

JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION

July 8, 2004

<u>MEMBERS PRESENT</u>	<u>AFFILIATION</u>
Rod Park	Metro Council
Matthew Garrett	Oregon Department of Transportation (ODOT – Region 1)
Fred Hansen	TriMet
Maria Rojo de Steffey	Multnomah County
Rod Monroe	Metro Council
Bill Kennemer	Clackamas County
Don Wagner	Washington State Department of Transportation (WSDOT)
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
Rob Drake	City of Beaverton, representing Cities of Washington County
Roy Rogers	Washington County

<u>MEMBERS ABSENT</u>	<u>AFFILIATION</u>
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Bill Wyatt	Port of Portland
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<u>ALTERNATES PRESENT</u>	<u>AFFILIATION</u>
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Peter Capell	Clark County
Dick Pedersen	Oregon Department of Environmental Quality (DEQ)
Dean Lookingbill	SW Washington RTC

<u>GUESTS PRESENT</u>	<u>AFFILIATION</u>
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Annette Liebe	Oregon Department of Environmental Quality (DEQ)
Kathy Busse	Washington County
Laurel Wentworth	City of Portland
Dave Nordberg	Oregon Department of Environmental Quality (DEQ)
Audrey O'Brien	Oregon Department of Environmental Quality (DEQ)
Sharon Nasset	
Deborah Murdock	PSU
Mark Garrity	WSDOT
Neil McFarlane	TriMet
Feeney	TriMet
Brian Doherty	Miller Nash
Robin Katz	Port of Portland
Margaret Middleton	City of Beaverton
William Barnes	Citizen
Olivia Clark	TriMet
John Ritz	Clackamas County
Karen Schilling	Multnomah County
Greg Miller	Assoc. Gen. Contractors

John Wiebke  
Tom Curler

City of Hillsboro  
Celilo Group

STAFF PRESENT

Andy Cotugno      Kim Ellis      Ted Leybold      Mark Turpel      Patty Unfred Montgomery  
Cameron Vaughan Tyler

I.      CALL TO ORDER AND DECLARATION OF A QUORUM

Chair Park called the meeting to order and declared a quorum at 7:20 a.m.

II.     CITIZEN COMMUNICATIONS TO JPACT ON NON-AGENDA ITEMS

There were no citizen communications.

III.    REVIEW OF MINUTES

Commissioner Bill Kennemer noted that Commissioner Martha Schrader attended in his absence on May 13, 2004 and was not noted in the attendance roster. In addition, Mr. Fred Hansen submitted additional changes in writing.

ACTION TAKEN: The minutes were approved as amended.

IV.    ORDINANCE NO. 04-1045A

Ms. Kim Ellis explained that the ordinance was an update based on the interim federal Regional Transportation Plan (RTP) which was approved in December 2003.

Mr. Fred Hansen asked whether it included light rail to Vancouver, Washington.

Ms. Kim Ellis replied that it did not.

Councilor Rex Burkholder explained that the Metro Council had asked for a delay on the next RTP until completion of the "Big Look" that the Council is currently undertaking.

Councilor Rod Park added that long-term land use planning would affect transportation planning.

Ms. Kim Ellis noted that the ordinance had gone through a 45-day public comment period and had been approved by both MPAC and TPAC.

ACTION TAKEN: The motion to approve Ordinance No. 04-1045A passed.

V.      RESOLUTION NO. 04-3468

Mr. Andy Cotugno gave an overview of the funding options for I-205 light rail. He explained the handout on potential Senate and House funding packages (included as part of this meeting record). He stated that if the bill were passed in the next three to four months, the total amount would most likely be in between the Senate and House totals. Further, if it is delayed longer than

three to four months, it would most likely be more than the Senate package because of a possible \$.05 gas tax. He further stated that the resolution also acknowledges other funding sources.

Councilor Rod Monroe noted that President Bush could veto both bills, in which case the total could be \$256 billion.

Mr. Andy Cotugno noted that the House package does not include appropriate fixes for maintenance penalties and lack of CMAQ funds. However, the Senate bill includes a fix for maintenance and they are working on a CMAQ fix.

Commissioner Maria Rojo de Steffey expressed support but noted that the County board would not be voting on this until after the City does.

Commissioner Jim Francesconi added that the City Council would move forward and that it was important to set an example for private funding sources to follow.

Councilor Karl Rohde noted that there was some opposition to the resolution and expressed thanks to the various agencies for stepping up to fill the funding gap.

Commissioner Roy Rogers stated that he would support the resolution but expressed concern regarding the long-term commitment of funds and the need to find a balance between funding and project needs.

Commissioner Bill Kennemer asked for a breakdown of the Portland commitment – PSU, Gateway, Lents, etc.

Commissioner Jim Francesconi explained the breakdown to the committee members.

Mr. Fred Hansen echoed Karl's compliments. He referred to Commissioner Rogers' concerns regarding long-term funding and stated that it was important to recognize the federal leverages that the region would be getting in return and further stated that for a project with a useful life of 50 years, an 8-year "mortgage" is not unreasonable.

Councilor Rod Monroe agreed with Commissioner Rogers' comments, but stated that given the realities of Oregon's finances, the region does not have the luxury of funding transportation projects from sales tax or other highway funding sources. Given that, it is remarkable that the region is able to continue to develop a transit structure that is recognized worldwide.

Chair Rod Park asked Mr. Matthew Garrett for clarification that the OTC does have funds invested in the project.

Mr. Matthew Garrett replied that \$23 million has been committed to the project. He further stated that ODOT has contributed the funding because it is committed to the balance of transportation options in this region.

Commissioner Roy Rogers reiterated that at some point, the region would need to grapple with funding and prioritization of projects. He said that because there is a finite source of dollars, a strategic plan is needed for the region.

Councilor Rex Burkholder added an item to the retreat agenda – a capital source for funding.

Commissioner Jim Francesconi agreed with both Commissioner Rogers and Councilor Burkholder and pointed out the unfounded mandate to fund Milwaukie light rail in the future.

Chair Rod Park said that Jay Waldron would be speaking at the retreat about transportation finance.

ACTION TAKEN: Commissioner Bill Kennemer moved and Mr. Fred Hansen seconded the motion to approve Resolution No. 04-3468. The motion passed.

#### VI. RESOLUTION NO. 04-3476

Mr. Andy Cotugno presented Resolution No. 04-3476 (included as part of this meeting record). He further explained that originally MTIP funds were approved for bike lanes on Hall Boulevard. However, the project is turning out to be much more expensive than anticipated so the City of Beaverton has requested that the MTIP funds be transferred to the development of Rose Biggi road to access the Beaverton Round. The latter project also scored well in the last MTIP process, but the Beaverton Round was not yet ready.

Mayor Rob Drake noted that the MTIP funds are regional funds and not the City of Beaverton. However, the Rose Biggi Road project would complete access to the Round. He explained that the Hall Blvd project experienced problems with the intersection, including environmental questions about the properties at the intersection. He said that the timing of the Rose Biggi project coincides well with completion of the Round and further explained the details of how the project would serve the Round.

Councilor Karl Rohde asked whether there were plans to improve bike transit on Hall Blvd.

Mayor Rob Drake answered that the project is shelved for the time being but the City of Beaverton has applied for grants to complete the project. He concurred that it is a missing link in bike lanes. He further stated that the City of Beaverton is committed to completing the project.

Mr. Fred Hansen commended the recognition that the funds were regional and that the transfer request had to be approved by both TPAC and JPACT.

ACTION TAKEN: Commissioner Roy Rogers moved and Commissioner Bill Kennemer seconded the approval of Resolution No. 04-3476. The motion passed.

#### VII. RESOLUTION NO. 04-3475

Mr. Mark Turpel presented Resolution No. 04-3475 (included as part of this meeting record). He said that at the June JPACT meeting, JPACT had decided not to decide the question of MTBE and had asked that it be brought back at a future meeting. He explained that MTBE is a possible carcinogen that combines with water and is difficult to extract once it does contaminate. It is banned in California and Washington. He explained that the resolution is a conditional piece

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stating that if the EQC continues with oxygenated fuel, that JPACT and Metro recommends banning the use of MTBE.

Chair Rod Park clarified that the issue was not whether to support oxygenated fuels, but banning MTBE IF oxygenated fuels are continued.

Mr. Dick Pedersen reported that banning MTBE would not be in the authority of EQC and said that historically EQC has not been involved in legislative matters.

ACTION TAKEN: Councilor Karl Rohde moved and Mayor Rob Drake seconded approval of Resolution No. 04-3475.

*the bans on MTBE in both Washington and California addressed much, but not all, the avenues of MTBE coming into the state.*  
Mr. Fred Hansen pointed out that ~~oxygenated fuel is not the only source of MTBE~~. He *MTBE in Idaho* suggested sending a letter to EQC approving the resolution but supporting the use of oxygenated fuels and asking them to undertake a study to reduce emissions as part of their ~~strategy~~ *could still find its way into Oregon.* He also asked for support of domestically produced oxygenated fuel to reduce dependence on foreign petroleum.

*both air toxic and greenhouse gas*

Chair Rod Park suggested that Mr. Hansen's suggestion be voted on at the August 12, 2004 JPACT meeting.

Councilor Rod Monroe supported Mr. Hansen's language and supported passage of the resolution. He urged banning MTBE altogether.

Councilor Karl Rohde asked for clarification of Mr. Hansen's amendment.

Mr. Fred Hansen re-explained his proposal.

Councilor Karl Rohde agreed that MTBE should be banned to eliminate voluntary addition of MTBE to fuel. As the maker of the motion, Councilor Rohde accepted Mr. Hansen's proposal to include the language in a cover letter accompanying the resolution.

Mr. Brian Doherty, Miller Nash law firm, representing Western States Petroleum stated that DEQ has maintained that oxygenated fuels are not necessary for CO emission standards. He further stated that banning MTBE would increase dependence on ethanol. He explained that modern vehicles have a reduced need for oxygenated fuels because studies show that CO levels continue to go down even after elimination of oxy fuels.

Mr. Tom Curler, Celilo Group stated that he has been involved with the ethanol industry for the last 12 years. He said that he supports JPACT's consideration of the issue. He further stated that his group produced a report on the ability to produce ethanol from cellulose materials and said that there is a huge potential for economic development from ethanol production in Oregon. He asked JPACT not to take a position on the resolution but to wait until August. He said that the cities of Beaverton and Portland have supported continuing oxygenated fuels and he supports the banning of MTBE.

Councilor Larry Haverkamp asked for clarification of the issue involved.

Commissioner Roy Rogers asked for passage of the current resolution with a re-examination of the larger issue in August.

Mr. Andy Cotugno said that JPACT has until September to pass the resolution.

ACTION TAKEN: The committee agreed that Resolution No. 04-3475 would be held over until the August 12, 2004 JPACT meeting for further discussion.

#### VIII. PROPOSED ODOT TRANSPORTATION ENHANCEMENTS SCREENING PROCESS

Mr. Ted Leybold presented the Proposed ODOT Transportation Enhancements Screening Process (included as part of this meeting record). He stated that JPACT has been asked to screen the projects down to seven applications and two alternates and that the screening must be completed by September 10, 2004. He said that letters of intent to apply are due July 9, 2004. He explained that TPAC recommended Option One of the following:

- 1) TPAC would screen applications
- 2) Staff take recommendations directly to Council
- 3) No screening. Ask TE for suballocation and JPACT will allocate funds to projects.

Councilor Karl Rohde asked about the timing of the resolution and why was it was not brought to JPACT earlier.

Mr. Ted Leybold responded that the formal schedule was not delivered until last month.

Councilor Karl Rohde expressed disappointment that after the problems with the last TE screening process, a formal policy and process had still not been developed.

As the next JPACT meeting is scheduled for August 12, 2004. Mr. Ted Leybold asked for a decision on which option JPACT would go with to be made by that time.

Chair Rod Park talked about staff concerns with regard to the initial screening until it becomes final.

Mr. Ted Leybold stated that the narrowing down of options has helped in determining what program is funded.

Mr. Fred Hansen stated that given JPACT has agreed to hold the regular scheduled August 12, 2004 meeting, he would support Councilor Rohde's suggestion of going ahead with Option 2.

#### ACTION TAKEN:

Option 2 was moved and seconded. All supported the motion.

#### IX. MPO SUMMIT DEBRIEF AND NEXT STEPS FOR FALL SUMMIT

stating that if the EQC continues with oxygenated fuel, that JPACT and Metro recommends banning the use of MTBE.

Chair Rod Park clarified that the issue was not whether to support oxygenated fuels, but banning MTBE IF oxygenated fuels are continued.

Mr. Dick Pedersen reported that banning MTBE would not be in the authority of EQC and said that historically EQC has not been involved in legislative matters.

ACTION TAKEN: Councilor Karl Rohde moved and Mayor Rob Drake seconded approval of Resolution No. 04-3475.

Mr. Fred Hansen pointed out that oxygenated fuel is not the only source of MTBE. He suggested sending a letter to EQC approving the resolution but supporting the use of oxygenated fuels and asking them to undertake a study to reduce emissions as part of their CO strategy. He also asked for support of domestically produced oxygenated fuel to reduce dependence on foreign petroleum.

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#### ACTION TAKEN:

Option 2 was moved and seconded. All supported the motion.

#### IX. MPO SUMMIT DEBRIEF AND NEXT STEPS FOR FALL SUMMIT



Councilor Burkholder spoke to the MPO summit and its success and said that there was good attendance from throughout the region. He explained the purpose for having continued meetings of the MPO's because there are shared issues and because more coordination is needed in the State and throughout the urban areas. He also stated that there were questions as to how the ACT/MPO relationship works. He also discussed the critical role of ODOT in all communities, the lack of funding to update boulevards, and the preparation for the development of a joint effort of OTIA 04 and that there is a large need on a local level for more investment. He said that Eugene has offered to host the next MPO Summit in September and that he would be attending a MPO staff meeting at the end of July to discuss and frame how the fall meeting should proceed.

Chair Rod Park asked Dean Lookingbill what he thought of the meeting.

Mr. Dean Lookingbill said the positive part was that rural areas were talking to one another and to those from the urban areas. However, there is a definite divide between rural and urban areas.

Councilor Karl Rohde stated that the MPO in this part of the region has a certain amount of power, however in other parts of the state, they do not and is dependent upon the state for most of their funding.

#### X. TRANSPORTATION FINANCE WORKING GROUP UPDATE

Chair Rod Park stated that Jay Waldron is the chair. He said that there were 35 in attendance at the Portland Business Alliance meeting and the concerns heard at the meeting referenced a disconnect between the transportation issues, freight and the economy. He said that there was discussion about how to better connect the business community with the public. He further stated that Len Bergstein had suggested 2006 or 2008 as being viable times to move ahead for a campaign.

#### JPACT SUMMER RETREAT

Councilor Larry Haverkamp asked about the makeup of the JPACT committee and stated that he would like it and the ACT issue discussed at the JPACT retreat.

Mr. Fred Hansen mentioned his concern of having the agenda allow for more discussion rather than to have a luncheon speaker. At the last retreat, there was not enough time built in for discussion. He suggested that it might be that there should not be a luncheon speaker, but rather provide more time for dialogue. As the agenda is still evolving, decisions could be made as to whether there should be a facilitator or other speakers.

Commissioner Bill Kennemer expressed concern regarding the first two items on the agenda being two-hour presentations. He stated he would like to spend more time on the legislative agenda.

Commissioner Roy Rogers spoke to the fact that the group works well for the small amount of time spent together and it is easier for JPACT to work with complex issues. He said that each member has many needs that are differently framed than those needs of Multnomah County and the City of Portland. He suggested that he would like to have more discussion around this.

Chair Rod Park asked Matthew Garrett about what would change if one of the cities or counties had another 100,000 people, and how it would that effect the money received.

Mr. Matthew Garrett stated that it would likely be impacted on the positive side.

Chair Rod Park challenged the committee members to think about looking at different ideas.

Mr. Matthew Garrett stated that JPACT needed to finesse how the group does their work. At all costs, they should avoid an us vs. them mentality in Salem because this would render the group's work ineffective.

XI. ADJOURN

There being no further business, Chair Park adjourned the meeting at 9:00 a.m.

Respectfully submitted,

Patty Unfred Montgomery

Cameron Vaughan Tyler

Renee Castilla