

## MINUTES

Metropolitan Policy Committee  
Bascom-Tykeson Room – Eugene Public Library – 100 West 10<sup>th</sup> Avenue  
Eugene, Oregon

May 11, 2006  
11:30 a.m.

**PRESENT:** Bobby Green, Chair; Bill Dwyer (Lane County), Anne Ballew, Sid Leiken (City of Springfield), Kitty Piercy, David Kelly (City of Eugene), John Thiel for Judy Volta (City of Coburg), Gerry Gaydos, Susan Ban (Lane Transit District), Jane Lee (Oregon Department of Transportation), members; Dennis Taylor (City of Eugene), Mark Pangborn (Lane Transit District), Bill Van Vactor (Lane County), Gino Grimaldi (City of Springfield), *ex officio* members.

George Kloeppel, Tom Schwetz, Byron Vanderpool, Kathi Wiederhold, Petra Schuetz, Ann Mortenson (Lane Council of Governments); Tom Boyatt, Terri Harding, Joe Harwood (Oregon Department of Transportation), Greg Mott, Nick Arnis, Len Goodwin (City of Springfield), Jim Carlson, Chris Henry, Lisa Gardner, Mark Schoening (City of Eugene), Tom Stinchfield, Ollie Snowden (Lane County), Stefano Viggiano (Lane Transit District), Rob Handy, Charles Biggs, guests.

### WELCOME AND INTRODUCTIONS

Mr. Green convened the meeting and welcomed those present. He especially welcomed Mr. Grimaldi, the new City Manager for the City of Springfield. MPC members introduced themselves.

### APPROVE MARCH 9, 2006 MINUTES

Mr. Dwyer, seconded by Ms. Piercy, moved to approve the April 13, 2006, minutes as submitted. The motion passed unanimously, 10:0.

### COMMENTS FROM THE AUDIENCE

**Rob Handy**, 455-1/2 River Road, Eugene, stated that the Osprey Group had completed its assessment and would be presenting the report at the Lane County Fairgrounds that evening. He wished to call out several statements in the report. He quoted the following from page 3: “It should be noted that the purpose statement has been recently modified by the FHWA, but this revised statement has not been made public during the time of our interviews.” He quoted the following from page 6, under *Other Issues Complicating Decision Making*: “A greater sense of openness and inclusion on the part of ODOT would help community understanding and potential acceptance of a decision.” He quoted the following from page 10, under *Options Towards Making a Decision*: “Moreover, it is clear that there are changes underway about the purpose and needs statement, similarly the criteria for evaluating alternatives are under review.” He read the following from the same section on page 11: “So the good news is that a collaborative process can increase public understanding about the nature and magnitude of the challenge,

the range of alternatives that might address the problem, and the impacts associated with the alternatives. It is a helpful way to insure community priorities are truly reflected in the criteria used to evaluate alternatives and may need to a better solution.” He also referred to the conclusion which asserted that staying the present course was unlikely to increase public understanding or acceptability of whatever decision would be made about the West Eugene Parkway (WEP).

Mr. Green noted that the Lane County Board of Commissioners had a budget meeting and would not be able to attend the presentation by the Osprey Group.

**Charles Biggs**, 540 Antelope Way, said he had compared fiscal year (FY) 05-06 and FY07. He saw things that looked encouraging, but felt details were lacking. He had observed an increase in public involvement funding of \$10,000 and wished to know what that would include. He also noted an increase of \$21,000 for transportation modeling and a \$10,000 increase for data maintenance and he wanted to know what those sums were paying for. The largest sum that had caught his eye had been a \$108,000 increase in spending for intergovernmental coordination. He remarked that he did not know where that increase could be coming from. He asked staff to provide the rationale for those numbers. He submitted his spreadsheet into the public record.

## **METROPOLITAN PLANNING ORGANIZATION (MPO) ISSUES**

### **Report from the MPO Citizen Advisory Committee (CAC)**

Ms. Wiederhold reported that the CAC had met and had elected a vice chairperson, Webb Sussman. She reminded MPC members that the CAC had elected Dan Egan and Sylvia Shaw co-chairs at its previous meeting.

Ms. Wiederhold stated that the committee had reviewed a revised draft of the public involvement plan. She said one more round of review was planned for the committee and then the draft would come back to the MPC later in the summer along with a public involvement strategy.

Ms. Wiederhold related that the CAC had begun a discussion on the Surface Transportation Program-Urban (STP-U) fund in preparation for making some recommendations in June. She said the committee had used it as a “vehicle” for discussion a “churning dilemma” that they had regarding the time allocated for meetings and how it was used. The committee had examined how best to use this time and had raised ideas such a prioritizing items, making the meetings longer, or formation of a subcommittee. She found the discussion to be informative.

### **Appointment of Citizen Advisory Committee (CAC) Members**

Mr. Green noted the memorandum containing the committee’s recommended slate of candidates.

Mr. Kelly had found the process to be thorough.

Ms. Ballew commented that they had tried to make the committee more representative.

Mr. Dwyer, seconded by Ms. Piercy, moved to approve the slate of Citizens Advisory Committee candidates as recommended by the Recruitment Subcommittee. The motion passed unanimously,

10:0.

### **Endorsing the LTD Bus Rapid Transit Pioneer Parkway Locally-Preferred Alternative**

Mr. Schwetz explained that the item was on the agenda because of a requirement from the Federal Transit Administration that the Metropolitan Policy Organization sign off at this point in the development of the locally-preferred alternative (LPA) for the Pioneer Parkway bus rapid transit project. He advised the MPC that project development would continue through a process that would give everyone a chance to opt back into the discussion. He said Mr. Viggiano would review the alternative.

Mr. Vigianno indicated there was more detailed information in the MPC packets. He stressed that this was not the final decision on the design of the corridor or the project. He pointed out that the environmental assessment to the project had not yet been released. He predicted the assessment would be released some time in mid-summer and the final decision on the project was expected in late summer. He called it one step along the way, adding that the LPA as proposed for endorsement for would serve two functions: to evaluate the design and the environmental assessment and the Federal Transit Administration required some performance analysis of the alternatives. He said they had to look at ridership, cost, and other sorts of impacts and come up with some ratings.

Mr. Vigianno stated that the alternative before the MPC had been through an extensive public process. He reported that they had made more than 50 contacts with people along the corridor and had talked to them about the issues. They had also targeted businesses that would be affected by the work. He said there was a public hearing, an open house, a stakeholder meeting, and mailings had been made to everyone within a quarter-mile of the corridor. The recommendation had been submitted for review to the EmX Steering Committee. He said both the Lane Transit District (LTD) and the City of Springfield had taken action to approve it. He reviewed the LPA with the aid of a map.

Mr. Dwyer asked if the decision could be altered later should it be determined that a dedicated lane was not the most efficient use of the roadway. Mr. Viggiano replied that the designation could be changed but there would be a cost to that change. He suggested that the true benefit of a dedicated transit lane improved over time. He felt it would be hard to judge after only a year.

Mr. Dwyer asked if there would be repercussions in terms of funding if the dedication was made now and changed later. Mr. Viggiano responded that the federal government required 20 years to recoup its investment. He said a decision to eliminate a federal investment in less than 20 years would require special approval from the federal government.

Mr. Gaydos, seconded by Mr. Kelly, moved approval of Resolution 2006-06, a resolution to endorse the Lane Transit District Bus Rapid Transit Pioneer Parkway locally-preferred alternative.

Mr. Gaydos stressed that LTD had spent a lot time working with the City of Springfield and on the LPA itself. He recommended keeping the process moving, and noted that this endorsement would move the process up by a year thereby incurring a savings of \$1 million.

Mr. Dwyer indicated that he was looking forward to the next intertie that would hook into Coburg Road so that the two cities could be tied together on that side of the community.

Mr. Kelly expressed excitement for the project. He asserted that it would take the Bus Rapid Transit (BRT) from a pilot project to something larger.

Mr. Leiken agreed that it had been a collaborative process. He supported the project and believed that once the area had success with this part, the Metro Area could be a national focal point for this type of work.

Ms. Lee mentioned that the Beltline Road project included a bicycle/pedestrian bridge and this would also serve to link the two communities.

The motion passed unanimously, 10:0.

### **Amendments to the FY05-07 Metropolitan Transportation Improvement Program (MTIP)**

Mr. Schwetz explained that two amendments to the MTIP were needed for specific projects: an amendment to move the Springfield/Creswell Highway Safety project into FY08 adding State and Federal funds for preliminary engineering and an amendment to add an off-road multi-use trail, the West Bank Trail Project.

Mr. Dwyer, seconded by Ms. Ban, moved to approve Resolution 2006-07 adopting amendments 2006-10 and 2006-11 to the FY05-07 Metropolitan Transportation Improvement Program. The motion passed unanimously, 10:0.

### **ODOT Freight Mobility Update**

Ms. Lee provided a power point presentation on the current freight mobility program and the progress that had been made. She also circulated a handout entitled *Keeping Oregon on the Move – 2006*, which outlined the planned road and bridge projects over the next two years.

Mr. Dwyer thanked ODOT for raising the bridges so that truck travel would remain on the main travel corridors. He said this would take the pressure off the smaller towns and more rural roads.

Ms. Lee underscored that ODOT was setting specifications so that detours would not run into one another and work was scheduled for nights and off-peak hours. She noted that it was difficult to prevent congestion as people were so prone to slow down and watch construction activities.

In response to a question from Mr. Dwyer, Ms. Lee affirmed that the first phase of the I-5/Beltline project was slated to cost \$72.5 million.

Ms. Lee said the Beltline project alone would entail driving 407 permanent piles and likely an equal number of temporary ones which would result in approximately 500 hours of “banging noise” for neighbors. She predicted this issue would come up in all of the 45-plus bridge projects that were being undertaken.

Mr. Leiken asked how many people would be employed on the project. Ms. Lee replied that the equivalent of 18 family-wage jobs would be sustained.

In response to a question from Ms. Ballew, Ms. Lee stated that she would bring regular progress reports to the MPC.

Ms. Lee introduced Joe Harwood, ODOT's new project information officer.

Mr. Green asked Ms. Lee to give the ODOT update that was listed later in the agenda.

### **ODOT Update**

Ms. Lee reported that a project team meeting had convened in the earlier in the week for the Willamette River Bridge and they were at the point at which they anticipated receiving artists' renderings of bridges that they would consider to be esthetic. She said the team was challenged to make the decision and keep it on a schedule to be done by October. She was hoping to schedule a public meeting in August. She stated that a group would be designated to plan the public meeting and deal with the feedback from that meeting, as well as to make presentations to the local agencies such as city councils. She added that each agency would have a representative on that committee. She commented that it had to be a "nimble" process as the project would "run out of" Oregon Transportation Improvement Act (OTIA) if it did not remain on schedule.

Mr. Kelly encouraged ODOT staff to get on the Eugene City Council's agenda. He also thought a presentation on this project would provide valuable information to the Laurel Hill neighborhood and the Fairmount Boulevard neighborhood.

### **Status Report on the West Eugene Parkway (WEP) Collaborative Process**

Ms. Piercy thanked everyone who participated in the assessment. She hoped that everyone had a chance to review the assessment, which she felt confirmed what had been known "to a large degree." She cited page 4 of the report, which said no one in the business community believed the WEP to be the ideal solution. She felt this meant other lines on the map or combinations of options could be acceptable. She noted there was a conversation in the report having to do with how the endangered species discussion was "intersecting" with the WEP discussion. She related that the assessment had also determined that everyone did not have the same idea of the traffic impact in the area. She observed that just as it talked about the business community being willing to look at options, it also spoke about the environmental community being more willing to compromise. She felt there was a "lift on both sides if we could take advantage of it."

Ms. Piercy related that the report pointed out that the conversation was not limited to business and environmental interests as it also involved the different federal agencies who were "having a similar kind of conversation at another level." The report stated that ODOT was key to the discussion. She said the challenge was how the state and community could find a transportation solution for West Eugene that had wide-spread understanding and acceptability. She commented that the Osprey Group had interviewed over 50 people and had conducted group interviews and a community forum. The Osprey Group had suggested a range of three options and had recommended the option of undertaking a collaborative process that could "best address getting to a transportation solution for West Eugene that had wide-spread understanding and acceptability." She observed that the report discussed hurdles and predicted that proceeding on the existing course with the National Environmental Protection Act (NEPA) process and in the same way it had been going seemed like a shorter process but could end up being a longer one. It had predicted that the collaborative process would ultimately take less time.

Ms. Ban expressed appreciation for the renaming of the project. She said the inclusion of Florence in the title page cast it in the regional dialogue that it needed to be.

Mr. Green stated that he had read the report. He said from a logical standpoint, it made sense to keep going forward on the process as it was. He noted that the assessment spoke “quite persistently” about the element of trust. He hoped that however the process was determined to be undertaken, keeping the level of trust needed to be in the forefront of everyone’s thinking. He was somewhat encouraged that the assessment did not include a no-build alternative. He said before he would speak of how Lane County would proceed he wished to get the reaction of the Federal Highway Administration (FHWA), ODOT, and all of the other stakeholders. He stressed that the project did not involve just the City of Eugene and that everyone had a stake in it.

Ms. Piercy said FHWA representatives planned to attend the presentation of the Osprey Group’s results later that evening.

Ms. Lee added that she would attend as well. She said ODOT’s initial reaction was that the project should stay on course, but ODOT would do its best to incorporate as much of what was being asked for in terms of greater public participation as possible.

Mr. Kelly opined that the report brought together “lots of different threads” into a single document. He felt a collaborative process would give everyone a chance to work together. He hoped that “we could get to that.” He expressed a little disappointment to hear that ODOT wished to continue through the current record of decision (ROD) in the process. He felt this would put the project “even further behind.” He recalled the charrette from five years earlier and averred that much “growing and understanding and give and take” had arisen from the process. He called himself a “cock-eyed optimist” as he believed that with time and input from technical staff a combination of transportation solutions that could attain 80 percent agreement could be realized. He commented that there would always be outliers who would be unhappy with any decision but those outliers were not needed. He said what was needed was to get each agency “on board” and to reduce the threat of litigation from agencies and from the public.

Ms. Piercy agreed there was a fundamental desire to solve the traffic problems and there was another fundamental desire to protect the wetlands. She was also concerned about governance, which was “about trusting each other” and trying to reach a better solution for the community. She feared that if the project proceeded on its current course it could result in a “no-build” scenario. She called the collaborative process an opportunity to meet all goals. She thanked everyone for the participation thus far.

Ms. Lee stated that the largest issue for ODOT was that at some point a boundary had to be set on the time and the cost spent. She observed that the two options other than proceeding with the current process did not include a timeline. She could not calculate the risk if she did not know what it would cost in terms of schedule or budget.

Mr. Kelly felt this was a good question to ask the Osprey Group.

Ms. Piercy passed out copies of an editorial printed in the *Register Guard* entitled ***Parkway Debate Needs a New Model.***

### **MTIP Adoption Schedule Status**

Mr. Schwetz reviewed the ***MPO MTIP and RTP Adoption Schedule Summary***, also provided in print form to the MPC membership. He reported that at the “13<sup>th</sup> hour” new information from the FHWA provided a different timeframe for the last date of the current MTIP. He related that the FHWA was now saying that the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users

(SAFETEA-LU) bill expanded the existing two-year cycle of MTIP updates originally required by federal law to four years. He said 2007 was the last year of the MTIP and the area had until the end of the federal fiscal year, i.e. September 30, 2007, to be approved. He stated that a more relevant date was July 1 as the MPO process as a whole, and in particular the Regional Transportation Program (RTP), had to be brought into compliance with the new SAFETEA-LU requirements by that date. Several changes had to be made in that regard.

Mr. Kelly asked if the existing schedule for the RTP would reach that goal. Mr. Schwetz replied that it would, because staff planned to have it prepared by March 8, 2007, in order to be ahead of schedule.

Mr. Schwetz related that with respect to the MTIP staff was suggesting that there were a couple of options. He said a current FY06-09 MTIP on the table ready for adoption that would require no additional staff work. He explained that the federal government assigned a shelf-life to the air quality conformity determination that accompanies the MTIP and this shelf-life would expire in August. At that point, either the conformity determination would have to be renewed or the MPC would have to opt to follow staff's recommendation to pursue an FY07-11 MTIP. He believed there was a lot of benefit to the latter. He reiterated the staff recommendation to adopt the FY06-09 MTIP because it would provide some certainty to all of the involved agencies and would allow staff to begin focusing on the RTP update.

Ms. Piercy asked, given the direction from the Eugene City Council, if the MPC could pass the FY06-09 MTIP without the WEP project. She felt the MTIP could be amended to add the project at a later date.

Mr. Kelly echoed Ms. Piercy. He remarked that there were 66 projects in the MTIP and the Eugene City Council was "sixty-five sixty-sixths there." He thought it would be a small amount of work to pull the WEP out of the MTIP and it would require slightly different air quality information. He asked if it would be possible to adopt the revised MTIP in July.

Mr. Schwetz indicated that it would take until August to adopt the FY06-09 MTIP without the WEP in it. .

Mr. Kelly said it was clear that the City of Eugene was ready to move "the vast majority of projects" forward. He opined that it would be a straight-forward matter to amend the MTIP with "what projects come out of that collaborative process on the WEP."

Mr. Leiken asked what the "collaborative process" was about if the MPC removed the project from the MTIP. He pointed out that removal of the WEP would place the project back at the beginning of the process.

Mr. Kelly responded that the WEP was still in the adopted Transportation Plan and still in the adopted RTP. He felt that removal from the MTIP would "allow the discussion" to be opened.

Mr. Boyatt commented that irrespective of specifics, there was a requirement that the Statewide Transportation Improvement Program (STIP) be in alignment with the MTIP. He said it was important to leave enough money in the MTIP so that it was reflected in the STIP so that the NEPA process could continue. He underscored that complete removal from the MTIP would force it to be completely removed from the STIP.

Mr. Kelly asked if the line item in the FY06-09 MTIP could be changed from WEP to a continuation of the current environmental process for WEP. Mr. Boyatt replied that this was a possibility, but staff would need a day or two to verify it.

Ms. Lee felt that this came “so close to the nuclear option” that she would want to have more than a day or two in order to gain input from Randy Papé. She said there were two issues: the first was that should the EIS be left incomplete and all work on the project stopped, the money spent thus far would be required to be paid back by Lane County and the other issue was that the Oregon Transportation Commission (OTC) could choose to pull the project. She related that the OTC did not want local communities to delve into projects and then change their minds, costing much money.

Ms. Ballew asked if something removed from the MTIP would not have to be replaced by another project. Mr. Schwetz replied that a project removed from the plan would be unfunded for that period of time which the MTIP covered.

Ms. Ballew asked if the money would not be assigned to another project if the WEP was removed from the list. She did not think the money would be left in the MTIP when the “collaborative process if it was ever done” would happen. She opined that it was “foolhardy” to remove the WEP at this point.

Mr. Green observed that this discussion sought to revisit the issue, but the City of Eugene had not changed its position. He said Eugene was willing to move the other projects along, but it did not seem that the MPC would be able to change the City of Eugene’s position regarding the WEP at the present meeting. He suggested that another way to look at this would be to include the WEP in the MTIP and at a later date, assuming the collaborative process “reveals something,” to take it out to make any adjustments that had been formulated during that process.

Mr. Schwetz affirmed this was possible.

Mr. Green asked what projects would remain at risk or in jeopardy if the “drop dead” deadline was unmet. He requested that staff could, time permitting, return with a list of projects that might not get done as a result of this. Mr. Schwetz responded that four or five projects in the FY07 timeframe would need to come back to the MPC. He thought staff could generate a list.

Mr. Green stated that he would like staff to prepared the information. He did not want to engage in the “push and pull” conversation at the present meeting because he felt it to be counter-productive at this point.

Mr. Kelly commented that it seemed like Eugene was being told that there was no legal way to express support for 65 projects, but not for the WEP. He asked staff to think about how this could be expressed and how the environmental work could move forward along with the collaborative process.

Mr. Gaydos agreed with Mr. Green. He echoed concerns expressed in regard to trust between the entities represented by the MPC. He had been concerned by the actions taken by the City of Eugene and how those actions had affected trust in the community. He felt a collective process had been undertaken to get the project list adopted. He stressed that money was spent, time was invested, and inter-agency coordination had occurred. He had appreciated the collaboration. He said members liked to talk about that kind of coordination and collaboration but then ultimately did not support it with their actions. He noted the public process had been completed as well. He averred that the MPC had “basically stopped the development of the normal process” because of actions that had been taken. He stated that the MPC asked questions of staff and changed priorities, but the MPC also had priorities that drove it such as the RTP. He wished to use resources more effectively. He encouraged Eugene to consider the fact that if the collaborative process had any potential for success, it would be better to allow the program to continue

with all of the public and private efforts that were going into it.

Mr. Vanderpool stated that the Lane Council of Governments (LCOG) board was the designated Metropolitan Policy Organization (MPO) for Lane County and the MPO had designated the authority and responsibility for the MPO activities to the MPC and this designation had been accepted. He reported that staff had presented an update on the process to the LCOG board in February at their request and had warned the board of a potential lapse. The date had since been pushed out by the federal government. He said the LCOG board was unanimous in wanting the MPO functions to continue at the MPC. He advised caution, however, as the LCOG board had also expressed an unwillingness to allow the region to go into a federal lapse of funding. He stated that staff would continue to update the LCOG board and the next meeting was scheduled for June. He added that a lapse would cause staff to recommend that the LCOG board enter into a discussion with the MPC as to how they should proceed.

Ms. Ballew asked if this meant the LCOG board would resume this function. Mr. Vanderpool replied that the LCOG board had instructed the MPC to “make this work.”

### **Status of Programming STP-U Funds**

Mr. Schwetz reported that the plan was to bring back a proposal for the evaluation methodology that was being developed for allocating or programming STP-U funds. He referred to the memorandum entitled *Status of Programming STP-U Funds*. He said staff planned to bring the proposal for MPC consideration in July. He asked the MPC to give any direction it might have. He reiterated that the change was sought in order to look for ways to more flexibly allocate or program the money in a way that allowed each of the jurisdictions to further its needs. He cited, as an example, the City of Eugene’s interest in using the money for preservation. He commented that it had been local agencies’ experience that the STP-U funds were “the most expensive money” available to use because the region had to go through a federally prescribed process that entailed a largely fixed cost on top of any project that was being planned for, no matter what the size. He said the initial allocations had given a lot of money to many different projects, and all of them were running into process problems. He related that one thought staff had was to look for opportunities to fund one or a few larger projects in order to minimize the overhead cost.

Ms. Ballew asked for an explanation of why it was a more expensive funding mechanism to use. Mr. Schwetz replied that the federal requirements for how the money had to be spent included having to have certain procedures and documents in place for a given project to move forward. Mr. Pangborn added that if a project had one federal dollar from the STP-U, it meant that all of the funding had to follow the rules governing the STP-U money. He stressed that it increased the overhead for a project.

Ms. Ban asked if there was also criteria that would help the MPC understand the percentage of a project that could be from the STP-U funds and still be cost-effective. Mr. Schwetz responded that this would be a “rule of thumb” that the region’s staff would suggest.

### **Follow-up and MPO Calendar**

Mr. Green recommended, given the time, that MPC members review the follow-up information provided in the packets and submit questions and comments to staff.

Mr. Green reported that he would be going to the State Capitol on May 16 for the all area meeting. He intended to try to ensure that the projects the MPC had prioritized received some level of funding. He

hoped to meet with success. He said he would provide members with a report.

The meeting was adjourned at 1:02 p.m.

(Recorded by Ruth Atcherson)