

MINUTES OF THE METRO COUNCIL MEETING

September 4, 1997

Council Chamber

Councilors Present: Jon Kvistad (Presiding Officer) Ruth McFarland, Susan McLain, Patricia McCaig, Don Morissette, Lisa Naito

Councilors Absent: Ed Washington

Presiding Officer Jon Kvistad called the meeting to order at 2:15 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATION

Art Lewellyn, 3205 SE 8th, Portland, Oregon, Project Designer of L.O.T.I., reviewed his LOTI project's latest development effecting the alignment choice of the South/North Light Rail. He noted that Metro had the latest copies of his plan. He reviewed his map, indicating the regional city of Portland area and how the L.O.T.I. system would grow. Regionally, the L.O.T.I. system stayed entirely on the Southern Pacific Railroad corridor from the Rose Quarter to Oregon City. The streetcar concept supported the Light Rail and TriMet transit systems going into Clackamas Town Center, Milwaukie and Portland. His design was cheaper and less invasive to neighborhoods. The latest development of Portland's end of the L.O.T.I. plan included the design on the eastside, utilizing the Rose Quarter as the transit hub, interfacing with TriMet and the Light Rail. In addition to the Light Rail system serving the transit mall, he recommended building a loop of electric buses, trackless trolleys, running from the Rose Quarter to the downtown mall. The City of Portland was currently reviewed his proposal. In addition to the L.O.T.I. loop he recommended a streetcar running across the Hawthorne Bridge connecting to the central city. He utilized three different systems with advantages of using trackless trolleys, streetcars, and the light rail. He also added that he was against congestion pricing.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. MPAC COMMUNICATIONS

None.

5. CONSENT AGENDA

5.1 Consideration of Metro Council meeting minutes of August 7 and August 14, 1997.

Councilor Morissette requested having the minutes of August 7, 1997 delayed until his verbatim testimony could be included, specifically the section on coast roads. He clearly stated that he thought trying to find alternative ways to get people and commerce to the coast was going to

continue to be primarily through auto transportation and through the roads. The goal of the initiative that he voted against said that they were going to do everything possible to seek other forms to accomplish that objective. He believed that part of this goal would be that the roads needed to be widened.

Presiding Officer Kvistad withdrew the August 7, 1997 meeting minutes until a future date.

Motion: **Councilor McCaig** moved to adopt the Metro Council meeting minutes of August 14, 1997.

Seconded: **Councilor McFarland** seconded the motion.

Vote: The vote was 5 aye/ 0 nay/ 1 abstain. The motion passed with Councilor Naito abstaining.

6. RESOLUTIONS

6.1 Resolution No. 97-2546A, For the Purpose of Endorsing the Traffic Relief Options Task Force Recommendations to Further Evaluate Peak Period Pricing Options.

John Houser, Council Analyst, indicated that this resolution was on the agenda today for a briefing only. Councilor Washington had requested that council receive a briefing prior to the final vote at next week's Council meeting.

Bridget Wiegart, Congestion Pricing Study, Program Supervisor in the Transportation Planning Department reviewed the traffic relief options task force recommendations to further evaluate peak pricing options. The resolution endorsed the primary goal and interim findings of the traffic relief options study. The primary goal was to determine whether or not peak period pricing made sense for the region as a congestion management tool. The process that they were using to evaluate the concept was to examine specific locations and types of implementations. At the end of the study, only if a determination was made that peak period pricing made sense would the region pursue a demonstration project. While they were studying specific options it was important to note that no commitment had been made to implementation at this time. The resolution formally adopted evaluation criteria that was reviewed in January and endorsed the detailed study of 9 options plus a region application developed for analytic purposes. The process provided for public review at key milestones including narrowing the study to three options and the final task force recommendation as to whether or not to proceed with a demonstration project. The transportation department was about half way through the two year study (part of a federal highway administration pilot program on congestion pricing).

She updated the Council on what had been happening around the county in the last year in terms of congestion pricing. As part of the FHA pilot program, San Diego had implemented, on existing HOV lanes, the opportunity for travelers to buy their way in, allowing the city to vary the price dependent upon the time of day. Houston, Arizona, Minneapolis were proposing to congestion price all new capacity. Lane County Florida was offering off peak discounts on a new toll bridge.

In terms of Metro's study, the task force established evaluation criteria and reviewed congested locations last fall. Those decisions were reviewed by the public workshops, TPAC, JPACT and the Metro Council last winter. Over the spring, screening criteria was utilized to narrow the list from 40 to 9. This was done in phases and the process was reviewed by public workshops in June.

The process that was used was the evaluation criteria attached to the resolution were turned into screening criteria for the first phase of the evaluation. There were 40 options originally. The options were first reviewed for transportation performance. 20 options were eliminated based on either a lack of congestion or poor transportation performance. They were not really suitable for relieving congestion. The other remaining 20 options were reviewed against the screening criteria. Utilizing a chart Ms. Wieghart showed which remained and which were eliminated based on the screening criteria. Finance, travel performance, equity, diverted traffic into neighborhoods, and public acceptance were utilized as criteria. Public acceptance was derived from outreach to date which included focus groups, public workshops and presentations. People were much more open and willing to consider options that offered new capacity or provided for an alternative route that was not priced or provided additional transit. Options that provided a new capacity received the highest rating.

The options that were selected had normally high ratings, a few were selected with either medium or bottom third ratings on specific criteria. This was because the task force wanted to maintain a diversity of types. On public acceptance, for example, the I-5 north corridor option, which was the I-5 facility plus all parallel routes at the Columbia Slough did not perform well in terms of projected public acceptance because it was a very comprehensive option. However, the task force wanted to look at all different types at this point in the study.

Councilor McFarland asked about the chart and the two Xs.

Ms. Wieghart explained that the chart was developed for the public workshops in June. At that time, there were 11 options considered. After the workshops, two of these were eliminated based on the feedback at the workshop, indicating the two Xs on the chart. Nine were selected for detailed study after the workshop in June.

Councilor McFarland asked why Hwy. 26 was taken off?

Ms. Wieghart responded that the task force wanted to maintain a diversity of geographic locations and types. There were two options on Hwy. 26, one being the spot at the tunnel which was all lanes at the tunnel and the other was a single lane, partial facility. The second option performed better on two of the criteria as compared to the first option.

Included in the council packet was a list of color coded options. Green represented partial facility (a single lane or an express lane), the blue represented the whole facility (all lanes of that facility are toll), yellow represented a spot where there was a single chock point across all lanes of traffic, magenta represented corridor (the main facility as well as parallel arterials), and red represented the cross hatching area. Number 1 was a partial facility from downtown Portland to 99W. This concept involved taking a lane from the non peak direction and turning it around, creating a reversible lane in the peak direction so there would be four lanes in the peak and two in the off peak, one of the lanes in the peak was an express lane that was tolled. This option came about because it was extremely difficult to expand I-5 at that point in the freeway. Number 3 was the only whole facility that had been selected, I-5 South from Terwilliger to Wilsonville involving some added capacity on a short section from downtown to Terwilliger. The next option was the corridor option, the only corridor option selected for further study, was on I-5 North from downtown to Delta Park with the parallels being tolled at the Columbia Slough.

Councilor Morissette asked why no lane widening was listed on Option 6?

Ms. Wieghart said that had come up as a question a lot. They would be posing this question to the task force. There were 40 options to begin with, some included new capacity and some did not, this particular corridor option on I-5 did not happen to have the new capacity. Some of the others on I-5 did, it might be a possibility that they could add the widening option back to Option 6. There was the factor of the cost, would it hurt the performance?

Councilor Morissette said he understood why Number 1 would not use widening as an option, there was no place to widen. However, Number 6 he felt there were some widening options available and it would be remiss for the group to go out and study a corridor without looking at all of the options. He felt there was definitely a mistake on Number 6. The proposal that was moving forward was to keep going on with the current process and analyze it. Councilor Morissette wished to separate those two options, when there was an option without geographic constraints, the task force should not limit their ability to also look at additional lane widenings in the process of this review. The task force did not want to get to an answer that hadn't looked at all of the best possible solutions. Numbers 6 and 17 were two that did not fit the criteria of having an "N" on Exhibit A.

Ms. Wieghart reviewed #8, which was the I-84 from downtown to 207th Street, a partial facility with the same concept as I-5, a reverse lane taken from the non peak direction because of the constraints in that corridor. It would involve some additional widening around the Hwy. 205 entrance to make it from two lanes to three lanes. Number 11 was Sunset Hwy. just west of the tunnel to 185th Street. This was a partial facility but involved new lanes. There were already three lanes in each direction for some sections of Hwy. 26, but for the most part, those were in the process of being added or contemplated in the Regional Transportation Plan but not funded. What this proposal would do was to complete the widening to three lanes and toll the third lane in each direction during peak periods. Hwy. 217 was a similar concept to 12B, it went from Sunset to I-5 and involved a new lane the full length in each direction. This was also in the Regional Transportation Plan but not currently funded.

McLoughlin was from the Ross Island Bridge to Hwy. 224. It was also a partial facility and involved a section of new lane construction as well as taking a section that already had three lanes and pricing one of those lanes. Number 17 was the only spot facility that had been selected, Macadam or Hwy. 43, just north and south of the Sellwood Bridge. One of the reasons that new capacity was not included in that was the constraints in that area, widening Macadam was not in the Regional Transportation Plan due to all of the development along side the road. Sellwood Bridge was being considered for widening. The concept for number 17 was to see if you could manage the flow of traffic without having to undergo the disruption involved in widening the Sellwood Bridge.

Councilor Morissette said that he could see that there would be no option to the north of Sellwood Bridge, but to the south of the Sellwood Bridge there was an option, without a whole lot of disruptions, to accommodate the potential for looking at the option of additional lane capacity.

Councilor McLain said this was problematic. The Transportation Committee pointed out the pros and cons of Number 17. How did it hurt the town center or the main street concepts that were involved in the 2040 Growth Concept work. There was quite a bit of dialogue on the record indicating that the committee thought that both increasing lane capacity and not increasing lane capacity had quite a few debatable issues. She thought this dialogue had been added to the conversation on future study.

Ms. Wieghart indicated that these results did not prevent a study of any other alternatives. She suggested in response to Councilor Morissette's and McLain's concerns that these options were being analyzed from an engineering standpoint and may evolve as they found out more. Perhaps the solution was to make it clear that there was room for modification.

Councilor Morissette said that this would be great. When he saw the "N" in the new lanes, representing a "no" that suggests to him that Metro had already done the research and it was being excluded. He suggested his recommendation should not be excluded at this point.

Ms. Wieghart said that the last one was Number 20, the Beaverton area option. It was the only "area" option that was currently under consideration. It involved pricing of an entire regional center. A lot of questions were asked about whether just the through traffic would be priced or the trips also destined for the area. They were sensitive to these issues, they did not want to hurt the retail businesses in that area and would be looking at this as a part of the evaluation for adoption.

Councilor McLain said that there were some issues with some of these 9 projects, they would like to see more detailed work on several of these options. To do this they must limit their scope because Metro did not have unlimited funds for this study or time. Her concern was #20 and it was a concern of the Transportation Department too. Ahe has had an opportunity to talk with some of the advisory group members. This option was a very close vote. There was not an overwhelming feeling that this was a good idea to continue number 20 just because it was a different type of project. Some of her concern was if this project was so different and so far off to left field that they already know things that would not make it successful, why were they continuing it. She had made this comment at the Transportation Committee and she felt that this was one reason why she could not vote for that piece of the resolution. She thought there was too much controversy at the advisory level to consider it a good project. They had also talked about this option at JPACT. The Mayor of Beaverton suggested that it would be nice to do some work on this option because they got more information on that regional center. She was not sure she would vote or support this type of a project. She felt this option was one that needed to be reviewed thoroughly by the Council over the next week. She felt that Option 20 was utilizing the funds inappropriately and spreading Metro too thin.

Councilor McFarland asked Councilor McLain or Ms. Wieghart if this was the only option in the Beaverton area?

Ms. Wieghart responded that it was the only area with the pricing concept but there were other Beaverton options being considered.

Presiding Officer Kvistad clarified that this was a different type of congestion pricing, taking the entire area.

Councilor McFarland asked Councilor McLain if they were not considering any other approaches in that area, did that suggest leaving this option in.

Councilor McLain responded that they were using the term "area" not as "the Beaverton area" but rather using the word in as an option description such as spots, partial corridors, full corridors or an area where the whole city of Beaverton as a regional center was being considered. This was the only "area type" option in the region but several other options were being represented in the Beaverton area such as the Hwy. 217 and Hwy. 26 examples. The westside had not been left out.

Councilor McFarland noted the two different definitions being utilized.

Councilor Morissette clarified on Numbers 6 and 17, it was important to look at all of the options. He was not looking to add options but rather not to exclude options when studying the various areas.

Councilor McLain said she would support Councilor Morissette's issue and that she indicated that the Y/N allowed for further options as the department went forward in the study. She thought the whole purpose of this study was not to philosophically say that congestion pricing was interesting but rather look for successful ideas and projects. If Metro was going to do this study then they should be taking off the list those options that they knew were not going to be successful in this particular situation.

Ms. Wieghart said she understood Councilor McLain's point and noted the JPACT concerns which was reflected in the staff report. The agreement at the JPACT meeting was that JPACT approved the resolution as it was but wanted the concerns taken to the task force. She was planning to take those concerns to the next task force meeting on September 11th. She added that she would also include the Council's as well as JPACT's concerns.

Councilor McLain said this task force was set up to make recommendations to the Metro Council. She thought that the Council did not want to predispose their information or advise but there were limited dollars and funds that could be spent on the task force. There was also limited staff hours that could be spent on these projects. She thought the strong message was that the Council wanted to utilize the study well and come up with more definitive information at the end of the study. So, as far as the task force not changing their option or vote, she could understand that. But when the Council voted, there would be some councilors who would be lobbying to vote against Project 20.

Ms. Wieghart noted that attached to the packet there was a list of presentations that the speakers bureau had made so far and she said they would be stepping up the process this fall beginning in September and October with the city councils. A letter had gone out requesting briefings. The dates were starting to be scheduled now.

7. COUNCILOR COMMUNICATION

7.1 **Resolution No. 97-2554**, For the Purpose of Establishing Metro Council Guidelines and Standards for Submission of Written and Oral Public Testimony, Constituent Correspondence, other Externally Generated Documentation, and Internally Generated Documentation for Inclusion in the Decision Record.

Presiding Officer Kvistad reviewed Resolution No. 97-2554. He asked that the council review this resolution which he and staff had put together. This was to put in place a way in which to handle public testimony. Over the last few years, there had been much public testimony come into the agency. It was important to identify the types of testimony, how it should be received into the record and for what duration that testimony would be retained. He noted that the resolution would be on next week's agenda as an action item. He asked that any changes or recommendations be directed to Ms. Billington.

Councilor McCaig asked why it was not being referred to a committee and following a normal pattern.

Presiding Officer Kvistad indicated that on a resolution they could just come directly to council however the Council was going into public hearings next week. There was no action time for this resolution to go to committee prior to the public hearings. Because this resolution was coming from the Presiding Officer and Council staff, he brought it directly to council.

Councilor McCaig asked if the resolution had been reviewed by anyone outside the council?

Presiding Officer Kvistad said that it had been reviewed by the Office of General Counsel as well as being before the council for review over the next week.

Councilor Naito said that she did not question the need to have some policy in place. She knew that in reference to the land use appeals, it had been a nightmare for staff to try and get the records together. She also recognized that there were some individuals who would be aware of the requirements and be able to conform their testimony to the Council's requirements. However, there were members of the public and the Council was actively encourage their participation. They would not be aware of this and she did not want anything to be a stumbling block for people who wanted to be involved in the process. She did not think this was a good idea to move this quickly, she thought the council should weigh the pros and cons and move forward with due speed but she felt it should go through the ordinary committee process and have some review.

Councilor McFarland said she believed that there was a need for this resolution. Just this week she indicated in her committee that several individuals had asked why a certain letter was not in the packet. She found that this letter was in her e-mail but this did not make it available to the people who came in to testify and wanted to verify that the letter had been received. She was inclined to agree with Councilor Naito that it should not be done precipitously. She felt it needed to be an effective policy and from then on when people asked what had happened a document, the policy could be shown and the council could say fairly that this was what had been done with the document and who it had been made available to. Those individuals that testified at her committee were concerned that it had been circular filed and that the letter was not being paid attention to. She did not want to do this action precipitously.

Councilor McLain said she understood the Presiding Officer's feeling of need to get this resolution out now. She supported this, there would be close to twenty meetings coming up in the next three months where this would be an important document. She was hoping to find a win/win for both sides. Looking at the resolution briefly, she did not see anything that looked like there was something that would be dealt with that would be extremely controversial. She planned on looking at this resolution over the next week closely so that she could bring back amendments if necessary. She did believe that the committee process should be utilized. She suggested going forward with this package and suggested taking out anything that council thought needed more work. If it needed more work, then that part of the document should be sent to the committee process and allow there to be amendments to the document as presented today. She felt that going into the hearings in the next three months without the document in hand would bring more criticism than a document that was general and would be added to through the committee process. It was her hope that the Council could pull together behind the Presiding Officer and pull this document together in a general sense for the next meeting so that the Council could vote on it and then take it to the Government Affairs Committee so that chair and committee could look at the areas that they thought were still controversial. She did not think that just because the Council was asked to do work on a short string did not mean it was bad work. It meant that it had been prioritized as important to the work ahead.

Councilor Naito commented that her expression of her opinion was in no way a reflection against the Presiding Officer. She was simply expressing her views about what should happen. She commended him for bringing this forward. As she said earlier she did believe this was a good thing to move forward but this was an open discussion on what the process should be to deal with the resolution.

Presiding Officer Kvistad said that he was not taking any offense what so ever. The resolution had been worked on over the last several weeks while the Council was on recess. This was the first opportunity that he had had to present it to the Council so that they had an idea of what had been developed. It had taken a lot of work in conjunction with legal counsel to have to document completed by today. This was why the Council had a week for review. He believed there was nothing in the resolution that was cast in stone, much of the resolution had to do with definitions and flow of process. How to make the process better had been discussed over the last few month by most councilors. If Council had any questions he suggested directing those to Ms. Billington. He felt staff had done a pretty good job. The department was open for comments, questions and review.

Councilor Morissette said that he had a process point. It was wrong to have a Council meeting if the Council was getting a the briefing and no action items. He hoped that in the future for briefings that they would be in conjunction with action items so that the Council was actually performing the work that they were elected to do. He noted a conflict on his schedule with the Gresham, September 18, 1997 public hearing. He would not be able to attend that meeting.

Councilor McLain noted a letter in front of the council today, dated September 5, 1997. She said anyone who attended the last JPACT meeting had heard conversation about this letter. Metro was having an opportunity to look at the Transportation Growth Management (TGM) grants that ODOT was looking at and reviewing using specific criteria or ranking. Metro had an opportunity every year to score along with the ODOT staff if Metro felt that these particular projects were helping us in carrying out the land use and growth concept in the area. She noted the category 1, 2, and 3 grants and the comments made by Executive after staff review. She said there was a list of the projects on page 3 and 4. She indicated that there were several books that the council could utilize if they wished to know more about the general projects, comparing the application and the information with the rankings on the sheet. She would like to see both the Executive Officer and the Presiding Officer go forward and send a joint letter from both the executive and the council that they supported projects and money which supported these very important criteria for the 2040 Growth Concept. It would be her hope there would be a nod of the head from the council that would possibly indicate if there were any problems with having a joint letter sent. She said Mike Hoglund had been given three weeks to review the projects. There was a timeline that ODOT had put on the agency that caused the agency to get the letter in as quickly as possible.

Councilor McFarland responded to Councilor Morissette that she normally agreed with him that the council not have council meeting strictly for briefings but there was an action item that was done today in the Finance Committee.

Councilor McLain said that the letter must be in September 15th. If councilors were wanting to look at the book or talk to Transportation or Land Use staff, they had at least one week to do that. There was no need for any nodding of the head or motion today. It would be helpful if councilors would let staff know if councilors had an issue. This allowed a week to work on any of those issues.

Councilor Naito said she would review it prior to it being mailed but she was not prepared to give a vote today.

Councilor McCaig said that she was at the JPACT committee and heard the briefing and felt that these items should be on the agenda so not only did councilors know but the public knew as well.

Councilor McCaig said she will be unable to attend September 18, the Gresham public hearing.

8. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Kvistad adjourned the meeting at 2:45 p.m.

Prepared by,

Chris Billington
Clerk of the Council

Document Number	Document Date	Document Title	TO/FROM
090497c-01	undated	Resolution No. 97-2554, Standards and guidelines for receiving public testimony	Council/Presiding Officer Kvistad
090497c-02	undated	LOTI Project update	Council/Art Lewellyn
090497c-03	9/5/97	Letter concerning Metro Comments on 97-99 Transportation Growth Management (TGM) Program	Rahman, TGM Grant Manager, ODOT, and Cortright, TGM Program Manager, DLCD/Kvistad and Burton