

MINUTES

Metropolitan Policy Committee
Bascom/Tykeson Room
Eugene Public Library–100 10th Avenue, Eugene

May 8, 2003 11:30 a.m.

PRESENT: Bill Dwyer, Chair; Bonny Bettman, Vice Chair; Hillary Wylie, Anne Ballew (for Tammy Fitch), Gerry Gaydos, Sid Leiken, James Torrey, Bobby Green, Michael Dean, Bob Pirrie, members; Dennis Taylor, Bill Van Vactor, Mike Hudson, Tom Boyatt, *ex officio* members; George Kloeppel, Byron Vanderpool, Tom Schwetz, Paul Thompson, Lane Council of Governments; Lisa Gardner, Connie Bloom, Lane Transit District; Jim Carlson, Jan Childs, Chris Henry, City of Eugene; Nick Arnis, City of Springfield, Tom Stinchfield, Lane County; Don Ehrich, Oregon Department of Transportation; Fred Patron, Kim Hoovestol, Federal Highway Administration; Rebecca Rays-Alicea, Bill Fort, Federal Transit Administration; Rob Zako, Lauri Segel, 1,000 Friends of Oregon, Rob Handy, David Sonnichsen, guests.

ABSENT: Mike Kelly, Ken Hamm, *ex officio* members.

1. CALL TO ORDER/APPROVAL OF APRIL 10, 2003, MINUTES

Mr. Dwyer called the meeting of the Metropolitan Policy Committee (MPC) to order. He turned over the meeting to Ms. Bettman, as representative of the jurisdiction in which the meeting was being held.

Ms. Bettman noted the addition of an agenda item regarding the temporary replacement of the Interstate 5 bridges.

Ms. Bettman welcomed the representatives of the Federal Highway Administration and Federal Transit Administration. She introduced new Eugene City Manager Dennis Taylor.

Mr. Pirrie noted that Jeff Shieck's name was misspelled in the minutes of April 10, 2003.

Ms. Bettman offered two corrections to page 6 of the April 10 minutes. She asked that the last sentence in paragraph 2 be changed as follows (struck text deleted): "Ms. Bettman did not see how the public could avoid ~~eross~~-subsidization of the private sector if that was the case." She also asked that the second sentence in paragraph 3 be modified as follows (italicized text added): "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."

Mr. Pirrie, seconded by Mr. Green, moved to accept the minutes of April 10, 2003, as amended. The motion passed unanimously.

2. WELCOME AND INTRODUCTIONS

Those present introduced themselves.

3. COMMENTS FROM THE AUDIENCE

Rob Handy, 455-½ River Road, termed the public input session held by the federal representatives the prior evening open and informative. He discussed the problems he had experienced attempting to access information regarding the MPC meeting on Lane Council of Governments' (LCOG) web site. He also recalled his request that the City of Eugene notice the public of LCOG's MPC meetings. He acknowledged that the elected decision makers should be making decisions, but the public needed to believe its input was heard to support the decisions that were made. He urged the MPC to make more progress on the implementation of Bus Rapid Transit (BRT) and nodal development. He suggested that public confidence in the process was compromised by failure to make progress in those areas and by the inclusion of the West Eugene Parkway in TransPlan. He commended the MPC for forming a subcommittee to investigate the Area Commission on Transportation (ACT) process. He said that most of the remainder of the state had ACTs because they "front loaded" stakeholder participation and resolved issues before funding was sought for projects. He was concerned about the level of MPC's sincerity about forming an ACT given statements made by a subcommittee member about his interest in having something that would "walk, look, and smell like an ACT, without having it be an ACT."

David Sonnichsen, 2435 Skyline Boulevard, chair of the Citizen Planning Committee (CPC) for the Willamette Natural Area of Alton Baker Park, referred to Oregon Administrative Rule 660.004.0002(5), which stated that an exception to the Greenway Plan may be made if a use would not have a significant adverse effect on the Greenway values of the site under consideration or on adjacent land or water areas. He suggested that the temporary bridge construction project would have an impact on the heavily traveled bicycle trails next to the bridge. He noted the presence of a noxious weed, false broom, had been found by ODOT contractors, and recommended that any ODOT vehicles be washed prior to leaving the area to ensure seeds were not transported to other areas. Mr. Sonnichsen reported that the CPC had been working with Dean Fuller of ODOT, and hoped the promises that Mr. Fuller made to the CPC would be codified, "because we'll be watching."

Lauri Segel, 120 West Broadway, representing 1000 Friends of Oregon, discussed her difficulties securing a copy of the meeting packet and accessing LCOG's web site, and recalled the testimony offered by the same members of the public at the previous meeting about the lack of adequate public notice and time for MPC members to respond to their comments before taking final action. She expressed confusion about the Transportation Improvement Program (TIP) amendments under consideration and the timing of the adoption of TIP amendments and the TIP itself, and indicated she was unprepared to offer comment at this time because she had just received the meeting materials and had been unable to completely reconcile them with the previous month's materials.

Ms. Segel referred to the Transportation Demand Management (TDM) Refinement Plan documentation that was drafted by a TDM Refinement Plan Advisory Committee. She said she did not know anyone on the committee and said "none of us were invited to join," which she thought an oversight.

Mr. Schwetz clarified that staff was not asking the MPC to take action on the TIP amendments at this time, but rather asking it to review the amendments and open a month-long public review process.

Rob Zako, 120-B East 28th Avenue, representing 1000 Friends of Oregon, recommended the Federal Highway Administration (FHWA) public involvement process to the MPC as a process to strive for. He believed it included more up-front public involvement than local processes. He distributed information regarding public involvement taken from the FHWA's Web site.

Ms. Bettman determined there were no other members of the public wishing to offer comment, and asked if MPC members had comments in response.

Mr. Dwyer indicated his disagreement with Mr. Handy's remarks regarding the need for an ACT. He said that the MPC was in agreement that elected officials were the appropriate body to make decisions about transportation funding. He believed that for the MPC to respond to an appointed body such as the Oregon Transportation Commission (OTC) was "democracy in reverse." If the OTC was an elected body, he would be willing to form an ACT. He termed the ACT process a scheme to increase the power of the OTC. Mr. Dwyer

believed the current local process worked well. He said that the public had multiple opportunities to provide input about transportation issues. He said that the MPC may not do what Mr. Zako or Ms. Segel preferred, but that did not mean it was not making good choices for the public. They did not represent all of the public. He did not favor the formation of an ACT and said he would continue to oppose the concept.

Mr. Green asked for more information about the difficulties experienced accessing the Web site. Speaking to the issue of public input, he observed that none of the speakers offering comment today had attended the Board of County Commissioners' hearing on Lane County's Capital Improvement Program. Ms. Segal described her experience and indicated that she eventually was provided with the materials.

Mr. Torrey assured the federal representatives that the local public process was an open one. He said that hearing what a group of people said was not the same as agreeing with them. He said that the elected officials had a right disagree with those offering testimony if they felt their action was being taken in the best interests of the community.

Speaking to Mr. Handy's comments regarding the West Eugene Parkway, Mr. Torrey suggested a citizen would have to be deaf and blind not to be aware of the parkway project. He noted that there were two elections regarding the parkway.

Mr. Pirrie overviewed the public process associated with the State TIP.

Ms. Bettman determined from Mr. Schwetz that all materials related to the TIP would be on LCOG's Web site the Monday before the next meeting.

4. INTERSTATE BRIDGES

Mr. Mott introduced the item. He reported that the replacement of the I-5 bridge over the Willamette River would require the construction of a temporary bridge structure directly to the east of the existing bridge. That would require that ODOT secure an exception to the Greenway Plan, which would require a public process to evaluate the intensification of the use and proposed setback. He said that following a public hearing before the Springfield Planning Commission on May 20, the joint planning commissions would hold another hearing on June 3. The joint elected officials would conduct a public hearing on June 18.

Mr. Torrey emphasized the importance of the bridge to the local community and expressed the hope that ODOT would consider new off-ramps to Eugene and Springfield when the new bridge was planned.

Responding to a question from Mr. Torrey regarding the potential that truck weight limits could be dropped still further, Mr. Ehrich reported that the State Engineer indicated that the Willamette River bridge was the most deteriorated of the three local bridges over the interstate and might be the worst in the state. He said that if quick action was not taken, the State would have to further reduce weight limits for trucks on the bridge, detouring additional trucks onto local roads and other State highways.

Mr. Dwyer observed that the alternative, that of doing nothing, was not an option given how critical the bridge in question was to the community.

Mr. Leiken reported that the Springfield City Council had unanimously directed staff to initiate the exception to the Greenway Plan. He thanked Mr. Mott for his work on the issue. He shared Mr. Torrey's interest in new off-ramps serving both communities.

Mr. Pirrie expressed ODOT's appreciation to the local elected officials for their assistance on the subject. He described the temporary structure that would be built.

Responding to a question from Ms. Bettman regarding the source of the funding for the temporary bridge structure, Mr. Boyatt said that the OTC had reprogrammed \$30 million from the existing Bridge Program.

In response Mr. Pirrie confirmed that the project would require an amendment to the State TIP (STIP). Ms. Bettman questioned how the deteriorating bridge could have gone unnoticed for so long. Mr. Ehrich explained that the bridges were monitored continually, and the physical nature of the bridge led to its rapid deterioration over the last few months.

Ms. Bettman observed that the local community went through the TransPlan and Oregon Transportation Investment Act processes and the bridge was never proposed for replacement through either process. Now it was the highest local transportation funding priority.

Ms. Bettman asked if the requirement that a use not have a significant adverse effect on the Greenway values would require restoration of the area in question. Mr. Mott responded that the exceptions process would address that issue. He said that restoration or enhancement could be ways to mitigate any adverse impact. He said that the greenway permit must include findings in support of the decision, and the findings would identify the actions to be taken. Ms. Bettman asked where bridge construction staging would occur. Mr. Pirrie indicated that was not yet decided as it was also related to the greenway exception process, and ODOT could not commit to a location at this time.

Ms. Childs clarified that the purpose of the State Goal 15 exception process was to address fill in the greenway setback, and she did not anticipate that construction would require fill. She anticipated that staging of construction activities was likely to occur on the Springfield side of the river.

5. METROPOLITAN PLANNING ORGANIZATION ISSUES

a. Preview of Amendments to FY02-04 Transportation Improvement Program (TIP)

Mr. Thompson previewed the amendments the MPC would consider for adoption in June, calling attention to the addition of an amendment for the proposed RideSource facility. He requested that the MPC open the public comment period between May 8th and June 12th.

Mr. Gaydos explained that the amendments incorporated additional unforeseen costs associated with Lane Transit District's BRT project. He termed the project a forward-looking project that would help the community achieve the goals outlined in TransPlan. Mr. Gaydos addressed concerns that had been expressed in the community regarding the cost of the BRT system by providing the MPC with cost comparisons for light rail and BRT on a per mile basis, contrasting the \$24 million per mile required for light rail against the \$4 million per mile required for BRT systems.

Mr. Torrey, seconded by Mr. Gaydos, moved to open the public comment period on the fiscal year 2002-2004 Transportation Improvement Program amendments. The motion passed unanimously.

b. Transportation Growth Management (TGM) Project for Refinement of TransPlan Transportation Demand Management (TDM) Element

Mr. Schwetz provided background on the issue, calling the MPC's attention to the draft TDM element, included in the meeting packet, and requesting comments on the preliminary draft. He indicated that staff hoped to have the project completed by the end of May 2003.

Ms. Bettman asked where staff anticipated that funding would come from to implement the draft's

recommendations as they related to extending the TDM program . Mr. Schwetz anticipated that would be explored through the three-year TransPlan update process. He said that currently, TransPlan identified increased funding for TDM as part of the financially constrained plan. To this point, TDM efforts had been funded exclusively by ODOT with a local match. Staff proposed to make TDM more integral to the overall set of transportation strategies, and to that end hoped to diversify the funding for TDM.

Ms. Bettman requested information about the TDM Refinement Plan Advisory Committee. Mr. Schwetz responded that it was a subcommittee of the Transportation Planning Committee (TPC). It was composed entirely of technical staff. He welcomed members of the community to participate in the process.

Ms. Bettman said that there were considerable dollars involved, and suggested that the community consider consolidating those dollars to provide free bus passes for community members, or free ridership in the downtown. Mr. Schwetz said staff had not looked at that possibility but could consider the costs of providing a free bus pass to residents and what would be realized from that approach and compare it with the other approaches that were contemplated.

Noting the high projected costs involved, Ms. Ballew asked what justification there was for the new BRT vehicles outside their appearance. Ms. Wylie responded that LTD had been looking at the issue of BRT vehicles for some time, and the Phileas vehicles contemplated for purchase were technically ahead of any other vehicle available. The vehicle was a hybrid vehicle that used clean fuel, had a low floor, and could use the guideway system envisioned. She said that one of LTD's goals was to make the system more train-like to distinguish it from the bus system. Ms. Gardner clarified that the LTD Board had not taken final action on the vehicle to be selected, and there was still opportunity for public input.

Mr. Dwyer endorsed Ms. Bettman's suggestion. He believed that people would use cost-effective transit. Responding to a question from Mr. Torrey, Ms. Gardner indicated that the BRT route along Franklin Boulevard was designed to accommodate BRT vehicles at two-minute head ways. She confirmed that LTD was communicating with the University of Oregon on the routing.

Mr. Schwetz distributed copies of a color map entitled *Regional Transportation Demand Management—Commuter Solutions Regional Programs*.

c. Federal Certification Review of Metropolitan Planning Organization Process

Mr. Fort provided an overview of the federal Transportation Management Area (TMA) Certification process.

Mr. Patron noted the census trigger that pushed the greater Eugene-Springfield area into TMA status. He said that the federal representatives were present to assist the community with the transition to that status. He noted the scope of the review process, which went beyond the activities of the metropolitan planning organization (MPO) and encompassed the transportation planning activities of the local jurisdictions, ODOT, and the transit agency.

Mr. Patron said that the federal representatives would debrief the visit, review their findings, and share those findings with the local community at a meeting the next day at LCOG. A 30-day public comment period would follow, and then the MPO would be provided with a draft of the review for comment. Mr. Patron noted the potential of follow-up for corrective action.

Responding to a question from Ms. Ballew, Mr. Patron assured her that the process used by the federal agencies was not a one-size-fits-all approach. There were federal requirements in place, but they were primarily focused on process, and were designed to give the local communities flexibility in how to accomplish them.

Mayor Torrey said that about 80 percent of his e-mail was from about 5 percent of the community. He anticipated that the federal agencies would get a lot of input from a small segment of the community when they

opened the public record. He asked how the federal agencies knew if the input was representative. Mr. Patron noted that the situation cited by Mr. Torrey was not an uncommon one. He said that the federal agencies did not look just at the public input it received, but at the public processes that the local community had in place to make information available and to seek feedback from the public. He added that the review does not presume to suppose a solution. Such decisions were local ones.

Mr. Green said that government could create an opportunity for public participation, but many people choose not to become involved. He asked at what point the community would “fish or cut bait” and determine that enough had been done to solicit input. He asked what community values were considered; those values articulated by the elected officials, or those values articulated by a vocal community minority? Mr. Patron reiterated that the federal agencies were most interested in the community’s citizen participation processes, and if residents were provided with adequate opportunities to give input. The federal agencies checked to see if there were barriers to access. He said that he had yet to find a community with the perfect mix of citizen involvement opportunities. There was always more that could be done. He said that ultimately, the decision regarding whether enough had been done was that of the elected officials.

Mr. Green said he thought the local jurisdictions did a good job of providing opportunities for people to provide input, although whether they took advantage of those opportunities was another subject.

Mr. Dwyer thanked the representatives of the federal agencies for their visit. He requested that information regarding the public processes conducted locally and by the State be provided to the federal representatives. He also requested that Mr. Pirrie provide the federal representatives with copies of the extensive public record associated with the I-5/Beltline project, including the meetings that were held, the individuals involved, and the findings that were produced. He believed the local system was a very accessible system with everything out in the open, and he was proud to be part of it.

Ms. Bettman expressed appreciation for the federal review. She had a different opinion from others who spoke, saying she believed that citizens who took the time to inform themselves about transportation issues were marginalized when they tried to participate. Such people had no opportunity to influence the outcome of planning processes. Ms. Bettman said that the local jurisdictions provided plenty of opportunities for people to comment briefly on what she termed “pretty much a done deal.” However, there were no opportunities for people to participate in criteria development prior to decision making or to push the process in one direction as opposed to another direction.

Ms. Bettman asserted that because Mr. Torrey requested the addition of ramps on the new I-5 bridge, at some point those would be included in the project, and people would have three minutes to state if they wanted them or not, but they would be included in the project “one way or another.” She believed that the process was very complex, and there were opportunities to weigh in on different elements, but the process was not streamlined or easily understandable. Materials were not readily available. The first step in the decision making process, the development of criteria, was done by staff, and she was “sure it was informed by certain elected officials, but was not a decision made by elected officials in a formal way” until after it was already “on the table.” She said that while there may not be that many citizens involved, she questioned whether that was attributable to a lack of public interest or the difficulty of navigating the process and influencing its outcome.

Ms. Wylie said that when LTD had gone through the planning process for BRT, she had been amazed by the number of design charettes and the outreach to residents and businesses. She believed that the planning process had changed as a result of the input received, and had been impressed by the quality of the input.

Mr. Leiken assured the federal representatives that Springfield had no “smoke-filled back rooms” where decisions were being made in the absence of public input. He concurred with the remarks of Mr. Dwyer. He emphasized his remarks regarding the public input associated with the I-5/Beltline project. He thought the unanimous vote in favor of the final recommendation spoke much about the process. He commended the work

done on that project by FHWA representative John Grimshaw. Mr. Leiken suggested that the project could serve as a model for public involvement in the future.

Mr. Fort encouraged the local elected officials to become involved soon in the next federal transportation appropriations process if they believed that changes were needed.

Mr. Carlson observed that the federal agency representatives had been in the community before and were familiar with its issues.

d. MPO Calendar and Information Items

- 1) Follow-up
 - (a) Oregon Transportation Commission Minutes for March 2003

- 2) Upcoming MPO-Related Activities
 - (a) Calendar
 - (b) New Location for MPC Meetings: Springfield Library Meeting Room

Mr. Thompson called the MPC's attention to the OTC Minutes and MPC calendar.

Mr. Kloeppel called the MPC's attention to a permanent change in the meeting location, noting that the next and future meetings would occur at the Springfield Library meeting room. He thanked the Lane Transit District for hosting past MPC meetings.

The next meeting was scheduled for June 12, 2003.

Ms. Bettman adjourned the meeting at 1:25 p.m

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