

MINUTES

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

November 9, 2006
11:30 a.m.

PRESENT: Bobby Green (Lane County), Chair; Christine Lundberg, Sid Leiken (City of Springfield), Kitty Piercy (City of Eugene), Gerry Gaydos (Lane Transit District), Judy Volta (City of Coburg), Jane Lee (Oregon Department of Transportation), Metropolitan Policy Committee members; Dennis Taylor (City of Eugene), Mark Pangborn (Lane Transit District), Gino Grimaldi (City of Springfield), Don Schuessler (City of Coburg), Bill Van Vactor (Lane County) Metropolitan Policy Committee *ex officio* members.

George Kloeppe, Kathi Wiederhold, Tom Schwetz, Paul Thompson, Ann Mortenson, Byron Vanderpool, (Lane Council of Governments); Ed Moore (Oregon Department of Transportation), Tom Boyatt (City of Springfield), Mark Schoening, Chris Henry (City of Eugene), Tom Stinchfield (Lane County).

WELCOME AND INTRODUCTIONS

Mr. Green convened the meeting of the Metropolitan Policy Committee (MPC) 11:40 a.m. though there was not a quorum at this time. He related that his colleague, Mr. Dwyer, was not able to attend the meeting. He noted that the City of Springfield representatives were en route.

Members introduced themselves.

Mr. Gaydos noted that it was the 10th anniversary of the ground-breaking for the downtown bus station. Additionally, he reported that there had been an official unveiling of the new EmX vehicles. Officials attending the event included Representative Peter DeFazio. He said the vehicles were hybrid electric and represented the continuing effort of Lane Transit District (LTD) to bring transit forward.

Mr. Grimaldi related that Springfield Mayor Sid Leiken and City Councilor Christine Lundberg were at a ribbon-cutting ceremony for the newly refurbished Wildfish Theater and would arrive shortly.

Mr. Green welcomed Ed Moore from the Oregon Department of Transportation (ODOT). He thanked Tom Boyatt, former representative of ODOT now working for the City of Springfield, for his work on behalf of ODOT and the committee.

Mr. Leiken and Ms. Lundberg arrived, making a quorum.

CALL TO ORDER/APPROVE October 12, 2006, MINUTES

Ms. Piercy, seconded by Mr. Gaydos, moved approval of the minutes from the meeting held on October 12, 2006. The motion passed unanimously, 7:0.

COMMENTS FROM THE AUDIENCE

Charles Biggs, 540 Antelope Way, had seen in the packet an item regarding the purchase and installation of eight close-circuited cameras. He thought \$800,000 was excessive. He felt it would give taxpayers pause. Additionally, he noted that the hospital would bring about a transportation issue. He said one of the proposed solutions was to meter onramps to the Beltline Highway. He did not believe that solution would work. He suggested that the MPC authorize a study to determine if this was necessary and for what length of Beltline it would be appropriate.

METROPOLITAN PLANNING ORGANIZATION (MPO) ISSUES

Report from the MPO Citizen Advisory Committee

Ms. Wiederhold reported that the Citizen Advisory Committee (CAC) had struggled to define their charge. She said they had come to understand that they had some flexibility within their charge to address larger more global issues. She had suggested to the CAC that they come up with public input policies. She provided them with a draft of similar policies from the Salem-Keizer area and they had crafted policies based on them. She also brought suggested changes for the evaluation team to them. She recalled that this was a tool that the committee decided to use to measure the effectiveness of what they were doing. She suggested to them that they add some quantitative measures. She intended to bring back more specific suggestions for the next meeting. She stated that the CAC had made suggestions on qualitative measurements and, based on those, she would be developing some wording to bring back to them. She felt the CAC had more of a productive approach than they had in the past. She attributed this to some of the work they had done at their retreat. She said she would craft all of the changes into legislative format for their approval.

Ms. Wiederhold related that the CAC had requested another joint meeting with the MPC. She said she would work with Mr. Green to determine if that was a scheduling possibility.

Mr. Green stated that he would work with Ms. Wiederhold on determining what the scope of that meeting would be. He noted that he would be busy starting in January due to the legislative session in Salem. He said his commitment to the CAC was to help it through the first year. He had remained on it for a second year, but now would have to remove himself from it. He had asked the Metropolitan Policy Organization (MPO) to consider maintaining an MPC liaison on the committee. He noted that the CAC had suggested that the committee have a liaison on the MPC. He encouraged the MPC to consider for the next month's meeting what would be the best use of the MPC's time in relation to the CAC. He felt the CAC was a good group and deserved the courtesy of being heard.

Amendments to Metropolitan Transportation Improvement Program (MTIP)

Mr. Thompson stated that two of the amendments were additions of new projects to the MTIP and two were deletions of projects that had been in the MTIP, none of which affected air quality. He spoke to the installation of cameras, explaining that it continued implementation of the 2003 Intelligent Transportation System (ITS) plan for the region. He underscored that the cameras were just another phase of this plan. He noted the other projects were self-explanatory.

Ms. Piercy wished to point out that "dealing with Beltline" was a council priority for the Eugene City Council.

Ms. Volta, seconded by Ms. Piercy, moved to approve Resolution 2006-15 adopting amendments 2006-81, 2006-84, 2006-85, and 2006-86 to the FY06-09 MTIP. The motion passed unanimously, 7:0.

FTA/JARC/New Freedom Designation

Mr. Thompson stated that the Transportation Planning Committee (TPC) had unanimously recommended approval of the resolution. He explained that the resolution recommended that the Governor designate LTD as a direct recipient of the Federal Transit Administration (FTA) Job Access and Reverse Commute (JARC) funds and the New Freedom Program funds. He said the program funds were similar to other funds the MPC had previously designated LTD as a direct recipient for.

Mr. Pangborn called them formula funds. He clarified that the FTA would have preferred to send them directly, but LTD needed concurrent approval of the MPC. He stressed that everyone would be involved in how the funds were spent. Mr. Gaydos reminded the group that the MPC had spoken of this before. He clarified that the funds provided help for low-income people.

Ms. Piercy, seconded by Mr. Gaydos, moved to approve Resolution 2006-16 recommending designation of Lane Transit District as the direct recipient of Federal Transit Administration job Access and Reverse Commute funds and New Freedom Program funds. The motion passed unanimously, 7:0.

Transportation Enhancement (TE) Applications

Mr. Schwetz reviewed the memorandum regarding the item which dealt with Transportation Enhancement (TE) funds the MPC had approved and helped support applications in the past for the funds. He explained that these were federal funds for support of things that were not traditionally funded with transportation dollars. He noted that they had been used to help fund bicycle path projects. He commented that Ms. Lee would be involved in the process through her work with ODOT. He conveyed the TPC recommendation to take the first two projects, the Delta Ponds Multiuse Path project for Eugene and the South A Pedestrian Enhancement in Springfield as the region's top priorities. The Spring Connector Multiuse Path and the Commerce Connector Multiuse Path and Bridge in Eugene were the third and fourth priorities.

Mr. Van Vactor arrived.

Mr. Schwetz stated that the memorandum described the four projects and noted a draft of the letter had been included in member packets.

Mr. Green commented that the projects had a lot of merit, particularly the Delta Pond path and bridge.

Ms. Piercy, seconded by Mr. Gaydos, moved to approve the letter to the ODOT Transportation Enhancement Program prioritizing local applications. The motion passed unanimously, 7:0.

Programming FY07-09 STP-U Funds for Preservation, Modernization, and Project Development

Mr. Thompson said that the Surface Transportation Program-Urban (STP-U) funds had been programmed for Planning, and Transportation Demand Management/Transportation Options (TDM/TO), and Preservation, Modernization, and Project Development activities through 2008⁹. He explained that the MPC was in the process of moving toward determining its priorities for Preservation, Modernization, and Project Development activities. He related that the Cities of Springfield and Eugene had held work sessions on what those priorities should be for applying for that component of the STP-U funds. He reported that the two cities had provided specific directions; the City of Springfield indicated that STP-U should be applied for the Gateway/Beltline Highway project and a preservation project from 'D' Street to Main Street and the City of Eugene had provided a list of 42 projects, delineated in *Attachment 1 – Eugene STP-U Preservation Priorities*. He said LTD was likely to apply for one or more projects but those projects had not been narrowed down. Lane County was still evaluating possible projects to apply for. He asked, given that all of the jurisdictions were interested in moving forward, that the MPC direct staff to open the application process. He anticipated that the process, including the review by the TPC and the CAC and a public comment period, would wrap up in three to four months.

Mr. Leiken asked if each jurisdiction could come in with specific pieces of it or should they work together as a region. Mr. Thompson replied that the guidelines allowed each jurisdiction to submit up to two applications per fiscal year. He said the TPC would evaluate the projects on technical criteria and then would make a recommendation to the MPC at a funding set at 150 percent of available funds. This would then be forwarded for public comment and for discussion and review.

Mr. Leiken commented that the reason he raised the question was that the Springfield projects were specific. He wanted the various staffs of the jurisdictions to be on the same page. He felt that if they should come at this with a regional approach, the coordination was in place.

Ms. Piercy asked if there was such a criterion. Mr. Thompson responded that the July process for approval suggested that the projects needed to support the MPO's regional priorities without stating this as a specific criterion. He added that it was listed in the goals and objectives.

Mr. Green asked how much money would be available. Mr. Thompson related that staff projected that approximately \$2.8 million in total STP-U funds would be allocated to the region per year. He said the 65 percent for preservation, modernization and project development activities worked out to \$1.7 million to \$1.8 million per year for three years.

Mr. Green ascertained from Mr. Thompson that funds could be used by the bodies as a match or the MPC could take the jurisdictional approach. Mr. Thompson responded that the STP-U funds were federal and could not be used to match other federal funds; additionally they required a minimum of 10.27 percent local match and the funds were fiscally constrained by year. He clarified that the funds could be carried over, though, to be rolled into a project in the second or third year.

Ms. Lundberg asked if there was a percentage breakdown assigned to preservation versus modernization. Mr. Thompson explained that the new funding targets for the full STP-U per year were 25 percent toward planning activities, 10 percent toward the TDM transportation options activities, and 65 percent toward preservation, modernization, and project development. He said within the 65 percent no sub-targets had been set.

Ms. Lee stated that ODOT was supportive of funding going toward the Springfield project related to Interstate 5/Beltline Highway as it was a regional priority and benefited Eugene, Springfield, the MPO, and the County. She said while it did not count as a federal match, ODOT had worked it out with

PeaceHealth Hospital so that STP-U dollars would count as a match toward the memorandum of agreement which indicated that PeaceHealth would match local dollars up to \$8 million. She stressed that \$1 million in STP-U dollars would make \$2 million “on the ground.” She suggested the jurisdictions get together.

Ms. Volta recommended they act in a regional way and identify projects central to everyone or that they find a way to “equalize the playing field” so that other roadways in the larger area could be considered.

Mr. Leiken said the project had been a priority for Springfield. He explained that the jurisdiction wanted to put the project in “today” but was still partly embroiled in a right of way discussion.

Mr. Schwetz commented that as staff had worked to address concerns and to get direction from the jurisdictions it had become apparent that every project that was submitted had a regional aspect to it. He underscored that there was value in preserving the system and there was value in completing the projects in a timely fashion. He said staff wanted to have the applications articulate the regional value that the projects would bring. He felt this would set up the jurisdictions with good information to talk about regional priority setting.

Ms. Piercy reiterated that street preservation was a huge priority for the City of Eugene. She averred that the whole system did not “work regionally” if the infrastructure was not taken care of. She felt the MPC had worked hard to have a “balanced discussion” between jurisdictions who desire modernization projects and the City of Eugene which wanted to foster preservation projects.

Mr. Green acknowledged that the City of Eugene had been consistent in this. He noted that Ms. Bettman had “reiterated that point” during her tenure as the Eugene representative on the MPC. He said he had reviewed the list of project that Eugene had prioritized and he acknowledged that those projects would reduce the city’s backlog to a degree. He asked whether the projects were on the list of backlog projects and how many of them could be covered by the gasoline tax or by the proposed transportation system maintenance fee (TSMF).

Mr. Taylor responded that the city did have other funds but the funds were not sufficient. He said they had discussed at the council level the best projects to move forward based on the pavement analysis, with consideration for the necessary collaboration with the Eugene Water & Electric Board (EWEB) and other jurisdictions in some projects and how best to work with them. He asked Eugene City Engineer, Mark Schoening to speak about the list.

Mr. Schoening stated that the council had wanted the funding for pavement preservation to be from a broad mix of sources. He said in addition to transportation systems development charges (SDCs), the gas tax, and the potential TSMF, the city had always counted on having a portion of the STP-U funding. He explained that it was a comprehensive list to choose from. The city intended to spend \$9 million per year to reduce the backlog and hoped that some portion of that could come from the STP-U funds.

Mr. Green said it would be helpful to him to have the projects identified by street classification, i.e. whether the streets were arterials or collectors, and then what made sense from a system standpoint. He explained that an arterial that fed into the system that would address Eugene’s preservation priority but would also address regional transportation needs for the other jurisdictions would be more likely to garner his support. He said there should be some way to “meet in the middle” and to determine what would make the best use of funds to improve the overall transportation system.

Mr. Thompson reminded the MPC that two modernization projects were already programmed for FY07: \$408,000 for Gateway/Beltline right of way acquisition and \$319,000 for City of Eugene Game Farm Road. He also pointed out that in FY07 and FY08 the MPC had programmed above the ten percent for TDM and this also reduced what was available from the 65 percent. This left approximately \$4.5 million for three years.

Mr. Green ascertained that the MPC needed to open the application process. Mr. Schwetz stated that the process had been set up so that the applications would come in and would each articulate the value contributed to the regional effort and the MPC would consider which projects to forward.

In response to a question from Mr. Green, Mr. Thompson stated that staff would meet after the MPC meeting and would determine what deadlines were needed. He said there would be a status report at the December meeting.

Ms. Piercy, seconded by Mr. Leiken, moved to direct staff to initiate the application process for programming FY07-09 STP-U funds. The motion passed unanimously, 7:0.

Alternative Dispute Resolution Process

Mr. Vanderpool explained that this was a continuation of previous discussions. He said the MPC did not have an alternative dispute process; three of the jurisdictions held a veto power and there was no “backdoor mechanism” to get around this. He recalled that the Lane Council of Governments (LCOG) had sent a letter to the MPC in July requesting the MPC to pass a Metropolitan Transportation Improvement Program and that the MPC should, by its January meeting, to adopt an alternative dispute resolution mechanism that would “go around the veto.” He acknowledged that this latter item had not occurred to date. He related that staff had been directed to bring back proposed bylaws language to address only the issue of a quorum boycott, i.e. the ability of one of the four agencies to absent itself and prevent action from being taken. He said the language was in the present packet. He noted one correction under *Section 4 (A)*: after “*regular quorum*” the Section number should read *4.A* and not *4.B*.

Mr. Leiken asked if there had been instances other than the West Eugene Parkway (WEP) and the cable franchise agreements in which this rule had applied. Mr. Vanderpool replied that the veto had been employed on a “variety of meehanismsttopics” over the years but never for more than a meeting or two.

Mr. Leiken asked what would happen if the MPC chose not to take action. -Mr. Vanderpool responded that he could not speak for the LCOG board. -However, he related that he was asked the same question in regard to what course of action the MPC intended to take. He said there were LCOG Board members that had advocated withdrawing the MPO authority of the MPC, though this had not been a staff recommendation. He added that if it was the will of the MPC to state that it did not want to change its bylaws he would strongly recommend that the body sit down with either the LCOG executive committee or its board to discuss the issue.

Ms. Piercy said she would be happy to be part of that conversation. She felt the veto had been used “sparingly” and had been used “by every-body at one time or another.” She did not believe it to be a problem.

Ms. Volta understood the perspectives of the larger jurisdictions but she believed it deserved a larger conversation.

Mr. Green commented that it was “easy” to minimize the frequency of different levels of conflicts or the rarely used veto, but he believed that when the MPC reached an impasse such as the recent one experienced in regard to the WEP it did not move beyond the impasse. He said there was no guaranteed for any of the jurisdictions in the future that this type of impasse would not be repeated. He pointed out that staff put a lot of work into scoping and modeling different projects and if the MPC did not have a mechanism in place that resolved the conflict, then this work was for naught. He asked the MPC to consider sending a situation in which the committee had reached an impasse to a different body to make the decision, such as the Lane Board of County Commissioners. He suggested that knowing the Board of County Commissioners would ultimately decide on an issue might make the conversation to move on an item happen. He thought it behooved the MPC to look at its process and come up with a mechanism to put in place to make sure the MPC did not “stumble along the way,” that it kept moving, that projects were completed, and that the community benefited.

Mr. Gaydos agreed that the MPC needed a better mechanism to address impasses. He stressed the importance of making timely decisions. He believed that having such a mechanism in place it forced people to participate in the decision. He felt the MPC would exercise statesmanship. He supported the suggested change in the bylaw language.

Ms. Piercy averred that the MPC should revisit why the veto was set up in the first place. She opined that the City of Eugene had “tried hard to get to a collaborative discussion” and there had not been a willingness on the part of the rest of the jurisdictions to do so. She felt the MPC should be very careful in how it was going about the issue of conflict resolution so that something would not be created “that blows apart things when one is trying to put something together.”

Mr. Schwetz stated that the history of the veto stemmed from the time that the MPC consisted of only Eugene, Springfield, and Lane County and the primary focus had been on the MetroPlan partnership issues. He said several other things had been “grafted” on to the MPC since then. He related that the question, at a staff level, was what mechanism there was to keep the regional conversation going after the point at which the veto was exercised.

Mr. Leiken commented that the two largest cities were not “necessarily the smartest.” He wanted to have the conversation with LCOG. He felt that the people who served as mayor and city councilors in a smaller city became insulated. He believed it would be worth it to sit down with a subcommittee of LCOG to discuss this. He did not want to go through a process such as the one that involved the WEP again. He recalled only one instance in which Springfield had exercised its veto power, the situation involving the cable franchise. He related that the Springfield representatives had come back to the table and presented their issues, which had been easily resolved.

Mr. Green surmised that the direction to staff was that the MPC had some desire to meet and discuss this with a subset of the LCOG board. He believed that the committee could come to a point of resolution without slowing the process down.

Ms. Piercy suggested the meeting be scheduled for after January.

Mr. Kloeppe thought the appropriate time for the discussion to take place would be at the LCOG executive committee meeting in January.

Mr. Green agreed that this was the appropriate tack to take and noted that having the meeting in January would allow the newly appointed elected officials to participate.

Draft Public Participation Plan (PPP)

This item had already been discussed.

FOLLOW-UP AND MPO CALENDAR

Follow-up

i. ODOT Update

Ms. Lee provided copies of the *ODOT Lane County News* update letter to the MPC. She reported that there was currently \$1.2 billion in construction “on the ground” in the State of Oregon and currently \$344 million, or 25 percent of the statewide work, was in Lane County road construction.

Ms. Lee related that MPC members were welcome to tour the Beltline Highway project. She said Mr. Schwetz would try to put a tour together for the group.

Mr. Green wished to express thanks to ODOT for its public information campaign regarding road closures. He said the notion of keeping everyone moving had been a great concept.

Ms. Lee circulated copies of the flier that had been provided to Gateway residents and merchants. She projected that the northbound onramp from Beltline Highway to Interstate 5 would be closed beginning November 13 and reopening before Thanksgiving Day.

Mr. Green asked where the public relations funding was coming from. Ms. Lee replied that ODOT had some funds for advertising.

Regarding the Oregon Transportation Committee meeting notes, Ms. Lee stressed the importance of being aware of what they were working on. She related that the committee felt Oregon was well-positioned for funding and that the top talking points were in regard to congestion and tolling. She said she would continue to email the notes to Mr. Schwetz for distribution to the MPC. She noted that gasoline-using tax ideas had been discussed as well, in that a car would pay a gasoline tax based on the number of miles it drove.

Mr. Leiken commented that it appeared that the new chair of the House Transportation Committee for the State Legislature would be Terry Beyer of Springfield.

Mr. Green noted that Congressman DeFazio would be positioned well in Washington, D.C. He stressed the importance of thinking about United Front priorities from a regional standpoint.

Ms. Lee added that she could also lobby for the area. She asked the jurisdictions to keep her abreast of the projects they wished to promote so that she could advocate for them.

ii. MTIP Administrative Amendments

Twelve administrative amendments were presented in the meeting packet for information purposes. None were brought forward for discussion.

Alternative Mobility Standards

Mr. Schwetz reported that he had made four presentations, to Springfield, Eugene, LTD, and the Lane County Board of Commissioners. He said the key messages were in regard to congestion, that it was increasing and would be a persistent issue. He related that the requirements from the State for alternative mobility standards asked for local commitment to addressing the congestion issue. He stated that staff felt that the local commitments were largely in place in a general sense in the adopted transportation plans and the next step in developing the proposal would be to try to target the exact strategies to the congested areas. He noted that he included a table in member packets that intended to give a better sense of some of the meanings of the phrases used. He stated that staff would come back with another round of presentations to the local agencies as well as the MPC and then the process would result in the OTC making amendments to the Oregon Highway Plan to incorporate into the proposal.

Mr. Schwetz noted that the eight cameras approved in an earlier action were part of a critical strategy in addressing the congestion in the future. He said getting the cameras in place was a first step. He pointed out that the City of Portland had benefited from having a similar program in place.

iii. OMPOC Report

Mr. Schwetz reported that materials in the MPC packets included agendas from the two meetings held in Bend and maps of the six major urban areas of the State. He explained that the maps indicated the percent of change in the past six years in terms of traffic volumes. He said the maps demonstrated that the other MPOs were impacting this area and that this area impacted them as well. He commented that when looking at the Bend area it was apparent it was growing rapidly, but the traffic volumes had experienced even greater growth.

Mr. Green thanked Ms. Volta for representing the MPC and for presenting at the OMPOC. Ms. Volta noted that Ms. Piercy had intended to provide a presentation there but had asked Ms. Volta to step in on her behalf.

MPO Calendar

The next meeting was scheduled for December 14, 2006, at the Springfield City Hall Library Meeting Room.

The meeting was adjourned at 1:10 p.m.

(Recorded by Ruth Atcherson)