

# MINUTES

Metropolitan Policy Committee  
Lane Transit District Board Room, 3500 East 17<sup>th</sup> Avenue, Eugene

December 12, 2002 11:30 a.m.

PRESENT: Lyle Hatfield, Chair; Bill Dwyer, Vice Chair; Bobby Green, Pat Hocken (for Gerry Gaydos), Betty Taylor, James Torrey, Hillary Wylie, Bob Pirrie, members; Jim Carlson, Mike Kelly, Tom Boyatt, *ex officio* members; George Kloeppe, Tom Schwetz, Byron Vanderpool, Lane Council of Governments; Lisa Gardner, Linda Lynch, Lane Transit District; Jan Childs, Dave Reinhard, City of Eugene; Ollie Snowden, Tom Stinchfield, Lane County; Greg Mott, Nick Arnis, City of Springfield; Randy Papé, Oregon Transportation Commission; David Kelly, Rob Zako, Lauri Segal, Rob Handy, members of the public.

ABSENT: Sid Leiken, member.

## 1. CALL TO ORDER/APPROVAL OF MINUTES

Mr. Hatfield called the meeting of the Metropolitan Policy Committee (MPC) to order.

*Ms. Taylor, seconded by Mr. Dwyer, moved to accept the minutes of October 3, 2002, as submitted. The motion passed unanimously.*

## 2. WELCOME AND INTRODUCTIONS

Those present introduced themselves.

## 3. COMMENTS FROM THE AUDIENCE

**David Kelly**, Eugene City Council, said that he was pleased that all three jurisdictions, Eugene, Springfield, and Lane County had come to agreement on a list of conditions that would make it possible to move ahead on the Beltline/I-5 project. He said that one of the conditions was a soundwall for mitigation in the entire southwest quadrant, the Harlow/Willakenzie neighborhood in Eugene. He said that in order to assure moving forward with that condition it needed to be listed as part of the Federal Earmark for Phase 1 of Beltline/I-5. He noted that this was on the agenda for action. Mr. Kelly corrected a statement in the memorandum prepared for members which said that the Beltline Decision Team (BDT) recommended adding another earmark. He said that this was not another earmark but was simply an inclusion of the description of the soundwall in the already intended earmark.

Mr. Kelly addressed several concerns about the proposed MPC by-laws to accommodate the Transportation Management Area (TMA) Transition. 1) He said that it was not clear under the proposed by-laws what the legal role of the individual jurisdictions was before and would be under the new by-laws. He asked the MPC to consider that. 2) Mr. Hatfield noted that a new draft of the by-laws addressed Mr. Kelly's second concern about Coburg having the veto power. 3) Mr. Kelly pointed out that on page 5 of the existing by-laws required that written notice of amendments and the nature thereof be given to the Councils and Board of Commissioners at least 30 days prior to the date on which they were to be considered. He said that given that the Councils and the Board of Commissioners had not been given that notice the MPC would not be able to adopt the changes on January 9.

**Rob Handy**, 455 ½ River Road, spoke about the importance of completing the triangle in TransPlan. He suggested including nodal development resources in the request for federal earmarks. Mr. Handy expressed his frustration that citizens were often not listened to and then blamed for the message. He urged Lane County to “get its act together” to take care of the third leg of the triangle by earmarking TGM grants for nodal development.

**Lauri Segel**, 120 W. Broadway, said that she appreciated having Commissioner Randy Papé attend meetings of the MPC. She said that she did not think that the three minutes allotted citizens during the comment period was enough time to have an impact and made it difficult to testify. She said that she knew that Commissioner Papé and the Oregon Transportation Commission did listen and engage with the public. She said that she thought that the TMA was a positive opportunity for the metropolitan area in terms of transportation planning and that it would elevate public involvement beyond a three-minute comment period. Ms. Segel said that she had read through the packet and found the information overwhelming. She said that she found it disappointing that she had not seen anything in respect to the public having an opportunity to comment on the ACT guidelines.

Ms. Segel noted that on page 2 of the memorandum about the draft ACT guidelines that Mr. Schwetz said that the table comparing the MPO and the ACT requirements showed that the ACT guidelines were being met within the MPO area. Ms. Segel said that she thought that it should say that the ACT guidelines would be met within the MPO area.

Ms. Segel pointed out an error in the draft by-laws on page 4. She said that Section 4-C should refer to “each of the three cities” instead of “each of the two cities.”

**Rob Zako**, 1280 B East 20<sup>th</sup> Avenue, said that he was interested in the TMA. He encouraged the committee to take its time to understand all that was involved with the TMA transition. Mr. Zako referred to the many acronyms used in transportation planning as alphabet soup. He said that all of these acronyms are very confusing for the average citizen. Mr. Zako said that there was the MetroPlan, then the regional transportation plan or the TMA plan and then there was the Region 2050 plan. He said that he was not recommending any changes but that he was confused about all of the inner

relationships and all the duplications. He urged the committee to understand what was being proposed and all the implications. He said that even as a transportation enthusiast, he was confused by it all. He suggested that more elected officials be able to review the TMA transition plan.

#### **4. TRANSPORTATION ISSUES**

##### **A. TMA Transition**

Mr. Schwetz briefly reviewed the information included in the agenda packet about the TMA transition and the Lane Council of Governments (LCOG) Board Resolution delegating MPO functions to the MPC. He said that what was being proposed would not reduce the authority of the individual agencies represented on the MPC. He said that the change was basically a shift from one grouping of the agencies representing the region (the LCOG Board) to another grouping of the same people (MPC). He said that the decisions made by the MPO would not be different, with the exception of a new TMA requirement for a Congestion Management Plan, from decisions the MPO had been making for the last 29 years.

Mr. Schwetz continued by briefly reviewing the five core functions of an MPO. He explained that currently LCOG self-certified the program and that this would change under TMA status to a 3-year review performed directly by federal agencies. Mr. Schwetz brought examples of the key MPO products such as the Unified Planning Work Program (UPWP), the long range Regional Transportation Plan (RTP), the Transportation Improvement Program (TIP), and Air Quality Conformity Determinations.

Ms. Taylor said that she noticed while reading the material that everything was described with the use of an acronym. She added that she did not think that the MPC should do anything hastily. She said that she would like to see this and other items discussed at the council level before being presented to the MPC. Ms. Taylor said that she liked many of the changes such as the federal certification requirement, more public involvement, review by more elected officials, and determining ways to preserve existing roads. She repeated that she would like each of the individual bodies have the opportunity to discuss the proposal.

Mr. Hatfield mentioned that because of the by-law requirements, the MPC would not be able to act on the TMA Transition until the February meeting. Mr. Kloeppel said that the MPC was to consider the responsibility of TMA oversight at this meeting and then consequently the by-law changes would be approved in February. Mr. Torrey agreed and noted that Ms. Segel had referred to some minor changes that needed to be made to the by-laws. He encouraged committee members to submit any other changes to the document, to Mr. Schwetz.

In response to a question from Mr. Dwyer, Mr. Schwetz said that there were no changes to the existing authority of the jurisdictions in what was being proposed. He said that the intent of the proposal was to

consolidate and to make the process more efficient by engaging a more focused group rather than a broader based group.

Mr. Carlson pointed out that *Section 4: Conduct of the Meeting* in the by-laws needed to be reviewed for changes. He made the following recommendations for changes (stricken text deleted, italicized text added):

- 1) A. Four voting members, including at least one elected representative from ~~each jurisdiction~~  
*Eugene, Springfield, and Lane County* shall constitute a quorum of the MPC.

Mr. Carlson added that he thought that intent was that the fourth representative would also be from Eugene, Springfield, or Lane County.

- 2) B. Five voting members, including at least one representative from ~~each of the two Cities Eugene, Springfield,~~ the County, and the Lane Transit District, shall constitute a quorum when the MPC is considering metropolitan transportation.
- 3) C. Five voting members, including at least one representative from ~~each of the two Cities Eugene, Springfield,~~ the County, and the Willamalane Park and Recreation District, shall constitute a quorum when the MPC is considering regional parks and open space study matters.

Mr. Carlson said that the fifth voting members should also be from the four listed entities.

Ms. Hocken said that she understood the change to be a shift of decision making from the LCOG Board to the MPC. She noted that none of the decisions were now being made by the individual jurisdictions. She added that adopting TransPlan was a state process whereas the MPO functions are a federal process.

***Mr. Torrey, seconded by Mr. Dwyer, moved that the MPC accept the responsibility for the TMA.***

Mr. Torrey explained that he favored this motion because the MPC members all were involved firsthand and knowledgeable about transportation issue whereas the LCOG Board was not. He thought that the process should be that the MPC define the programs, send them out to the local jurisdictions, and then bring them back to the MPC to resolve any disputes between the local jurisdictions. He added that he supported Coburg having a vote and that he agreed with Mr. Carlson's suggested changes to Section 4. Mr. Torrey said that he thought that it would be appropriate for the Chief Administrators to work with LCOG on the draft and to bring it back to the MPC on January 9 before action at the February meeting.

Mr. Dwyer said that he agreed with Mr. Torrey and thought that the MPC was probably the best body for this responsibility. He added, though, that the MPC was a general purpose government organization and was not a transit district organization or a parks organization. He said that the by-laws were amended to allow those entities to participate in areas of concern to them.

Ms. Taylor said that she agreed with the change but that she did not think that the change needed to be made at this time.

Mr. Hatfield agreed that the MPC should be the approval body for anything having to do with the regional transportation plan, transportation plan, etc. because it would provide metro control. He said that obviously Coburg needed to be at the table for issues dealing with the MPO. He then wondered if Coburg had a role in State planning issues. He also wondered if the MPC had a role in the State plan. Mr. Schwetz acknowledged that there has been confusion about all the plans. He explained that a Regional Transportation Plan was required by the federal government and another set of plans was required by the State. He said that there would probably be a move for separate plans. He noted that Coburg's TSP was separate from the MetroPlan TSP. He said that federal regulations called for a regional plan which included Coburg. Jan Childs responded that Coburg did not have a role in the state plan for the Eugene/Springfield area. She said that the MPC's role in Eugene/Springfield's transportation plan was dispute resolution.

Mr. Green said that he was in support of the motion and that he wanted to take at least tentative action so that the representatives could take the proposal back to their councils and boards. Mr. Torrey said that the group was not taking final action but was saying that it was the sense of the group that it was willing to accept the responsibility. He said that final approval would come with adoption of the by-laws. Ms. Taylor said that she saw no sense in spending all this time on a tentative plan and that there was no need to hurry a decision.

Mr. Hatfield said that there seemed to be general consensus to approve the proposal, to take the draft by-laws to the various jurisdiction governing bodies for discussion, and to have a final discussion and take action in February.

Mr. Kloepfel emphasized that Eugene, Springfield, and Lane County had always been the three partners in the MetroPlan. He said that the federal process encompassed a broader area for transportation planning. He said that there could be benefits to having tiered plans that were nested in some reasonable way.

*No vote was taken on Mayor Torrey's motion.*

## **B. Beltline/I-5 Earmark**

Mr. Schwetz said that this request for action came as a recommendation from the I-5/Beltline Decision

Team. He explained that this was an amendment to an action taken by the MPC earlier to forward a set of earmarks to the Oregon Department of Transportation (ODOT). He said that the BDT asked that the MPC request funding for soundwall construction as part of its federal funding earmark proposal.

***Mr. Dwyer, seconded by Ms. Taylor, moved to include a request for Beltline/I-5 soundwall funding in the regional federal funding earmark proposal.***

Mr. Green said that he would support the recommendation of the BDT. He suggested that there be some specific language included about the soundwall being esthetically pleasing. He gave examples of soundwalls in different parts of the country that were very attractive and fit in with the local landscape.

Ms. Hocken said that she was in support of the motion. She raised the issue of asking the OTC to support transit projects as well as highway projects. She suggested sending a letter to the OTC saying that these are the highway earmarks that you requested and also bringing to its attention that there were transit and potential other projects that could compliment these highway projects and that those should be part of the earmarks that the OTC was supporting at a federal level.

Mr. Hatfield asked if there was consensus for sending a letter to the OTC. Mr. Torrey suggested writing two letters, one informing the OTC of the decision to add the soundwall to the earmark, and another letter recommending additional projects for the OTC to support. Mr. Schwetz said that he would draft two letters.

Mr. Schwetz showed the members a copy of the final decision document for the BDT and said that copies were available from ODOT. He pointed out that analysis showed that there was a need for a soundwall and that the decision for the BDT was when it recommended that it be built.

Mr. Dwyer thanked the BDT and complimented the team on its work and ability to come to agreement.

***The motion passed unanimously, 8:0.***

Mr. Schwetz noted that he had provided each member with a copy of the most recent set of earmarks that were approved by the Lane County Board of Commissioners.

Mr. Schwetz said that he would prepare a letter to OTC about reauthorization which would a request for support of transit and bicycle projects and bring it to the MPC for approval at its January meeting. Ms. Hocken noted that this last year's transportation budget had not been passed yet and she wondered if it would be of benefit to get the letter to the OTC in a quicker time frame.

***Mr. Torrey, seconded by Ms. Wylie, moved that the MPC go on record as supporting the OTC's assistance in earmarks for transit and bicycle projects as well as highway projects. The motion passed unanimously, 8:0.***

Mr. Schwetz said that the staff would prepare a letter and have Mr. Hatfield sign it before January 9.

### **C. Draft ACT Guidelines**

Mr. Schwetz reported that the ODOT had submitted a new set of draft Area Commissions on Transportation (ACT) guidelines for public comment. He said that comments were due January 31 and that the OTC would be putting those guidelines into place after considering the feedback.

Mr. Dwyer asked if it was compulsory to have an ACT. He wondered why there was a push to have an ACT. Mr. Schwetz said that he had attended the Oregon Regional Councils Association meeting in Ashland where he heard Stuart Foster talk about the very issues that Mr. Dwyer was questioning. He said that Mr. Foster said that it was not the intent of the OTC to require areas to have ACTS but that the OTC would expect the same level of process from any area that did not have an ACT as was required of an area with an ACT.

Mr. Schwetz said that one of the reasons to review the guidelines was to compare what the ACT required with what was already being done in Lane County. He said that the staff intended to come back to the January 9<sup>th</sup> meeting for more feedback in order to meet the January 31 deadline.

Mr. Hatfield said that in reading through the guidelines, it seemed that the ACT guidelines called for adding about 15 more people to the process of advising the County Board. He wondered if it was worth spending more money on process when he thought that the process would not be that much more beneficial. He said that Lane County was unique in that the area was one county and that the county was represented by five able commissioners.

Ms. Taylor and Ms. Hocken agreed that they were not sure that the ACT would result in getting more community input.

Ms. Torrey wondered if there was some middle ground that the MPC could reach to accommodate the OTC and at the same time keep the authority with the elected officials.

Mr. Dwyer said that the county did not make decisions in a vacuum and that there was opportunity for public input at all levels. He acknowledged that citizens might not always get the results they wanted. He said that he found it offensive that the OTC encouraged the formation of an ACT that would ultimately answer to the very group that established it.

Mr. Green pointed out that the OTC made the final decision about which projects would get funded and that he supported its right to set up guidelines for projects. He added that the Board of County Commissioners would be reluctant to relinquish its authority in the process. Mr. Green said that if the ACT guidelines resulted in better decisions being made with more citizen involvement he would be supportive. He repeated that the Board of County Commissioners would not be willing to give up any of its final authority.

Ms. Hocken wondered if not having an ACT would derail some of the funding for projects in the area. She pointed out that the ACT guidelines were set up specifically to give input on modernization projects. She suggested creating a structure that would somehow be a part of the MPC, such that MPC members would “wear two hats,” an MPC hat and an ACT hat. This structure would allow for people to be involved who were already working with transportation and would allow for adding other stakeholders. She said that another option would be to look at the current process to see if adequate opportunities for public input had been provided. She said that if the MPC was satisfied that there had been, it could document its process for the OTC, ask for feedback from the OTC, and move forward from there.

Mr. Dwyer thought that the public participation record should be part of the record for every project in order to document for the OTC who had spoken and when. He said that citizens would then not be able to go to the OTC and claim that they did not have a chance to comment.

Mr. Green said that he understood that the OTC was wanting to create a process that was thorough enough and had enough public input that projects would not be sidetracked late in the process by citizens objections. He suggested even having a minority report as part of the process. He reiterated that the final decision should rest with the County Commissioners.

Ms. Wylie expressed her frustration with the multiple levels, the acronyms, and the complexity of the process. She said that she hoped that there would be a way to make things simpler by combining activities or streamlining the process as in the suggestion made by Ms. Hocken to combine the MPC and the ACT.

Ms. Taylor agreed that she was not in favor of adding more levels to the process. She said that she did think that the ACT guidelines were worth discussing at the City Council level. Ms. Taylor made the following three suggestions for public participation: 1) A governing body should not act on the same night that it took testimony about an issue. 2) Citizens should be informed of the reasons for the final decision by the governing body. 3) A minority report should be given.

Mr. Hatfield said that the public process could always be improved but he wondered if it was worth spending hundreds of thousands of dollars to allocate \$7 million worth of STIP funds. Mr. Dwyer said that the MPC needed to prove that it already had an adequate public input process. He agreed with Ms. Taylor that it was important to dialogue with citizens and to explain the reasons for a decision.

Mr. Green clarified that the MPC was not opposed to citizen involvement and in fact welcomed that involvement. He volunteered to work on a model for citizen involvement that would help to meet the ACT guidelines and asked if there was any opposition to that proposal. The members agreed by consensus to form a subcommittee to work on a model. Mr. Green, Mr. Hatfield, Ms. Wylie volunteered to serve on the subcommittee. Mr. Torrey suggested that City Councilor Bonny Bettman also serve. Mr. Hatfield noted that all four jurisdictions were represented. He asked that each governmental representative bring a citizen member to also serve on the subcommittee.

Mr. Torrey asked if the staff would take the proposed ACT guidelines and develop a matrix showing the guidelines along with what was already being done in order to show any deficiencies in the process. Mr. Torrey added that he thought that the configuration of ODOT Regions statewide needed to be changed and added that he would like to see Lane County be its own region.

Ms. Hocken supported that idea of the subcommittee and of looking at the existing structure before making any changes.

Mr. Schwetz pointed out that the subcommittee process would be valuable, and noted that the OTC was asking for feedback on the guidelines before January 31. He said that he would present something prepared by the staff to the MPC at the January 9 meeting. Mr. Hatfield asked the members to e-mail any comments on the ACT guidelines to Mr. Schwetz. He said that he thought that an ACT was probably a fine structure for its intent but that it just did not fit for Lane County.

Mr. Papé of the OTC thanked the members for their time and comments on the ACT guidelines. He said that there were great arguments on both sides of this issue. He noted that the ACTs that were already in place in the state were working well and were helpful to the OTC. Mr. Papé suggested that the MPC invite Commissioner Forester to a meeting to dialogue about ACTs and to also consult with other places in the State that were creating ACTs. Mr. Papé said that he thought that ACTs would eventually be great bodies from which to get feedback and advice on policy issues. He pointed out that this request for feedback on the guidelines was an opportunity for the MPC to help modify what an ACT should look like.

## **5. OTHER**

Mr. Torrey reported that he had attended an Economic Leadership Discussion in Portland at which the Governor made clear that he was going to push for a transportation package to 1) improve the transportation system, and 2) get people working on the transportation system for an economic stimulus. Mr. Torrey urged that the MPC be ready with transportation projects that could be started quickly. He said that one such project was the Beltline between River Road and Coburg Road. Mr. Hatfield said that once the transportation package passed, it would be easy to move projects off of the futures list onto the constrained list. He said that he could support the project Mr. Torrey mentioned. Mr. Dwyer said that he thought that the emphasis should be on projects that would keep the economy flowing such as bridges.

Mr. Pirrie thanked Mr. Torrey and City Councilor Scott Meisner for cutting the ribbon to open the Delta Highway going on to Highway 105. He said that this was an example of a smaller project that had been completed.

Mr. Pirrie distributed copies of a letter to elected officials and members of the public about the 2004-

2007 Draft STIP Public Review. He noted that a public meeting would be held on January 9, 2003 in the Springfield City Hall Council Chambers at 7 p.m. He said that this was an opportunity for input and comment regarding the draft STIP for 2004-2007.

Mr. Hatfield raised the question of the monthly MPC meeting dates. Tom Schwetz noted that OTC had changed its meeting schedule such that they no longer conflicted with MPC's regular meeting date. The MPC members agreed by consensus to continue with the same schedule and time for its meetings.

Mr. Hatfield announced that he was retiring as Chair and that Mr. Dwyer would be taking over as Chair.

Mr. Dwyer announced that the ribbon was being cut on December 13 on the Veneta overpass.

The next meeting will be held January 9, 2003

The meeting adjourned at 12:32 p.m.

(Recorded by Elise Self)

Mins\_20021212.doc

LCOG: C:\DOCUMENTS AND SETTINGS\CLAS086\LOCAL SETTINGS\TEMPORARY INTERNET FILES\OLKF8\MINS\_20021212.DOC Last Saved: January 2, 2003