

JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION

August 12, 2004

<u>MEMBERS PRESENT</u>	<u>AFFILIATION</u>
Rod Park	Metro Council
Matthew Garrett	Oregon Department of Transportation (ODOT – Region 1)
Fred Hansen	TriMet
Rob Drake	City of Beaverton, representing Cities of Washington County
Rod Monroe	Metro Council
Bill Kenemer	Clackamas County
Stephanie Hallock	Oregon Department of Environmental Quality (DEQ)
Don Wagner	Washington State Department of Transportation (WSDOT)
Roy Rogers	Washington County
Jim Francesconi	City of Portland
Larry Haverkamp	City of Gresham, representing Cities of Multnomah County
Karl Rohde	City of Lake Oswego, representing Cities of Clackamas County
Rex Burkholder	Metro Council
Bill Wyatt	Port of Portland

<u>MEMBERS ABSENT</u>	<u>AFFILIATION</u>
Maria Rojo de Steffey	Multnomah County
Judith Stanton	Clark County
Royce Pollard	City of Vancouver

<u>ALTERNATES PRESENT</u>	<u>AFFILIATION</u>
Dean Lookingbill	SW Washington RTC

<u>GUESTS PRESENT</u>	<u>AFFILIATION</u>
Kathy Busse	Washington County
Laurel Wentworth	City of Portland
Richard Gray	City of Portland
Steve Clark	Community Newspapers
Edward Barnes	Washington State Department of Transportation (WSDOT)
Mark Garrity	Washington State Department of Transportation (WSDOT)
Dave Nordberg	Oregon Department of Environmental Quality (DEQ)
Dick Pedersen	Oregon Department of Environmental Quality (DEQ)
Ron Papsdorf	City of Gresham
Jim Leahy	
John Rist	Clackamas County
Karen Schilling	Multnomah County
Olivia Clark	TriMet

GUESTS PRESENT

AFFILIATION

Phil Selinger	TriMet
Ann Gardner	Schnitzer Investment
Jef Dalin	City of Cornelius
Robin Katz	Port of Portland
Lenny Anderson	Swan Island TMA
Rebecca Eistminger	Port of Vancouver
John Fratt	Port of Vancouver
Danielle Cowan	City of Wilsonville
Jeff King	City of Milwaukie
Rob De Graff	Oregon Department of Transportation
Deborah Murdock	Portland State University
Lainie Smith	Oregon Department of Transportation (ODOT - Region 1)
Mike Clark	Washington State Department of Transportation

STAFF

Richard Brandman	Renée Castilla	Andy Cotugno	Tom Kloster	Ted Leybold
Lance Lindahl	Randy Tucker	Mark Turpel	Patty Unfred	Montgomery

I. CALL TO ORDER AND DECLARATION OF A QUORUM

Chair Rod Park called the meeting to order and declared a quorum at 7:19 a.m.

II. CITIZEN COMMUNICATIONS TO JPACT ON NON-AGENDA ITEMS

There were no citizen communications.

III. REVIEW OF MINUTES

ACTION TAKEN: Mr. Fred Hansen moved to approve the meeting minutes of June 10, 2004. The motion passed.

ACTION TAKEN: Councilor Rex Burkholder moved and Commissioner Roy Rogers seconded the motion to approve the meeting minutes of July 8, 2004 as amended. The motion passed.

IV. RESOLUTION NO. 04-3469 UPDATED BYLAWS FOR THE TPAC THAT FORMALIZE NEW TECHNICAL SUBCOMMITTEES

Tom Kloster presented Resolution No. 04-3469 (included as part of this meeting record).

Commissioner Roy Rogers directed the committee members to Article V of Exhibit A. He expressed concern that establishing subcommittees without bylaws may make the subcommittees seem unprofessional.

Mr. Tom Kloster stated that any of the subcommittees that are established without bylaws would be viewed as short-term committees set up for specific purposes and would end in less than six months.

Chair Rod Park stated that the language could be rephrased to say that a subcommittee could not be formed without bylaws if the committee was going to operate for longer than six months.

Mr. Matthew Garrett stated that it was important that the purpose and responsibility of the temporary subcommittees be transparent.

Mr. Tom Kloster stated that there are committees that TPAC wanted to sanction officially and require bylaws of them. He directed the committee members to Exhibit A.

Mr. Don Wagner asked that the Port of Vancouver be listed as a non-voting associate member and have a place at the table.

Mr. John Fratt, Port of Vancouver, stated that he participates through the Bi-State committee of JPACT but would like to be able to participate at the TPAC table.

Chair Rod Park asked staff for explanation of the distinction between the Port of Portland and their status with TPAC vs. the Port of Vancouver.

Mr. Tom Kloster stated that there are other committees in Washington where the Port of Vancouver has a voice.

Chair Rod Park stated that it was important to formalize the ties through bi-state coordination, thereby formalizing the Port of Vancouver's status on TPAC and having the Port of Portland included in Washington's committees.

ACTION TAKEN: Mr. Don Wagner moved and Councilor Rex Burkholder seconded the motion to add the Port of Vancouver as a non-voting associate member. The motion passed.

ACTION TAKEN: Commissioner Roy Rogers moved and Mr. Matthew Garrett seconded the motion to add the importance of transparency to the subcommittees. The motion passed.

ACTION TAKEN: Commissioner Roy Rogers moved and Mr. Matthew Garrett seconded the motion to approve Resolution No. 04-3469. The motion passed.

V. RECOMMENDATIONS TO JPACT FOR NARROWING THE TRANSPORTATION ENHANCEMENT APPLICATIONS FOR FURTHER CONSIDERATION

Ted Leybold presented recommendations to JPACT for narrowing the transportation enhancement applications for further consideration (included as part of this meeting record).

Chair Rod Park asked for explanation regarding the TE process and if it was different than normal.

Ted Leybold explained that during the MTIP process staff receives full applications that are evaluated on their technical merits and travel forecasting models. He said that once staff has reviewed the applications, they are brought through TPAC for further review which allows for TPAC members to provide further corrections and comments prior to the JPACT decision making process. He stated that the TE application timeline was constrained. Thus staff was forced to shorten review.

Mr. Matthew Garrett asked for explanation of the Oregon City project and the eight applications on the recommended list compared to the seven allotted spots.

Mr. Ted Leybold stated that based upon the pre-application, there had been an initial concern by staff at the TE level (state) that the Oregon City project would not be eligible. Further, it remains difficult for staff to review the project without the full application. Therefore the TE staff has warned Oregon City that their project may not be eligible. If Oregon City cannot make their eligibility then they would fall off of the recommended, leaving seven applicants.

Mr. Matthew Garrett stated that a project could be bumped from the recommended list to the alternate list if Oregon City does make their case for the project. He stated that what the TE staff would do with the other project would be up to them. He said that after the TE process runs its course, he has to sign off of the applicants. Thus, he would probably abstain from the vote.

Mr. Fred Hansen recommended that one of the two alternate projects, TV Hwy, move up the list to the recommended projects. Further, he would ask the City of Portland to rank their projects by priority from their perspective.

Councilor Karl Rohde expressed concern that there was no supporting documentation included or any explanation of how the projects ranked against the criteria given.

Chair Rod Park replied that ODOT requested staff to narrow the projects by the pre-application summary.

Councilor Karl Rohde stated that the purpose of bypassing TPAC was to give staff time to review the projects and provide the necessary information to JPACT for the decision making process.

Chair Rod Park commented that there was a very short timeline for staff to be able to review the projects.

Councilor Karl Rohde reiterated that staff did not have any backup or explanation for their decisions.

Mr. Ted Leybold stated that staff did not have enough information to adequately use the state point system. Therefore, he had four staff people including himself read through the pre-applications submitted and rank them based upon what they thought were the best projects. Then they compared the four lists and where they found consensus is how they ranked. He said that the deadline to submit the pre-application was July 9, 2004 and explained that each jurisdiction had to submit their notice of intent, amount of funds requested and short project description.

Councilor Larry Haverkamp concurred with Councilor Rohde and expressed concern that more information was not taken into account when ranking the projects.

Ms. Stephanie Hallock stated that staff has said that the pre-application process and the review time was inadequate. She asked if there was time in the ODOT process for Metro staff to be able to see the full applications and provide a qualified recommendation back to JPACT.

Mr. Matthew Garrett stated that the timing of the STIP process is the issue.

Ms. Pat Fisher stated that there is an issue of timing because they are trying to sync the TE process with the STIP and its public comment period. In addition, they had to wait for comments from the OTC on how much money the program would have, what the focus areas would be, etc. She explained that the intent of the screening process was to limit the number of applications coming forward to the TE committee. She said that her committee members were not looking for a ranked list but a list of applicants that would be able to submit their full application in September. She said that using the Metro priorities process to determine which of the applications would go forward was to prevent a situation where a project would score very high with the Enhancement Committee but not be a priority to the region.

Commissioner Jim Francesconi asked if there could be more projects added to the list.

Ms. Pat Fisher replied that she could ask the Advisory Committee to allow more alternates.

ACTION TAKEN: Mr. Fred Hansen moved and Mayor Rob Drake seconded the motion to approve the full list of Transportation Enhancement recommended projects and alternates.

ACTION TAKEN: Mr. Fred Hansen moved and Commissioner Roy Rogers seconded the motion to move the Tualatin Valley Highway project from the alternate list to the recommended list. The motion passed with Mr. Matthew Garrett abstaining.

Chair Rod Park stated that he trusted that Metro staff reviewed the projects to the best of their ability and had good reasons to select the projects that they did.

Ms. Pat Fisher stated that there should be time for Metro staff to review the full applications before the next JPACT meeting if the JPACT wanted all of the interested jurisdictions to submit full applications.

Mr. Richard Brandman stated that the timeline does not allow ODOT to give the applications to Metro staff in time to review. He said that the jurisdictions would have to submit the full applications within one week of the conclusion of the August JPACT meeting in order for staff to review.

ACTION TAKEN: Mr. Fred Hansen moved and Mr. Matthew Garrett seconded the motion that the City of Portland prioritizes their projects.

Councilor Rex Burkholder commented that it seems reasonable that since half of the population lives in the City of Portland, that half of the projects moving forward would benefit half the population. He said it was JPACT's responsibility to support those citizens.

Mr. Fred Hansen replied that it was not unfair to ask a jurisdiction to prioritize their projects for a regional process.

Councilor Rex Burkholder stated that all of the projects on the list are good projects and further stated that JPACT should be jurisdiction blind.

Ms. Pat Fisher stated that their office does not need a ranking. She further stated that the region is not guaranteed two projects, that it is a statewide competition. She said the region could end up with more than two projects selected or none at all.

Councilor Rod Monroe stated that all of the projects should be ranked.

Mayor Rob Drake stated that he understood that the projects were ranked to begin with.

Chair Rod Park stated that the projects were ranked by consensus.

ACTION TAKEN: The motion to request the City of Portland to prioritize their projects failed with the following vote:

Voting yes: Mr. Matthew Garrett, Mr. Fred Hansen, Mayor Rob Drake, Councilor Larry Haverkamp, Councilor Karl Rohde, and Commissioner Roy Rogers.

Voting No: Councilor Rod Monroe, Mr. Bill Wyatt, Mr. Dean Lookingbill, Councilor Rex Burkholder, Commissioner Jim Francesconi, Ms. Stephanie Hallock, Mr. Don Wagner, Mr. Bill Wyatt, and Commissioner Bill Kennemer.

ACTION TAKEN: The motion to approve the Transportation Enhancement list as amended passed with Councilors Larry Haverkamp and Karl Rohde voting no and Mr. Matthew Garrett abstaining.

VI. RECOMMENDATIONS FOR THE DRAFT 06-09 STIP

Matthew Garrett presented the Recommendations for the Draft 06-09 STIP (included as part of this meeting record).

Commission Roy Rogers commended ODOT for their willingness to assist with the funding stream for the Sellwood Bridge. However, he explained that Washington County has consistently looked at JPACT as a principled group with an obligation to help regional projects. He expressed concern that there has been no discussion regarding the funding sources for the Sellwood Bridge project, i.e. match monies. He asked the committee if they were aware of what Multnomah County's financial contribution would be.

Councilor Rod Monroe stated that he has been having several conversations with Commissioner Rojo de Steffey in addition to interested stakeholders, i.e. freight and neighborhood leaders. He said that several thought differences between groups has blocked the bridge replacement and now that the bridge has a ten ton limit and is a major transit route for the region, a compromise

must be found. He said that Metro is committed to finding resolution for this severe bridge issue.

Commissioner Jim Francesconi concurred that the Sellwood Bridge is important to the entire region. He further stated that he has been having conversations with the Commissioner and Brant Williams regarding whether the County should be in the bridge business at all. He also said that there has been discussion on a gas tax to be directed toward the replacement of the Sellwood Bridge. He said that the City of Portland does not have the match for the project and that Multnomah County is having a hard time with the match as well.

Commissioner Roy Rogers stated that he is sensitive to the hard financial details that both the City of Portland and Multnomah County are facing. However, that said, Washington County has several hundreds of bridges that deal with commerce and moving people and that could be defined as regional facilities. He said that it has been difficult for him to agree that the Sellwood Bridge is more important than any other bridge in their jurisdiction considering that the interested parties have no idea how the bridge replacement would be funded.

Mr. Matthew Garrett stated that he appreciated all of the comments because they lead to better-informed decisions. He said that he confidant that Multnomah County would be able to identify funding for a full Environmental Impact Statement.

Councilor Rex Burkholder expressed his concern that the region did not receive its fair share of funding at the OTC and suggested advocating with the OTC, legislature and the Governor for an increase share of the MOD dollars for the region.

Mr. Matthew Garrett stated that the region received 47% of the freight funding, had two earmarks fully funded and received 38% of the mod/equity split. He said that the region did not receive much in the statewide significance category simply because the region did not have projects ready to go whereas other regions did. Therefore, the OTC made the decision to fully fund those other projects, Highway 20 and Highway 62. He said that the region needed to move projects into ready mode so that it can take advantage of the next funding cycle.

Councilor Rex Burkholder said that it was important to ensure balance among the regions.

VII. PREPARATION FOR FALL MPO SUMMIT

The discussion for the preparation for the fall MPO summit was held over until the next JPACT meeting.

VIII. AREA COMMISSION ON TRANSPORTATION (ACT) CORRESPONDENCE TO THE OTC

Councilor Rex Burkholder presented the Area Commission on Transportation (ACT) correspondence to the OTC (included as part of this meeting record)

ACTION TAKEN: Councilor Karl Rohde moved and Commissioner Roy Rogers seconded the motion to approve the letter to the OTC regarding an ACT.

Ms. Susie Lahsene expressed concern on how the OTC would react to the region not becoming an ACT as they were asked.

Mayor Rob Drake stated that he had full respect for the state and for ODOT, however the region does get the respect from Salem that it deserves. He said that JPACT as an entity gives them a broad position with equal footing. He said that the region's needs are unique and distinct and becoming an ACT would not make better the situation. He expressed his concern that the region remains a net exporter of dollars and sees less returned. While supporting the state and other regions is important, it still bothers him and hence his support of never becoming an ACT.

Commissioner Jim Francesconi stated that there are two issues that remain. One is whether to become an ACT and the other is whether there should be added business representation on JPACT. He disagreed that the many "part-time" business owners represent the business community fairly. He further stated that if JPACT does formalize the Regional Freight Committee, then it seems logical to appoint a member from that subcommittee to sit on JPACT.

Mr. Matthew Garrett stated that he would vote no on the letter to the OTC because he does not agree that JPACT has worked all of the issues appropriately. He also said that JPACT needed to be better informed on certain issues and with the OTC strongly encouraging ACTs statewide it is important for JPACT to consider resurrecting the conversation.

Commissioner Bill Kennemer commented that the City of Sandy and other areas are investigating their options of becoming an ACT of their own.

Ms. Stephanie Hallock stated that should probably be abstaining from the vote, however does not support changing the structure of JPACT.

ACTION TAKEN: The motion to approve the letter to the OTC regarding ACTs passed with Mr. Matthew Garrett voting no and Ms. Stephanie Hallock abstaining from the vote.

IX. TRANSPORTATION FUNDING STRATEGY

The committee agreed to hold this item until the next regular JPACT meeting.

X. STATUS REPORT ON OXYGENATED FUELS

Ms. Stephanie Hallock stated that DEQ is not ready to make their decision on oxygenated fuels and would rather come back to JPACT after the public comment period has ended and their decision has been made.

Chair Rod Park asked Ms. Hallock to come to the next JPACT meeting prepared to speak briefly on the oxygenated fuels issue.

XI. ADJOURN

There being no further business Chair Park adjourned the meeting at 9:05 a.m.

Respectfully submitted, Renée Castilla