

MINUTES

Metropolitan Policy Committee

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

February 13, 2003 11:30 a.m.

PRESENT: Bill Dwyer, Chair; Bonny Bettman, Vice Chair; Sid Leiken, Gerry Gaydos, Bob Pirrie, George Poling (for Jim Torrey), Tammy Fitch, Hillary Wylie, Michael Dean, members; Jim Carlson, Mike Kelly, Bill Van Vactor, *ex officio* members; George Kloeppe, Tom Schwetz, Paul Thompson, Byron Vanderpool, Milo Mecham, Lane Council of Governments; Ken Hamm, Linda Lynch, Lisa Gardner, Lane Transit District; Greg Mott, Nick Arnis, Brian Barnett, Dan Brown, Len Goodwin, Bob Bruce, City of Springfield; Pam Berrian, Jan Childs, David Reinhard, Chris Henry, City of Eugene; Tom Stinchfield, Lane County; Ginni Volpert, Mike Hudson, City of Coburg; Randy Papé, Oregon Transportation Commission; Don Ehrich, Tom Boyatt, Oregon Department of Transportation; Abby Garrettson, *The Register Guard*; Terry Connelly, Chamber of Commerce; Stanford Inoye, ATT Broadband; Rob Zako, Lauri Segal, 1,000 Friends of Oregon; Rob Handy, member of the public.

ABSENT: Bobby Green, member.

1. CALL TO ORDER/APPROVAL OF MINUTES

Mr. Dwyer called the meeting of the Metropolitan Policy Committee (MPC) to order. He reviewed the agenda, noting the addition of an action item related to the United Front lobbying priorities, and took item 4.a.1 from the agenda because the presenter was unable to attend the meeting.

Mr. Dwyer noted that Mr. Green was excused.

Mr. Dwyer called for a moment of silence to recognize the passing of Springfield City Councilor and Metropolitan Policy Committee member Lyle Hatfield.

Mr. Dwyer recognized Mr. Randy Papé.

On behalf of the five members of the Oregon Transportation Commission (OTC), Mr. Papé presented a letter of condolences from the commission to Mr. Dwyer as chair of the committee regarding Mr. Hatfield's passing. He provided copies for other members.

Mr. Papé reported that the January 9 public meeting sponsored by the Oregon Department of Transportation (ODOT) regarding the State Transportation Improvement Program went well. There was a good turnout, with good input. A significant focus of the meeting was on safety. He called attention to an article in the January 13 edition of *The Oregonian* entitled *Combination of improvements adds to declining traffic toll*, which regarded the decrease in traffic fatalities on Oregon roads in 2002. Mr. Papé said that continued a trend, while at the same time the number of automobiles traveling the roads had increased.

Mr. Papé noted testimony presented to the OTC regarding safety issues on 42nd Street in Springfield, and said that the commission heard the message, and he wished more money was available at this time. Mr. Papé suggested that in the long-term, the jurisdiction for the street should pass from the State to Springfield.

Ms. Bettman, seconded by Mr. Gaydos, moved to accept the minutes of January 9, 2003, as submitted. The motion passed unanimously.

2. WELCOME/INTRODUCTIONS

Those present introduced themselves. Mr. Leiken thanked Mr. Papé for the letter.

3. COMMENT FROM AUDIENCE MEMBERS

Rob Handy, 455-1/2 River Road, Eugene raised the issue of the need to prioritize transportation projects in tight fiscal times. He noted the public hearings associated with the adoption of TransPlan, during which he testified in favor of preserving the existing system and directing money toward preservation projects. He said that commitment to nodal development was an adopted alternative performance measure in TransPlan, and asked the MPC to keep in mind the relationship between land use and transportation and continue to seek funding for nodal development as a crucial underpinning to TransPlan.

Rob Zako, 1280 B East 20th Avenue, Eugene, reminisced about Mr. Hatfield. He noted his friendly disagreements with Mr. Hatfield during the TransPlan adoption process and recalled Mr. Hatfield's role in reaching compromises between the different jurisdictions regarding the final form that TransPlan would take. He hoped that, like Mr. Hatfield, differing parties could continue to compromise to reach consensus in the future.

4. TRANSPORTATION ISSUES

a. Bylaws Amendment

Mr. Dwyer noted the Board of County Commissioners' ratification of the proposed bylaws amendments.

Mr. Schwetz said that the proposed bylaws amendments being proposed arose from the Lane Council of Governments Board of Directors' recommendation that its MPO (Metropolitan Planning Organization) responsibilities be transferred to the MPC, and the fact the metropolitan area was now a Transportation Management Area (TMA) and included Coburg. He highlighted the fact the amendments added Coburg as a voting member of the MPC.

Responding to a question from Ms. Bettman regarding the length of notice given for meetings, Mr. Schwetz indicated that the Open Public Meetings Law stipulated that notice could be given at 24 hours' notice. He further indicated that the bylaws stated three days' notice in case a meeting had to be called on short notice. Mr. Dwyer observed that the section in question, Article IV, Section 3,

was not new. In response to a follow-up question from Ms. Bettman, Mr. Schwetz said that he could not recall having to hold a meeting on such short notice.

Ms. Bettman, seconded by Mr. Dwyer, moved to revise Article VI by deleting the added sentence that stated “Distribution of proposed bylaw changes to the Chief Administrative Officers of members agencies shall constitute notice to Councils and Boards.”

Mr. Dwyer asked why the text was proposed to be added. Mr. Schwetz responded that it was to simplify the process. Staff proposed to send copies of changes to the bylaws to chief administrators, who would then provide notice to elected officials. Mr. Vanderpool indicated that the proposed amendment was the result of a discussion the MPC had last year. He clarified that, in the past, staff distributed changes to the members of the MPC, which included the chief administrators, who were then responsible for ensuring the elected officials received copies. LCOG had not sent copies to every elected official. He said that staff was seeking a way to ensure that notice was provided reliably in accordance with each agency’s own procedures. He emphasized that notice would still be provided to all MPC members and staff was concerned about ensuring notice went beyond the membership.

Ms. Bettman accepted a friendly amendment from Mr. Dwyer to revise the sentence to read: “Distribution of proposed bylaw changes to the Chief Administrative Officers of members agencies shall be in addition to notice to Councils and Boards.”

The motion passed unanimously.

Ms. Bettman, seconded by Mr. Gaydos, moved to accept the bylaws as amended. The motion passed unanimously.

Mr. Dean joined the MPC meeting. He indicated Coburg’s commitment to being a full partner in the MPC’s discussions and emphasized his community’s interest in metropolitan transportation issues.

b. Transportation Finance

1. Report from Victor Dodier (Oregon Department of Transportation) on Transportation-Related Measures Being Considered by this Legislature

Mr. Schwetz reported that Mr. Dodier was unable to attend the meeting because of a conflict created by the State legislature. Mr. Dodier sent his apologies. He distributed copies of Mr. Dodier’s presentation materials and indicated staff would attempt to reschedule his presentation in March.

2. Report from Jim Whitty (Oregon Department of Transportation) on the Road User Fee Task Force.

Mr. Whitty, Road User Fee Task Force Administrator, provided an overview of the recommendations of the task force. He noted its origins in House Bill 3946. He further noted that Mr. Torrey and Mr. Randy Papé were local members of the task force.

Mr. Whitty spoke to the relationship between increasing automobile fuel efficiency and declining gas tax revenues at a time when vehicle miles traveled on Oregon roads were increasing. He shared data showing the decline in revenues and anticipated the situation would worsen, particularly as hybrid automobiles and new technologies continued to evolve. He emphasized the task force's interest in ensuring that any new revenue system should be designed to eliminate the effects of automobile fuel efficiency improvements.

Mr. Whitty reviewed some of the parameters used by the task force to reach its recommendations, including that the system developed should be a user-pay system, it should not usurp local governments' revenue sources; it should provide sufficient revenue; it should be enforceable; and it should be acceptable to the public.

Mr. Whitty said that many ideas were considered by the task force and he invited other ideas. The task force ultimately recommended a mileage fee, or vehicle miles traveled (VMT) fee, as a broad revenue mechanism, and congestion pricing, new facility tolling, and studded tire permitting as targeted revenue mechanisms.

Mr. Whitty reviewed the policy decisions made by the task force in relationship to the fee, which included that the technology employed must be accurate, reliable, secure, and feasible; that it have minimal evasion potential; that it would not count mileage outside Oregon; that it would place a minimal burden on the private sector; that any retrofitting of technology in older vehicles must be affordable; and the transition to the system must be seamless.

Mr. Whitty described the GPS (Geographic Positioning System) technology envisioned as the collection mechanism and emphasized that motorists' privacy would be protected. He said that the government would only receive tax payments, and would not know the movements of vehicles. He did not envision retrofitting would occur, and that the system would be phased in over a 20-year period. It would replace the gas tax. At this time, the task force recommended a flat rate for simplicity's sake, but he anticipated that would be a controversial issue for the legislature.

Responding to a question from Mr. Dwyer about the cost of the technology involved, Mr. Whitty said that the State was working with manufacturers to keep it low, and estimated \$100 per vehicle.

Responding to a question from Mr. Dwyer about the proposed studded tire permit fee, Mr. Whitty said the task force proposed a rate of \$26 per automobile, and it was possible rates would be higher in the Willamette Valley than in eastern Oregon. He acknowledged the differing needs of the different parts of the state, which was the reason for the two-region approach taken by the task force.

Mr. Whitty reviewed a pilot test time line and noted that the implementing legislation had passed out of committee that morning.

Mr. Gaydos inquired about exemptions for mass transit. Mr. Whitty indicated that the task force had not gotten to that point yet. He did not anticipate that related legislation could be considered prior to 2007.

Mr. Whitty distributed copies of a document entitled *Road User Fee Task Force Frequently Asked Questions with Answers—January 28, 2003*.

3. Report from Bobby Green and Tom Schwetz on Recent Meeting of Willamette Valley Representatives to Discuss a Valleywide Interest in Transportation Finance Legislative Options

Mr. Schwetz reported on a meeting he had attended with Mr. Green sponsored by Cascades West Council of Governments regarding regional transportation funding. Various elected officials from throughout the valley had attended. Those present had shared issues and ideas. There was interest in taking a valley-wide approach on transportation finance to the State legislature. Those present agreed that staff would draft a one-page description of key valley issues accompanied by a map of the valley. He said he just received the draft, and would share it with the MPC in March.

Mr. Schwetz briefly called attention to Mr. Dodier's presentation materials and invited questions to share with Mr. Dodier. Mr. Carlson asked that Mr. Dodier highlight potential State preemptions in his presentation to the MPC. Mr. Schwetz indicated that MPC members could call him or e-mail with other questions.

c. I-5 Bridge Status Report from Don Ehrich

Mr. Ehrich, ODOT District 5 Manager, was present to discuss ODOT's proposed pending weight restrictions on the three bridges crossing Interstate 5 in the vicinity of Eugene. Mr. Schwetz distributed copies of Mr. Ehrich's presentation, entitled *Brief to the MPC—February 13, 2003—Interstate 5 Pending Bridge Load Restrictions MP 192-198*. Mr. Ehrich said it was necessary to restrict weights on those facilities to preserve their remaining capacity and for safety reasons. He stressed that there was no immediate threat to public safety. He anticipated the weight restriction would be in force by late February or early March.

Mr. Ehrich indicated the legal axle weight restriction would be 20,000 pounds for single axles and 34,000 pounds for double axles, and a maximum gross weight of 105,500 pounds. Mr. Ehrich said there were approximately 3,500 single trailers, 400 to 500 double trailers, and 100 to 150 triple trailers crossing each day on the McKenzie bridges in each direction; he estimated traffic on the Willamette River bridge at ten percent higher.

Mr. Ehrich reviewed the routes that trucks diverted from I-5 would travel.

Mr. Dwyer asked for more information about the State's maintenance plans for the impacted roads, expressing concern that those facilities would be degraded by the truck diversions at a time of limited funding. Mr. Ehrich indicated that the roads in question were all State highways that were designed to handle the loads involved and they would be addressed by the State's ongoing preservation program. He indicated that no solution to address the conditions of the bridges involved had been identified at this time. ODOT was forming a project development team and requested an early commitment of funding to begin design work on replacement structures. Mr. Ehrich estimated in the worst case, 300 trucks daily would be affected, and a large percentage of those trucks, 50 to 60 percent, had destinations in the metropolitan area.

Mr. Dwyer asked about the potential the restriction would be further accelerated. Mr. Ehrich acknowledged that was a concern. He noted the impact of further decreasing the weight limits on the bridges, which could affect trucks over 80,000 pounds.

Mr. Leiken asked if ODOT had analyzed the kind of diversions and time delays involved for trucks. Mr. Ehrich said that ODOT had not done that level of analysis. He added that truckers were aware of the approved routes and would make informed decisions about the appropriate route to take. Traffic would be dispersed. His greatest concern was the first few days the restriction was imposed when the news would not be as widely known.

Mr. Ehrich referred to the materials distributed by Mr. Schwetz and called the MPC's attention to the web site address for ODOT's Bridge Options Report: <http://www.odot.state.or.us/tsbridge.pub/>

Mr. Ehrich emphasized that the general public would not be significantly impacted by the closures, and industry would not suffer.

Mr. Dean asked about truck routing in case the restriction was accelerated. Mr. Ehrich said the State tried to encourage trucks to use certain routes. He acknowledged that some trucks would use alternate facilities, but the State worked to get them to travel to the east. He indicated that a further estimated 1,500 to 2,000 trucks daily could be affected by a weight restriction on trucks over 80,000, which was the next logical threshold. He did not anticipate that, but believed it probable in the next year to two years if conditions did not change.

Mr. Dwyer asked about the potential of an "OTIA 3." Mr. Ehrich believed it was premature to comment. Mr. Pirrie added that he could make no predictions. There was clearly a need for funding, but the source of that funding was yet to be determined.

Mr. Dwyer suggested the possibility that the metropolitan area could seek federal funding for emergency bridge repair and replacement through the United Front effort.

Mr. Ehrich briefly described the routing development process and noted the input provided by industry. He indicated that the State planned to spend approximately \$20,000 for signage for the truck routes. He indicated that there could be an impact on mass transit, and it was possible that heavy emergency fire apparatus would be exempted from the restriction.

Mr. Carlson recalled that the McKenzie Bridge had been in a previous State Transportation Improvement Program. Mr. Ehrich indicated that the engineering had been done for that project.

Responding to a question from Mr. Hudson, Mr. Ehrich indicated that he would send out electronic updates to the various jurisdictions' staffs as issues were identified.

d. United Front Priorities

Mr. Schwetz distributed a memorandum entitled *MPC Letters of Support for United Front Reauthorization Earmark Requests*. He said that as part of the earmarking process, the Congressional Committee on Transportation and Infrastructure's Subcommittee on Highways and Transit requested that project sponsors provide information on their projects. He explained that staff had heard of the need for support letters only two days prior to the MPC meeting. Mr. Schwetz called attention the letters attached to the memorandum, each of which addressed a different project. He reviewed the projects, which were listed in the memorandum. He requested approval for the MPC Chair to sign the letters.

Ms. Bettman, seconded by Ms. Wylie, moved to approve the letters for the signature of the MPC Chair. The motion passed unanimously.

e. MPC Subcommittee Process

Mr. Thompson reported that the eight-member committee, charged with studying the State's ACT public involvement guidelines, had met and agreed on its scope of work. Staff was directed to return with several public input models for comparison by the next meeting on March 6. He noted that the eight committee members were Ms. Bettman, Ms. Fitch, Mr. Green, Mr. Gaydos, Lauri Segal, Tom Pogue, Terry Connelly, and Christine Lundberg.

Mr. Gaydos said that Ms. Segal and Ms. Bettman did a good job of looking at the issues from the citizens' point of view. He believed the ultimate outcome would be better for their effort.

f. MPO Calendar and Information Items

1. Follow-up
 - (a) OTC Minutes from January 2003

Mr. Schwetz noted that copies of the OTC minutes were provided to MPC members in the meeting packet.

2. Upcoming MPO-Related Activities
 - (a) Calendar
 - (b) Fiscal Year 2004 UPWP Overview

Mr. Schwetz called attention to the notebooks distributed to MPC members prior to the meeting entitled *Central Lane MPO Policy Committee Handbook* and a document entitled *MPO-Related Calendar Update/Possible Agenda Topics*. He noted the potential that the MPC's March or April agenda could include an item regarding the potential of an amendment to the State Transportation Improvement Program to begin repair work on the Interstate 5 bridges.

Mr. Schwetz distributed copies of a press release regarding the formation of the Local Officials for Transportation coalition.

5. METROPOLITAN ISSUES

a. Cable TV Discussion Update

Mr. Mecham joined the MPC for the item, which was a continuation of a discussion from the previous meeting. He called attention to a memorandum from himself to the MPC dated February 5, 2003, included in the meeting packet, entitled *Matrix of Cable Service Issues*. The memorandum identified three options for proceeding as it related disputes regarding the terms of the cable franchise. Mr. Mecham reviewed the staff recommendation, Option 3, which was to refer the disputed issues back to the individual jurisdictions given that the franchise holder's behavior was not likely to change in the near term. He indicated that staff had not abandoned all hope of a

favorable outcome. He noted that the auditor was nearly done with the audit, and he would report back on the results.

Ms. Bettman favored further discussions between staff and ATT Broadband as a way of keeping on the pressure.

Mr. Van Vactor requested a copy of LCOG's staff work plan as it related to cable issues.

Mr. Carlson emphasized the progress that had been made by staff to date, and said that there may be things that action at the local area cannot effect. He noted litigation at the federal level addressing some of the issues involved.

Ms. Bettman, seconded by Ms. Wylie, moved to accept the staff recommendation for Option 3. The motion passed unanimously.

The meeting adjourned at 1:16 p.m.

(Recorded by Kimberly Young)

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