** to this memo.

Over the next few meetings, the Policy Committee should continue to seek consensus about a preferred membership structure and voting process for the SKATS MPO, which then can be incorporated in an update to the SKATS Cooperative Agreement for the members to sign. If consensus cannot be reached, it is recommended that the committee engage the services of an outside individual or organization to facilitate the discussion and resolution of this topic.

Background

With the official release of Census 2020 urban areas in early 2023, a new 2020 Salem urban area was established that included the city of Aumsville as well as other smaller changes to the urban area. As presented to the SKATS Policy Committee at their April 2023 meeting, there were several requirements of SKATS as a result of the new Census urban area designations:

- specifying the **Federal Urban Aid boundary (FAUB)** for the Salem urban area and the federal **functional classifications of roads** inside the new FAUB. **Current status:** The FAUB have been submitted to ODOT and the Federal Highway Administration (FHWA) for their review and staff are waiting for FHWA’s final determinations.
- Update the SKATS **Metropolitan Planning Area (MPA) boundary** to include the revised Salem urban area (including Aumsville) plus the contiguous area expected to become urbanized within a 20-year forecast period for the metropolitan transportation plan. **Current status:** The SKATS TAC reviewed options for the new MPA boundary at their November meeting¹.

¹ Later in 2024, the proposed MPA boundary will be presented for the Policy Committee’s review. Once approved by the SKATS MPO, the MPA boundary recommendations will go to the Governor for review and approval, and then provided for informational purposes to FHWA and FTA

- Update the **SKATS Cooperative Agreement**, based on federal requirements and decisions by the jurisdictions within the MPA about representation and voting structures. This is the subject of the remainder of this memo.

With the expansion of the urban area and SKATS MPA boundary to include Aumsville, discussion about the MPO Policy Committee's structure began at the Policy Committee's June 2023 meeting. At that meeting, staff reviewed:

1. The existing SKATS Cooperative Agreement (**Attachment B**) and its history.
2. Federal regulations about the addition of new members to an MPO policy board, and when redesignation by the Governor is required. See **Attachment E**. (Redesignation is required when an MPO proposes a substantial change in the proportion of voting members on the existing MPO or substantial change in decision-making authority of the MPO.) [See also next section on new federal law provisions on equitable and proportional representation of the population]
3. A paper² (see **Attachment C**) developed by SKATS staff describes the membership structures and voting for other MPO Boards in Oregon (summarized below). The paper also gives examples of other MPOs outside Oregon that use either proportional voting or weighted voting (for certain votes). The paper illustrates the variety of ways MPO Boards have structured their membership, voting proportions, and provisions for super-majority or weighted voting. A quick summary from that paper is provided below, with the 8-page paper providing additional details:

Summary of MPO Board structures in Oregon –

- Five of the nine Oregon MPOs (SKATS, Albany, Bend, Rogue Valley, and Walla Walla) currently use one voting representative per jurisdiction.
- Central Lane MPO has two voting members each for Eugene, Springfield, Lane County, and Lane Transit District but only one voting member for Coburg and ODOT. There are also non-voting ex-officio members. Eugene, Springfield, and Lane County have some veto power when voting.
- In the Corvallis Area MPO (CAMPO), the Board includes the City of Corvallis, the City of Philomath, the City of Adair Village, Bendon County, and ODOT (total of 5 members). However, the city of Corvallis gets three votes while the other members get one vote each. In this manner, Corvallis has the most influence on any formal vote but is only 3 of the 7 votes. We've been told that consensus is reached on most decisions.

² SKATS staff have updated this paper a few times during the year to reflect more details and additional information; the updated memo (dated February 16, 2024) is included in the packet.

- Middle Rogue MPO has three votes for Grants Pass, two from Josephine County, and one each from Jackson County, the city of Gold Hill, the city of Rogue River, and ODOT. Actions are approved by a majority of members present. However, there are **provisions for calling for a super-majority roll-call vote**.
- Portland Metro has 27 jurisdictions within its MPO boundary. Most major discussions happen at the JPACT level, which has **three Metro Councilors, seven local elected officials** (one from Portland, one from each county, and one to represent cities in each county (three total, this will not include Portland)), appointed officials or staff from ODOT, TriMet, Port of Portland, and Oregon DEQ.

For MPOs outside of Oregon, the paper provides examples of MPOs that have more than one representative per MPO member, and MPOs that use weighted voting procedures, usually as a secondary voting option when there isn't consensus, and a member(s) calls for a weighted vote.

- **Extra members on the Board** - The MPOs in Asheville NC, Springfield MO, and Spokane WA provide extra members for their larger cities and/or counties, while the smaller cities and other members get one representative each.
- **Weighted (tiered) voting** – Used in the North Front Range MPO (Fort Collins CO), Spokane MPO (WA), and Sandhill MPO (Pinehurst NC)
 - The Fort Collins CO MPO regular voting is one vote per member. It also has weighted voting as an option (except for changing the Articles of Association). When a weighted vote is called, the item is tabled until the next regular MPO meeting. Weighted votes are based on the population of the member, with 1 vote for each 10,000 increment in population (e.g. a jurisdiction of 50,000 would get 5 votes). Any member can call for a weighted vote.
 - The Spokane MPO has an option for using weighted voting, but it must be requested by two voting Directors from different representative entities and cannot be used for changes to the bylaws and rules of procedure. The regular vote and weighted votes by member are provided as a table in their agreement.
 - The Sandhill MPO regular voting is one vote per member. Weighted voting is an option, with additional votes for the members with larger populations. Any member may call for a weighted vote, but it only goes through if the request is seconded.

Changes to Federal Law: MPO Board Structure and Equitable and Proportional Representation

The Infrastructure Investment and Jobs Act³ (IIJA) of 2021 included revised text for Metropolitan Transportation Planning, amending the section on the designation of MPOs. The provisions in IIJA amended U.S. Code (Section 134 of title 23) to add a new paragraph “(D) Considerations”, as shown below (underline added for emphasis purposes):

(1) in subsection (d)—

(A) in paragraph (3), by adding at the end the following:

“(D) CONSIDERATIONS.—In designating officials or representatives under paragraph (2) for the first time, subject to the bylaws or enabling statute of the metropolitan planning organization, the metropolitan planning organization shall consider the equitable and proportional representation of the population of the metropolitan planning area.”;

An earlier version of this provision was included in a report⁴ from the House Committee on Transportation and Infrastructure, as shown below:

(D) Equitable and proportional representation. --

- (i) In general.--In designating officials or representatives under paragraph (2), the metropolitan planning organization shall ensure the equitable and proportional representation of the population of the metropolitan planning area.
- (ii) Savings clause.--Nothing in this paragraph shall require a metropolitan planning organization in existence on the date of enactment of this subparagraph to be restructured.
- (iii) Redesignation.--Notwithstanding clause (ii), the requirements of this paragraph shall apply to any metropolitan planning organization redesignated under paragraph (6)

From the savings clause, the intent was that existing MPOs would not be required to restructure themselves for equitable and proportional representation. However, clause (iii) says that the requirement for equitable and proportional representation of the population shall apply to any MPO re-designated by a Governor. It must be noted that this report does not carry the status of official federal regulations that MPO must follow.

When federal law is updated, the corresponding federal regulations (in this case 23 CFR Part 450) also need to be updated, and those regulations commonly expand on the text in the statute to give greater clarity of how the law should be interpreted and applied. The version in

³ [Public Law 117-58](#) (November 15, 2021), section 11201

⁴ [House Report 1127-70 June 22, 2021](#)

the House Committee report might be used for these new regulations. When the proposed regulations are published in the Federal Register, there may be more discussion and clarity of what the U.S. Department of Transportation will require of MPOs and the states. According to reports on FHWA's website⁵, a Notice for Proposed Rulemaking (NPRM) is scheduled for May 2024; when released, these draft regulations may provide some initial guidance on this provision for equitable and proportional representation, although the NPRM⁶ is the first step in the process used for determining the final federal regulations.

In an October 2023 correspondence from Jasmine Harris of FHWA's Oregon Division (see **Attachment E**), a link was provided to the House report and this text from FHWA staff in Washington on the upcoming NPRM:

"The updated provision in 23 U.S.C. 134(d)(3)(D) is on the books and in effect now. This provision will also be included in the Notice of Proposed Rulemaking (NPRM) for the upcoming update to 23 CFR Part 450. Through that NPRM, FHWA, and FTA will invite the public to comment on this provision and other updates to the planning regulations.

I will also say that in the conversations I've had with FHWA Division Offices, FTA Regional Offices, State DOTs, MPOs, and transit agencies during TMA Certification Reviews, I've heard a lot of discussion about geographic representation, proportional membership, proportional voting, and other voting structures and decision-making procedures. Please encourage your planning partners to comment on the NPRM when it is published (hopefully soon, fingers crossed)." Until the regulations are updated (23 CFR 450 and 420), I am expecting there will be more discussions on the interpretation of equitable and proportional representation."

August 2023 MPO Policy Committee discussion

The August meeting had a lengthy discussion about the MPO Structure; the meeting minutes captured that discussion in detail (see **Attachment D**).

- Some Policy Committee members preferred the option of simply adding Aumsville to the Policy Committee, following the example of adding the city of Turner to the Policy Committee in 2003 and keeping the one-vote per-member structure.
- The City of Salem wanted to discuss the issue of proportional representation, as Salem is approximately 65% of the population within the MPO but has the same number of

⁵ [FEBRUARY 2024 SIGNIFICANT RULEMAKING REPORT](#)

⁶ The NPRM will release draft language for the amendments to the regulations and open the docket for a period of time to allow comments to be submitted. After the comment period, it will take an unknown number of months before the final rule is published in the Federal Register.

votes as smaller jurisdictions, such as Turner which is approximately 1% of the MPO's population. Salem is interested in adding another member and vote for the city of Salem.

- Some members have advocated for a facilitated process to reach a consensus on how the MPO can be restructured.
- There was also discussion of incorporating a weighted vote option in certain circumstances, as described in the staff paper about other MPO Boards (see **Attachment C** and discussed as an option in **Attachment A**.)
- There was also discussion about changing the current requirement in the Cooperative Agreement requiring unanimous votes to adopt the SKATS Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP), with the backup process of going to individual county and city councils.

Policy Committee Discussion of Changes to SKATS Membership and Voting

The first section of this memo shows there are multiple ways to structure an MPO's board membership and voting process. For the purpose of discussion at February's Policy Committee meeting, **Attachment A** lays out four options that adds the city of Aumsville to SKATS as a voting member and three of those options add either a second Salem voting member or non-voting member for Salem.

1. Add Aumsville; no other changes
2. Add Aumsville; add second voting member for Salem
3. Add Aumsville; add non-voting member for Salem; Salem can call for a second voting member (if that motion receives 50% or more support).
4. Add Aumsville; add non-voting member for Salem; review the Cooperative Agreement in the future to add second voting member for Salem.

Option 5 in **Attachment A** shows variations for a "tiered-voting" option, with more votes for the larger population jurisdictions (Options A to D in the table show variations in the number of votes by member agency). Tiered or weighted voting is an option used by several MPOs to provide proportional representation, although this tiered voting is often not the default method for voting but a secondary option when consensus cannot be reached.

Of course, this is meant as a starting point for discussion, and any of the options can be modified and improved on if the Policy Committee wants to use tiered voting as an option to regular voting.

Using a Facilitator

In June and July 2023, SKATS staff began gathering names and talking with possible facilitators. This included facilitators used by our local jurisdiction partners, facilitators on the Oregon Department of Justice’s website, the League of Oregon Cities, and facilitation services from the National Policy Consensus Center at Portland State University.

Public Input

Staff previously shared two letters and two emails from local organizations and members of the public; these four correspondences all ask for a more equitable and proportionate representation on the SKATS Policy Committee. SKATS also received a letter from the city of Aumsville, advocating for keeping the one-vote-per-member arrangement, while providing equitable regional solutions to all the jurisdictions within the SKATS area. These letters and email correspondences are included in **Attachment F**.

In January, the board of the Salem Area Mass Transit District (aka Cherriots) discussed sending a letter to SKATS; they plan on reviewing a draft letter at their February 22, 2024, board meeting. It will be forwarded to the Policy Committee when it is received.

Other considerations that are part of the MPO Structure and voting process discussion

1. **5-year review of the SKATS Cooperative Agreement** - The Cooperative Agreement was originally adopted in 1987. Section I says *“The SKATS Policy Committee shall review this agreement on or before January 1992 and every five years thereafter and recommend revisions as desired to the PARTIES. This agreement will remain in effect until revised or replace by the PARTIES.”* The Policy Committee should determine if this section should stay as is, be removed, or be modified if the Cooperative Agreement is amended or replaced in full.
2. **Unanimous Vote requirement** - the Cooperative Agreement requires a unanimous vote for the SKATS PC to adopt the Metropolitan Transportation Plan and Transportation Improvement Program. There is a backup process when there isn’t a unanimous vote that brings these documents to the boards and councils of Salem, Keizer, Marion and Polk counties, and the Transit District. The Policy Committee should discuss if they want to keep the unanimous adoption requirement or change the adoption of these documents to a majority vote or super-majority vote. Common supermajorities include three-fifths (3/5–60%), two-thirds (2/3–66.66... %), and three-quarters (3/4–75%).
3. **Policy Committee Bylaws**. The Policy Committee should also review and update the Bylaws (**Attachment B.1**), so they agree with any changes made to SKATS membership, voting, and other changes to the Cooperative Agreement. The Bylaws should also be updated to provide needed clarity to committee actions—the current Bylaws default to following Roberts Rules. However, the question has been raised in the past that if

adopting the MTP and TIP requires a unanimous vote, what is required when amending the MTP and TIP? Should amendments to those documents -- in between major updates -- be by a majority vote or unanimous vote?

Attachments

- A. Options for SKATS membership and voting
- B. SKATS 1987 Cooperative Agreement and 2003 Amendment
- B.1 SKATS 2003 Bylaws Amendment
- C. Overview of the structure and votes for MPOs in Oregon (and a few outside Oregon)
- D. August 22, 2023, Policy Committee minutes of the discussion of the MPO Structure agenda item
- E.1 FHWA email about IIJA addition of equitable and proportionate representation provision to federal law for MPO Boards
- E.2 Current Federal Regulations (23 CFR 450.310) on MPO designation and redesignation; and the 2021 update to federal law to add considerations for equitable and proportionate representation of MPO Boards.
- F. Public input letters and emails; letter from city of Aumsville

Options for adding Aumsville and adding representation for Salem to the SKATS Policy Committee
For Discussion Purposes
February 20, 2024

1. Add Aumsville; no other changes

- a. City of Aumsville is added to the SKATS PC.
- b. Every member gets one vote.
- c. Total regular voting members = 9

2. Add Aumsville; add second voting member for Salem

- a. City of Aumsville is added to the SKATS PC.
- b. A second Salem member is added to the PC, and both are voting members.
- c. Total regular voting members = 10

3. Add Aumsville; add non-voting member for Salem; Salem can call for a second voting member (if that motion receives 50% or more support).

- a. City of Aumsville is added to the SKATS PC.
- b. A second Salem member is added to the PC, but the second Salem member is non-voting.
- c. Total regular-voting members = 9. 1 non-voting member for Salem.
- d. Before any vote on an action by the Policy Committee, Salem can make a motion that both Salem members get to vote on that action item. The motion for both Salem members voting on the action item must be passed by 50% or more of the regular-voting members in attendance at the meeting; if the motion passes, the action item is tabled to the next meeting when Salem can have two votes on that action.

4. Add Aumsville; add non-voting member for Salem; review the Cooperative Agreement in the future to add second voting member for Salem.

- a. City of Aumsville is added to the SKATS PC.
- b. A second Salem member is added to the PC, but the second Salem member is non-voting
- c. Total regular voting members = 9. 1 non-voting member for Salem.
- d. Two options in the future:
 - i. The Cooperative Agreement will be reviewed in 5 years (i.e. 2019) to re-visit adding a second regular-voting member for Salem; or
 - ii. If after the 2030 Census one or more additional jurisdictions are added to the Salem urban area, the Cooperative Agreement will be updated to also add at least one more City of Salem regular-voting member on the Policy Committee.

5. Add Aumsville; create a tiered-voting option when two jurisdictions support this.

- a. City of Aumsville is added to the SKATS PC.
- b. Salem representation could be any of the options #2, #3, or #4 above.
- c. Regular-voting is the default method used for action items. A tiered-voting option is created. Tiered-voting for an action item can be requested (either before any action item vote or immediately after a regular vote on an action item) and must be supported by any two voting members from different representative entities. If that occurs, the item is tabled to the next meeting of the Policy Committee when tiered-voting will be used for that specific action item.
- d. Draft table of regular-voting and four different options for tiered-votes (shown as a starting point for further discussion)

Member	Regular votes	Tier (Weighted) Votes				
		Option A	Option B	Option C (population based)	Option D (modified population based)	Option E Tbd
City of Salem	1 or 2	4	6	48	13	
City of Keizer	1	2	3	10	4	
Marion County	1	2	4	13	5	
Polk County	1	1	1	2	2	
City of Turner	1	1	1	1	1	
City of Aumsville	1	1	1	2	2	
SAMTD	1	1	2	2	3	
SK School District	1	1	1	1	1	
ODOT	1	1	1	1	1	
Total votes	9 or 10 Half = 4.5 or 5	14 Half = 7	20 Half = 10	80 Half = 40	32 Half = 16	
Salem's share of total votes	11% or 20%	29%	30%	60%	41%	

Table 1: SKATS Discretionary Funds by Jurisdiction (Population

Jurisdiction	2020 Census Population	
	Population	Percent
Keizer City Limit	39,309	14%
Salem City Limit	175,535	65%
Turner City Limit	2,454	0.9%
Marion Co. (outside City Limit to SKATS Boundary)	50,594	19%
Polk Co. (outside City Limit to SKATS Boundary)	3,845	1.4%
Salem Area Mass Transit District	--	--
Region-wide projects	--	--
ODOT	--	--
Total SKATS Area	271,737	100%

* Functional Classification of Major Collector and higher, excluding ODOT

COOPERATIVE AGREEMENT

DUTIES AND RESPONSIBILITIES FOR COOPERATIVELY
CARRYING OUT TRANSPORTATION PLANNING AND PROGRAMMING

THIS AGREEMENT made and entered into this 6th day of April 1987 by and between the State of Oregon by and through its Department of Transportation, hereinafter called "STATE", Mid Willamette Valley Council of Governments, hereinafter called "COG", City of Salem, hereinafter called "SALEM", City of Keizer, hereinafter called "KEIZER", Marion County and Polk County, hereinafter called "MARION" and "POLK", and the Salem Area Transit District, hereinafter called "DISTRICT" all of which are referred to collectively as "PARTIES".

W I T N E S S E T H

WHEREAS, the Highway Act of 1973 set forth requirements for Transportation Planning and provided funds for this purpose to Metropolitan Areas of 50,000 population or more to carry out a continuous, comprehensive and cooperative (3C) transportation planning process; and

WHEREAS, STATE, COG, SALEM, KEIZER, MARION, POLK and TRANSIT DISTRICT participate in the "3C" process in the Salem/Keizer Metropolitan Area; and

WHEREAS, the PARTIES desire to update, clarify, and streamline the process;

NOW, THEREFORE, the PARTIES hereto do mutually agree as follows:

Section A. The COG will provide administrative services and, along with STATE, carry out the technical responsibilities for the transportation planning process.

Section B. The Council of Governments shall retain the sole responsibility for acceptance of all contracts, grants and gifts for transportation planning in the Salem area, and all fiscal and financial responsibility therefore. The Director of the COG shall select and supervise the transportation planning coordinator and staff assigned to the transportation planning process.

Section C. The Salem Area Transportation Study (SATS) Coordinating Committee will be renamed the Salem/Keizer Area Transportation Study (SKATS) Policy Committee. Voting membership on the SKATS Policy Committee shall consist of:

1. One member, Marion County Board of Commissioners
2. One member, Polk County Board of Commissioners
3. One member, City of Salem City Council
4. One member, City of Keizer City Council
5. One member, Salem Area Mass Transit District Board of Directors
6. One member, Oregon Department of Transportation
7. One member, School District 24J Board

Section D. The SKATS Policy Committee is responsible for developing Bylaws, operating procedures, transportation plans, transportation improvement programs, and work programs, and to take other actions necessary to carry out the transportation planning process.

Section E. The SKATS Policy Committee shall use the following process in adopting the Transportation Plan and Transportation Improvement Program:

- 1) If the Policy Committee approves the document with a unanimous vote of the Policy Committee members attending a meeting as described in Section F., then the document is adopted.
- 2) If the Policy Committee approves the document with less than a unanimous vote (as described in Section F.) then the document shall be referred to the governing bodies of Marion, Polk, Salem, Keizer, and the District for endorsement. All five jurisdictions must endorse the document for it to be considered adopted. If all five jurisdictions do not endorse the document, they shall individually or through the Policy Committee develop a mutually acceptable proposal which will then be adopted in accordance with paragraphs 1 and 2 of this Section.

A graphic representation of this adoption process is presented in Attachment A.

Section F. The unanimous vote of the Policy Committee members required in Section E. shall meet the following requirements:

- 1) All of the members in attendance must vote in favor of the action.
- 2) All of the members must have been notified of the meeting time, date, and place.

- 3) All of the members must have been notified that the issue was on the meeting agenda prior to the meeting.

Section G. The SKATS Policy Committee has the authority to take final action on all other matters pertaining to the transportation planning process.

Section H. Transportation Planning documents such as the Transportation Plan and the Transportation Improvement Program which have been prepared, adopted, and are currently in effect, will remain in effect until the SKATS Policy Committee adopts new, updated, or revised versions of the documents.

Section I. The SKATS Policy Committee shall review this agreement on or before January, 1992 and every five years thereafter and recommend revisions as desired to the PARTIES. This agreement will remain in effect until revised or replaced by the PARTIES.

Section J. This Agreement supersedes all previous agreements among the respective parties covering the same subject, particularly the Agreement of October 30, 1980 among the State, COG, Salem, Marion, Polk and District; and the October 14, 1980 Joint Resolution between COG and the SATS Coordinating Committee.

IN WITNESS WHEREOF, STATE, COG, SALEM, KEIZER, MARION, POLK and DISTRICT have caused this Agreement to be executed in their respective names by their authorized representatives as of the day set out above.

This Agreement was approved by the Oregon Transportation Commission on March 20, 1987, at which time the Director, Oregon Department of Transportation, was authorized and directed to sign said Agreement for and on behalf of the Commission. Said authority is set forth in Volume 14, Page , Minute Book of the Oregon Transportation Commission.

APPROVED AS TO FORM:

James L. Seavers
Assistant Attorney General
and Counsel State of Oregon

John P. Lien
City Attorney

William F. [Signature]
City Attorney

Robert [Signature]
Legal Counsel 3-25-87

Michael R. [Signature]
Legal Counsel 4.29.87

Edward L. Clark, Jr.
Legal Counsel

[Signature]
Legal Counsel

[Signature]
Director, Oregon Department of
Transportation

CITY OF REIZER

By: [Signature]
Mayor

ATTEST: [Signature]
City Recorder

CITY OF SALEM

By: [Signature]
Mayor

ATTEST: [Signature] 4/27/87
City Recorder

COUNTY OF MARION

[Signature]
Chairman

[Signature]
Commissioner

[Signature]
Commissioner

COUNTY OF POLK

[Signature]
Chairman

[Signature]
Commissioner

[Signature]
Commissioner

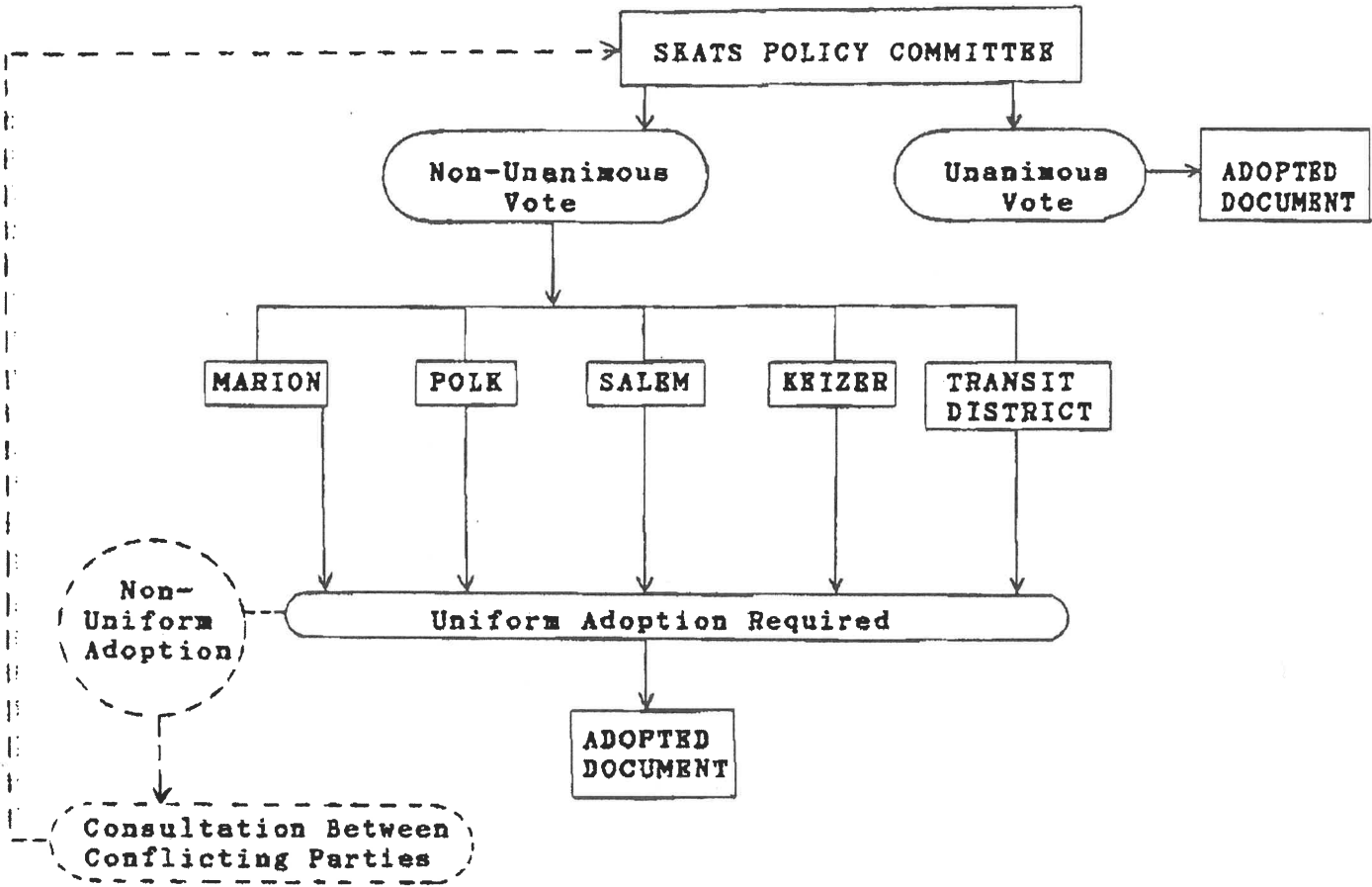
SALEM AREA TRANSIT DISTRICT
BOARD OF DIRECTORS

[Signature]
President

MID WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

[Signature]
Chairman

ADOPTION PROCESS
FOR TRANSPORTATION PLAN AND
TRANSPORTATION IMPROVEMENT PROGRAM



NEIL GOLDSCHMIDT
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310-1347

RECEIVED
MAY 13 1987

MID WILLAMETTE VALLEY
COUNCIL of GOVERNMENTS

May 8, 1987

Mid-Willamette Valley
Council of Governments
400 Senator Building
220 High Street NE
Salem, OR 97301-3663

Dear Council:

The cities of Salem and Keizer and the counties of Polk and Marion, along with the Salem Area Transit District and the Oregon Transportation Commission, have agreed that the Metropolitan Planning Organization for the Salem-Keizer urbanized area should be the Salem-Keizer Area Transportation Study Policy Committee. I concur with the designation of the new Metropolitan Planning Organization.

The Mid-Willamette Council of Governments will carry out the administrative responsibilities for the new Metropolitan Planning Organization. Funds used to carry out the transportation planning process will be funneled through the Council of Governments and expended under the direction of the Salem-Keizer Area Transportation Study Policy Committee.

Sincerely,


Neil Goldschmidt
Governor

NG:dkc
1175A

**AMENDMENT NO. 1
to the
COOPERATIVE AGREEMENT**

**DUTIES AND RESPONSIBILITIES FOR COOPERATIVELY
CARRYING OUT TRANSPORTATION PLANNING AND PROGRAMMING**

THE STATE OF OREGON, by and through its Department of Transportation, THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS, THE CITY OF SALEM, THE CITY OF KEIZER, MARION COUNTY, POLK COUNTY, and THE SALEM AREA MASS TRANSIT DISTRICT (referred to collectively as "PARTIES") entered into a cooperative agreement for duties and responsibilities for cooperatively carrying out transportation planning and programming. This Agreement was approved by the Oregon Transportation Commission on March 20, 1987, at which time the Director, Oregon Department of Transportation, was authorized and directed to sign the Agreement for and on behalf of the Commission.

It has now been determined by the "PARTIES" that the agreement referenced above, while remaining in full force and effect, shall be amended by this Amendment No. 1 to add THE CITY OF TURNER as a voting member on the Salem-Keizer Area Transportation Study (SKATS) Policy Committee.

Therefore, the Cooperative Agreement shall be amended as follows:

Section C of the Cooperative Agreement shall be amended to add subsection 8 to read as follows:

Section C. The Salem Area Transportation Study (SATS) Coordinating Committee will be renamed the Salem/Keizer Area Transportation Study (SKATS) Policy Committee. Voting membership on the SKATS Policy Committee shall consist of:

1. One member, Marion County Board of Commissioners
2. One member, Polk County Board of Commissioners
3. One member, City of Salem City Council
4. One member, City of Keizer City Council
5. One member, Salem Area Mass Transit District Board of Directors

6. One member, Oregon Department of Transportation
7. One member, School District 24J Board
8. One member, City of Turner City Council

This agreement shall be effective on the date all required signatures are obtained.

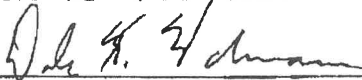
IN WITNESS WHEREOF the parties hereto have caused this Agreement to be signed in their respective names by their duly authorized representatives as of the dates set forth below.

The Oregon Transportation Commission on January 16, 2002, approved Delegation Order No. 2, which authorizes the Director to approve and execute agreements for day-to-day operations when the work is related to a project included in the Statewide Transportation Improvement Program or a line item in the biennial budget approved by the Commission.


SIGNATURE PAGE TO FOLLOW

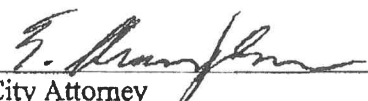
On January 31, 2002, the Director of the Oregon Department of Transportation approved Subdelegation Order No. 2, in which the Director grants authority to the Deputy Directors, Division Managers, Chief of Staff, Technical Services Manager/Chief Engineer, Branch and Region Managers for their respective Branch or Region, to approve and execute agreements up to \$75,000 when the work is related to a project included in the Statewide Transportation Improvement Program, other system plans approved by the Commission such as the Traffic Safety Performance Plan, or in a line item in the approved biennial budget.

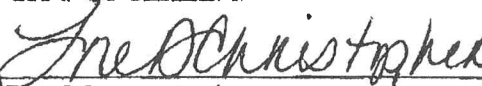

APPROVED AS TO FORM:



Assistant Attorney General

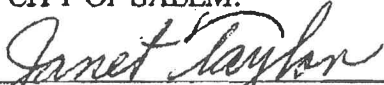
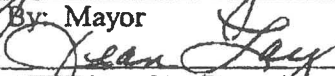
Date 9/30/03

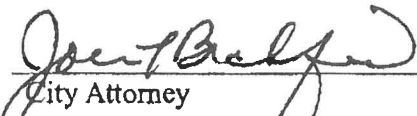

Deputy Director, Oregon Department
of Transportation, Transportation
Development Division
Date 10-6-03

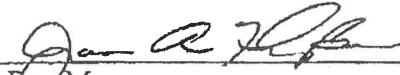

City Attorney
Date 6-26-03

CITY OF KEIZER:

By: Mayor

ATTEST: City Recorder
Date 6-17-03


City Attorney
Date 6/14/03

CITY OF SALEM:

By: Mayor

ATTEST: City Recorder
Date 6-12-03


City Attorney
Date 7/16/2003

CITY OF TURNER:

By: Mayor
ATTEST: City Recorder
Date _____

Approved as to form

Regan Mitchell
County Contracts Coordinator 8/15/03

Miscellaneous Contracts and Agreements
No. 20,523

COUNTY OF MARION:

Eric Allen Strominger
Legal Counsel

Date 20 August 2003

Patricia Miller
By: Chairman
Michael R. Rupp
Commissioner
James R. Rupp
Commissioner
Date 8/27/03

COUNTY OF POLK:

DA M
Legal Counsel

Date 5/12/03

Tom Rethley
By: Chairman
Michael R. Rupp
Commissioner
Tom Rupp
Commissioner
Date _____

SALEM AREA TRANSIT DISTRICT
BOARD OF DIRECTORS:

James R. Rupp
Legal Counsel

Date 5/22/03

Scott L. Chapman
President
Date 5/22/03

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

DA M
Executive Director

Date 5/8/03

**Salem-Keizer Area Transportation Study
Policy Committee**

BYLAWS

Article I

Name

This Committee, established by an Intergovernmental Cooperative Agreement entered into on April 6, 1987, shall be called the SKATS Policy Committee and is the designated Metropolitan Planning Organization (MPO) for the Salem-Keizer Urban Area. This agreement was amended October 6, 2003.

Article II

Purpose

The SKATS Policy Committee is the policy committee of the Salem-Keizer Area Transportation Study. The purpose of the Policy Committee is to identify transportation policies, issues, and needs which are areawide in scope; and to plan and recommend actions in areas of intergovernmental concern. It is the SKATS Policy Committee's responsibility to insure that transportation decisions are consistent with areawide goals and objectives.

The Policy Committee will be supported by advisory committees as the Policy Committee deems appropriate.

The responsibilities of the SKATS Policy Committee are to:

1. Provide policy direction in the development of the areawide transportation plans and work programs.
2. Recommend transportation plans, policies, programs, and priorities to the participating units of government for their adoption as appropriate.
3. Help member agencies coordinate their respective implementation programs.
4. Serve as the forum for joint, cooperative discussion and decision-making.
5. Prepare, update, and adopt the Regional Transportation Systems Plan (RTSP).
6. Annually prepare and adopt a Unified Planning Work Program (UPWP).
7. Prepare and adopt the Transportation Improvement Program (TIP).

8. Prepare other administrative documents that may be required to carry out the transportation planning process.
9. Adoption of documents will be in accordance with the processes outlined in the April 6, 1987 Cooperative Agreement, *as amended*.

Article III

Organization

- A. The SKATS Policy Committee shall consist of eight members appointed by their governmental unit as identified in the Cooperative Agreement. These are:
 1. One member, Marion County Board of Commissioners
 2. One member, Polk County Board of Commissioners
 3. One member, City of Salem City Council
 4. One member, City of Keizer City Council
 5. One member, School District 24J Board
 6. One member, Salem Area Mass Transit District Board of Directors
 7. One member, Oregon Department of Transportation
 8. One member, City of Turner City Council
- B. A quorum shall consist of not less than four (4) voting members.
- C. There shall be held annually at the first meeting of the calendar year, election of officers, consisting of Chairperson and Vice-Chairperson.
- D. The Chairperson of the SKATS Policy Committee shall conduct all meetings of the Policy Committee and appoint subcommittees as required and specify assignments and deadlines of subcommittee reports.
- E. The Vice-Chairperson of the SKATS Policy Committee shall conduct meetings of the Policy Committee in the absence of the Chairperson. In the absence of the both the Chairperson and the Vice Chairperson, the Chair will delegate another member of the committee to conduct that particular meeting prior to the meeting date.
- F. The Chairpersons of all SKATS Advisory Committees and a representative of the Marion, Polk, Salem, **Turner**, and Keizer Planning Commissions are encouraged to participate (in a non-voting capacity) in Policy Committee meetings.
- G. The jurisdiction of a regular voting member, who is unable to attend a Committee

meeting is encouraged to send another representative who meets the criteria in Article IIIA.

Article IV

Meetings

Regular meetings shall be held monthly. The local newspaper must receive notification of meetings at least 24 hours prior to any meeting.

Written minutes will be taken at each meeting. Parliamentary Procedure as defined in Robert's Rules of Order Newly Revised will be followed and the Oregon Open Meetings Law (ORS 192.610 to 192.690) requirements will be adhered to at all times. The Chairperson shall enter into discussions and vote, the same as any other voting member.

In an emergency, telephone polls/votes may be conducted in lieu of a meeting with approval of the Chairperson. Votes will be formalized at the next meeting.

Article V

Amendments To The Bylaws

The Bylaws may be amended at any regular meeting of the SKATS Policy Committee, provided that written notice of, and the proposed amendment is mailed to each member of the committee not less than five days prior to such meeting.

Adopted: SKATS PC - 5/27/87
Amended: SKATS PC - 5/16/91
Amended: SKATS PC - 11/26/02
Amended: SKATS PC - 11/25/03

Overview of the structure and votes for MPOs in Oregon (and a few outside Oregon)

Created June 16, 2023

Updated August 4, 2023, December 15, 2023, February 16, 2024

Summarized in this paper is information from the Metropolitan Planning Organizations in Oregon and selected other states, on how their Policy Boards (the decision-making body for the MPO) are composed, the voting structure, and any other unique characteristics¹. This information is as of May 2023² and was gathered from the MPO's Policy Board By-Laws (if available), information from other Oregon MPO staff when they were contacted in April 2023, or from websites for MPOs outside Oregon.

Summary of other Oregon MPO structures –

- Five of the nine Oregon MPOs listed below (SKATS, Albany, Bend, Rogue Valley and Walla Walla) currently use one voting representative per jurisdiction.
- Central Lane MPO has two voting members each for Eugene, Springfield, Lane County, and Lane Transit District but only one voting member for Coburg and ODOT. There are also non-voting ex-officio members. See description for details about how Eugene, Springfield, and Lane County have some veto power when voting.
- In the Corvallis Area MPO (CAMPO), the Board includes City of Corvallis, City of Philomath, City of Adair Village, Bendon County, and ODOT (total of 5 members). However, the city of Corvallis gets three votes while the other members get one vote each. In this manner, Corvallis has the most influence on any formal vote but is only 3 of the 7 votes. We've been told that consensus is reached on most decisions.
- Middle Rogue MPO has three votes for Grants Pass, two from Josephine County, and one each from Jackson County, city of Gold Hill, city of Rogue River, and ODOT. Actions are approved by a majority of members present. See notes about Middle Rogue (below) about calls for super-majority roll-call votes.
- Portland Metro has 27 jurisdictions within its MPO boundary. Most major discussions happen at the JPACT level, which has three Metro Councilors, seven local elected officials (one from Portland, one from each county, and one to represent cities in each county (three total, this will not include Portland)), appointed officials or staff from ODOT, TriMet, Port of Portland, and Oregon DEQ. Plus, two local officials from Washington (Vancouver and Clark County) and one Washington DOT.

¹ See 23 CFR 450.310 Metropolitan planning organization designation and redesignation for the federal requirements of MPO composition

² Central Lane information updated in December 2023 based on changes by them in October.

Details of MPO structures, voting, and decision process

Salem-Keizer Area Transportation Study (SKATS) MPO –

- Per the Cooperative Agreement of 1987 (amended in 2003), the SKATS Policy Committee is currently composed of elected officials from the cities of Salem, Keizer, and Turner; Marion and Polk counties; Salem-Keizer School District Board; appointed officials from the Salem Area Mass Transit District Board of Directors and ODOT. Each jurisdiction/district/agency gets one member on the committee (therefore, eight members total on the committee), and there is one vote per member.
- Per the existing Cooperative Agreement, adoption of the Metropolitan Transportation Plan and Transportation Improvement Program requires a unanimous vote of the Policy Committee members attending the meeting(s) when those documents are up for adoption.

Albany Area MPO – The Policy Board is composed of elected officials from the cities of Albany, Jefferson, Millersburg and Tangent; Benton County and Linn County; plus the ODOT area manager and a citizen representative. They strive for consensus. Each member has one vote. Decisions to create criteria to prioritize and/or rank projects must be made by unanimous vote by all present.

Bend MPO – The Policy Board is currently made up of three members from the City of Bend, one member from Deschutes County, and one member from ODOT. Each member has only one vote, so there are three total votes, and a simple majority is needed to approve a motion/action. They are discussing adding transit to the Policy Board.

Rogue Valley MPO – The Policy Board is composed of elected or appointed officials from the cities of Central Point, Medford, Phoenix, Ashland, Talent, Jacksonville, and Eagle Point, the Rogue Valley Transportation District (RVTD), Jackson County, and ODOT. There is one vote per member. The Rogue Valley COG's Planning Program Manager is a non-voting member of the committee responsible for staff support. Any member may ask for "Super Majority" (two thirds of voting members plus one) roll call vote if consensus (unanimity) cannot be reached on an MPO decision item/issue. Bylaws - Bylaws may be amended or repealed or new bylaws may be adopted by a Super Majority vote of two-thirds plus one of the members of the committee present at any regular or special meeting called for that purpose. This also includes amending the bylaws to include new members.

Walla Walla Valley MPO (which includes Milton-Freewater in Oregon) – Twelve voting members representing cities, counties, transit provider, a port, a Tribe, and two state DOTs. Simple majority of members present to pass a motion, with one vote per member. Yearly rotation of officers; the Vice-Chair becomes Chair. Jurisdictions (governmental unit, agency, or organization) serve as Chair/Vice-Chair in order of succession established by the Policy Board.

*** Central Lane MPO³** – Central Lane has a Metropolitan Policy Committee (MPC). For transportation matters related to the MPFoO, the ten (10) voting members are:

- two elected officials each from Eugene, Springfield, Lane County (for a total of 6)
- two members from Board of the Lane Transit District
- one elected or appointed official from the City of Coburg
- one appointed senior staff representative from ODOT

Five voting members, including at least one representative from Eugene, Springfield, Lane County, and the Lane Transit District, shall constitute a quorum when the MPC is considering metropolitan transportation.

In addition to the voting members, the MPC (for MPO matters) includes these non-voting ex-officio members : City Managers of Eugene and Springfield, Lane County Administrator, Lane Transit General Manager, City Administrator of Coburg (or designee), ODOT Director or designee. Ex-officio members can participate in discussions and deliberations of the MPC but shall have no vote and shall not make or second motions.

All formal actions of the MPC shall require the vote of at least a simple majority of the quorum present and the affirmative vote of at least one elected representative from Eugene, Springfield, and Lane County. In the case of a tie vote, the issue shall be considered unresolved and may be voted upon again

*** Middle Rogue MPO** – The Policy Board is composed of three representatives from Grants Pass, one each from the cities of Gold Hill and Rogue River, two from Josephine County, one from Jackson County, and one from ODOT. One vote per member. Actions are approved by a majority of members present. Any member for any item being voted on may call for a super-majority, roll-call vote. If requested, motions pass with two-thirds of the present member voting affirmative. RVCOG Executive Director or designee is a non-voting member of the Policy Board responsible for staff support.

*** Corvallis Area MPO** – Composition of the Policy Board includes representatives from the cities of Adair Village, Corvallis, and Philomath, Benton County, and ODOT. Their Cooperative Agreement says “The Policy Board voting structure will reflect the various populations sized of the Parties. However, no single Party will have such a number of votes that unilaterally controls decisions. Each Party has one vote, except the City of Corvallis has three votes.”

They strive for consensus and have a process if that cannot be attained (see box below). Corvallis has three votes, everyone else one. Note: while Corvallis has 3 votes, there are four other members of the Policy Board so Corvallis could never unilaterally make an action that affects the region. Chair and Vice Chair are limited to two consecutive full terms of office

³ This section updated based on MPC Bylaws adopted at the October 5, 2023, MPC meeting. The MPC bylaws stipulate that representation differs when considering transportation matters versus transportation matters related to the MPO versus regional park/open space matters.

Corvallis MPO Voting / Decision-making (from the Board Operating Guidelines)

Policy Board will make decisions using the following procedures:

- The Policy Board will strive to reach decisions on a consensus basis.
- If representatives of two Parties, or one Party and ODOT, conclude that consensus cannot be attained, then the Policy Board shall review the Common Interests of the MPO Policy Board in Consensus Decision Making attached hereto as Exhibit "B" (see below).
- After the review of common interests, a vote will be called if requested by representatives of three Parties or two Parties and ODOT.
- Decisions made by vote require a majority of the Policy Board votes as defined in 4.1.1. and 4.1.2. (*which I think is 75 percent of the parties to reach quorum – needs to be checked*)

Exhibit B: Common Interests of the MPO Policy Board in Consensus Decision-Making

1. Quick/efficient
2. Uses available information (no hidden agendas or information)
3. Takes all players into account
4. High value on decisions that Policy Board members can support (may be in conflict with #1)
5. One party should not control/prohibit decisions
6. Builds trust among all partners (builds upon #2)

Portland Metro – The Portland Metro Council is directly elected by the public (one of the few in the country and partly due to the MPO is a function of the Metropolitan Service District). The Council is advised by JPACT (Joint Policy Advisory Committee on Transportation) and MPAC (Metro Policy Advisory Committee) which are composed of elected and appointed officials or senior staff.

- JPACT: This is the MPO for the Portland Metropolitan area. Three Metro Councilors, seven local elected officials (Portland, one from each county, and one to represent cities in each county (not including Portland)), appointed officials from ODOT, TriMet, Port of Portland, and Oregon DEQ. Plus, two local officials from Washington (Vancouver and Clark County) and one Washington DOT. Each member is entitled to one (1) vote on all issues presented at meetings. The act of a majority of those present at meetings at which a quorum is present shall be the act of the Committee. The chairperson is appointed by the Metro Council President and confirmed by the Metro Council. The chairperson shall vote only in case of a tie.
- MPAC: This committee is focused on the land use aspects that Portland Metro is required to administer. It is composed of 11 local officials, three appointed officials, TriMet, school district representative, three citizens, two Metro Councilors (non-voting), two officials from Clark County (WA), and a non-voting appointed representative from State of Oregon.

Other MPOs (outside Oregon) that use proportional or weighted voting procedures.

Asheville NC – One vote per member. Two members from Asheville, two each from three counties, one from one county, one each from 15 towns/cities, two from NC DOT, one non-voting from a county and one non-voting from FHWA.

Springfield MO – Two county commissioners (of the main city), three Springfield council members, one from the transit provider and airport respectively, four citizen at-large representatives (two nominated by Springfield, one by the adjacent county, one by the MPO Board), one official for the adjacent county, one official from each of the other six cities within the MPO. Non-voting: FHWA representative, FTA representative, FAA representative, and MO DOT representative.

Sioux Falls SD – Mayors of the four cities (including Sioux Falls), four Sioux Falls council members, three county commission members from each of the two counties, and a South Dakota Transportation Commission member.

North Front Range MPO (Fort Collins CO) – One vote per member, with some limitations as noted. One representative from each city (13), the two counties, the Colorado Transportation Commission (not eligible to vote on TIP Call for Projects), and the Colorado Air Pollution Control Division (limited to air quality items only). Allows non-voting membership to public or private entity involved in transportation or air quality. Weighted voting is an option, see below.

North Front Range MPO - Weighted Vote

Any member of the Council, that is eligible to vote on a given item, can call for a weighted vote. A weighted vote cannot be used on matters related to changing the Articles of Association or on personnel matters regarding the executive director.

Should a weighted vote be called, the item under consideration shall immediately be tabled and a weighted vote carried out at the next regular meeting of the MPO Council. This allows Council members to consult with their local governments prior to a weighted vote being cast.

Determination of the weighted votes is based on the Decennial Census numbers and updated annually to reflect the State Demographer's estimates.

- a. Weighted votes will be adjusted when a new member government joins the Council.
- b. Weighted votes will be reviewed and adjusted annually in conjunction with the release of the State Demographer's estimates and/or the American Communities Survey from the U.S. Census Bureau, generally in the fall.

Revised population estimates will be released with the adoption of the Unified Planning Work Program (UPWP) that serves to update the Local Match contribution as well as the weighted vote.

- c. Population for the cities and towns is either based on the Decennial Census, once every ten (10) years, or the State Demographer's estimates.
- d. Population for the Counties within the Area is calculated as follows:
 - i. Decennial Census: Total the Census Blocks which are within the MPO boundary, minus the cities and towns within the boundary.
 - ii. Adjusted annually by the U.S. Census Bureau's American Communities Survey using the same method as above.
- e. State Members, the Transportation Commissioner and the Air Pollution Control Division have a weighted vote of one.

The number of votes is based on where the population falls within the following increments (table omitted, basically one vote per 10,000 population. For example, members with less than 10,000 population get 1 vote, and members with 190,001-200,000 population get 20 votes, with increments of 10,000.)

Spokane WA – The Spokane Regional Transportation Council (SRTC) is the designated MPO at the federal level, and the designated Regional Transportation Planning Organization (RTPO) by state law. One vote per member. Two members from Spokane, two from Spokane Valley, two from Spokane County, one each from six other cities, one for "Southeast County Towns" (these are small cities), one each for transit, Washington DOT, a major employer representative, Transportation Commission, a freight/rail representative, and the airport. One member from each of the two tribes. A simple majority (more than half of those present) is required to approve an action. A tie vote results in no action unless a weighted vote is requested. (The weighted voting option is described below).

Spokane, WA - Weighted Voting⁴

To provide a measure of proportionate representation between the Parties, the Board shall utilize a weighted voting process, which may be requested on any action item by any two voting Directors from different representative entities. A request for a weighted vote shall be stated on the record and seconded by another voting Director either: (1) prior to the vote on the proposed motion; or (2) after the vote but prior to the Board taking action on the next immediate agenda item. If the weighted vote achieves greater than fifty percent (50%) of the vote, the weighted vote shall take precedence over a prior non-weighted vote. Following the request for weighted voting, the Chair shall thereafter conduct a weighted vote on the matter, with the weight of each vote calculated according to the percentages set forth in Attachment 1 to the ILA (Interlocal Agreement). A weighted vote may not occur with respect to the adoption of bylaws and rules of procedure, the appointment or discharge of the Executive Director, and/or adoption of the SRTC budget. The voting per member for regular and weighted votes is shown in **Table 1**.

⁴ Attachment A, SRTC Rules of Procedures, Resolution 22-18 (October 13, 2022), Section 6.2 Weighted Voting

Table 1: Spokane RTC Voting and Weighted Voting by Member

Agency	Regular Vote	Weighted Vote
Airway Heights	1	2
Cheney	1	2
Liberty Lake	1	2
Medical Lake	1	1
Deer Park	1	1
Millwood	1	1
Southeast County Towns	1	1
Spokane Seat 1	1	3.5
Spokane Seat 2	1	3.5
Spokane County Seat 1	1	3.5
Spokane County Seat 1	1	3.5
Spokane Valley Seat 1	1	3.5
Spokane Valley Seat 2	1	3.5
Spokane Transit	1	2
WSDOT	1	2
Major Employer	1	1
Transportation Commission	1	1
Kalispel Tribe	1	1
Spokane Tribe	1	1
Freight/Rail Representative	1	1
Spokane Airports	1	2
Total	21	42

Sandhill MPO (Pinhurst, North Carolina) - The urban area for Pinhurst-Southern Pines surpassed 50,000 people with the 2020 Census and needed to form a MPO. The new MPO panning area will include representatives from the eight municipalities shown in the table below, plus the state Department of Transportation.

Municipality	Population (2020)	% of Pop	Area	% of Area
Aberdeen	8,509	14%	10.3	6%
Foxfire Village	1,288	2%	7.1	4%
Pinebluff	1,462	2%	2.56	2%
Pinehurst	17,581	29%	17.6	11%
Southern Pines	15,601	26%	17.1	11%
Taylortown	634	1%	1.35	1%
Whispering Pines	4,800	8%	4.2	3%
Moore County (in MPA)	10,718	18%	98.2	62%
TOTAL	60,593	100%	158.5	100%

Based on news stories⁵, in August 2023 the committee initially discussed a proposed voting structure that would include **one vote per member, with the ability for someone to call for a weighted vote**, based on jurisdiction population, if a vote was not unanimous. Pinehurst and Southern Pines (the two largest jurisdictions) would **each have three votes if weighted**, Aberdeen and Moore County would have **two votes** and **all others would stay at one vote**. Southern Pines suggested keeping the proposed structure but needing two people to call for a weighted vote — a person to motion it and someone to second. **Representatives at the meeting later decided to bring the suggested voting structure of one vote per jurisdiction with the possibility of a weighted vote with a motion and second to their individual boards to keep the ball rolling on finalizing details for the MPO.**

During the fall of 2023, the committee continued to discuss the voting structure. A December news story stated that the voting structure that was chosen was a **two-tiered system**. **In cases when the votes are not unanimous, someone may call for a weighted vote based on population, but it only goes through if the request is seconded.** In December, the state Secretary of Transportation approved the MPO's new guiding documents. While the entire group approved agreement documents for forming the group, Foxfire, Moore County, Taylortown and Whispering Pines submitted declarations of dissent about the voting structure.

⁵ https://www.thepilot.com/news/mpo-representatives-debate-voting-structure/article_82a504b4-4058-11ee-804e-37d04a3eec77.html
https://www.thepilot.com/news/representatives-work-to-finalize-planning-organization/article_cf825578-6f7b-11ee-9137-2791e3052103.html
https://www.thepilot.com/news/state-oks-regional-transportation-planning-group/article_eff84f2-a0e9-11ee-a304-9fa21e3021c9.html

Attachment D

Minutes

Salem-Keizer Area Transportation Study (SKATS)
Policy Committee
August 22, 2023
100 High St. SE, Suite 200
Salem, OR
Noon

This was a Hybrid meeting: attendance was online via Zoom & in-person in the MWVCOG Conference room.

Policy Committee Members Present

Brandon Williams, ODOT Region 2 - Alternate for Anna Henson
Cathy Clark, 2023 Chair, Keizer Mayor
Kevin Cameron, Marion County Board of Commissioners
Lyle Mordhorst, 2023 Vice Chair, Polk County Board of Commissioners¹
Maria Hinojos-Pressey, Salem-Keizer School District²
Sadie Carney, SAMTD Board of Directors
Steve Horning, Turner Mayor
Trevor Phillips, Salem City Council

Policy Committee Members Absent

Anna Henson, ODOT Region 2

Others Present

Carl Lund, Marion County Public Works
Della Seney, Aumsville City Council
Jacqueline Green, NE Keizer Neighborhood Association
Janelle Shanahan, Marion County Public Works
Julie Warncke, Salem Public Works
Lori Moore, MWVCOG-SKATS
Mike Jaffe, MWVCOG-SKATS
Ray Jackson, MWVCOG-SKATS
Steve Dobrinich, MWVCOG-SKATS
Tammy Kunz, NE Keizer Neighborhood Association
Tammy Saldivar, Traffic Safety Bikeways Pedestrian Committee
Theresa Whisenhunt, MWVCOG-SKATS

¹ Commissioner Mordhorst arrived at 12:09pm, just prior to the vote on item D.

² Ms. Hinojos-Pressey arrived at 12:18pm, during the presentation of item E.

Agenda Item F. MPO Composition and Cooperative Agreement

At the June Policy Committee meeting, Mike Jaffe provided information about the change to the Salem Urban Area as a result of the 2020 Decennial Census. Due to this expansion, the city of Aumsville will be added to the SKATS Metropolitan Planning Area. Also discussed was adding Aumsville as a SKATS Policy Committee member. Staff reviewed the current SKATS Cooperative Agreement and its amendment in 2003 to add city of Turner; the SKATS Policy Committee Bylaws; and research by staff on the composition of other MPOs in Oregon and a few other states.

During the June and July PC meetings, members had questions about who should be signatories of the Cooperative Agreement, and the inclusion of school districts and tribal governments on MPOs. To respond to these questions and others, Mr. Jaffe developed a “Questions and Answers” memo that was discussed.⁸

The primary actions to take because of the 2020 Census and expansion of the Salem urban area to include Aumsville were outlined. Mr. Jaffe explained the difference between Federal Aid Urban Boundaries (FAUB) and Metropolitan Planning Area (MPA) boundaries, along with respective timelines for adoption. Updating of the FAUB has a hard deadline for submission to ODOT of September 1st, and submitting changes to the MPA boundary is due by December 29, 2026. However, there is no deadline for adding Aumsville to the SKATS Policy Committee and that is entirely up to the Policy Committee to decide.

Federal regulations⁹ regarding MPO designation was discussed. The federal regulations state that the Cooperative Agreement is “between the Governor and the general-purpose local governments that together represent at least 75 percent of the affected population” within the MPA boundary. Mr. Jaffe explained that due to the “at least 75 percent” provision of federal law and regulations, MPOs aren’t required to have every general-purpose local government within the MPA be signatories in a Cooperative Agreement (CA). In the case of SKATS, the populations of the four largest jurisdictions (Salem, Keizer, and Marion and Polk counties) comprise 99% of the SKATS planning area population. Turner’s population is 1 percent of the SKATS area population. However, there is no restriction to having additional general-purpose local governments (above the 75% threshold) within the MPO be signatories to the CA. SKATS set the precedent of adding the city of Turner to the SKATS CA (in 2003) when the Salem urbanized area expanded to include Turner after the 2000 Census.

Mr. Jaffe addressed additional questions and answers from the memo:

“Why is Salem Keizer Public Schools a voting member of SKATS PC but not a signatory to the current SKATS CA?” When the current 1987 Cooperative Agreement went to the Governor, the school district wasn’t required to be a signatory because they are not a general-purpose

⁸ MPO questions and answers may be found as item F in the August agenda packet.

⁹ (3 CFR 450.310)

government and not involved in the continuing, comprehensive, and cooperative transportation planning process of general-purpose governments (cities and counties). However, since the school district had been included on the area's transportation coordinating committees since 1972, and being a large, localized transportation provider in the MPO, they were kept as a voting member for the 1987 Cooperative Agreement.

"Should Cascade School District also be included in SKATS?" Staff shared that none of the other Oregon MPOs include a school district representative on their Boards. Staff displayed a map showing the relatively small overlap between the Cascade School District and the current SKATS planning boundary.

"Can Tribal Governments be a member of an MPO?" A 2017¹⁰ national survey on the composition of MPO Boards found that 4 percent of MPO Policy Boards include a seat for a tribal government. From the report: "There are isolated examples of school boards, tribal governments, colleges or universities, private sector representatives, and military installations serving on MPO boards." The federal statutes and regulations don't directly address the connection between MPO Boards and Tribal Governments, however, federal regulations¹¹ state that the *"designation or selection of officials or representatives... shall be determined by the MPO according to the bylaws or enabling statute of the organization"*, giving MPOs additional latitude beyond the federal requirements for board composition. Within the SKATS MPO boundary, the tribal governments own some land, but they are not of significant size, nor are there tribal government seats within the MPO boundary.¹²

Mr. Jaffe next reviewed the Cooperative Agreement's voting process. There are only two instances where a unanimous vote is required; to adopt the Metropolitan Transportation Plan (MTP) and Transportation Improvement Plan (TIP). In cases of a non-unanimous vote for either document, the secondary process in the Cooperative Agreement refers the MTP or TIP to the governing bodies of five SKATS members (i.e., Marion, Polk, Salem, Keizer, and the Transit District) and all five jurisdictions/agencies must endorse the MTP or TIP for it to be considered adopted. If all five jurisdictions don't endorse, then the five jurisdictions shall develop a "mutually acceptable proposal" that goes through the adoption process one more time.¹³ All other voting by the Policy Committee is done following Robert's Rules (as specified in the SKATS Bylaws) and voting is done by majority vote.

¹⁰ MPO Staffing and Organizational Structures, USDOT/FHWA, October 2017.

¹¹ 23 CFR 450.310 (d)(3)

¹² It is worth noting: SKATS does consultation with the tribal governments as per the "SKATS Consultation Process for use During the Development of the SKATS RTSP and TIP", adopted by the SKATS Policy Committee on December 12, 2017, and Revised: May 25, 2021.

¹³ A flow-chart explaining may be found within the SKATS Cooperative Agreement.

Mr. Jaffe presented a table of three options for adding the city of Aumsville to the SKATS PC:

1. Amend the SKATS bylaws only to add Aumsville as a voting member.¹⁴ This option is not recommended because the SKATS Cooperative Agreement (CA) lists its voting membership (and doesn't include Aumsville) so adding Aumsville as a voting member would create a contradiction between the two documents that might raise some issues in the future.
2. Amend the Cooperative Agreement and the SKATS bylaws to add Aumsville as a voting member (This is identical to what was done to add Turner in 2003)
3. Amend the Cooperative Agreement and the SKATS bylaws to add Aumsville as a voting member, plus potentially make other changes to the CA and bylaws such as number of representatives per jurisdiction or changes to the adoption process for the Metropolitan Transportation Plan or Transportation Improvement Plan.¹⁵

Options	Process & Result	Redesignation by Governor needed
1. Amend SKATS Bylaws to add Aumsville as member	<ul style="list-style-type: none">• Changes to Bylaws can be done at any SKATS PC meeting, with due notice• Would results in <u>contradiction in "list of members"</u> between Bylaws and Cooperative Agreement, (unless Aumsville added as non-voting member)	No
2. Amend SKATS Cooperative Agreement (CA) to add Aumsville as a member	<ul style="list-style-type: none">• Create Amendment #2 to CA• Get all parties to sign• Still need to update the Bylaws• Result is similar to addition of Turner to SKATS	No

¹⁴ The Cooperative Agreement requires signatures of all the required parties, while amendment to the Bylaws can occur "at any regular meeting of the SKATS Policy Committee, provided that written notice of, and the proposed amendment is mailed to each member of the committee not less than five days prior to such meeting."

¹⁵ Changes that constitute "a substantial change on proportions of voting members" or "a substantial change in decision-making authority or responsibility of the MPO, or in decision-making procedures established under MPO by-laws" would require an official redesignation of the MPO by the Governor.

3. Amend CA to add Aumsville, and make other changes to representation and/or adoption process	<ul style="list-style-type: none"> • Modify the CA through a process decided by the Policy Committee (facilitated or not facilitated process). • Update to Bylaws 	Yes, if there is a <u>substantial change</u> in proportion of voting members, decision-making authority, or procedures
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Chair Clark polled the committee to narrow down the options for discussion. The Committee decided to focus the discussion on options 2 and 3, dropping Option 1. Option 3 would mean additional discussion/facilitation depending on if/how the Policy Committee may want to change the voting structure, and later on redesignation of the MPO by the Governor.

There was discussion by Chair Clark and Aumsville Councilor Della Seney regarding the model used for representation on MWACT, where Aumsville is the “corridor representative” for the cities along Highway 22 East, and she communicates with the other cities along the corridor. Councilor Della Seney said at times it can be difficult to reach the other cities, but she makes sure if there’s anything about Highway 22 East, she brings that to MWACT. Chair Clark mentioned that if, in the future, cities such as Stayton or Sublimity continue to grow, they might be added to SKATS planning area by 2030. Chair Clark said these small cities could use a model similar to MWACT and this could be written in the Cooperative Agreement and the Bylaws.

Commissioner Cameron likes Option #2 and said this SKATS group has been very representative of the needs of this communities, from Salem to Keizer to east Salem. “This is the opportunity to bring Aumsville in, keep it going, and we don’t have to spend a lot of time figuring anything else.”

Mayor Horning (Turner) agreed with Commissioner Cameron and said adding Aumsville makes sense to him, and that adding small cities like Turner to SKATS has set a precedent. Since it’s been working fine for 20 years, it sets a precedent for other small towns.

Councilor Phillips said Salem prefers option 3. He referred to Chair Clark’s comments about future expansions of the MPO and are important to consider. Phillips said that Salem believes “the time is now to address some of the perception of disproportionality”. Salem the general-purpose government that has 60-63% of the [SKATS] population. He said that in his years as an alternate or member representing Salem, he hasn’t seen the current structure of the committee affecting any past votes or having an extra vote impacting any upcoming votes. But as the biggest, general-purpose government, “Salem has some concerns about adding Aumsville without going through a facilitated process and looking at how we can bring our voice to the table. Because as one, unpaid volunteer... representing close to 180,000 people, it is hard for me as one person to bring the complexity of our [Salem’s] voice to this process.” He said in his discussion with Salem Mayor Hoy, “the city would be interested in adding another vote from the city of Salem.” “Which I don’t think would change anything. I don’t want that to weaken my

argument for what I am trying to see. I think having another full member from Salem --if we had someone from ward 8 or ward 5 -- this is a big city now and there are concerns that I cannot track as well as the [council] member from ward 3. There are a lot of projects in ward 3, so it makes sense that I am here. But that's just 1/8th of what our city has to offer." He concluded that Salem feels strongly about going through a facilitated process.

Chair Clark informed the committee that there is a precedent that has been set with another collaborative organization. She explained how the Mid-Willamette Valley Homeless Alliance has structured their board. When that board was formed, Salem and Marion County were allowed two representative and all the other signatories have one. This was done to bring additional voices to the table due to the more complex jurisdictions, not because of a voting issue or vote count. She has discussed the issue with Councilor Phillips and the city of Salem; she voiced how having two representatives from the more complex jurisdictions has been successful in that organization.

Commissioner Mordhorst spoke about the history of the committee and the successful collaboration of the jurisdictions. He feels everyone having an equal vote and having projects that stand on their own has been the key to the success. He noted how Salem is the hub of the MPO and everyone around the Salem area has worked to be supportive of the city. "Even though some of us live outside of Salem, we are still part of Salem." Everyone having an equal vote results in a committee "with the least amount of disagreement, because we are all equal."

Director Carney spoke about the duties of the PC to review the CA every 5 years and make revisions as needed. She acknowledges that, although the UPWP contains a review of the CA as part of the plan, the PC has not taken the time as a committee to explicitly review the CA, nor has it been updated in 20 years plus, other than to add the city of Turner. She feels the committee needs to follow through with the actions that are set forth in the documents being used for guidance.

Director Hinojos-Pressey voiced her support for Councilor Phillip's and the city of Salem's request for a facilitated process. She did notice from the research provided by staff that some of the other MPO agreements do not have weighted voting for every vote. She noted that there are times [in the MPO's procedures] when there wasn't consensus or unanimity only then a weighted vote would be triggered. She feels that is an option to explore as part of the process.

In an effort to move the discussion along and direct staff about next steps, Chair Clark asked if there was any additional information needed by the committee to understand options 2 or 3. Councilor Phillips asked if a majority of the committee decided to move forward with option 2, what would happen if the city of Salem decided not to sign the cooperative agreement? He said he did not want to make this choice today and wanted more time. He reiterated that he feels the best way to move forward is to go through a facilitated process.

Mayor Horning said Salem's request for a second member might open the door for other members on the committee (e.g., the counties or SAMTD) asking for additional representation,

and asked what might happen 10 years from now by setting this precedent. Director Hinojos-Pressey put forward that only the general-purpose governments are being considered for additional members on the SKATS Policy Committee, not the special districts; Chair Clark agreed with Director Hinojos-Pressey.

Commissioner Cameron talk about how he also represents the interests of the city of Salem as well as the rest of the Marion County. He wants to make sure that the city of Salem gets their projects done as well as the rest of Marion County. He feels the committee has moved forward with a unique cooperation that benefits all the jurisdictions, in particular cooperating as an MPO to complete projects, no matter which jurisdiction. "We work together, and I don't see that changing. I heard the councilor [Phillips] say he doesn't see that changing. So, if it's not going to change, I don't know why we need to go through this process. If you're right about that -- that this isn't going to change -- then let's just move forward and have everyone in this room work together like they have in the past." He feels that this group is looking at the broader picture. He represents not only Marion County residents but also residents in the cities of Salem, Turner, Aumsville, and Keizer. He is in favor of option 2.

Regarding Councilor Phillips question, Mike Jaffe responded that if Salem decided not to sign a new agreement that added Aumsville to the MPO, the fact that Salem is not a party to the agreement would constitute a substantial change of the MPO; substantial changes to the existing agreement would require redesignation by the Governor. But the Governor would have to reject that new Cooperative agreement because the new agreement wouldn't include the largest incorporated city by population (i.e., Salem) as well as the "75% rule", as required by the federal regulations. As a result, the existing Cooperative Agreement from 2003 would remain in effect as the acting agreement.

Chair Clark posed to the committee the option of adding Aumsville to the MPO now and calendar to have the conversation about the other two issues; she noted that would mean the CA does not have to remain static for the next 20 years. If it is the choice of the PC to continue to address the other two issues (adding a second Salem seat and the unanimous vote), while bringing Aumsville on board, that can be done on the committee's own timeline without denying Aumsville access to being part of the committee.

Mr. Jaffe said there are several ways Aumsville can be added: by making a change to the bylaws and add Aumsville as a voting member -- but which will cause a contradiction between the CA and the bylaws -- or adding Aumsville to the bylaws as a non-voting member so they may be part of the discussion. However, changing the CA to Aumsville would require the city of Salem to be on board with those changes. He also added that it is possible to create a CA that would fit how the various jurisdictions want to be represented and how they want to vote. You could have a CA that gave two seats to Salem; either both seats vote, or they have one vote between the two of them, but both are members have a voice at the table in discussions. "If you can imagine it, we can develop it; but it's up to everyone to figure out what works best for the region."

Councilor Phillips asked for clarification: that the committee is only looking at the general-purpose governments; and in terms of the 75% population provision for the Cooperative Agreement how are the counties' population (i.e., the unincorporated parts of Marion and Polk within SKATS) counted in those calculations? The Councilor said that as far as this body, he thinks the counties are primarily representing the areas outside the city limits. The Councilor went on to say that as we are adding a new member to the MPO, it makes intuitive sense to ask these questions now and review the issues and go through a facilitated process at a minimum. He is unsure if his "simplistic approach" of adding Aumsville and a second vote for Salem is the best way to do it; therefore, using the time to go through a facilitated process is best way to go forward in this situation. Councilor Phillips said that he's not looking to making changes to the unanimous vote for the MTP and TIP. But as a big city, the city is strongly advocating for option 3's facilitated process. Salem is fine with adding Aumsville as a non-voting member in the short term and glad to have them join, but not at the expense of going through a facilitated process, so Salem is not ready to support option 2 at this point.

Chair Clark attempted to poll the committee whether the PC supports adding Aumsville through the CA and the Bylaws as a voting member and signatory. Councilor Phillips said that it was eventually going to happen but said "he has concerns about the 'hows' and 'whens'." Director Carney mentioned the idea of having a rotating seat for smaller cities, and she thought that could be another way of addressing the issue of proportionality in representation, as raised by Salem. "In support of the city of Salem and their desire for a facilitated process and a robust conversation around this, I would say that I can perhaps see how that would not be forgone with a facilitated process." She reminded the committee the transit district is in strong favor of that facilitated process for the reasons Councilor Phillips is pointing out: "to arrive at a more adequately representative and equitable voting structure for the PC."

In regard to Councilor Phillips' question about what part of the county's population should be counted, Mr. Jaffe said the general interpretation is it would be the county's population outside of the city limits, otherwise they would duplicate the population inside the city limits. Director Hinojos-Pressey noted that a previous document emailed to the committee outlined the population for the city of Salem, Marion county and Polk county¹⁶.

Director Carney mentioned that when projects are submitted for consideration for SKATS funding, the projects in Salem come from Salem city planning staff and Keizer project come from Keizer planning staff. She believes this lends itself to Councilor Phillips' interpretation of representation.

Councilor Phillips clarified that at no time has the city of Salem suggested a deviation in the priority of completing current projects. His intention in this process is to aid and improve his ability to represent the city of Salem – representing 180,000 people -- by adding knowledgeable voices to the discussions, which he says would be very beneficial for a variety of reasons.

¹⁶ A separate memo from Mike Jaffe to the Policy Committee in the September 2023 meeting agenda packet contains the population per jurisdiction in the SKATS area and their percentages.

Attachment E.1

From: [Harris, Jasmine \(FHWA\)](#)
To: [Jaffe, Mike](#)
Cc: [Sapunar, Kim](#); [Steve Dobrinich](#); [Jackson, Ray](#); [Laura Conroy](#)
Subject: RE: 23 USC 134 v 23 CFR 450.3xx
Date: Thursday, October 12, 2023 10:53:07 AM
Attachments: [image001.png](#)

Hi Mike,

I am not sure if this is helpful as I know you were looking for something more definitive, but please let me know if you have any follow-up questions.

"The updated provision in 23 U.S.C. 134(d)(3)(D) is on the books and in effect now. This provision will also be included in the Notice of Proposed Rulemaking (NPRM) for the upcoming update to 23 CFR Part 450. Through that NPRM, FHWA and FTA will invite the public to comment on this provision and other updates to the planning regulations. At this point in the rulemaking process, I'm not in a position to get ahead of the NPRM, but I can share with you this publicly available [report](#) that the House Committee on Transportation and Infrastructure put together to accompany the Infrastructure Investment and Jobs Act (IIJA). Here is a snippet:

(D) Equitable and proportional representation.--

(i) In general.--In designating officials or representatives under paragraph (2), the metropolitan planning organization shall ensure the equitable and proportional representation of the population of the metropolitan planning area.
(ii) Savings clause.--Nothing in this paragraph shall require a metropolitan planning organization in existence on the date of enactment of this subparagraph to be restructured.
(iii) Redesignation.--Notwithstanding clause (ii), the requirements of this paragraph shall apply to any metropolitan planning organization redesignated under paragraph (6).

I will also say that in the conversations I've had with FHWA Division Offices, FTA Regional Offices, State DOTs, MPOs, and transit agencies during TMA Certification Reviews, I've heard a lot of discussion about geographic representation, proportional membership, proportional voting, and other voting structures and decisionmaking procedures. Please encourage your planning partners to comment on the NPRM when it is published (hopefully soon, fingers crossed)."

Until the regulations are updated (23 CFR 450 and 420), I am expecting there will be more discussions on the interpretation of equitable and proportional representation. Potentially guidance etc.....

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SEPTEMBER 2023

SIGNIFICANT RULEMAKING REPORT.v.3

31. Statewide and Nonmetropolitan and Metropolitan Transportation Planning

Popular Title: The FHWA-FTA Planning Rule

RIN 2125-AF98

Stage: NPRM

Abstract: This joint rulemaking would amend the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) regulations for Statewide and Nonmetropolitan and Metropolitan Transportation Planning and Programming at 23 CFR Part 450. This rulemaking would: implement relevant requirements of the Infrastructure Investment and Jobs Act (Pub. L. 117-58, also known as the "Bipartisan Infrastructure Law"); consider allowing additional flexibility in the development and content of the Transportation Improvement Program/Statewide Transportation Improvement Program (TIP/STIP); and consider other revisions, including updates to the planning factors and plan requirements and changes to improve the transportation planning process.

Dates for NPRM:

Action	Publication Date(s)	FR Cite
NPRM	05/24/2024	

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References.

<https://www.reginfo.gov/public/do/agencyRuleList>

<https://www.transportation.gov/regulations/september-2023-significant-rulemaking-report>

<https://www.transportation.gov/regulations/report-on-significant-rulemakings>

<https://www.transportation.gov/regulations/rulemaking-process#notices>

This content is from the eCFR and is authoritative but unofficial.

Title 23 —Highways**Chapter I —Federal Highway Administration, Department of Transportation****Subchapter E —Planning and Research****Part 450 —Planning Assistance and Standards****Subpart C —Metropolitan Transportation Planning and Programming**

Authority: 23 U.S.C. 134 and 135; 42 U.S.C. 7410 *et seq.*; 49 U.S.C. 5303 and 5304; 49 CFR 1.85 and 1.90.

Source: 81 FR 34135, May 27, 2016, unless otherwise noted.

§ 450.310 Metropolitan planning organization designation and redesignation.

- (a) To carry out the metropolitan transportation planning process under this subpart, an MPO shall be designated for each urbanized area with a population of more than 50,000 individuals (as determined by the Bureau of the Census).
- (b) MPO designation shall be made by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures established by applicable State or local law.
- (c) The FHWA and the FTA shall identify as a TMA each urbanized area with a population of over 200,000 individuals, as defined by the Bureau of the Census. The FHWA and the FTA shall also designate any urbanized area as a TMA on the request of the Governor and the MPO designated for that area.
- (d) TMA structure:
 - (1) Not later than October 1, 2014, each metropolitan planning organization that serves a designated TMA shall consist of:
 - (i) Local elected officials;
 - (ii) Officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and
 - (iii) Appropriate State officials.
 - (2) An MPO may be restructured to meet the requirements of this paragraph (d) without undertaking a redesignation.
 - (3) **Representation.**
 - (i) Designation or selection of officials or representatives under paragraph (d)(1) of this section shall be determined by the MPO according to the bylaws or enabling statute of the organization.
 - (ii) Subject to the bylaws or enabling statute of the MPO, a representative of a provider of public transportation may also serve as a representative of a local municipality.
 - (iii) An official described in paragraph (d)(1)(ii) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (d)(1) of this section.

- (4) Nothing in this section shall be construed to interfere with the authority, under any State law in effect on December 18, 1991, of a public agency with multimodal transportation responsibilities—
 - (i) To develop the plans and TIPs for adoption by an MPO; and
 - (ii) To develop long-range capital plans, coordinate transit services and projects, and carry out other activities pursuant to State law.
- (e) To the extent possible, only one MPO shall be designated for each urbanized area or group of contiguous urbanized areas. More than one MPO may be designated to serve an urbanized area only if the Governor(s) and the existing MPO, if applicable, determine that the size and complexity of the urbanized area make designation of more than one MPO appropriate. In those cases where two or more MPOs serve the same urbanized area, the MPOs shall establish official, written agreements that clearly identify areas of coordination, and the division of transportation planning responsibilities among the MPOs.
- (f) Nothing in this subpart shall be deemed to prohibit an MPO from using the staff resources of other agencies, non-profit organizations, or contractors to carry out selected elements of the metropolitan transportation planning process.
- (g) An MPO designation shall remain in effect until an official redesignation has been made in accordance with this section.
- (h) An existing MPO may be redesignated only by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the existing metropolitan planning area population (including the largest incorporated city, based on population, as named by the Bureau of the Census).
- (i) For the purposes of redesignation, units of general purpose local government may be defined as elected officials from each unit of general purpose local government located within the metropolitan planning area served by the existing MPO.
- (j) Redesignation of an MPO (in accordance with the provisions of this section) is required whenever the existing MPO proposes to make:
 - (1) A substantial change in the proportion of voting members on the existing MPO representing the largest incorporated city, other units of general purpose local government served by the MPO, and the State(s); or
 - (2) A substantial change in the decisionmaking authority or responsibility of the MPO, or in decisionmaking procedures established under MPO by-laws.
- (k) Redesignation of an MPO serving a multistate metropolitan planning area requires agreement between the Governors of each State served by the existing MPO and units of general purpose local government that together represent at least 75 percent of the existing metropolitan planning area population (including the largest incorporated city, based on population, as named by the Bureau of the Census).
- (l) The following changes to an MPO do not require a redesignation (as long as they do not trigger a substantial change as described in paragraph (j) of this section):
 - (1) The identification of a new urbanized area (as determined by the Bureau of the Census) within an existing metropolitan planning area;
 - (2) Adding members to the MPO that represent new units of general purpose local government resulting from expansion of the metropolitan planning area;

- (3) Adding members to satisfy the specific membership requirements described in paragraph (d) of this section for an MPO that serves a TMA; or
- (4) Periodic rotation of members representing units of general-purpose local government, as established under MPO by-laws.
- (m) Each Governor with responsibility for a portion of a multistate metropolitan area and the appropriate MPOs shall, to the extent practicable, provide coordinated transportation planning for the entire MPA. The consent of Congress is granted to any two or more States to:
 - (1) Enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under 23 U.S.C. 134 and 49 U.S.C. 5303 as the activities pertain to interstate areas and localities within the States; and
 - (2) Establish such agencies, joint or otherwise, as the States may determine desirable for making the agreements and compacts effective.

[81 FR 34135, May 27, 2016, as amended at 81 FR 93470, Dec. 20, 2016; 82 FR 56543, Nov. 29, 2017]

23 U.S. Code § 134 - Metropolitan transportation planning

(3) Representation.—

(A) In general.—

Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

(B) Public transportation representative.—

Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

(C) Powers of certain officials.—

An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).

(D) Considerations.—

In designating officials or representatives under paragraph (2) for the first time, subject to the bylaws or enabling statute of the metropolitan planning organization, the metropolitan planning organization shall consider the equitable and proportional representation of the population of the metropolitan planning area.

Note: section (D) added to 23 USC via the 'Infrastructure Investment and Jobs Act', Public Law 117–58, Nov. 15, 2021



OFFICERS

Roger Kaye
President

Richard van Pelt
Secretary

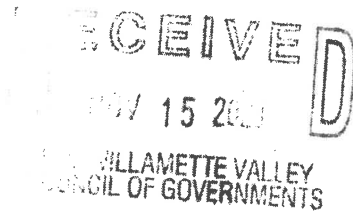
Susan Watkins
Treasurer

**BOARD OF
DIRECTORS**

Laurel Hines
Carla Mikkelsen
Linda Peterson
Kasia Quillinan

November 10, 2023

SKATS Policy Committee
MWV Council of Governments
100 High St., SE
Suite 200
Salem, OR 97301



Dear Chair Clark and Members of the Policy Committee,

I am writing on behalf of Friends of Marion County, a 501(c)3 independent non-profit organization dedicated to safeguarding the integrity of our community's vital resources, including farm and forestland, parks, and open spaces. Friends of Marion County is also an organization dedicated to rectifying discriminatory practices, policies, and their impacts on our community.

As recipients of federal funding and as a federally designated decision-making body, it is imperative that the policy committee adhere to the mandate outlined in 49 U.S.C. 5303, which requires the consideration of equitable and proportional representation for the MPO.

While the Cooperative Agreement and voting structure for the Policy Committee has seen amendments in the past, most notably in 2003 with the addition of the City of Turner, the agreement itself has not undergone comprehensive revision. The document stipulates a periodic update every five years, a practice that has regrettably been overlooked by the Policy Committee.

As stewards of our community's federal and state transportation funding, the Policy Committee must honor their commitment to uphold the documents you hold yourselves accountable to. The Cooperative Agreement demands an update.

Given the federal code referenced above, I am compelled to express my concern regarding the current voting structure for the Policy Committee. Regrettably, it falls short of being equitable or truly representative of the diverse population the MPO serves. This status quo perpetuates disparities rooted in historical inequities and neglects communities that have borne the brunt of past injustices. There exists a golden opportunity for positive change with the recent inclusion of Aumsville in the census designated urbanized area for the Salem MPO.

November 10, 2023

Page 2

For context, a single city council ward within the City of Salem boasts a population exceeding the combined populations of Turner, the portions of unincorporated Marion and Polk County within the MPO boundary, and the City of Aumsville combined. This stark demographic reality underscores the need for recalibration.

Given the critical importance of the SKATS Policy Committee in allocating transportation funding in our region, I urge you to consider the need for proportional and equitable representation on the committee.

Thank you.

Roger Kaye, Pres.
Friends of Marion County
P.O. Box 3274
Salem, OR 97302

(503)743-4567
rkaye2@gmail.com

Received by email
11/27/2023 @ 5:00 PM



November 24, 2023

Re: Advocating for Equitable Representation on the SKATS MPO Policy Committee

Dear Chair Clark and Esteemed Members of the Policy Committee,

I hope this letter finds you in good spirits. I am writing on behalf of Pineros Y Campesinos Unidos del Noroeste (PCUN), the largest Latinx organization in the state. We have been advocating for the rights and well-being of farmworkers and working Latinx families in Oregon since 1985.

With the addition of Aumsville to the Salem-Keizer census-designated urban area for the Metropolitan Planning Organization (MPO), we see the need for a reconsideration of the voting structure on the SKATS Policy Committee. The Policy Committee makes decisions about transportation funding and project prioritization every year that have long term, in many cases irreversible outcomes in our communities.

Historically, marginalized communities, particularly those of color, have disproportionately shouldered the burdens of disinvestment and unequal resource allocation. Infrastructure development and transportation projects have often perpetuated segregation, neglecting the needs of low-income neighborhoods and communities with limited political influence. These disparities persist, hindering accessibility, mobility, and economic opportunities for vulnerable populations. In Oregon, despite strides toward progress, the legacy of inequitable transportation decision-making endures, underscoring the urgent need for an update to the SKATS Policy Committee voting structure and bylaws that prioritizes fairness, inclusivity, and community input in shaping our shared transportation landscape.

PCUN supports an update to the Cooperative Agreement that results in a more equitable voting structure on the SKATS Policy Committee. We believe that this adjustment aligns with our ongoing commitment to empower communities, combat exploitation, and create a more just and inclusive society.

Thank you for your time and consideration. We look forward to a future where the voices of all community members are genuinely represented in decision-making processes.

In solidarity,

Reyna Lopez
President/Executive Director
Pineros Y Campesinos Unidos del Noroeste (PCUN)

RECEIVED by email on Monday, November 27, 2023 2:52 PM

November 27, 2023

Subject: Request for Equitable Voting on SKATS Policy Committee

Dear Chair Clark and Members of the Policy Committee,

I hope this message finds you well. I'm a concerned resident of our community, writing to express my thoughts on the voting structure of the SKATS Policy Committee.

After learning about the recent changes to the area our MPO represents, with Aumsville joining the urban area, I believe it's crucial to reevaluate how decisions are made on the Policy Committee. It's come to my attention that the current voting system doesn't reflect the actual population the MPO is trying to serve.

As a member of the public, I think it's important to ensure that government decision-making processes align with the needs and demographics of our growing community and region.

Considering the disparities in population representation among the cities and counties involved, it seems reasonable to advocate for proportional representation. The City of Salem represents 175,535 Oregonians, well over half of the residents in the MPO, but has a single vote and voice on the Policy Committee. This gives outsized representation and voting power to the Policy Committee members who collectively represent fewer than 100,000 residents. The current voting structure for the Policy Committee raises concerns about whether the community's voice is being heard and their needs are considered fairly.

I support an update to the Cooperative Agreement that results in a more equitable voting structure on the SKATS Policy Committee. As someone who relies on the services impacted by transportation decisions, I believe proportional representation is a step in the right direction. It ensures that the voices of all residents are considered, promoting fairness and inclusivity in the decision-making process.

I hope you'll consider the perspectives of ordinary residents like me who want to see a system that reflects the true makeup of our community. Thank you for your time and consideration.

Sincerely,

Jodi Blackman
1127 Broadway St. NE #314
Salem, Oregon
Jodiblackman2@gmail.com
503-871-9072

RECEIVED by e-mail on November 27, 2023 @ 3:57 PM

From: Therese Holmstrom

Sent: Monday, November 27, 2023 3:57 PM

To: Jaffe, Mike <MJaffe@mwvcog.org>

Subject: Supporting Equitable Voting on SKATS Policy Committee

Dear Chair Clark and Policy Committee Members,

As a resident concerned about our community's well-being, I want to express my support for reevaluating the voting structure of the SKATS Policy Committee. Our region has gone through many changes, and now with Aumsville joining the MPO, the Policy Committee's decision-making processes should align with the diverse needs of our community. I strongly believe in the importance of proportional representation to ensure that the community's voice is heard and considered fairly.

The current voting disparities, where entities representing fewer than 100,000 residents have the same voting power as the City of Salem, representing 175,535 residents, raise concerns about the Committee's ability to truly represent our region. I urge you to update the Cooperative Agreement to establish a more equitable voting structure. Please promote fairness and inclusivity in the transportation decisions that significantly impact our community's well-being.

Thank you in advance for your consideration.

Sincerely,
Therese Holmstrom

~-----~



595 Main St. Aumsville, Oregon 97325
(503) 749-2030 • TTY 711 • Fax (503) 749-1852
www.aumsville.us

MWVCOG
Attn. SKATS Policy Committee
100 High St. SE Suite 200
Salem, OR 97301

Dear SKATS Policy Committee,

I am writing this letter to vocalize Aumsville's concern over the current effort to change the SKATS Policy Committee representation from each entity receiving an equal vote to a weighted population-represented voting system in the name of "equity." As a federally mandated and funded body, SKATS is required to exist and grow to accommodate larger populations as US Census data updates. However, as you are aware, small rural cities in proximity to the Salem/Keizer area are drawn in from time to time with these expansions. A change to a population-represented voting system would completely undermine the SKATS regional transportation goals, as well as silence cities with small populations within the metropolitan planning organization.

If the committee became population weighted, Aumsville's ability to advocate for its population with any potential concerns or ideas for improvement would largely be ignored by the larger city's wants. Focusing on only the wants and needs of bigger populations isn't equitable as those populations don't always have the biggest needs or disparities. If the goal of SKATS is to improve public transportation in the region, all cities in the region must have a voice to ensure that regional needs are being met. What benefits the largest city in the area doesn't always benefit all stakeholders.

Shifting the Policy Committee to be based on city populations would make it difficult to accomplish the MTP goal of meeting user needs with a system where "the benefits and burdens are not disproportionately distributed." The combined populations of Salem, Keizer, Turner, and Aumsville is 219,811.^[1] Salem holds most of the population. However, out of the four cities, Aumsville has the highest poverty rate at 17.4%.^[1] Turner has the highest ratio of women in poverty with women making up 66.77% of their population experiencing poverty.^[1] While Salem has the most diverse population, Keizer has the highest ratio of marginalized groups in poverty.^[1] I mention these statistics not because I advocate for a change based on marginalized demographics, but simply to counter the argument that somehow a larger cities marginalized demographics are prioritized over another regardless of populations.

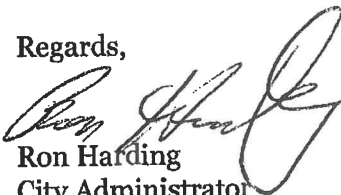
As it is, SKATS is comprised of eight seats. When Aumsville joins it will be nine. Each city and county have a seat. Oregon Department of Transportation, Salem-Keizer School District, and Cherriots also have seats. If it were populationally based, not only would the city of Salem have a majority advantage, but with Cherriots and Salem-Keizer School District, the city of Salem's population is represented by more than one entity. This does not seem equitable.

We are not advocating for an advantage; we are advocating keeping the current voting system. Our representatives know that we must work regionally through a process to use the available funds to support needs in all these communities, not just a select few.

As a small community in SKATS, Aumsville loses eligibility for other funding opportunities that are targeted to fill the disadvantages small communities face like Rural development funding. Simply by being part of the MPO, we lose opportunity funding. To suggest that somehow our community and residents are now less important, less marginalized, or less deserving of a funding opportunity by a weighted voting system is simply insulting and discriminatory on its face.

If the SKATS Policy Committee truly wants to focus on equity, it needs to consider areas of disadvantage rather than simply population numbers. What may benefit the greatest number of people does not mean it will benefit those most in need. The intent is to provide equitable regional solutions and receive meaningful input, it needs to give each city an equal voice on the Policy Committee.

Regards,



Ron Harding
City Administrator
City of Aumsville

¹ Population and demographic information obtained from Census.gov and DATAUSA.

Agenda Item F

TIP Modifications

SKATS Policy Committee

February 27, 2024

Action Requested:

Informational item.

2024-2029 SKATS TIP Modifications (Since January 2023)										
	Date	Key Number	Project Name	Project Sponsor	MTIP Modification Number	Total Project Cost Before	Total Project Cost After	SKATS Discretionary Funds Before	SKATS Discretionary Funds After	Description of Modification
1	1/23/2024	22697	City of Salem South Signal Improvements (2027)	Salem	24-1	\$1,536,998	\$2,317,032	\$0	\$0	Add \$780,034 (total cost) to project (\$164,429.55 to Preliminary Engineering phase; \$615,604.45 to Construction phase) and add 10% local match requirement.
2	2/16/2024	22480	Transit Urban (5307) Formula Capital 2020 SKT	SAMTD	24-AA3	\$2,075,420	\$1,622,118	\$0	\$0	Split \$453,302 of unobligated funds from construction phase of K22480 and add those funds to new project (K23621) with same project description. Program unobligated funds to construction phase in 2024 to show FTA new project listing in current TIP. Same total amount of funds will be going to these activities, now split between two projects.
3	2/15/2024	22479	Transit Urban (5307) Formula Capital 2019 SKT	SAMTD	24-AA4	\$2,166,541	\$2,166,541	\$0	\$0	Update project description to "Allocation used for <u>new and</u> scheduled replacement of equipment <u>and software</u> , contactless fare payment system, supervisor non-revenue vehicles, procurement of on-route vehicle chargers, and facility improvements to keep the system in good repair"