

MINUTES

Metropolitan Policy Committee
Lane Transit District Board Room, 3500 East 17th Avenue, Eugene

January 9, 2003 11:30 a.m.

PRESENT: Bill Dwyer, Chair; Bonny Bettman, Vice Chair; Lyle Hatfield, Bobby Green, Gerry Gaydos, Jim Torrey, Sid Leiken, Helen Wagoner, Blake Hastings, Bob Pirrie, members; Jim Carlson, Mike Kelly, Bill Van Vactor, *ex officio* members; George Kloeppe, Tom Schwetz, Byron Vanderpool, Milo Mecham, , Jeff Krueger, Lane Council of Governments; Lisa Gardner, Linda Lynch, Lane Transit District; Jan Childs, City of Eugene; Ollie Snowden, Lane County; Randy Papé, Oregon Transportation Commission; Rob Zako, 1000 Friends of Oregon, guest

1. CALL TO ORDER/APPROVAL OF DECEMBER 12, 2002, MINUTES

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

Mr. Torrey, seconded by Mr. Dwyer, moved to accept the minutes of December 12, 2002, as submitted. The motion passed unanimously.

2. WELCOME AND INTRODUCTIONS

Those present introduced themselves.

3. COMMENTS FROM THE AUDIENCE

Rob Zako, announced that he had been hired by 1000 Friends of Oregon. He explained that his title was that of Transportation Solutions Coordinator. He noted that he looked forward to working with the Metropolitan Policy Committee (MPC).

4. ELECTION OF OFFICERS

Mr. Hatfield nominated Mr. Dwyer to serve as chair of the MPC.

Mr. Torrey nominated Ms. Bettman to serve as vice chair.

Mr. Torrey moved, with a second from Mr. Gaydos, to elect Mr. Dwyer to the position of chair and Ms. Bettman to the position of vice chair of the Metropolitan Policy Committee in 2003. The motion carried unanimously.

5. METROPOLITAN ISSUES

A. Rivers to Ridges Study

Jeff Krueger explained that Phase II of the *Metropolitan Regional Parks and Open Space Study (Rivers to Ridges)* was nearing completion. He said that it was hoped that the elected officials would weigh in on the regional study at this point. He provided a brief overview of the project accompanied by a power-point presentation, noting that this was a coordinated project of Eugene, Springfield, and Lane County. He related that this study had been to provide the groundwork for long-term plans for parks and open spaces, and was coordinating closely with the Region 2050.

Mr. Krueger listed the land acquisition strategies, as follows:

- A non-regulatory approach would be employed.
- Impacts to the developable land inventory would be minimized.
- Acquisition would focus primarily on willing land sellers.
- A variety of tools would be employed, such as leveraging funding for matching funds.

Mr. Krueger discussed the processes by which input was gathered, including a staff charette and several opportunities for public participation. He outlined the four guiding principles that had resulted from the public input:

- Variety: That parks and open spaces should include community athletic facilities as well as natural lands.
- Scenic quality: That community members should be able to see the scenic qualities, such as the Coburg Hills, from public land.
- Connectivity and proximity: That community members should not have to drive a great distance to participate in outdoor activities such as hiking and that the wildlife should have corridors to travel from one space to another.
- Rivers, waterways, and wetlands: That the waterways and wetlands should be a priority for protection.

Mr. Green arrived.

Continuing, Mr. Krueger explained that less than ten percent of the *Oak Savannah* was left, less than one percent of *Prairie* was left, and of the *Riparian Forests*, approximately one percent remained of the original forests in this area. He stressed the importance of maintaining some habitat areas. He added that public lands should also provide educational and recreational opportunities.

Mr. Krueger related that keeping communities separate, primarily the communities of Eugene and Coburg and the communities of Eugene and Junction City, was an important aspect of the planning process.

Mr. Hatfield complimented the work that had been presented to the MPC. He noted that the Willamalane Park and Recreation District was working on a plan as well. He suggested that Mr. Krueger communicate

with Willamalane to assure that there were no conflicts between the two plans. Mr. Krueger assured Mr. Hatfield that the Lane Council of Governments would be seeking an endorsement from Willamalane as well.

In response to a question from Ms. Bettman, Mr. Krueger stated that the work had included work on the Natural Resource Inventory (NRI). He offered to share the series of maps that had been developed as a result of the NRI.

Ms. Bettman asked if Skinner's Butte had been included in the inventory of visible slopes. Mr. Krueger replied that it had not as it was short and it was already an existing park. He assured her that it would be protected, though it was not in that particular inventory.

Mr. Hastings noted that Willamalane had a negative experience in the past with getting park plans "past the public." He asked if there would be an attempt to do outreach to people who would be impacted, both positively and negatively, by the plans. Mr. Krueger responded that the plan had avoided identifying specific properties at this point in time. Property specific outreach would be essential prior to any refined concept. He added that it was a priority to stay in close coordination with the "view-shed" and with the affected people.

Mr. Carlson commended the work that had been done on this project. He approved of using local funding to match federal opportunities. He noted that it did not seem likely that the "Vision" would be adopted prior to the next United Lobbying Front trip to Washington, D.C. this year.

Ms. Bettman moved, with a second from Mr. Hatfield, to endorse the Rivers to Ridges Vision and that it be brought before the elected and appointed officials for endorsement. The motion carried unanimously.

B. Cable TV Discussion Update

Milo Mecham highlighted the LCOG memorandum to the MPC entitled **Update on Discussions with ATT Broadband**.

Mr. Dwyer asked if what they were doing still conflicted with the agreement made with them. Mr. Mecham responded that the agreement was ambiguous. He said that AT and T Broadband was restricting the rights that customers had to arbitration, but that the restrictions were less severe. He opined that arbitration was better than litigation.

In response to a question from Mr. Hatfield, Mr. Mecham stated that, when a dispute arose, the customer would choose an arbitrator from a list provided by AT and T Broadband. He noted, in reply to another question from Mr. Hatfield, that the complaint center had reopened in Beaverton, Oregon. He added that complaints about the service had decreased.

Mr. Dwyer emphasized that the principle was related to the contract and not to the unilateral changes to the

contract. He likened it to only being partly cheated.

Ms. Bettman wondered if the arbitrators were local. Mr. Mecham replied that they were local representatives of a national organization. Ms. Bettman questioned whether the company was following through with post-arbitration agreements. Mr. Mecham said that most claims would be for \$39. He speculated that, because there will be many of them, there could be a class action.

In response to Mr. Green, who noted that the four points that the MPC had wanted addressed remained unaddressed, Mr. Mecham said that the purpose for this agenda item was to update committee members and to provide an opportunity to provide input on the item. He stated that the discussion with AT and T Broadband would continue, but that, in terms of dialogue, it had gone as far as it could for the present. Mr. Green suggested that some money could be saved by removing staff from the interaction with AT and T Broadband.

Mr. Torrey expressed extreme dissatisfaction with the lack of progress. He felt that staff had not accomplished what staff had been directed to do. He stressed that the franchise fee should end at some point. He reiterated that too much time had been spent on this issue and without the desired results.

Mr. Hatfield requested to review a matrix of what the franchise agreement required and the positions at which AT and T Broadband was not being compliant. He felt that, once the data was clearly laid out, there was a good possibility that the committee would choose to disengage from the process with AT and T Broadband. He recommended that the committee revisit the issues with matrix in hand at the MPC meeting scheduled for February.

Mr. Carlson stressed that the only options available were to reopen or to terminate the agreement. Mr. Mecham noted that the franchise stated that it could not be reopened unless AT and T Broadband said that it could be.

Mr. Dwyer felt that there had been a “material breach.” He commented that it would not be resolved at the present meeting, but that it was important to develop a strategy to “deal with the giant running over us.”

Mr. Carlson remarked that the City of Eugene was involved with many legal actions regarding telecommunications. He questioned the merit of pursuing what could be an extremely expensive process. He noted that Mr. Mecham had stated that the number of complaints about AT and T Broadband had gone down.

Mr. Dwyer likened the actions taken thus far to giving a “rubber stamp” to AT and T Broadband. He opined that, even with the expense, the worth of this franchise to AT and T Broadband should be considered. He felt that a stand should be taken in spite of the size of the company, and, should it be decided that it would not be financially prudent to take a stand, then staff should be taken off the issue, the cable franchise should be let go, and individual contracts could be made and all area entities could monitor their own contracts. He instructed Mr. Mecham to bring back the requested information for further discussion at the next meeting.

6. TRANSPORTATION ISSUES

1. Draft ACT Guidelines Review and Status on MPC Subcommittee

Mr. Schwetz briefly highlighted the **Draft ACT Guidelines – Letter of Comment**, provided to the committee in a memorandum.

Mr. Dwyer said that the Board of Commissioners had clearly stated its opposition to the formation of an Area Commission on Transportation (ACT).

Mr. Schwetz responded that the discussion from the previous MPC meeting had focused on finding a middle ground and that this was the purpose of forming a subcommittee. He said that the comment letter was intended to accomplish two things: first, to clarify that, given the OTC will not be requiring the formation of ACTs, the guidelines should articulate the underlying purpose and desired outcomes of area commissions, clearly stating what the objectives are; and secondly, that some flexibility should be provided within the guidelines as to how the objectives are met.

Mr. Hatfield commented that the purpose of the subcommittee was not to create an ACT. He restated the proposal for the subcommittee, that it would sit down and document the process to go through and to determine if there were ways that the process could be improved. He wanted to increase the public involvement in the process.

Mr. Torrey expressed support for the tenor of the letter of comment. He had thought that there would be a matrix that would compare proposals and identify the gaps, and then, at that point, the committee could look at the gaps and identify what best actions to take. He felt the committee should analyze what the potential shortfalls could be and then report to the OTC.

Mr. Dwyer asserted that the staff action appeared to be heading in a direction that the MPC did not want to go. He commented that incorrect information had gone to the OTC stating that there had been no citizen input, though there had been citizen input.

Ms. Bettman felt that it would be good to look over the requirements. She wondered how the requirements at the state and federal levels for an ACT compared. She said that it appeared that the state did not require that there be an ACT, but that, should there be an ACT it had to perform a specified function. She supported having a subcommittee.

Mr. Schwetz assured Mr. Torrey that the matrix had not been forgotten, but that staff had not felt that it was relevant to the letter of comment. He said the matrix would be developed for use at the first subcommittee meeting. He remarked that the conclusions that the subcommittee would reach could create an opportunity for improvement.

Mr. Hatfield supported sending the letter. Mr. Green added that the letter spoke to the point that the MPC had wanted the OTC to address. He said that the critical piece pertained to clarification of the amount of

flexibility individual ACTs would have.

Mr. Green moved, with a second from Mr. Hatfield, to approve the letter of comment to the Oregon Transportation Commission as written.

Mr. Dwyer said that ACTs are advisory boards to the OTC, which is a commission whose members are appointed. He likened this to the tail wagging the dog. He asserted that elected officials should not take direction from appointed officials.

Mr. Green called the question. The motion passed unanimously with one abstention (Ms. Bettman abstaining).

Mr. Schwetz asked for input on subcommittee logistics. He suggested that each member recruit a citizen member and that the first meeting be held in early February.

Members decided to convene the first subcommittee meeting on February 6, 2003, that it would meet for no more than four times, and that Mr. Green would serve as chair.

B. Transportation Enhancement Program Applications

Mr. Schwetz explained that the purpose of this was to take action on the letter of support addressed to Ms. Warner, of the Oregon Department of Transportation (ODOT) Transportation Enhancement Program.

Mr. Hatfield moved, with a second from Mr. Green, to approve the letter of support for local Transportation Enhancement Program applications. The motion passed unanimously.

C. MPO Calendar and Information Items

Mr. Schwetz stated that this was a standing agenda item. The following specific items were reviewed:

1. Follow-up

- a. Letter Requesting Addition of Soundwall to I-5/Beltline Earmark Request
- b. Letter Requesting OTC Support of Alternative mode Earmark Requests
- c. Draft Bypass Policy Status

2. Upcoming MPO-Related Activities

- a. Calendar
- b. Public Meeting on FY04-07 STIP
- c. TMA Transition Status – certification review

Mr. Hatfield asked when the OTC was discussing the testimony on the bypass. Mr. Papé responded that it would be discussed on either March 3 or March 19 of this year.

Mr. Hatfield commended staff for the good work done on the draft bypass policy. He commented that the

policy would not retro-fit to existing facilities, however.

Mr. Torrey wanted to determine why the 1000 Friends of Oregon opposed the policy.

Ms. Bettman commented that the larger issue was that the level of traffic was increasing. She felt that West 11th Avenue could become so congested that it would need a bypass. Mr. Torrey added that taking something within the Cities of Eugene and Springfield and calling it a bypass would create undue pressure on elected officials.

Mr. Hatfield said, in terms of new bypasses, ODOT's proposal was very good as it was optimal to channelize a high volume of traffic. He reiterated that his concern was regarding attempting to retro-fit this concept on existing streets. He guessed that Beltline Road traffic was 95 percent local. He felt that through traffic coming from Sisters on 126 more than likely did not use the Beltline facility, yet it was being referred to as a bypass and, as such, access would be channelized. He was concerned that putting land use restrictions on an area that was already built up could create tremendous headaches.

Mr. Schwetz noted that the calendar outlined upcoming agenda items. He said that the OTC agenda for January was not yet out. He reminded members that a STIP meeting for the purpose of gaining public input would be held that evening in Springfield City Hall. He announced that agenda items from the MPC meetings of April 10 and May 8 would be swapped due to a timing issue, and that a public meeting would be scheduled for the night of May 8 to invite public comment on the STIP for FY04-07.

In response to a question from Mr. Green, Mr. Schwetz stated that he went to OTC meetings, with the exception of the next one. Mr. Green requested that the minutes from OTC meetings be included in the packets for the MPC.

7. OTHER

Mr. Torrey proposed a discussion on possible improvements to the section of Beltline Road between River Road and the bridge. He asked if there was any wording in the TransPlan that addressed the traffic issues of that area. Ms. Childs spoke to this, stating that the TransPlan does include a discussion of Beltline Road from Coburg Road to River road. She said that the study had to be in the STIP for it to move forward.

Mr. Papé reported that the OTC would be making its final decision on T-3 federal funding allocations and that Lane County had only submitted one funding request, that of the Beltline/I-5 interchange.

NEXT MEETING: February 13, 2003

The meeting adjourned at 1:29 p.m.

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