

MINUTES

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

November 10, 2005
11:30 a.m.

PRESENT: Anne Ballew (City of Springfield), Chair; Bobby Green, Faye Stewart (Lane County), John Woodrow (City of Springfield), David Kelly, Kitty Piercy (City of Eugene), Judy Volta (City of Coburg), Gerry Gaydos (Lane Transit District), Jane Lee (Oregon Department of Transportation), members; Dennis Taylor (City of Eugene), Ken Hamm (Lane Transit District), Bill Van Vactor (Lane County), Mike Kelly (City of Springfield), *ex officio* members.

George Kloeppe, Tom Schwetz, Paul Thompson, Ann Mortenson, Jamon Kent, Petra Schuetz, Kathi Wiederhold, Byron Vanderpool, Milo Mecham, Kim Hascall (Lane Council of Governments); Tom Boyatt, Jeff Scheick (Oregon Department of Transportation), Greg Mott, Nick Arnis (City of Springfield), Connie Williams (Transportation Solutions), Chris Henry, Kurt Yeiter, Mark Schoening, Lisa Gardner (City of Eugene), Tom Stinchfield (Lane County), Stefano Viggiano, Anita Yap (Lane Transit District), Randy Papé (Oregon Transportation Commission).

WELCOME AND INTRODUCTIONS

Ms. Ballew opened the November 2005 meeting of the Metropolitan Policy Committee (MPC) and welcomed those present.

Members of the MPC introduced themselves.

Ms. Ballew announced that in order to accommodate those wishing to speak the committee would take action on the Comcast franchise and then accept comments from the audience.

COMCAST FRANCHISE EXTENSION REQUEST

Bob Schroeter, representing Comcast, stated that Comcast had requested to exercise the provisions in its current agreement to extend the franchise for an additional ten-year period commencing July 1, 2008. He understood that the MPC might require additional time to consider the request and had no objection to postponing a decision. He indicated Comcast's willingness to work with staff to provide whatever information might be required and expressed appreciation for the opportunity to provide services to residents of the area.

Mr. Mecham referred to the staff report contained in the agenda packet and summarized the staff recommendation that the MPC authorize the chair to send a letter to Comcast acknowledging receipt of the request for extension and specifying that the MPC would request that staff gather additional information for the committee's consideration and future decision.

Mr. Kelly asked for comments from staff on the compliance matrix prepared by Comcast as part of the additional information to be provided. He asked how the MPC would factor any problems into its decision-making process.

Mr. Woodrow, seconded by Ms. Piercy, moved to authorize the chair to send a letter to Comcast acknowledging receipt of the request for an extension and indicating that additional information would be gathered by staff prior to a decision. The motion passed unanimously.

Ms. Ballew indicated Mr. Vanderpool had a short presentation on administrative issues to make to the MPC. Mr. Vanderpool stated that there was no public hearing or specific action on the West Eugene Parkway (WEP) scheduled on the agenda but noted the large number of people in attendance with an interest in the subject because of recent action by the Eugene City Council to withdraw its support from the parkway project. He explained MPC voting procedures when it was acting as the Metropolitan Planning Organization (MPO). He said the MPO consisted of representatives from the City of Eugene, City of Springfield, City of Coburg, Lane County, Lane Transit District and Oregon Department of Transportation (ODOT). He explained quorum and simple majority requirements and pointed out that for any MPO action to stand it required at least one affirmative vote from each of Eugene, Springfield and Lane County.

Mr. Vanderpool noted that the WEP was embedded in a number of plans, including local transportation system plans, under the control of the respective city councils and the County Board of Commissioners; the Regional Transportation Plan (RTP) and the Metropolitan Transportation Improvement Program (MTIP), under the control of the MPO. He said the WEP was in the proposed FY06-09 MTIP and the existing FY05-07 MTIP as well as Oregon's Statewide Transportation Improvement Program (STIP). He said that the MPC and the Lane County Board of Commissioners provided recommendations on STIP projects to the Oregon Transportation Commission (OTC), which was the STIP decision-making body. He said that ODOT was responsible for conducting the WEP environmental process and stressed that the parkway project was woven through the entire complex fabric of transportation planning at the local, state and federal levels.

Mr. Vanderpool reviewed the options for action as set forth in the November 2, 2005, memorandum from Paul Thompson included in the agenda materials:

- A. Adopt the draft air quality conformity determination (AQCD) and FY06-09 MTIP
- B. Remove WEP Unit 1A from the draft FY06-09 MTIP and adopt the modified MTIP and AQCD
- C. Remove WEP Unit 1A from the draft FY06-09 MTIP and adopt the modified MTIP and AQCD after a period of public comment
- D. Take no action on the FY06-09 MTIP
- E. Direct staff to prepare amendments to the existing adopted FY05-07 MTIP for projects that required funding adjustments or modifications

Mr. Vanderpool stated that there was a lengthy list of projects that would not move forward until they were in an adopted MTIP and options for achieving that included adoption of the draft FY06-09 MTIP or amending the FY05-07 existing MTIP to include some or all of those projects. He discussed the process for achieving those options.

COMMENTS FROM THE AUDIENCE

Ms. Ballew noted that 22 people had signed up to speak under audience comments, for which 15 minutes had been allotted on the agenda, and reminded those present that there was no public hearing scheduled and their comments would be heard by MPC members, reflected in the minutes, but not included in the formal record for the MTIP.

Mr. Kelly, seconded by Ms. Piercy, moved to extend the public comment period to thirty minutes, allow two minutes per speaker and alternate between those favoring retention of the WEP and those favoring removal of the WEP.

Mr. Kelly offered to withdraw his motion if members were in agreement with his proposal.

Ms. Ballew determined that members agreed to the 30 minutes extension and two minute limitation. She called for comments from the public, alternating between those in support and those in opposition to the WEP.

Bob Ackerman, state representative from House District 13, spoke in support of the WEP and urged the MPC to continue the project. He noted that the public record on the project went back to 1986 when the voters of Eugene approved the parkway concept by an 80 percent vote. He said another election in 2001 sustained the project, although another measure on the ballot to consider alternatives to the WEP was defeated. He noted that opponents of the parkway had not presented a viable alternative. He said that Eugene's population was projected to increase by 15,000 in the next ten years and asked how that increase could be accommodated and economic development within the urban growth boundary could be sustained unless the project stayed on track.

Kevin Matthews, president of Friends of Eugene, P. O. Box 1588, Eugene, said that his organization and other WEP opponents were clearly focused on finding real solutions to traffic transportation problems in west Eugene and the question was whether to address those problem through a \$200 million pork barrel project or state-of-the-art integrated land use/transportation planning. He said in order to know how to answer the question there needed to be profound consideration of alternatives. He said that ODOT was working with a "purpose in need" that stated "...provide a major access-controlled, east-west connecting arterial for intra- and inter-regional and citywide travel through the western half of the City of Eugene between Highway 126 to the west and the I-5/I-105 corridor to the east." He commented that the purpose was to have a highway and there were many more transportation issues that needed to be included in the consideration of alternatives.

Kari Westlund, president of the Convention and Visitors' Association of Lane County, 754 Olive Street, stated that she resided in Veneta. She said the WEP was truly a regional transportation project and a critical missing piece of the regional surface network. She said that safe and efficient access to Veneta, Elmira, Noti, Walton, Mapleton, Florence, Dune City and the Oregon coast would be greatly enhanced by the WEP. She said as population in those communities continued to grow congestion and safety issues escalating. She said that avoiding responsibility for planning for growth would not prevent growth from occurring and while there might be a transition from fossil fuels whatever the fuel source surface transportation was here for a long time to come. She said that access to and from downtown Eugene was difficult and as the downtown core was developed and populations to the west continued to grow viable linkages was even more important. She said the WEP project had been put to the ultimate democratic test

twice with a majority of voters directing elected officials to implement the project both times. She urged the MPC to retain the project on the list and assist in getting it under way as soon as possible.

Bruce Newhouse, 2925 Potter Street, Eugene, stated that he had been involved in Springfield planning in the 1980s and after retirement he became a natural resources consultant with significant time spent in the west Eugene wetlands. He stated he was happy that the wetlands provided habitat to several threatened and endangered species and noted the parkway would go through the center of many critical habitat areas. He said that new endangered species continued to be discovered in the west Eugene wetlands, such as the several species of butterflies. He said that the wetlands also provided habitat for many migratory birds and encouraged a practical review of WEP alternatives.

Dave Hauser, representing the Eugene Chamber of Commerce, encouraged continued efforts to move all of the important MTIP projects forward, including the parkway. He said that parkway goals were as valid today as they were initially and of particular concern to the business community was providing improved access to the west Eugene industrial area via direct connections with strategic crossroads. He said the community had determined that the bulk of job-producing land was in west Eugene and today freight mobility in that area was hampered by truck traffic that had to negotiate congested, circuitous roadways with poor connectivity. He said the WEP was the only solution on the table to address those problems. He said there should be a better link to residential areas from downtown to support planned and orderly growth. He said that implementing an important part of the area-wide transportation system envisioned in TransPlan was the WEP and removing the parkway project would likely require revisiting that plan. He said it was unrealistic to think there was a faster, cheaper and less controversial solution than the parkway and asked the MPC to look for ways to move the project forward.

Mary O'Brien, 3525 Gilham Road, Eugene, said Eugene was not the first community to be stuck for 20 years on a traffic issue. She provided examples of communities in Wisconsin and Oregon that had used facilitation to help them successfully resolve their impasses and develop alternative solutions that were supported by the entire community. She said there were thoughtful and knowledgeable people in the community and relevant state and federal agencies that were capable of exploring the potential of providing good travel around the west Eugene wetlands. She said that many communities found ways to travel around historic landmarks, parks and wildlife refuges because their quality of life depended on it. She said the Oregon Consensus Program was established to help communities and agencies work collaboratively on solutions to issues that were causing rancor and the United States Institute for Environmental Conflict likewise could provide professional facilities to help agencies and communities develop sound solutions. She urged the MPC to purpose solutions that would both solve traffic problems and protect the national wetlands of west Eugene.

Gary Papé, Eugene City Council, 777 High Street, Eugene, presented the "loyal opposition" report from the four city councilors who were in opposition to withdrawing support for the parkway. He noted that the council's vote was a tie, with four councilors in favor of withdrawing support, four councilors opposed and Mayor Piercy breaking the tie in favor of removing the WEP from the FY06-09 MTIP. He asked that the MPC consider that action in the context of the public votes to support the project and defeat of the measure to consider alternatives to the parkway. He said that matter concerned not only transportation but land use and potential *Metro Plan* amendments.

Rob Handy, 455 ½ River Road, Eugene, stated that Oregon had a legacy of protecting its environmental amenities in a bi-partisan spirit that benefited local economies such as public access to the Oregon coastline and establishment of the Willamette River Greenway. He said a similar challenge existed in west Eugene with a nationally acclaimed wetlands and proposed parkway that at \$29 million per mile would do

little to relieve traffic congestion. He said there were good reasons the parkway had not received approval from various agencies over the years and there was no end in sight for the 1985 solution to a 2005 problem. He asked who would be the leaders in the community who would work to relieve traffic in west Eugene and preserve the wetlands. He urged the MPC to take another look at Mayor Piercy's principles for solving west Eugene traffic problems in a faster, cheaper and better way. He provided written testimony.

Craig Curtis, 3690 West 1st Avenue, spoke as a resident and business owner in west Eugene. He said his business wholesales arts and crafts supplies and was building a new 130,000 square foot warehouse. He said that development in that corridor continued to place demands on the infrastructure and truck traffic was very important to the success of his warehousing business. He did not see another good solution except for building the parkway and relieving the stress. He said that planning and development of the corridor had pre-supposed building of the parkway and to withdraw support at this point was irresponsible government.

David Hinkley, 1350 Lawrence Street, Eugene, commented that the project voted on was killed by ODOT a year ago. He said the highway from west Eugene to downtown Eugene was gone and the proposal was a highway as far as Beltline and surface streets from that point on and there was some question as to whether the State or the City of Eugene would pay for the surface streets; the City would be responsible for maintaining them. He said the highway was not coming, it had been several years since the vote, the City of Eugene had done everything it was supposed to do and the project had not begun because ODOT could not determine a lawful way to build the highway. He said that the project would stop at Beltline and be handed off to the City because State requirements could not be met. He urged the MPC to seek alternatives that would actually work.

Jack Roberts, executive director of the Lane Metro Partnership, 1401 Willamette Street, Eugene, spoke as a member of the ad hoc Roundtable group that consisted of people representing a broad range of viewpoints within the community. He said the group had discussed transportation issues in west Eugene for the past year and had asked jurisdictions, irrespective of what happened with the parkway, to consider shorter term ways to deal with transportation problems in west Eugene, including congestion on West 11th Avenue. He said that some people may have misinterpreted that to mean the Roundtable had taken the position that the parkway project should be abandoned and that was not accurate; members held diverse views on the project with some in favor and some opposed. He hoped that the community could find a way to agree on a solution and noted that there were many in the community who felt the parkway was a good solution and everyone should be involved in discussions of alternatives.

Bob O'Brien, 3525 Gilham Road, Eugene, commented on the Ballot Measure 2054 vote and noted that advertisements emphasized that the State would build and maintain the parkway. He was angry that the City had signed a memorandum agreeing to take over a portion of the project. His greatest opposition to the WEP was building a freeway through the wetlands. He urged everyone to walk through those nationally acclaimed wetlands and said that there was no way to avoid damaging them with the parkway. He urged the MPC to find alternatives to the WEP.

Dan Egan, Springfield Chamber of Commerce, P. O. Box 155, Springfield, spoke as co-chair of the Citizen Advisory Committee (CAC) and noted the committee's recent recommendation that the MPC provide at its meeting information on the parkway and options for action. He thanked the MPC for acting on the CAC recommendation.

Greg McLauchlan, 2401 West 22nd Avenue, Eugene, said he was an urban sociologist at the University of Oregon with professional interest in urban design and policies issues and transportation. He said as a resident of west Eugene he negotiated traffic on a weekly basis. He asked the MPC to look at the wild cost escalation; voters supported a project in 2001 that was projected to cost \$89 million and now the project was estimated at \$170 to \$189 million. He said the WEP would not solve west Eugene traffic problems as traffic engineering studies showed that traffic on West 11th Avenue would only be reduced by six percent by the parkway, or the diversion of one in seventeen cars. He said the project did not make sense from a fiscal, traffic management or public policy standpoint. He said that taxpayers had a right to see funds spent in the most transportation efficient way. He used the analogy of a sieve that had become clogged and said the WEP was an effort to poke a small hole in the sieve when the real issue was to unclog all of the small holes.

Mike Drennan, 2574 West 28th Avenue, Eugene, expressed frustration with the Eugene City Council's vote to withdraw support for the WEP. He noted that Mayor Piercy had promised to be a mayor for all Eugene but her parkway vote did not reflect a majority of the community. He said that WEP opponents claimed that the last citizen parkway vote was barely a majority but that was how things worked in a democracy. He said the parkway needed to be built to relieve heavy congestion on West 11th Avenue, which was beginning to remind him of 82nd Avenue in Portland before I-205 was opened and Highway 97 in Bend before a parkway was built. He said that the State funds available for the parkway should be used and it was a fallacy to believe that the money should simply be shifted to another project in Eugene or Lane County as it would be reallocated to other transportation projects around the State. He stated it was time to stop quibbling, talking and studying and get the parkway built.

Lauri Segel, 1000 Friends of Oregon, 1192 Lawrence Street, Eugene, said that assertions that the parkway was planned and ready to be built during the 2001 advisory vote were not accurate. She said the West Eugene Wetland Plan amendments that were approved in 2002 had yet to be submitted to the Department of Land Conservation and Development for review. She said that several federal agencies working with ODOT, such as the Army Corps of Engineers and Bureau of Land Management, were not necessarily prepared to support ODOT's land development permit application because of the very specific "purpose and need" issue. She said that STIP funds used to be sufficient to fund State projects but currently STIP funds were insufficient and many projects look to earmarks and Oregon Transportation Investment Act (OTIA) funds. She declared there had never been funding established for the WEP and it was likely the \$17 million had been used for planning and studying.

Mark Robinowitz, P.O. Box 51222, Eugene, pointed out some aspects of the WEP history that were not generally known. He said the project was a federal decision and not a local highway. He said the City of Eugene had supported the highway for years but never contributed funds. He said that at an intergovernmental charette in June 2001 the City and the County agreed to cancel the project and use the funds to finish Beltline instead. He pointed out that ODOT had been unable to identify an option that was affordable or legal and the \$1.7 million for the environmental study was the same amount of funds required to fix intersections on West 11th Avenue and if that solution had been implemented in 2001 it would now be completed.

Carol McBrian, 1875 West 15th Avenue, Eugene, remarked that the wetlands, in addition to providing habitat for endangered species, was also home to birds and recently sited river otters and many other animals. She said that building a highway in the middle of an ecosystem would cut the ecosystem in two and animals could not cross the highway safely. She said there were many simple and inexpensive ways to relieve traffic congestion on West 11th Avenue, including designated turn lanes that provided better access

to businesses. She agreed with Mary O'Brien's suggestions for reaching consensus and reminded the MPC of the investment of federal dollars in the wetlands.

Candace Nelson, 1000 Friends of Eugene, 361 Lombard Lane, Eugene, said she opposed building the parkway. She thanked Eugene city councilors who advocated for removing the parkway and attempting to protect the natural environment. She said that most people she had spoken with had never been stranded in a traffic jam in Eugene. She said that slow-moving traffic on West 11th Avenue at peak traffic times could be addressed by means other than the WEP and she encouraged the MPC to request and consider details of the alternatives.

Mark Robinowitz, P.O. Box 51222, Eugene, spoke to regional transportation planning and urged a shift in how Lane Council of Governments (LCOG) developed traffic models. He said that last year LCOG had predicted that the cost of gasoline would increase \$2.50 per gallon by 2025 and that had already occurred. He said the reason for the mistake was a refusal to look at geological reality and that the all time peak of oil production had almost been reached. He stated that the end of cheap oil would force major changes to transportation planning long before 2025 and it would be necessary to ensure that existing roads and bridges could be maintained and used at optimum efficiency, land use and transportation were coordinated and public transit was practical and cheap for all. He was concerned there would not be enough to maintain the current system if more money was wasted on freeways to facilitate the conversion of farmland to shopping malls by developers.

Mr. Thompson pointed out that MPC had been provided with copies of written public testimony and comments on the MTIP issue submitted through the agenda packet mail out date and distributed copies of additional comments received through November 10. He clarified that the \$2.50 per gallon gas price estimate was in constant 1995 dollars and when projected through the State's assumed inflation rate it was between \$4.50 and \$5 per gallon in 2025.

METROPOLITAN PLANNING ORGANIZATION (MPO) ISSUES

Amendments to the Citizen Advisory Committee (CAC) Bylaws

Mr. Schwetz commented that the CAC bylaws amendments had been previously discussed and the CAC had approved a recommendation to the MPC that the proposed changes be adopted. He summarized the changes as set forth in the November 2, 2005, memorandum from Kathi Wiederhold.

Ms. Volta, seconded by Mr. Green, moved to approve Resolution 2005-13 adopting amendments to the Citizen Advisory Committee bylaws. The motion passed unanimously.

APPROVE OCTOBER 20, 2005 MINUTES

Mr. Kelly, seconded by Mr. Gaydos, moved to approve the October 20, 2005, meeting minutes as submitted. The motion passed unanimously.

METROPOLITAN PLANNING ORGANIZATION (MPO) ISSUES (continued)

FY06-09 Metropolitan Transportation Improvement Program (MTIP) Update

Mr. Kelly, seconded by Ms. Piercy, moved to remove West Eugene Parkway Unit 1A from the draft FY06-09 Metropolitan Transportation Improvement Program, open a public comment period on the modified Metropolitan Transportation Improvement Program and take action at the December 8, 2005, meeting.

Mr. Kelly remarked that the public comments reminded him of the fact that there were very good reasons the WEP had not been built in 20 years and the objections by federal agencies and changes to the project were because it was impossible to find a legally defensible way to build the parkway. He felt the MPC was ready to move forward 67 of the 68 MTIP projects and his motion would allow that to happen while facilitating a serious partnership-based analysis of other west Eugene partnerships.

Ms. Piercy stated that the reason the Eugene City Council had reached its decision was because of a council agreement that said MPC decisions would be discussed and the council's perspective provided to its MPC representatives. She said that while councilors' positions were divided she and Mr. Kelly would represent the council's direction. She said the council's other decision on a 6 to 2 vote was to direct the city manager to work with partners and stakeholders to explore alternative solutions to traffic issues and protection of the wetlands. She hoped the MPC would join Eugene in looking for such alternatives.

Mr. Green stated that he could not support the motion because it was inconsistent with Ballot Measure 2053 and as a Lane County commissioner, ODOT Region 2 representative and former city councilor he felt it was condoning negative behavior. He had many questions about what an alternative solution might be that had not already been studied and he stated that he could not support using additional public funds to pursue further study whose outcome was not clear or tangible at this point.

Mr. Thompson pointed out that the motion directed staff to open a public comment period but did not specify holding a public hearing and asked for clarification. He said that a public hearing was not required under the regulations and a public hearing had been held on the MTIP, including the WEP, on October 20, 2005, and there was no testimony. He said it was the MPC's decision whether to hold a public hearing.

Mr. Kelly clarified that his motion opened a public comment period but did not include a public hearing.

The motion failed, 2:7; Mr. Kelly and Ms. Piercy voting in favor.

Mr. Green, seconded by Mr. Stewart, moved to retain WEP Unit 1A in the Metropolitan Transportation Improvement Program and adopt the draft FY06-09 Metropolitan Transportation Improvement Program and air quality conformity as recommended by the Transportation Planning Committee at the November 10, 2005, meeting.

Mr. Green said that Lane County had been consistent with respect to the parkway project and demonstrated to the City of Eugene and the State and federal agencies that it supported the project. He recognized that projects like the parkway did change over a period of time and costs were affected by various factors. He said the \$17.7 million in State funding associated with the WEP was project-specific and could not be used for anything else, which was why his motion did not include trying to retrain the funding for alternative strategies.

Ms. Piercy stated that while she was a keen supporter of working with regional and State partners, she still represented foremost the interests of her community. She joined partners in supporting all projects but one; remove the WEP and work on an alternative and all the others could move forward. She believed there were solutions that could be found that everyone could support and that would benefit the community and region and be cheaper, faster and better. She asserted that behind the scenes few thought the WEP would ever be built and in that regard would continue to cost the community and region a great deal of tax dollars, but the political implications of opposing the project were so great that few could publicly oppose it.

Jeff Scheick, ODOT Northwest Region manager, shared ODOT's thinking on recent events related to the parkway. He said that ODOT in collaboration with local, state and federal partners was currently preparing a supplemental final environmental impact statement (SFEIS) that would lead to an issuance of a record of decision (ROD) for the WEP. He said an ODOT team had been meeting regularly throughout the planning process to address concerns and issues and an ODOT contractor had been meeting with local businesses, community groups and local government officials to address access issues and present project information. He said the recent Eugene City Council action had raised a number of questions and issues about the WEP and while ODOT continued to move forward on the project it believed that the recent council action raised a new level of uncertainty. He emphasized that transportation projects of the parkway's nature needed to have solid commitment from the community to reach completion. He said that action by the MPC to remove the WEP from the MTIP would essentially allow the remaining funds of approximately \$15 million allocated in the current MTIP to the project to be redistributed to other projects that were ready to go elsewhere in the state. He noted that the OTC would make the decision on reallocation of the funds and there was no guarantee that the reallocated funds would remain with Eugene or even Lane County. He said that total expenditures to date on the WEP were approximately \$10.2 million for right-of-way, design and development, research, environmental work, numerous studies, public meetings, meeting with regulators and field work to identify wetlands, endangered species and archeological and historic significance. He said if the project was removed from the MTIP it raised serious concerns about the necessary local commitment to the project to enable construction; nevertheless, in order to honor commitments to partners ODOT would proceed to completion of the SFEIS process. He said if the WEP was removed from the MTIP and the TransPlan constrained project list then ODOT and the Federal Highway Administration (FHWA) could not complete the SFEIS process and would have to discuss potential recovery of the \$10.2 million in federal funds spent on the project to date. He said that recovery options included selling right-of-way purchases and the OTC would have to consider how to recover the remainder of the funds with the likelihood they would come from modernization funds that flowed to the Eugene or Lane County areas. He stressed that the WEP and related issues were very complex and ODOT, based on local affirmative votes of the people, had made a significant investment on the project and continued to work diligently to bring the project to construction while addressing community, environmental and regulatory agency concerns. He said that ODOT was committed to working with local partners in addressing the transportation challenges the area faced.

Mr. Kelly supported Ms. Piercy's comments and noted there was a difference of opinion about what the SFEIS process could accomplish. He said the SFEIS no action alternative could be the vehicle to develop transportation projects in Eugene that would address some of the issues that had been raised. He opposed the motion because he wanted transportation problems in west Eugene addressed in the near term rather than continuing to have a divided community and no transportation projects in west Eugene in the next decade or more.

Ms. Piercy said it was her understanding that if the \$17 million allocated for the WEP was returned to the State the MPO could still apply for a regional use for those funds. Mr. Scheick replied that if the \$17

million was removed it returned to the statewide pot of funds under the decision-making responsibility of the OTC, which would decide how it should be reallocated, but there were no guarantees it would be used for projects in Eugene or Lane County.

Randy Papé, OTC member, stated that the \$17 million would not be reallocated to Eugene/Springfield metro area but rather utilized in other projects that were “shovel ready” and able to move forward. He said that any application for those funds from the MPO would have to be for a project that was ready to go and met other funding criteria. He reminded the MPO that the OTC had limited funding and a long list of projects.

Ms. Volta said that she supported the motion but with some conflict as good people could disagree on the project, which had become a polarized issue. She remarked that just because a project had become a polarized issue did not mean it should be dropped; it should move forward with the best information available. She said the MPC members represented their own jurisdictions but also needed to act regionally. She respected the strong feelings on both sides of the issue.

Ms. Piercy clarified that if the motion on the floor did not pass then the current MTIP remained in place through March 2007 and all of the projects currently programmed in the MTIP could remain on track.

Mr. Scheick clarified that if the \$17 million was returned to a central pot of funds under the direction of the OTC the Northwest Region would put together a recommendation for the commission’s consideration but there was no guarantee that OTC would follow that recommendation. He said the Northwest Region consisted of the nine county area circumventing the Portland metropolitan area from Clatsop County through Lane County, the entire Willamette Valley, half of Highway 101 and half of I-5. He said the modernization needs across four areas within the region were quite extensive and there were many more places the funds could be spent in the region. He pointed out that the OTC had recently adopted the FY06-09 STIP and there were no other funds available through 2009 to start any other projects.

Speaking to Ms. Piercy’s comments regarding the FY05-07 and FY06-09 MTIPs, Mr. Gaydos commented that LTD and local governments had long-term rolling financial plans. He said that LTD had an eight-year financial plan that included budgeting for bus purchases and required entering into contracts for the purchase of that equipment. He said that LTD could lose opportunities for pricing or face regulatory changes for programs in which it was involved if its financial planning was impacted. He said that LTD desired to be a regional partner and continue its strong cooperation with its partners and found it difficult to support any action other than Option A.

Mr. Kelly noted that the Eugene City Council and Mayor Piercy were fully supportive of LTD’s projects in the context of an MTIP that was generally good for the community. He said that MTIP was what he had proposed under Option C but the MTIP under Option A could not be supported.

The motion failed, 7:2; Mr. Kelly and Ms. Piercy voting in opposition.

Mr. Papé commented that from his perspective that the OTC took seriously spending taxpayer funds and understood that transportation projects such as the parkway were very complex and required a good deal of time and study. He said the OTC appreciated that the community should express its opinion on those projects and continued to work in a collaborative process with communities across the state. He said it was important for everyone to work within a framework of trust and confidence and because the timeframes for some projects were so large it was difficult from the commission’s standpoint to put taxpayer dollars at risk when local political changes could whipsaw decisions in a manner that placed a project and taxpayer

dollars in significant jeopardy. He said that would be weighed by the OTC as it awaited decisions in the community. He said that having a collaborative process meant confidence and trust in partners in order to move forward.

Ms. Piercy reiterated that Eugene cared about the partnerships and understood there were consequences to the action, but believed Eugene was not the first community to find a project unacceptable.

Mr. Green asked for clarification that failing to act on either option A or C meant the FY05-07 MTIP would remain in place until March 2007 and the MPC would take no action until that time. Mr. Vanderpool responded that the FY05-07 MTIP would remain in force and the latest date that the MPC would have to act on that was March 2007, recognizing that in the meantime none of the other projects for which there might be funds from other sources, such as earmarks, could move forward. Mr. Thompson added that while March 2007 was the latest date for adopting an MTIP that went beyond the current FY05-07 MTIP there were issues in terms of maintaining consistency with the STIP, which was already adopted for FY06-09, and there were issues for funding of projects in the current MTIP in FY06 and FY07 that would have been addressed with adoption of a new MTIP. He noted that Option E would address some of those issues.

Mr. Van Vactor asked if Option E would include projects such as the priority issues mentioned by Mr. Gaydos that were time sensitive. Mr. Thompson said that those projects could be addressed through FY07 by Option E, but not beyond FY07.

Ms. Ballew asked if Option E would add the federally earmarked projects to the FY05-07 MTIP so that the federal funds would be available. Mr. Thompson said that the option would add earmarks that were in the federal transportation bill signed in August 2005 for FY06 and FY07 but not beyond.

Ms. Ballew asked if that option was acceptable to the MPC.

Mr. Green said he would not support that action at the current time but would consider it later. He said the issue before the MPC was whether to remain consistent with its current plan and there should be a discussion at a future meeting about directing staff to prepare materials for other action. He said it was not clear what the consequences of actions taken to date might be.

Ms. Ballew asked if the MPC wanted a report from staff on the impact of delaying the addition of earmarks.

Mr. Kelly expressed concern that the purpose of such a report would be to place a wanted poster on the wall. He said that MPC members understood the seriousness of the actions and the consequences, both positive and negatively, and preferred that staff not spend time on creating such a document. He thought the projects in the MTIP, other than the WEP, were good and important projects to move forward and needed to move forward in the context of an overall beneficial transportation system. He hoped that the MPC could revisit Option C at its December 2005 meeting. He said noted the significant amount of funds spent on the wetlands.

Ms. Piercy said she had avoided characterizing MPC members and looked at each of them as regional partners with respect for their points of view and respect for the entities they represented. She hoped that members would grant her the same consideration. She emphasized that Eugene wanted all of the other projects to go forward and was not holding them hostage. She asked that the WEP be removed so that those projects could move forward.

Mr. Green said that even though MPC members might have full knowledge of the issues he did not assume that their colleagues had that understanding and were tracking the issue as closely, which was why he requested the staff report.

Mr. Scheick commented that there were many good projects in the FY06-09 MTIP, including two OTIA III-funded bridge bundles for repair and replacement of bridges along I-5. He said those were critical investments, not only for the local economy but for the State as well. He said the governor and the legislature had high expectations that those projects would move forward to construction and if they were delayed there could be serious consequences. He said there were other projects in development work that could not get to the construction if the new MTIP was not adopted.

Mr. Taylor asked if the MPC's failure to take affirmative action on any of the options before it would have an effect on the parkway EIS. Mr. Scheick replied that ODOT could continue with environmental work in the absence of MPC action.

Ms. Ballew confirmed that taking no action meant that federal earmarks, ODOT and local Surface Transportation Program-Urban (STP-U) projects would not be amended into either the current or new MTIP.

Mr. Vanderpool indicated it would be helpful to staff to have direction on what, if anything, staff should prepare for the MPC's next meeting on the topic.

Mr. Green acknowledged Ms. Piercy's consistency with her stated position and the position of the Eugene City Council. He said that likewise the County was remaining consistent with the public vote not to pursue an alternative to the parkway and with its relationship with ODOT, OTC and the federal government and it was not the County's intent to hold the WEP hostage to other projects. He hoped there would be an effort to return to the table and discuss reasonable solutions.

Mr. Green, seconded by Mr. Kelly, moved to direct staff to take no action on the FY05-07 MTIP until further direction from the MPC.

Mr. Stewart said that he understood Mr. Kelly's concerns about publicizing the ramifications of the MPC's action but it was important to document and publicize the consequences of the vote so that citizens would know what projects were put on hold and what that meant. He said it was unfortunate if the MPC could not stand up and be accountable to the public for its decisions.

Mr. Kelly said he had no problem with putting the consequences in print but requested that the consequences of moving the parkway forward were also put into print. He did not expect LCOG staff to do that and suggested that 1000 Friends of Oregon could prepare a memorandum on the consequences of moving the parkway forward for inclusion in the MPC's next meeting agenda packet.

Mr. Schwetz pointed out that the entire purpose of an EIS was to develop an objective set of information about the impacts of the parkway project and he recommended that the MPC look to the completion of the SFEIS as the neutral analysis around the consequences and impacts of the project.

The motion passed unanimously, 9:0.

Mr. Kelly left the meeting at 1:25 p.m.

Central Lane Metropolitan Planning Organization (MPO) FY08-11 State Transportation Improvement Program (STIP) Modernization Priorities

Mr. Thompson explained that the agenda packet contained the last adopted set of priorities for the previous STIP cycle and it would be used as the basis for developing the priorities for the FY08-11 STIP process. He noted that the TPC voted to recommend removing the WEP from the large project construction priorities for the FY08-11 STIP process. He reported that the Citizen Advisory Committee, at its November 2, 2005, meeting passed a motion with one dissenting vote to concur with the TPC recommendation to remove the parkway from the STIP priorities for the next cycle. He said that was not necessarily a motion to no longer pursue any funding for the WEP as a priority but simply to say that for this cycle there were other higher priorities. He said the TPC was concerned that leaving the parkway on the list might hold up the process of putting other priorities forward for ODOT to scope and move forward through the STIP process. He said a final set of recommended priorities would be presented to the MPC at its December 2005 meeting.

Comments on FY08-11 STIP Draft Program Levels/Funding Allocations

Mr. Thompson stated that updated information on the program levels and funding allocations had been received after the agenda packet was mailed and was pleased to announce that \$50 to \$51 million would be available in the STIP cycle for modernization instead of the \$23 million reported in the agenda materials. He urged MPC members to provide staff with any additional comments or direction prior to the December 2005 meeting.

Follow-up and MPO Calendar

Report from the Citizen Advisory Committee

Mr. Schwetz noted that the report was posted on the LCOG website.

Report from the Chair

Ms. Ballew reported that the MPO was now a member of the Freight Advisory Committee and also represented on the projects and policy committees.

November 4th Oregon MPO Consortium Meeting

Mr. Schwetz said that a number of informational items were discussed at the meeting, including proposed amendments to the Transportation Planning Rule. He said a discussion of those amendments would be held at a December 1, 2005, meeting of the Land Conservation and Development Commission in Medford. He said that the Oregon Transportation Plan update and interchange guidelines were also discussed at the MPO Consortium meeting.

Ms. Ballew reminded members that the December 8, 2005, MPC meeting would be held at the Springfield City Hall Library Meeting Room.

The meeting was adjourned at 1:30 p.m.

(Recorded by Lynn Taylor)