

# Moving to Our Future:

## Pricing Options for *Equitable Mobility*



**PBOT**  
PORTLAND BUREAU OF TRANSPORTATION



Task Force Charter - DRAFT, Feb. 7, 2020

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## Background

In July 2019, City Council directed the Portland Bureau of Transportation (PBOT) and Bureau of Planning and Sustainability (BPS) to convene a **Pricing Options for Equitable Mobility Community Task Force** to explore if and how transportation pricing strategies could be used in Portland to advance our values (Resolution No. 37442).

Portland's population is growing, with 500,000 new residents expected to live in the area by 2040. As our city grows, our streets have become significantly more congested. Congestion **as a symptom of increasing combustion engine motor vehicle trips** negatively impacts our economy, air quality, and health. Increased VMT also significantly contributes to our climate crisis. Portland's low-income residents and people of color also suffer disproportionate costs of congestion because of longer commutes and lower access to privately-owned vehicles.

We have limited road space in the city, and we must use our existing space as efficiently as possible to help keep people and goods moving and reduce congestion as Portland grows. However, despite planned regional transportation investments, forecasts show that these current strategies will not do enough to accommodate growth and address the current inequities of our transportation system. Regional modeling shows that by 2027, almost one third of the region's roads will be congested or severely congested.

Cities around the world have demonstrated that pricing strategies can help reduce single-occupancy vehicle trips and support more efficient, sustainable and equitable transportation modes. Our research to date also indicates that pricing strategies have the potential to directly benefit lower-income individuals and communities of color if they are designed to advance equity and address local context.

## Task Force Processes and Procedures

### TASK FORCE CHARGE

The Pricing Options for Equitable Mobility project will inform PBOT and BPS as they consider if and how new pricing strategies could potentially be used more intentionally to **improve mobility, address the climate crisis and advance equity for people historically underserved by the transportation system** in Portland, including, but not limited to, low-income Portlanders and communities of color.

The project will bring together City staff, external partners, consultants and the community to discuss these questions, conduct research, analyze available data and deliberate on recommended next steps.

The Pricing Options for Equitable Mobility Community Task Force will lead with equity and center [transportation justice](#) values throughout its work. In order to do this, the Task Force will pursue its charge guided by the following questions:

- What does equitable mobility look like in Portland?
- What opportunities exist to advance equitable mobility?
- Can we use pricing more intentionally to help advance equitable mobility and address the climate crisis?

The Task Force's work is **one of many efforts** that will inform the development of PBOT's wider Transportation Justice framework.

Specifically, the Community Task Force will develop recommendations around:

- Whether or not to implement or further study the potential of new pricing strategies;

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- What we should consider when designing potential new pricing strategies;
- Priorities for reinvesting any pricing revenue in transportation-related projects, programs, and services that increase the equity of our system; and
- Complementary strategies that should be pursued alongside any potential new pricing policy

Strategies to be considered through this project may include, but are not limited to:

- Pricing parking (e.g. variable rate parking prices, fees for off-street lots, etc.)
- Pricing types of trips (e.g. fleets)
- Pricing the roadway or right-of-way (e.g. road tolls, cordons, congestion zones, etc.)
- Pricing road usage (e.g. VMT-based fees)
- Opportunities for investment, including:
  - Transit and infrastructure improvements
  - Rebates, subsidies and incentives to encourage mode shift
  - Other ideas to emerge from the Task Force members

The Task Force will also help to inform the City's participation in ODOT's separate Portland area tolling project and Metro's Regional Congestion Pricing Study.

#### LEADING WITH EQUITY

The City of Portland is committed to increasing diversity, advancing equity and fostering inclusion in everything that we do. Right now, our transportation system isn't equitable. Historically underserved communities including communities of color, low-income communities, and people with disabilities, face barriers that impact their mobility and access and a transportation funding system based on regressive gas taxes. Over time, these burdens and associated costs have unfairly impacted specific populations. Transportation equity means recognizing the harmful legacy of past decisions and moving decisively now to address these harms. Concretely, this means ensuring that communities of color and people with limited mobility, previously excluded from the decision-making process, have a prominent seat at the table and are centered in policy, investments, services, and programs. The Pricing Options for Equitable Mobility Community Task Force will lead with equity and center transportation justice values throughout its work.

#### TERM AND TIMELINE

The Task Force will meet monthly over an 18-month period between January 2020 and spring 2021.

#### TASK FORCE OUTCOMES

The Task Force will develop and deliver recommendations to the Directors of PBOT and BPS around the topics discussed during Task Force meetings. The Task Force may forward recommendations at any time and all Task Force recommendations will be presented to City Council if it will impact a decision made at the Council level. Recommendations forwarded by the Task Force will be documented in a project summary report and presentation at the conclusion of the Task Force process in 2021.

Any recommendation reports produced through the Task Force process will reflect the diversity of opinions on the Task Force, including majority and minority opinions.

#### MEMBERSHIP

Task Force members must live, work, play, worship or go to school in the City of Portland and serve as individuals; there are no organizational seats on the Task Force. Members may not have alternates and all serving members are selected and appointed to full terms. If there are vacancies, recruitment for that

seat on the Task Force will be re-opened, and a new member will be appointed by the Directors of PBOT and BPS.

#### GOVERNANCE STRUCTURE

All Task Force members have equal status and influence on decision making. The Task Force is advisory to the directors of PBOT and BPS.

The Task Force is supported by the Pricing Options for Equitable Mobility Strategy Team. The Strategy Team is comprised of staff from PBOT, BPS and OPAL Environmental Justice Oregon. Strategy Team members will attend Task Force meetings and help facilitate discussions but are not Task Force members and cannot vote on Task Force recommendations.

#### DECISION-MAKING AND QUORUM

The Task Force will hold a vote when members of the body want to forward recommendations. A quorum of members (50%) must be present to take a vote on recommendations. Task Force members not in attendance at the time of a vote will have the opportunity to provide their opinion for the record. Consensus is not needed to advance recommendations; majority and minority opinions will be recorded.

#### PUBLIC COMMENT

All Task Force meetings are open to the public, and public comment will be accepted at the start of each meeting. Public comment will also be collected via email, phone and mail. A report of public comment will be provided to Task Force members at each Task Force meeting.

#### INFORMATION SHARING

Task Force members will be provided with meeting agendas and notes from the previous meeting at least one week in advance of each discussion. Whenever possible, meeting materials will be circulated in advance for Task Force member review.

Task Force members are also encouraged to share information with each other. Task Force members may forward information, updates and announcements to the Task Force staff liaisons for inclusion in correspondence with the group.

### Joint Expectations

Committee members have been selected to serve on this public body out of, and on behalf of, the City's residents. For staff, it is an honor to work with engaged and committed community members who are joining us in improving our City and its transportation system. With that comes the legal responsibility of the protocols required of public bodies and obligation to conduct business in a manner that is respectful of community engagement. As such, committee members and staff jointly agree to the following:

#### ADHERENCE TO OREGON LAWS

All staff and community members engaged with a City of Portland advisory committee, board or commission are expected to uphold Oregon public laws related to (1) public officials; (2) public meetings; and (3) public records. This information can be found in the "Guide for Volunteer Boards & Commissions" provided by the City of Portland Office of the City Attorney, which will be provided by staff to committee members. Staff will direct committee questions to the City Attorney's office for official guidance. The committee is especially reminded to abide by the following:

- Familiarize yourself with Oregon Ethics Law and abide by them
- Conduct the business of your board during scheduled public meetings
- Do not deliberate outside of scheduled meetings

- Always copy designated staff person on all correspondence
- If you have information to share, send it to the designated staff or Chair for dissemination

#### ADHERENCE TO CIVIL RIGHTS LAWS

The committee will support PBOT and BPS' compliance with all non-discrimination, Civil Rights laws including Civil Rights Title VI and ADA Title II. To help ensure equal access to City programs, services and activities, the staff will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. The following services are available to committee and community members to make requests: 503-823-5185, TTY 503-823-6868 or Oregon Relay Service: 711 with such requests, or visit <http://bit.ly/13EWaCg>

### Member Responsibilities

#### ATTENDANCE

Members agree to make a reasonable effort to review meeting materials in advance of meetings, to arrive on time to meetings, and attend all meetings. If circumstances arise in which the member is not able to meet the obligations of their role, the member agrees to contact the facilitator or staff contact as soon as possible.

#### IN-MEETING PARTICIPATION

All members play a role in assisting the facilitator in efforts to achieve a successful meeting. As such, each member agrees to contribute to meetings that facilitate safe space, respect, accountability, ongoing learning and confidentiality (if requested).

#### SPEAKING IN PUBLIC

If members of the committee are contacted by the media, they should refer the reporters to the Portland Bureau of Transportation's Public Information Officer. Members of the committee are not authorized to speak to the media either on behalf of the Portland Bureau of Transportation or on behalf of the committee. If members of the media would like a comment or other information from members of the committee, the bureau's Public Information Officer will provide this to the media. In rare cases, the bureau may have a committee member speak directly to the media, but this will only be done in close coordination with the bureau's Communications Manager and only with their express permission.

- **John Brady, PBOT Communications Director**  
Office: 503.823.7375  
Cell: 503.577.8236  
[John.brady@portlandoregon.gov](mailto:John.brady@portlandoregon.gov)
- **Dylan Rivera, Public Information Officer**  
Office: 503.823.3723  
Cell: 503.577.7534  
[Dylan.rivera@portlandoregon.gov](mailto:Dylan.rivera@portlandoregon.gov)

#### CONFLICT OF INTEREST DISCLOSURE INFORMATION + FORM

Members of the Task Force must complete mandatory trainings as part of the onboarding process. Members of the Task Force are considered "Public Officials." Part of following Public Officials Ethics laws means Task Force members must disclose potential conflicts of interest and are required to take a Public Officials Ethics and Responsibilities Training. This training provides a foundation for the ethical expectations when volunteering to advise the city.

Under Oregon law, a “public official” includes any person serving a public body as an elected official, appointed official, employee or agent, regardless of whether the person is compensated. By serving on this committee, you are considered a public official.

As such, you are required to publicly disclose conflicts of interest. A public official is met with a conflict of interest when participating in official action which could or would result in a financial benefit or detriment to the public official, a relative of the public official or a business with which either is associated.

Oregon Government Ethics law identifies and defines an actual and potential conflict of interest. A public official is met with an actual conflict of interest when participation would affect the financial interest of the official, the official’s relative, or a business with which the official or a relative of the official is associated.

Alternatively, a public official is met with a potential conflict of interest when the public official participates in action that could affect the financial interest of the official, a relative of that official or a business with which the official or the relative of that official is associated.

A public official must announce or disclose the nature of a conflict of interest. As appointed members of a committee, public officials must publicly announce the nature of the conflict of interest before participating in any official action on the issue giving rise to the conflict of interest. If a public official is met with an actual conflict of interest, following the public announcement, the official must refrain from further participation in official action on the issue. However, having potential conflicts of interest does not preclude you from serving on this body or impact your ability to participate fully on this body.

Individual committee members are personally responsible for complying with Oregon Government Ethics law. For more information, please refer to the “Guide for Volunteer Boards & Commissions” provided by the City of Portland Office of the City Attorney or visit [https://www.oregon.gov/OGEC/docs/Public\\_Official\\_Guide/2010%20Guide%20for%20Public%20Officials.pdf](https://www.oregon.gov/OGEC/docs/Public_Official_Guide/2010%20Guide%20for%20Public%20Officials.pdf)

## Working Agreement

This project seeks to bring different viewpoints together to develop more robust discussion, more inclusive alternatives, and more sound recommendations. Some forms of conflict are natural in such situations, the strengths and benefits of which are cultivated through respect and efforts to communicate and listen effectively. Therefore, together, staff and Task Force members agree to make every effort to do the following:

- Be respectful and courteous to the diversity of opinions in the room. Allow for, and appreciate, disagreement of opinions, ideas and methods—respectfully.
- Listen to understand, not to respond.
- Use self-awareness by asking yourself “Why am I talking?” Remember everyone has the right to share their ideas, but not everyone always has the opportunity.
- Assume good intentions, but attend to impact. If someone is hurt, focus on listening and understanding the impact, not the intent.
- Be willing to make mistakes and be forgiving of those who do.
- Direct passionate opinions toward sharing information, not at each other.
- Allow the facilitator to keep the discussion moving and on task. Topics not directly related to the charge of the Task Force will be acknowledged and documented in a “parking lot” and followed up on by project staff.

- Start and end meetings on time.
- Stand name cards up when wanting to ask a question or make a comment.
- Task Force members will let project staff know in a timely manner if they cannot make a meeting and all members who miss a meeting commit to reading meeting summaries prior to the next session.

## By-Laws

### Pricing Options for Equitable Mobility (“Body”)

#### I. Body created on July 10<sup>th</sup>, 2019, by

- Portland City Code
- Council Resolution 37442
- Council Ordinance
- Bureau \_\_\_\_\_; by whom
- Other

#### A. Purpose

The Pricing Options for Equitable Mobility project will inform PBOT and BPS as they consider if and how new pricing strategies could potentially be used more intentionally to **improve mobility, address the climate crisis and advance equity for people historically underserved by the transportation system** in Portland, including, but not limited to, low-income Portlanders and communities of color.

#### B. Sponsor Bureau

Portland Bureau of Transportation and Bureau of Planning and Sustainability

#### C. Staff/Bureau liaison

Marianna Lomanto, Research and Legislative Assistant

#### D. Advise to:

- City Council
- Elected-in-Charge<sup>[1]</sup> \_\_\_\_\_
- Bureau Director
- Designated bureau staff (title) \_\_\_\_\_

#### II. City Role

The Bureau will provide a staff person to assist with technical support, substantive expertise, logistical assistance, administrative assistance, and advice to the Body. The Bureau will also provide public notice of all meetings, post materials to a webpage, and prepare meeting summaries that outline the issues

discussed, the areas in which there is agreement, and any remaining issues on which agreement was not reached.

### III. Frequency of Meetings

The Body shall meet over an 18-month period between 2019-2021 and as otherwise necessary to conduct its business. Meetings shall be conducted in accordance with the operating procedures specified herein.

### IV. Membership and Term

Members of advisory bodies are public officials. They must become familiar with rules and responsibilities described at the "Oregon Government Ethics Law - A Guide for Public Officials" (Oregon Government Ethics Commission).

#### A. Total membership 25 seats

For a limited duration of 18 months.

#### B. Terms (select one)

- Staggered
- All terms begin/end at the same time

#### C. Term Limits

1. Members may serve any number of terms not to exceed **eight years of total consecutive service**. Completion of an unexpired term does not apply toward the eight-year cumulative.
2. At the completion of each term, regardless of term length, incumbents are required to complete notice of intent to continue to serve and discuss mutual benefits of continuing on the Body with the designated bureau staff liaison.
3. Members interested in continuing service beyond eight years must sit out for (select one)
  - two years (if the body does not have set terms)
  - one term of \_\_\_\_\_ yearsbefore reapplying to serve on the same advisory body.

Members may not have alternates and all serving members are selected and appointed to full terms. Whether a seat is filled for the remainder of the vacated term or anew will be determined by the appointing entity. If there are vacancies, including if a position becomes vacated during a term, normal recruitment processes should follow. The process includes recruitment applications, vetting and selecting members, and appointment by the Elected-in-Charge (for bodies advising Council) or bureau director (for bodies advising a bureau program or bureau director).

#### D. Quorum (select one)

- Simple majority: 50% plus 1 or greater number of seats
- A specific number\_\_\_\_, per the authority of \_\_\_[must name other law] (Typically these are laws higher than the state, such as federal. This option is extremely rare)

Advisory bodies advising an individual rather than Council are not required to have a quorum to deliberate. These bodies may use alternative means to arrive at recommendations.

**E. Voting (select one)**

- Majority of seats per ORS 174.130
- Majority of quorum present per the authority of \_\_\_\_ [must name other law] (Typically these are laws higher than the state, such as federal. This option is extremely rare)

A quorum shall be necessary of voting members to make decisions that represent the position of the Body and to fulfill any other responsibilities. Proxy/absentee voting is not allowed.

Advisory bodies advising an individual rather than Council are not required to administer a formal vote to make recommendations.

**V. General Operating Procedures**

**A. Disclosure of Conflicts of Interest [or other connection]**

- A public official is required to make an announcement of the nature of a conflict of interest each time the issue giving rise to the conflict of interest is discussed or acted upon.
- The announcement needs to be made on each occasion when the public official is met with the conflict of interest, and the public official must disclose the nature of the conflict of interest.
- For example, an elected member of the City Council would have to make the public announcement one time when met with the conflict of interest, but only one time in each meeting of the City Council. If the matter giving rise to the conflict of interest is raised at another meeting, the disclosure must be made again at that meeting.
- Bureau liaison and/or staff are obligated to record and keep all conflicts of interest that are announced during each meeting.
- If it is found that a member did not disclose a conflict of interest, staff must alert the Bureau Director of the instance as soon as the incidence is known.
- Any potential or actual conflict of interest noted by staff will be included in the recommendation report provided to City Council or other final decision-making body.

**B. Meetings will be conducted to foster collaborative decision-making using either:**

- Robert's Rules of Order culminating in a majority vote;
- Consensus Decision Making (including Modified Consensus Decision Making). This option still requires a quorum and a final vote. For example, if there are no vetoes, all voting members' names are listed as "yay", and abstentions are also noted.

**VI. Removal of Members and Resignations**

- A. All members serve at the pleasure of the Elected-in-Charge of the Bureau (for bodies advising council) or Bureau Director (for all other bodies) and may be asked to resign or be removed at the Elected-in-Charge or Director's discretion at any time unless authority (for instance, Code, statute, etc.) exists requiring a different process.**
- B. Any member who does not give notice that they intend to be absent from a scheduled meeting for more than 25 percent of the meetings in any 12 months of the service will be removed by the Bureau Director.**
- C. Process for removal**

- For unexcused absences: Bureau liaison keeps attendance and informs Bureau Director of absences, who in turn informs the member in writing that they have been removed as a member of the Body.
- By Elected-in-Charge: Elected informs the member in writing that they have been removed as a member of the Body.

**D. Resignation process**

Members are expected to make a good faith effort to complete their term. In cases where this is not possible, members are expected to provide notice to the City staff liaison in writing (preferred) or verbally. Members are encouraged to complete the Resignation Form and submit to City staff liaison.

**VII. Officers and Subcommittees**

The presiding officers of the Body may consist of positions in sequential presiding order.

- Chairperson (Chair)
- Vice-chairperson(s) (Vice-Chair)  
Coordinating committee (or similar)
- Other (no officers)

and will act as designated leadership appointed by:

- Elected-in-Charge.  
Bureau Director.
- Majority vote of members or consensus decision-making.
- Other (N/A)

The designated leadership shall be responsible for conducting the meetings and will be voting members of the advisory body. A presiding officer will be designated at all times. The designated leadership may look to staff liaison to facilitate meetings.

The designated leadership will encourage full and safe participation by representatives in all aspects of the process, assist in the process of building consensus, and ensure all participants abide by the Body's operating procedures. The

- Chair and the Bureau staff liaison
- Bureau staff liaison
- Other \_\_\_\_\_

will also serve as liaison between the members of the Body and the City. In consultation with the facilitator (if there is one) and staff liaison, the designated leadership will develop meeting agendas, establish subcommittees if needed, and ensure an efficient advisory process.

The Body may divide its members into subcommittees authorized to act on behalf of the full Body for an assigned purpose.

For advisory bodies who advise Council, subcommittee meetings are also subject to Oregon Public Meetings Law and must abide by quorum requirements when voting. While subcommittees may engage non-members, only members may vote to approve reports and recommendations to be forwarded to the full Body. When voting, the quorum for subcommittee members is the simple majority of the subcommittee (50% plus 1 or greater number of seats).

## **VIII. Communications**

If members of the committee are contacted by the media, they should refer the reporters to the Portland Bureau of Transportation's Public Information Officer. Members of the committee are not authorized to speak the media either on behalf of the Portland Bureau of Transportation or on behalf of the committee. If members of the media would like a comment or other information from members of the committee, the bureau's Public Information Officer will provide this to the media. In rare cases, the bureau may have a committee member speak directly to the media, but this will only be done in close coordination with the bureau's Communications Manager and only with their express permission.

On rare occasions, some advisory bodies may ask or be asked to write position letters to external groups or governments in support or opposition of policy issues that are relevant to the purpose and scope of the Body. This is accomplished by first proposing the position to the Staff Liaison to the advisory body. The Staff Liaison and/or bureau leadership must work with PBOT's liaison to the Office of Government Relations if the external communication is with a regional, state, federal or tribal government according to PBOT procedures. This process is required in accordance with Administrative Rule 3.01, which establishes the Office of Government Relations as the central coordinating body for this external intergovernmental outreach.

## **IX. Public Meetings and Records**

Meetings of the full body and subcommittee meetings are open to the public and will be conducted under the provisions of Oregon Public Meetings Law (ORS 192.610-690). The Bureau liaison will provide notice to the public regarding the dates, times, and locations of all meetings:

- Regular meetings:
- Best practices: at least one week,
- Minimum requirement: at least 48 hours,
- Special meetings: at least 24 hours.

Per ORS 192.670(1), advisory body members can participate through telephonic conference calls. Requests for any other electronic communication means require approval from the Bureau liaison with City Attorney consultation. All records of the Body, including formal documents, discussion drafts, meeting summaries, and exhibits are public records. Communications among members related to the subject matter of this Body should not be treated as confidential and may be subject to public records requests. "Communications" refers to all statements and votes made during meetings, memoranda, work projects, records, documents, text messages, pictures, or materials developed to fulfill the charge, including electronic mail correspondence by and among the members. The personal notes of individual members taken at public meetings might be considered to be public record to the extent they "relate to the conduct of the public's business," (ORS 192.410(4)). Members are not allowed to deliberate towards a decision over e-mail, as public participation needs to be guaranteed through that process.

## **X. Amendment of Bylaws**

The Body may vote to recommend to the Elected-in-Charge (or the Bureau Director) amendment or repeal of these Bylaws. The Bureau may also recommend changes to the Elected-in-Charge (or the Bureau Director). The Elected-in-Charge (or the Bureau Director) must sign off on original bylaws and any amendments to the bylaws. Members have no authority to amend bylaws without approval.

