

MINUTES

Metropolitan Policy Committee
Springfield Library Meeting Room - 225 5th Street - Springfield

April 8, 2004
11:30 a.m.

PRESENT: Bonny Bettman, Chair, Jim Torrey (City of Eugene), Bill Dwyer, Bobby Green (Lane County), Sid Leiken, Anne Ballew (City of Springfield), Gerry Gaydos, Hillary Wylie (Lane Transit District), Judy Volta (City of Coburg), Robert Pirrie (Oregon Department of Transportation), members; Dennis Taylor (City of Eugene), Bill Van Vactor (Lane County), Ken Hamm (Lane Transit District), Mike Kelly (City of Springfield), Mike Hudson (City of Coburg), *ex officio* members.

Randy Papé (Oregon Transportation Commission), Paul Thompson, Byron Vanderpool, Kathi Wiederhold, George Kloeppe, Tom Schwetz, Carol Heinkel (Lane Council of Governments), Pat Hocken, Susan Ban (Lane Transit District), John Fields (City of Coburg), Jim Carlson, Susan Muir, Chris Henry (City of Eugene), Tom Boyatt, Jeff Sheick, Oregon Department of Transportation.

1. CALL TO ORDER/WELCOME AND INTRODUCTIONS

Ms. Bettman called the meeting of the Metropolitan Policy Committee (MPC) to order. She welcomed those present and members introduced themselves.

2. APPROVE March 11, 2004, MINUTES

Mr. Pirrie noted that he was a voting member, not an *ex officio* member as shown in the minutes, and Mr. Papé was not a voting member.

Ms. Ballew moved to approve the minutes of the Metropolitan Policy Committee meeting of March 11, 2004, as corrected. The motion passed unanimously.

3. COMMENTS FROM THE AUDIENCE

Jonathan Evans, 1734 Orchard Street, Eugene, spoke regarding the West Eugene Parkway (WEP). He said it was an issue of scarce monetary, wetlands, biological resources. He said the State and federal funding picture was very different when the citizen advisory vote occurred and the vote was premised on the funds being available the WEP planning having been completed. He commented that currently the planning was far from being completed and the funding situation had changed. He expressed concern that funding priorities were directed toward the several hundred million dollar WEP when the need and necessity continually varied. He encouraged the MPC to focus Oregon Transportation Investment Act 2003 (OTIA III) funding on existing infrastructure improvements and needs that would meet the overall transportation priorities. He reminded the committee that only .1 percent the wetlands in the Willamette Valley remained and the WEP was projected to go through some of them. He also noted that there were

several endangered species in the wetlands, including the Fender's blue butterfly and the Kincaid lupine, and warned about potential violations of the Endangered Species Act and Land and Water Conservation funds that were used to fund acquisition of lands in West Eugene. He emphasized that there were continuing questions regarding purpose of the Environmental Impact Statement (EIS) that had been developed and whether it addressed the transportation needs in West Eugene.

Ms. Volta, Mr. Green, Mr. Van Vactor, and Mr. Papé arrived at 11:40 a.m.

Mary O'Brien, 3525 Gilham Road, Eugene, referred to a letter in the agenda packet from attorney Marianne Dugan regarding the cumulative and additive problems of the WEP. She listed a number of issues for the committee to consider:

- integrated transportation solutions could not be considered in the current EIS,
- the WEP would go through the last .1 percent of upland and wetland prairie in the Willamette Valley,
- Transportation Act Section 4(f) protection was removed illegally without public notice,
- the wetlands are crucial habitat for the recovery of the endangered Fender's blue butterfly and the threatened plant on which it depends, the Kincaid's lupine, and
- the WEP would cross lands purchased with Land and Water Conservation funds.

Ms. O'Brien summarized that a new purpose and need should be developed that allowed for alternative solutions for transportation and the WEP was doomed to years of legal challenges because of multiple problems.

Terry Connolly, 1401 Willamette Street, Eugene, spoke on behalf of the Eugene Area Chamber of Commerce. He asked for clarification of a comment in the staff report that implied that a 25 percent local match was mandated. He said that local transportation projects such as the WEP were the adopted policy of Lane County, the City of Eugene, the City of Springfield, and Lane Transit District and it was only prudent that those jurisdictions would position themselves to secure funding for the next phase of the project.

Rob Handy, 455 ½ River Road, Eugene, referred to the WEP EIS and stated that he concluded it was an ill-advised, incompetent project. He asked the committee to consider the responsibility it would assume if the project was forwarded for funding and how funding allocations for Lane County would be impacted if the project was tied up with delays. He referred to remarks by Mr. Papé at a prior meeting regarding the possibility that Lane County would penalize itself because of decisions that were made.

Rob Zako, 1000 Friends of Oregon, referred to a document from the Mid-Willamette Valley Area Commission on Transportation (ACT) which contained examples of materials that presented project information to the public in a helpful and non-technical manner. He noted that the MPC would be competing with the Mid-Willamette Valley ACT and other areas for State Transportation Improvement Program (STIP) and OTIA funding of \$39 million for modernization projects and any one big project could take all of the available funding. He said that TransPlan was a big project plan that prioritizes the I-5 at Beltline Interchange and the WEP and "future" other projects. He questioned whether a big project strategy was appropriate in the current funding environment.

Mr. Papé stated that the Oregon Transportation Commission (OTC) had discussed local match requirements at its March 2004 meeting and reaffirmed its position that match was a critical component because it leveraged additional monies for projects; however, the Local Officials Advisory Committee (LOAC) had made a strong argument that in certain cases match just reallocated money and some

communities lacked the financial resources to match a needed project and could not obtain funding. He said the commission would not require match as a criteria, but match was an asset in competing for funds.

Referring to a December 12, 2003, letter from the Federal Highway Administration, Mr. Green asked if the Oregon Department of Transportation (ODOT) had taken a position on re-evaluation of the WEP EIS. Mr. Pirrie said he did not know if ODOT had provided a specific response. Mr. Thompson indicated that ODOT expects to complete a report early in April 2004 and expects that the Federal Highway Administration will respond to the report prior to the end of April.

In response to a question from Ms. Bettman, Mr. Pirrie said he did not have the report with him and was not prepared to make a presentation on it.

Ms. Bettman said she likes the concept of a one-page, easily understood project description.

4. MPO ISSUES

a. Draft FY 06-09 STIP and OTIA III Project Priorities

Mr. Thompson noted that the item was continued from the previous meeting and referred to the agenda packet memorandum of April 1, 2004, that updated the timing and the attached responses to questions from Rob Zako. He said that the staff recommendation and request was to approve the FY2006-2009 STIP and OTIA III priorities and forward them to the Lane County Board of Commissioners, which was scheduled to consider county-wide priorities, including Metropolitan Planning Organization (MPO) priorities, on April 14, 2004.

Mr. Torrey moved, seconded by Ms. Ballew, to approve FY2006-2009 STIP and OTIA III priorities and forward them to the Lane County Board of Commissioners.

Mr. Torrey commented that Springfield, Lane County, Lane Transit District (LTD), and Eugene had all taken the official position that the WEP project move forward. He said it was important to start searching for funds to pay for the project in the future and it was no different from other area transportation projects that were dealt with on an ongoing basis through incremental funding. He said the WEP was an economic development project and urged that it be moved forward instead of finding roadblocks in anticipation of problems in the future.

Mr. Green said he agreed with Mr. Torrey's remarks and the Board of Commissioners would hold a public hearing on the transportation project priorities. He commented that projects took time to develop and it was necessary to return to Washington D.C. each year to request funding and remind the congressional delegation of what was happening at the local level and seek their support. He said it was imperative that local policy makers make their case effectively and not create confusion. He requested clarification that the OTC would not penalize Lane County for not having an ACT. He also said that it was important to take a long range view of transportation needs and supported the motion.

Ms. Volta said that at the last meeting she was interested in separating out the two projects and upon reflection and through discussions with others, she now supported the motion.

Ms. Bettman asked if local jurisdictions were offering a match with the proposal for OTIA III funding. Mr. Torrey said that Eugene was not offering a match and he was not aware of match from any other jurisdiction.

In response to a question from Mr. Pirrie, Ms. Bettman said her question pertained to all of the projects on the list. Mr. Pirrie said that the I-5/Beltline project did have a commitment for a local match in the STIP, but the WEP did not have a local match requirement nor did other projects.

Ms. Bettman observed that the funding request for the WEP was \$71.2 million and the entire allocation for Region 2 was \$29 million and expressed fear that consequently projects important for safety, capacity, and operational efficiency would not be funded.

Ms. Bettman moved that projects 337, 338, and 339 be deleted and replaced with projects 312, 506, 333, and 151.

Ms. Bettman said the replacement projects represented two medium-sized and two smaller projects that were in TransPlan and would provide a greater advantage when competing for funds. She commented that when there was limited funding and systems were in need, this motion was an opportunity to incorporate some sense into the process.

Mr. Green provided the second for discussion purposes.

Mr. Green said that at the “all area” meeting it was discussed that Lane County did not compete well because many of its projects were still in the planning process and other entities came in with large projects that were ready to go, while Lane County was still debating the merits of a project. He acknowledged Ms. Bettman’s comments, but said it was essential for Lane County to support its large projects and get them in the queue; otherwise the small projects would not compete. He indicated he would not support the motion.

Ms. Bettman responded that jurisdictions were in support of the WEP and also the smaller projects. She said that policy provisions in the Oregon Highway Plan, TransPlan, and City policy that said preservation of the existing system should be funded before building of new roads. She said that the projects she was attempting to substitute related to capacity, operational, and safety on existing systems and were supported by the community, as were the policies behind them.

Mr. Torrey said he would not support the amendment and suggested that if the MPC wanted to accomplish what the amendment proposed, it needed to find a non-adversarial way to identify what it wanted to accomplish, not at the last minute, but rather through discussion and collaboration. He pointed to the United Front approach as an example of “give and take” and jurisdictions helping each other accomplish their goals. He urged that the MPC be used for its intended purpose of finding ways to reach common agreement on issues.

Mr. Papé asked Ms. Bettman if she would support moving all of the projects forward if there was adequate funding and if her concerns were a project issue or a resource issue. Ms. Bettman said she was referring to a resource issue and she had been consistent in her support of preservation and maintenance of the existing system. She objected to questioning of her political intent.

Mr. Papé said the OTC’s position was that it had a funding resource issue and additional dollars needed to be generated to meet transportation needs. He said that OTIA I, II, and III were based on generating

additional funding resources to meet those needs. He encouraged support from local jurisdictions and organizations of processes that would drive additional resources.

Ms. Bettman said that funds for the projects were being bonded and in another decade there would be even less resources. She said that raising taxes to pay for things that were needed while spending available funds on what is wanted was not reality or sustainable.

The motion to amend failed, 9:1; Ms. Bettman voting in favor.

Mr. Torrey observed that when additional funds for the train were needed at the end of the last legislative session, the Beltline/Coburg Interchange improvements that were in the STIP were removed by the OTC to meet the passenger rail commitments, with the assurance that the project would be returned to the list. He asked if the project would be returned automatically or had to compete for a place on the list. Mr. Scheick said that ODOT was waiting to see if additional dollars would be available in the next federal appropriation to reinsert the project in the current STIP. He said if there were no federal funds, the project would need to compete again through the local MPC decision-making process.

Mr. Torrey asked that the Lane County Commissioners be made aware of the issue and the MPC kept informed on the matter. Mr. Scheick said that the ODOT area manager would keep the County Commission apprised of the issue and he reminded the MPC that the draft STIP would be published later in the summer, allowing time for the project to be inserted if funds became available.

The main motion passed, 9:1; Ms. Bettman voting in opposition.

b. RTP Amendment for Courthouse District Project

Mr. Thompson stated that the item related to federal courthouse district transportation improvements and the project had already adopted into the Metropolitan Transportation Improvement Program (MTIP) in October 2003. He said in December 2003 the Eugene City Council took action to identify local sources of funding should federal funding not be available. He said the project needed to be amended into the Regional Transportation Plan (RTP) in order to move forward with either federal or local funding sources. He asked that a public comment period be opened until the June 10, 2004, MPC meeting at which time a public hearing would be held. He said that staff would conduct public outreach during the ensuing two months and the Transportation Planning Committee (TPC) would review the air quality conformity determination and provide the required public notice. He said the MPC would take action on the RTP amendment and the air quality conformity determination at the June 2004 meeting.

Mr. Dwyer, seconded by Mr. Green, moved to open the public comment period.

Mr. Dwyer asked if any projects would come off the RTP financially constrained list as a result of the amendment. Mr. Thompson said that no projects would be removed from the list because the project had identified new additional funding, either federal earmark or local sources, that were not previously identified for other projects in TransPlan.

Ms. Bettman noted that the proposed amendment would include the 6th Avenue extension project in the Arterial Capacity Improvements category, although 6th Avenue was a State highway, not an arterial. She asked if adopting the language referring to the street as an arterial would mean that it was now under the City's jurisdiction and responsibility to maintain. Mr. Thompson replied that he had consulted with

Eugene city staff regarding the appropriate category. He stated that use of the word “arterial” referred to the functional classification of the street, not the jurisdiction. Chris Henry, Eugene Public Works, said the arterial designation referred to function and was applied to 6th Avenue, 7th Avenue, and I-5 under the City’s street classification system, regardless of jurisdiction. Tom Boyatt, ODOT, said the State classified the freeway system as a principal arterial and Eugene had a parallel street classification system.

Ms. Bettman requested that a footnote be added to the project that would make a distinction that 6th Avenue was a State highway, rather than a City arterial. Mr. Scheick said that could be done, but noted that there were a number of State projects in the arterial section of TransPlan and the term was not intended to convey any jurisdiction, only functional classification.

Mr. Dwyer commented that Highway 126 was a main arterial in Springfield and 6th Avenue was the western portion of that highway in Eugene. He said that the use of the terms “arterial, main, and minor” referred to the level of use rather than ownership.

Mr. Thompson clarified that the footnote would be placed on the 6th Avenue, Hilyard Street to High Street portion to identify the geographic limits. He said the public comment period would remain open until June 10, 2004.

The motion passed unanimously.

c. MPO Public Involvement

i. Overview of MPO Public Involvement Requirements and Challenges

Mr. Schwetz provided an overview of the general requirements and challenges of public involvement for the MPO. He referred his memorandum of March 4, 2004, which included the federal requirements for MPO public involvement. He listed the challenges in obtaining broad public input:

- There are competing priorities – people have busy lives
- Long range is abstract – a 20-year planning horizon is too far away
- Regional scope seems irrelevant – people are interested in issues “closest to home”
- The topic is complex – transportation planning and funding is complicated and laden with acronyms
- Focus of outreach is sometimes too narrow – for example, STIP priority setting looks at a fairly limited set of projects

Mr. Schwetz said the public involvement plan being developed by staff was designed to address those challenges and introduced Kathi Wiederhold to discuss the plan.

ii. Overview of MPO Public Involvement Plan

Ms. Wiederhold said that a different approach to public involvement was being developed at the direction of the MPC. She said the staff members developing the plan were new to transportation planning, which gave them a fresh perspective on presenting that type of information to the public. She listed several features of the plan, including limiting the use of acronyms in public outreach materials, using a more graphic approach, shortening verbiage but providing sufficient details for the project to be understood, and greater use of the website for receiving comments. She distributed copies of a logo, a sample project fact

sheet, and tips for participating in the public process. She said that focus groups would be used to refine the outreach materials.

Referring to one of the information sheets, Mr. Gaydos pointed out that the LTD Board of Directors was appointed, not elected.

To help explain the role and functions of the MPO, Ms. Wiederhold distributed a table of MPO key products, how they related to each other, and timeframes. She said the table also included the minimum key steps in a public involvement strategy and would be the heart of the public information materials. She remarked that in addition to the steps listed, there was a large array of other techniques that could be used as required by the situation.

Referring to the strategies and techniques for public involvement, Ms. Bettman commented that “e-updates” should not be optional, as that was how most people stayed informed, and public hearings should not be optional for studies in order to get public input at the front of the process.

Mr. Dwyer suggested that staff should also describe the process currently used and compare them to the improvements.

Mr. Green suggested developing public outreach strategies that included youth in the community. He said that materials should explain projects to students in language that was relevant to them. He said that providing more informal opportunities for input, not just three minutes of testimony at a hearing, could be helpful, as well as using cartoons and graphics in printed materials and clearly explaining acronyms.

Ms. Volta said the materials were very refreshing and commended staff for their efforts. She suggested that a key to acronyms should be provided at the bottom of each page so people didn’t need to keep referring to another page.

Ms. Wylie suggested a flow chart using colors and graphics to demonstrate the flow of federal funds and decision points in the process.

Mr. Leiken thanked staff for their work and observed that more user-friendly materials, particularly reducing acronyms, were helpful even to elected officials.

Ms. Bettman remarked that Eugene City Council meetings were cablecast and suggested that MPC could be. She said the city manager was checking into availability of the facility at the Eugene Library.

Mr. Dwyer noted that Lane County Board of Commissioners meetings were also cablecast and archived for reference.

iii. Options for Citizen Representation

Mr. Thompson briefly reviewed his memorandum of March 4, 2004 and the three options for citizen representation which were presented at the previous MPC meeting:

- Option #1: Standing Citizen Advisory Committee (CAC)
- Option #2: TPC citizen participation
- Option #3: TPC citizen participation and ad hoc citizen advisory committees

Mr. Thompson asked that the MPC select an option, with any modification it deemed necessary, so that staff could move forward with implementation.

Ms. Ballew stated that if the MPO's objective was better public involvement, she did not feel that including citizens on the TPC would accomplish that. She said to make the best use of people's time there needed to be a specific purpose such as a task force to solve a particular problem. She suggested a standing committee that was continuously informed of MPO activities and from which task forces could be formed to address specific issues. She said the committee could provide feedback to the MPO.

Mr. Dwyer commented that a Roads Advisory Committee composed of citizens from all regions in the County already existed. He indicated a preference for option #3.

Ms. Volta concurred with Ms. Ballew's comments. She said that the timing of meetings would inevitably include some people regardless of when they were held and encouraged the use of electronic communication to facilitate participation. She urged active efforts to reach out to groups that usually did not get involved.

Mr. Green said he was inclined to support option #3, but was concerned about the cost. He suggested that the citizen groups created for specific topics or processes be referred to as task forces rather than standing citizen advisory committees to assure that the MPC retained the authority to determine the scope of work, duration, and membership and avoid the committees developing a life of their own.

Ms. Bettman stated that the intent of the MPC's Public Involvement Subcommittee, of which she was a member, was to develop strategies for involving people up front to inform the process that staff was about to undertake, not to review what staff had developed. She said that a temporary task force did not reach the minimum threshold for community input that was the subcommittee's intent. She indicated a willingness to entertain option #1 for a standing advisory committee if the stakeholder categories were delineated by the MPO and included representatives of the bicycle coalition, pedestrian interests, disabled community, neighborhoods, land use groups, seniors, students, transportation and land use advocates, transit riders, low-income and minorities.

Mr. Thompson briefly reviewed the three options:

- Option #1: standing CAC with 8 to 12 members appointed by the MPC, representing a broad range of interests, meeting monthly
- Option #2: add five citizens to the existing TPC, one citizen to be appointed by each of the five agencies – Eugene, Springfield, Coburg, Lane County, LTD
- Option #3: same as Option #2, with the addition of an ad hoc CAC or task force to consider specific issue in more depth

Mr. Leiken observed that each jurisdiction had a large number of committees for citizen involvement already in existence and much of what came before the MPO had already been through a public process within the jurisdictions. He asked what the MPO wanted to accomplish with public involvement when its mission was to promote problem-solving and resolve intergovernmental disagreements. He questioned whether a public involvement process was needed at the MPO level and whether it represented some version of an ACT.

Mr. Dwyer commented that the existing Roads Advisory Committee was not sufficient as it dealt only with County issues. He said the subcommittee was formed because of criticism that at the planning stage everything was staff-driven and citizens did not have an opportunity for input at that level; they could only provide testimony to the MPO, at which point it often appeared that decisions had been made. He said federal guidelines encouraged citizen involvement at an earlier point in the process. He stated a preference for option #3 and noted that the MPO under any option would retain the power to dispose of issues.

Mr. Green said the intent of the citizen involvement options was not to form a de facto ACT; it was to address criticisms from citizens that they weren't heard, even though they had testified before the MPC. He said the options represented a structural way for direct citizen participation. He said he could support option #3 with modifications to add stakeholder representatives from more categories and noted that the MPC did not delegate any policy or budgetary authority under the options.

Ms. Volta remarked that many of the MPC members were elected by citizens and therefore should have the ear of citizens on various issues. She said that jurisdictions had mechanisms in place to allow citizens to make their opinions known and recommended that MPC members assure that those dialogues were available at the grassroots level so that input was received by the time an issue came before the MPC.

Mr. Papé noted the extraordinary complexity of transportation funding. He stated that selection of an option was entirely the MPC's choice; there was no implied direction from the OTC. He suggested that option #1 met the MPC's direction for general public input. He said the County was responsible for the entire transportation system within Lane County and that the MPC addresses issues within a region of the County. He said the freight community should be added to the list of stakeholders because of the amount of freight that was moved on the transportation system. He said the OTC encouraged but did not mandate an ACT.

Mr. Schwetz said that for all three options there was no additional cost anticipated; there would be a reallocation of funds within the existing budget.

Ms. Bettman asked if the CAC under option #1 would be advisory to the TPC and the MPC. Mr. Thompson replied that the CAC would have a direct line of communication to the TPC and would be advisory to the MPC.

Mr. Torrey thanked Mr. Papé for clarification on the issue of an ACT and expressed frustration with comments that Lane County was penalized for not having one. He asked if any of the options would involve eliminating the Roads Advisory Committee or the TPC.

Mr. Dwyer said the County did not intend to eliminate the RAC as it did an excellent job.

Mr. Torrey said it was important to distinguish between the roles of the RAC and any entity created under one of the options.

Mr. Thompson said the options related to the MPO and any citizen involvement process would provide the MPO with advice on the federal requirements and federal processes that the MPO carried out. He noted that as the MPC had taken on responsibilities of the MPO policy body, staff had brought forward more topics that did not start at the individual jurisdiction level and therefore required an opportunity for citizen involvement at the MPC level.

Mr. Green moved, seconded by Ms. Ballew, to accept option #1 modified with the expanded stakeholder categories of bicycle coalition, pedestrian interests, disabled community, neighborhoods, land use groups, seniors, students, transportation and land use advocates, transit riders, low-income, minorities, and the freight community, both rail and highway, and to include a review at one year to determine the effectiveness of the process. The motion passed unanimously.

iv. Walkable Communities Workshops Preview

This item was not addressed.

v. MPO Calendar and Information Items

Ms. Wylie introduced Susan Ban, LTD board member who would be the new MPC representative.

Ms. Volta introduced John Field, who would be the Coburg alternative representative.

5. METROPOLITAN PLANNING

a. Metro Plan Text Amendments Related to Urban Services Delivery

Ms. Bettman suggested that this item be postponed until the next meeting.

Mr. Van Vactor expressed concern that postponing the issue again would create problems for some of the jurisdictions.

Ms. Bettman said her concern was that the Eugene City Council would be reviewing planning and development priorities in three weeks and the amendments had not been discussed. She added that there had been no citizen involvement until the end of the process.

Ms. Heinkel clarified that no action was required on the item and once the MPC had provided comments, the amendment would go to the individual elected bodies where an in-depth discussion could be held. She said the intent was to make the MPC aware of the amendment.

Ms. Bettman stated the amendment would be placed on the agenda for the next MPC meeting.

6. STATUS REPORTS

This item was not addressed.

Mr. Thompson distributed copies of the MPC Bylaws and an updated calendar.

The meeting adjourned at 1:30 p.m.

(Recorded by Lynn Taylor)

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