

MINUTES

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

April 10, 2003 11:30 a.m.

PRESENT: Bill Dwyer, Chair; Bonny Bettman, Vice Chair; Hillary Wylie, Anne Ballew (for Tammy Fitch), Gerry Gaydos, Sid Leiken, Nancy Nathanson (for James Torrey), Christine Lundberg, Bobby Green, Michael Dean, Bob Pirrie, members; Jim Carlson, Mike Kelly, *ex officio* members; George Kloeppe, Tom Schwetz, Bud Reiff, Lane Council of Governments; Lisa Gardner, Lane Transit District; David Reinhard, City of Eugene; Nick Arnis, John Tamulonis, City of Springfield, Tom Stinchfield, Lane County; Jeff Schieck, Oregon Department of Transportation; Randy Hledik, Wildish Sand and Gravel; Rob Zako, Lauri Segel, 1,000 Friends of Oregon, Rob Handy, Jack Radabaugh, Jan Wilson, Bonny Ullman, guests.

ABSENT: Bill Van Vactor, Ken Hamm, Mike Hudson, Tom Boyatt, *ex officio* members.

1. CALL TO ORDER/APPROVAL OF MARCH 13, 2003, MINUTES

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

Mr. Dean corrected the name of the Coburg representative: Judy Volta

Ms. Bettman, seconded by Mr. Green, moved to accept the minutes of March 13, 2003, as submitted. The motion passed unanimously.

2. WELCOME AND INTRODUCTIONS

Those present introduced themselves.

3. COMMENTS FROM THE AUDIENCE

Rob Zako, 120 West Broadway, representing 1000 Friends of Oregon, referred to the Unified Planning Work Program (UPWP), which he acknowledged he was not fully familiar with. He noted some of the major expenditures in the program and urged the committee to be clear what it was adopting when it adopted the plan. He said that the expenditures anticipated “sounded like a lot of money” to him that he believed could do some good elsewhere in the community. He suggested that the MPC could go beyond the federal requirements to meet other community goals. Mr. Zako specifically expressed concern that the area had a requirement to do an integrated land use/transportation plan it did not have money to fund, as well as a lack of funding for nodal development.

Rob Handy, 455-1/2 River Road, while acknowledging that the meeting was a metropolitan meeting, called the MPC's attention to the fact the MPC meeting's meeting was not listed in the Eugene City Council newsletter or the Eugene public meetings calendar and asked someone to contact him about that. He was also concerned about the lack of notice for the Transportation Improvement Plan (TIP) hearing to occur later in the meeting and the lack of time that the MPC would have to consider his testimony. He agreed with Mr. Zako that the UPWP represented "a lot of money" and that some of the funds should be used to support nodal development.

Responding to a question from Mr. Dwyer, Mr. Schwetz said that the notice for the hearing was similar to that provided in the past by the Lane Council of Governments (LCOG). A legal advertisement was placed in the paper on Sunday and the packet materials were sent to an interested parties list. He said that the Area Commission on Transportation (ACT) Guidelines Subcommittee might want to discuss improvements to the public process, but the legal requirements were met.

Ms. Bettman said that when she was appointed to the committee, she had asked that the MPC meeting be added to the City's public meetings calendar. Mr. Carlson indicated he would follow-up. Ms. Nathanson pointed out that Eugene council representatives served on many other groups and the City did not publish notice for those groups. She asked if Lane County and Springfield included the MPC meetings on its calendars or notice. Mr. Dwyer said no; Lane County provided information about its own meetings. Mr. Kloepfel pointed that all agenda materials were available through the LCOG Web site. He agreed with Mr. Schwetz' remark that the subcommittee might want to discuss the notice issue raised by Mr. Handy.

Mr. Dwyer said that the notice might be technically right, but "it left a bad taste" in his mouth.

4. METROPOLITAN PLANNING ORGANIZATION (MPO) ISSUES

a. Remarks from Oregon Transportation Commissioner Randy Papé

Mr. Papé acknowledged the work of the Beltline Stakeholders Group and indicated additional funding for the project would be sought through the federal earmarking process. He distributed certificates of appreciation to those present who participated in the project: Randy Hledik, Jack Radabaugh, Nick Arnis, Christine Lundberg, David Reinhard, Tom Schwetz, John Tamulonis, Bonnie Ullman, and Jan Wilson.

Mr. Papé recognized members of the Beltline Decision Team present with certificates of appreciation: Bill Dwyer, Christine Lundberg, and Bob Pirrie.

Mr. Papé recognized Jeff Shiecke of the Oregon Department of Transportation (ODOT) for his contributions to the process.

Mr. Papé discussed the status of the transportation funding package currently being considered by the Oregon Legislature, noting it included a proposed increase in the vehicle title fee to create an additional revenue stream for needed bridge repair. The package also included transportation funding for the local jurisdictions. He anticipated some sort of package would be approved this session, but the question was, for how much. He noted opposition from the truckers' lobby to an

increase in the weight-mile tax. Mr. Papé encouraged MPC members to contact their legislators to voice their support for the package.

Mr. Papé previewed the next Oregon Transportation Commission meeting agenda, which included consideration of the Area Commission on Transportation Guidelines.

Mr. Papé called the MPC's attention to materials regarding the Oregon Transportation Investment Act (OTIA) expenditures in Region 2.

Mr. Dwyer thanked Mr. Pirrie for the quick removal of graffiti from the I-5 sound wall. Mr. Pirrie noted that it was an added maintenance cost for ODOT that took away from work on the highway system. He said that ODOT worked with local law enforcement on the issue.

b. Amendments to FY02-04 Transportation Improvement Program (TIP)

Mr. Schwetz distributed a table entitled *Summary of Central Lane MP Proposed TIP Amendments*. He noted that there were two additions being proposed; the remaining amendments represented adjustments to projects already in the TIP or in the STIP and could be considered housekeeping amendments. He noted that the local TIP must be consistent with the State Transportation Improvement Plan (STIP).

Mr. Schwetz reviewed the amendments.

Ms. Bettman asked if the list of projects was financially constrained. Mr. Schwetz said yes. He clarified that the removal of the seismic retrofit bridge projects from the list meant the money went to another project, making it unavailable for local projects. He noted that the projects and funding involved were not included in TransPlan.

Ms. Bettman determined from Mr. Schwetz that the Surface Transportation Funds (STP) being allocated to the Bus Rapid Transit (BRT) planning effort were flexible funds and requested a running total of the amount that had been spent on BRT.

The MPC took a brief break for lunch.

Ms. Bettman asked what the increase in BRT funding was for to be used for. She noted her concern that there were flexible dollars being programmed outside a regional setting, and they were not being considered for use as operations, maintenance, and preservation in the two communities. Mr. Schwetz clarified that the STP funds were not available for operations, and maintenance. He said the decision to increase the amount for BRT planning was a decision made by LTD with funds it was allocated directly by the federal government, and the TIP needed to reflect that. Ms. Gardner said that rather than representing an increase in funding, LTD had chosen to supplant other funds previously allocated to BRT planning by assigning LTD's STP funding to the BRT planning for the Coburg and Pioneer Parkway routes.

Mr. Dwyer opened the public hearing.

Rob Zako, 1000 Friends of Oregon, expressed concern that the summary of materials included in the packet had not been available to the public prior to the hearing but was being used as a basis for the decision. Given the lack of public attendance, he questioned the effectiveness of the notice. He said a lot of money was involved, and he concurred with Ms. Bettman about the need to use some of the discretionary funding for operations, maintenance, and preservation. He said that regional planning was very important and he did not think that the jurisdictions should be allowed to make piecemeal decisions without consideration of the big picture. He believed the ACT Guidelines Subcommittee should be charged to review the public process for the TIP.

Mr. Dwyer concurred with the remarks of Mr. Zako. He said that the public must have ample time to review all materials submitted to the MPC. He also agreed that the subcommittee should take up the issue. Mr. Zako suggested that the MPC would want to have time to review the materials submitted by the public as well.

Mr. Schwetz pointed out that the MPC had previously agreed that the subcommittee should take a broader look at public involvement related to the MPO's public activities. Mr. Green concurred, noting that the subcommittee's charge was reflected in the MPC's minutes.

There was brief discussion of whether the item was time-sensitive. Ms. Bettman had no objection to moving forward at this time, although she objected to the public process (holding a hearing and taking action the same day). She requested that the committee establish a meeting protocol related to that issue. Mr. Dwyer had no objection. However, he also had no problem taking action the same day of a hearing if all the information associated with making the decision was available to those testifying.

Lauri Segel, 120 West Broadway, 1000 Friends of Oregon, said she had nothing of substance to offer because she had not had time to review the materials. She pointed out that the calendar distributed in March did not include mention of the public hearing. She said the tables referred to by Mr. Zako were not included on the Web site. She said that it was important to the public that the elected officials consider the testimony it was offered. She believed that the process as set out precluded that. Ms. Segel suggested that the reasons for the amendments should be included in the materials. She expressed dismay that the amendments had come forward in this manner.

Because of the remarks of Mr. Zako and Ms. Segel, Mr. Dwyer recommended that the hearing be carried forward to May 8, 2003. He requested input. Mr. Carlson reminded the MPC that the projects represented projects already approved by the various member agencies of the MPC. He concurred with Mr. Schwetz that the amendments represented a housekeeping process. While he agreed that there could be improvements to the process, he believed there was sufficient information for the MPC to act now.

Ms. Bettman asked why the MPC had to have a public hearing. Mr. Carlson said it was a federal requirement. The amendment related to the depot was needed to make the City eligible for those dollars.

Mr. Pirrie reported that several public hearings that had been held on the State projects included on the list, but little input was received. He said that the two state projects included in the

proposed amendment were ready to go and the amendment was needed to day in order to avoid delays.

Ms. Nathanson noted the public hearings associated with the Eugene projects and recalled no substantive objections from Lane County or Springfield related to the Eugene projects.

Mr. Dwyer determined that the MPC would move forward. There being no other requests to speak, he closed the public hearing.

Ms. Bettman, seconded by Mr. Gaydos, moved to adopt the amendments to the FY2002-2004 Transportation Improvement Program.

Ms. Bettman indicated support for the motion but said that during the next review she would like a memorandum answering the question of what the area needed to do to modify the TIP to shift resources to more local preservation and maintenance projects.

The motion passed unanimously.

c. Preparation for Federal Certification Review

Mr. Schwetz called attention to a memorandum included in the meeting packet entitled *Transportation Management Area (TMA) Certification Review–Final Schedule and Key Issues*. The memorandum outlined the TMA Certification process. Mr. Schwetz called the MPC's attention to a list of key issues beginning on page 2 and said that these issues were addressed by specific work activities in the UPWP.

Mr. Schwetz reviewed the schedule of events associated with the certification process, scheduled to occur May 7-9. He indicated the events were open to the public.

Ms. Ballew hoped the discussion of organizational structure was well-attended by each jurisdictions' staffs, and expressed hope the staff would seek money for the work associated with the process.

Ms. Bettman asked what type of public notice would occur in conjunction with the certification process. Mr. Schwetz said that staff intended to place an advertisement but he was open to suggestions. Ms. Bettman suggested that the information, including the schedule, be posted on the LCOG's web site, and that a stakeholders' list be developed. Mr. Pirrie suggested it be listed on the community events page of *The Register-Guard*.

d. Adoption of FY04 Unified Planning Work Program

Mr. Schwetz reviewed changes made the document since the March meeting. Mr. Dwyer called for questions.

Ms. Bettman determined from Mr. Schwetz that the person hour requirements equaled four FTE. He clarified that the costs involved were not all related to FTEs.

Responding to a question from Ms. Bettman regarding LCOG's charges to the public, Mr. Schwetz explained that Mr. Reiff charged consultants for his time in producing the information requested. He said that for example, in the case of PeaceHealth, LCOG was contacted by many people for information. He said that the time involved was the marginal cost of applying the data in the model. He confirmed that collectively, the local public agencies had paid for the cost to develop the database. Ms. Bettman did not see how the public could avoid subsidization of the private sector if that was the case.

Ms. Bettman questioned why no work for nodal development was funded in the plan and asked how the MPC could make that happen, given the budget. She recommended that some of the funding in the budget be set aside for an independent audit for an end-of-the-year accounting and reconciliation of the Unified Planning Work Program to be administered by the city managers and County administrator. She saw no accountability in the budget and said the MPC was not monitoring the funds being used to administer the MPO process. She could not look at the budget "in a vacuum" independent of other organizational budgets.

Mr. Schwetz said the work program must at a minimum reflect the work activities needed to comply with federal regulations. The core of the plan, which was the first eight work elements, were those work activities that LCOG must do. The process was largely driven by federal law. State requirements such as nodal development were not required to be included in the document, and were not part of meeting the federal requirements. That was not to say the process had not supported all land use proposals and plans developed by the region, because it had. It was central to supporting the Eugene-Springfield Metropolitan Area General Plan process. He further pointed out that the only reason the BRT planning project was included was because it regarded federal dollars and must be included in the plan. Ms. Gardner noted that the funding for BRT was already reflected in the TIP.

Mr. Schwetz noted that LCOG was audited annually and passed its audits.

Mr. Arnis said there were many sources of federal funding in the plan and there was some discretion in some areas and little or none in others.

Mr. Green, seconded by Ms. Ballew, moved to approve the Unified Planning Work Plan with the amendments identified in the packet materials. The motion passed, 10:1, Ms. Bettman voting no.

e. Overview of TGM Project for Refinement of TransPlan TDM Element

Mr. Schwetz provided background information on the project, calling the MPC's attention to a memorandum in the meeting packet entitled *Overview of Transportation Growth Management (TGM) Project for Refinement of TransPlan Transportation Demand Management (TDM) Element*. He invited questions.

Ms. Nathanson left the meeting.

Ms. Bettman asked the amount of the TGM grant. Mr. Schwetz said it was for \$30,000. Ms. Bettman referred to the list of strategies supporting the implementation of nodal development on

page 3 of the memorandum and questioned the listing of pedestrian and bicycle bridges given their relatively high cost. She suggested that such facilities were being given a higher priority than other approaches as a result of their inclusion as a strategy. Mr. Schwetz indicated that the list was a result of brainstorming and had resulted in no specific proposals.

f. Transportation Finance

- 1) Status Report on Transportation-Related Measures Being Considered by the Legislature
 - (a) OTC Minutes for February 2003

Mr. Schwetz indicated the March OTC minutes were not yet available.

Mr. Schwetz briefly noted other pending legislation.

g. MPO Calendar and Information Items

The calendar was not available.

Mr. Schwetz distributed copies of Mr. Zako's testimony regarding the UPWP.

The next meeting was scheduled for May 8, 2003, at the Eugene Public Library.

The meeting adjourned at 1:20 p.m

(Recorded by Kimberly Young)

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