

MEETING REPORT

DATE OF MEETING: September 14, 2000

GROUP/SUBJECT: **Joint Policy Advisory Committee on Transportation (JPACT)**

MEMBERS PRESENT:

Jon Kvistad, Chair
Grace Crunican
Rob Drake
Andrew Ginsburg
Fred Hansen
Sharron Kelley
Bill Kennemer
Jim Kight
Dave Lohman
Royce Pollard
Craig Pridemore
Karl Rohde
Don Wagner
Ed Washington

AFFILIATION:

Metro
Oregon Department of Transportation (ODOT)
City of Beaverton, representing Cities of Washington County
Oregon Department of Environmental Quality (DEQ)
Tri-Met
Multnomah County
Clackamas County
City of Troutdale, representing Cities of Multnomah County
Port of Portland
City of Vancouver
Clark County, Washington
City of Lake Oswego, representing Cities of Clackamas County
Washington State Department of Transportation (WSDOT)
Metro

GUESTS PRESENT:

Carolyn Tomei, Mayor
Martha Bennett
John Rist
Kathy Lehtola
Dave Williams
Bernie Bottomly
Robert Williams
Ross Williams

AFFILIATION:

City of Milwaukie
City of Milwaukie
Clackamas County
Washington County
ODOT
Tri-Met
Tri-Met Board
Citizens for Sensible Transportation and Coalition for Livable
Future
Port of Portland
ODOT
Southwest Washington RTC
Multnomah County
Multnomah County
City of Gresham
City of Portland
Tri-Met
Tri-Met

Susie Lahsene
Kay Van Sickel
Dean Lookingbill
Karen Schilling
Harold Lasley
Ron Papsdorf
Steve Dotterer
Neil McFarlane
Lynn Peterson

MEDIA:

Bill Stewart The Oregonian

STAFF:

Mike Hoglund
Rooney Barker

John Houser

Pam Peck

SUMMARY:

The meeting was called to order and a quorum declared by Vice-Chair Ed Washington at 7:36 a.m.

MEETING REPORT:

Action taken: Councilor Rohde moved, with a second by Councilor Kight, approval of the meeting report of August 10, 2000. The motion passed unanimously.

RESOLUTION NO. 00-2980A – FOR THE PURPOSE OF AMENDING THE METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM TO INCLUDE SECTION 5309 FUNDS TO CONSTRUCT A NEW MILWAUKIE TRANSIT CENTER

Mike Hoglund summarized the resolution and staff report for the committee, and then introduced Milwaukie Mayor Carolyn Tomei. Mayor Tomei asked the committee for their support on this resolution (her comments are attached to and are a part of this report). Fred Hansen added that the federal government requires a minimum match of 20% and that it should not be exceeded, thus setting a precedent.

Martha Bennett, City of Milwaukie, at the request of Mayor Tomei, responded to a question from Councilor Rohde regarding the letter from the Association of Oregon Rail and Transit Advocates (AORTA) (said letter also submitted to the committee and included as part of this record). The response was specific to AORTA's statement that the branch track at this site is physically and politically impractical. Ms. Bennett said Milwaukie feels it is feasible to run that branch line. She also said she believes the community is supportive of Milwaukie's decision. Mayor Tomei said Milwaukie has been seeking a site for this Transit Center since 1979. They looked at many options and, although this is not an ideal situation, it's the best option they have now and it also provides an anchor for the north end of their downtown plan. She added that the project should proceed now rather than after the South Corridor study is complete. Mayor Tomei then thanked the committee and the Metro Council, as well as, for their consideration of this resolution, as well as Mr. Hansen and Mr. McFarlane of Tri-Met for their assistance.

Commissioner Hales asked Ms. Bennett to explain how a future commuter rail line would tie into this Transit Center, to which Ms. Bennett said the branch line was the Tillamook line, and that it would have to come off line; she did not think that would be a problem. Mayor Tomei added that it wasn't a perfect site, but it's the best they have and it supports Milwaukie's downtown plan.

Mr. Hansen took this opportunity to introduce Bob Williams, of the Tri-Met Board.

Mr. Dave Lohman had a question on access to the 5309 funds with the potential of the ballot measure to limit state spending. Mr. Bernie Bottomly of Tri-Met replied that generally 5309

funds that are discretionary that come to Tri-Met are not incorporated into the state budget, so the 15% state limitation wouldn't apply. He said 5309 funds come straight to Tri-Met. Commissioner Kennemer reaffirmed Clackamas County's excitement about this opportunity. The South Corridor provides 15% of Tri-Met's ridership and he said that there will be more improvements as these enhancements are seen. He said he was pleased to convey Clackamas County's support of the Milwaukie Transit Station. Mayor Drake also supported Milwaukie's request. While he appreciated AORTA's comments, Mayor Drake said Milwaukie did the work that needed to be done and they're the ones who're going to have to implement this, long-term. Mr. Ginsburg asked if anyone had looked at the potential increase in travel time that would be involved by having this configuration, and whether or not it would affect overall demand and use of the system for the commuter rail. Neil McFarlane said overall demand and use of commuter rail aren't very well studied at this time. This transit center is located for other reasons at this very key location. Ms. Bennett said the bus travel times were studied, and there were significantly faster by 3-4 minutes, per trip, than any of the other sites Milwaukie studied before deciding upon this one.

Councilor Rohde said this is no different from what's being looked at in Beaverton for the Beaverton Transit Center, and he doesn't see any opposition in Beaverton. He said he supported this resolution. Mr. Jim Howell of AORTA was invited to speak. He said in 1979 a site was selected on the Tillamook Branch railroad line for a transit center by the Tri-Met planning staff. At that time Milwaukie and Tri-Met decided not to use it, so twenty years later things are back where they were then. AORTA feels strongly about this, he said, because it involves a lot of federal money being spent, as well as local money, and it's being spent on a transit center that AORTA feels will probably be obsolete within five years. He also mentioned that the City of Milwaukie has taken on the burden of a considerable amount of money on the purchase option on the Safeway site. AORTA can only ask that the location of this transit center be put off until a later date.

Mr. Ginsburg asked what the impact would be for the City of Milwaukie if JPACT approved a resolution for the funding but not identify the site at this time. Mayor Tomei said it would negatively affect the whole downtown plan. Craig Pridemore said he understood that it would jeopardize Milwaukie's vision of their downtown, but would it put them in jeopardy of losing federal funding? Mayor Tomei said she assumed that would be so. Mr. Hansen said a specific project needed to be identified for FTA approval. Commissioner Kennemer said these issues had been bantered about for quite some time. This Safeway site had been looked at seriously. Now that there is consensus and stability, as elected officials this ought to be a factor in this committee's determination. To not go forward would be a dramatic mistake.

Mayor Tomei added that Milwaukie held many public hearings on this project, town hall meetings, and they conducted a survey – seventy percent of the people who returned the survey supported this transit center site.

Grace Crunican said an important point for consideration was that there are federal funds for this, the site has been adopted and accepted as the local preference, and it's important that progress be made in Milwaukie. She said she's very supportive of a project that has local support and is very

operational for Tri-Met. Commuter rail, light rail, and other issues can be addressed later, but she thought this project needed to move ahead.

Mr. Hansen, regarding the specific location, said Tri-Met evaluated this and other sites and concluded that this is a very workable one. It will be more difficult if commuter rail is in the picture, but there are a whole series of trade-offs. There is no crystal ball of what's going to happen in 10 or 15 years, and he would not make the judgment that this would be obsolete within five years. This site will work very well no matter what the circumstances are. He said Tri-Met believes that a city, in this case Milwaukie, ought to be able to make their own choice as long as it works practically from Tri-Met's standpoint.

Action taken: Councilor Rohde moved, with a second by Commissioner Kennemer, to approve Resolution No. 00-2980A. The motion passed unanimously.

Chair Kvistad joined the meeting during discussion on the above, but urged Vice-Chair Washington to continue chairing the meeting.

HOUSEKEEPING ITEM: Mr. Hoglund informed the committee that the Transportation Summit 2000 meeting, which includes the region's business community and governmental partners, was scheduled for Thursday, October 12th. Since this is a regularly scheduled JPACT meeting date, the committee agreed to move their next meeting to Thursday, October 19th.

COMMENTS ON DRAFT FEDEARL RULES FOR METROPOLITAN PLANNING, NEPA, AND INTELLIGENT TRANSPORTATION SYSTEMS

Mr. Hoglund called the committee's attention to his memo dated September 6, 2000, regarding Proposed Comments on Federal Planning Rules (buff colored, in the agenda packet). As the memo stated, TPAC recommended that JPACT focus on the broader issues and implications of the rules, and for the purpose of review and discussion, those issues were consolidated in the attachment to the memo. Before reviewing the issues that he suggested be responded to from the region, Mr. Hoglund made clear that any agency or jurisdiction was free to send in their own response and comment. Briefly, Mr. Hoglund addressed the issue of **Cooperative Revenue Forecasting** (p. 2) – the proposal is that there be more teeth in it. We already do that in Oregon and have said so in the response. One difference we suggest be added is an air quality authority, in our case DEQ, into that process.

MPO Long-Range Planning; 20-Year Planning Horizons (p. 3) was next. This is more substantive and is of a little more concern to us. The old rules stated that when you adopted your plan you had to have a 20-year planning horizon, and you needed to update your plan every three years. Theoretically, you could drop back to a 17-year planning horizon. The new rules state you must always have a 20-year horizon, at any time in your planning period. This causes a problem if these rules are adopted quickly because our current plan is a year 2020 plan, so as of January 1st we'd be technically out of date. This would mean we'd have to adopt a new plan if we add any significant projects in the next MTIP cycle, so there's a domino effect on the planning we do. We suggest they maintain current language of the 20-year planning horizon at adoption and update the plan every three years but don't drop below seventeen years. In

addition, though, we've said if they do go with the minimum 20-year planning horizon, at least phase it in and at our next update, we'll do a 23-year plan or a 25-year to make sure we always have a 20-year plan.

At this point, Chair Kvistad assumed leadership of the meeting.

Environmental Justice (p. 3) was the next issue addressed. In the past few years, an Executive Order from the Clinton Administration has come up which takes existing law and makes sure everyone's following it in the way that the administration has interpreted it. Basically, they suggest that all plans, the TIP, and federally funded projects be consistent with Title VI of the Civil Rights Act, the Older Americans Act, and the Americans with Disability Act. This requires plans, programs and projects to be evaluated for their impact on certain communities. We have figured out ways to do that, but we have not yet done it. The issue here is that it's now being put into the rules. TPAC spent a lot of time on this and said it should be more specific or more vague so that we have more local control over how to approach the issue. It's probably going to be played out in the courts, i.e., who's going to be sued first and how that turns out. Case law will probably determine how we'll eventually deal with this. For now, TPAC went with the simpler approach and asked for guidance from the USDOT on how to deal with this issue. At JPACT's October 19th meeting staff will bring back to this committee a work program revision which will include an approach for dealing with this Environmental Justice issue.

The next issue (p. 4), is the **MIS Replacement/NEPA**. (MIS is Major Investment Study.) This was a process in the old rules, and was so confusing that whole concept was dropped. They're now taking another shot at it calling it environmental streamlining. Mr. Hogle said staff thought it was good that they're suggesting that there be a better connection between planning and project analysis or development. TPAC suggests keeping the tie between the purpose and need statement, and supports the goals' environmental streamlining.

The last issue was **Intelligent Transportation Systems (ITS)** (p. 4). The rules say the MPO should be the overseer; we say no, we don't have the technical skills, leave it up to the state and the transit operators.

Mr. Hansen said the committee ought not to be too concerned at this moment, that this is an NPRM, which is a Notice of Proposed Rulemakings and is a solicitation for comment. There will also be a draft rule that will come forward, and then going to a final rule. This oftentimes is the way a federal agency begins to flesh out an idea and begins to think about it. This is a perfect time for us to weigh in, but it's still at least two steps away from anything being drafted.

Ms. Crunican said this process can go rather quickly so she cautioned that it should be taken seriously. She has had a difficult time pinning down the Transportation Department on their intent, so not taking away from Mr. Hansen's comment, she's not sure where they are in the whole process.

Action taken: There was more discussion on the importance of the Environmental Justice issue, and then Councilor Rohde moved, with a second by Mayor Drake, to approve the proposed

comments on the Federal Planning Rules for submittal to the Metro Council. The motion passed unanimously.

COMMUNITY MEDIA PROJECT (OPB)

Ms. Pam Peck of Metro staff gave the committee an update on the Community Media Project, formerly called the Oregon Public Broadcasting (OPB) project. The name of the project was changed, she said, in order to better reflect the project goals. Upon completion, this pilot program will be broadcast on OPB, and will address transportation related and land use issues, and it will be linked to other media. A briefing paper and a list of the Advisory Committee was distributed, as well as a schedule of the project phases. The first phase, which is being accomplished now, is the research part of the agenda, while the second phase will be producing and airing the pilot. The program length is anticipated to be one hour.

Responding to a question regarding the geographic area the program will cover, Ms. Peck said the hope is to air it nationally since it will address growth vs transportation. Mr. Hoglund interjected this is a pilot, that in follow-up programs, other agencies or jurisdictions may sponsor examining other issues, such as education, etc.

A few of the JPACT members expressed concern that the program not be the same as has previously been done, but that something interesting be done, something different, showing real people who do real things. Ms. Peck said this had been discussed at the Advisory Committee a few weeks ago and they were attempting to address this issue as well as making sure people of color were included. Chair Kvistad said there were no members of JPACT included, nor city or county governments, nor people in the know. He said he thought some new people needed to be added to the Advisory Committee. Councilor Washington, agreeing with Ms. Kathy Lehtola, said that this would be a program addressing local growth/transportation issues and yet would be shown statewide on OPB. He said this would be an opportunity to say as much as possible in that one hour program, and it should be devoted to those issues outside the Portland area. Go deep into the northeast and south in the state, include those people because they're facing the same, identical issues we are in this region. It would be nice if we understood the impact of those issues on them. Getting their opinions would make this a lot more saleable. This is a wonderful opportunity, he said, and it's very easy to go to people with whom we're comfortable, but we need to hear from the folks with whom we might not be comfortable. Many times they have a whole lot to say. He clarified for Ms. Peck that this was not a criticism of what the Advisory Committee has done, saying he knew this was a first cut, but he asked that they go back and cut it again. Get out of Portland, he said. This isn't the only place in the state.

Mayor Drake agreed with Chair Kvistad and Councilor Washington, saying it would be nice to include different people. Commissioner Kelley complimented Ms. Peck, and asked how others' efforts, such as Tri-Met's, are connected to this. Ms. Peck replied that there is a budget of only \$25,000 for research, and the team is looking at all the research that all the local jurisdictions are doing and have done, on all the public outreach programs, on the 2040 outreach effort, at people with institutional memories, etc., and building their effort on those. They haven't conducted any new opinion work but have built on previous work in order to save money, and still get a handle on the public's thinking.

Commissioner Kelley urged Ms. Peck to glean all of the activities and thoughts and ideas that were out there, that it was very important to do so. Chair Kvistad added that the Advisory Committee should think outside the box. Ms. Crunican reported that Medford, Grants Pass, Pendleton and Lakeview were some of the state communities with creativity going on relating to how they're approaching land use/transportation decisions, and these communities would be a good source for the Advisory Committee to talk to.

Ms. Peck thanked the committee for their thoughts and input, and said she would come before them with another briefing at a later date.

RTP CONFORMITY APPROACH AND SCHEDULE

Mr. Hoglund called the committee's attention to the two yellow agenda packet inserts, the one-page **2000 Regional Transportation Plan (RTP) moving toward completion**, and the 5-page **2000 RTP, Air Quality Conformity Analysis**. The public comment period on air quality conformity opens October 6th, on a review of those findings will go before TPAC for their tentative action on October 27th.

INFORMATIONAL ITEMS

September 19th is the OTC/JPACT dinner. A draft outline was distributed of a proposed JPACT presentation. Mr. Hoglund explained that this was an opportunity for JPACT to tell the story of what they're doing in the region and will be a good time to provide the messages or issues we want OTC to think about. Mayor Drake asked that his name be removed from the proposed outline as he won't be able to attend.

Chair Kvistad asked the committee if there was any objection to sending to Chuck McLaren, the Mayor of the City of Albany, a letter of support for reinstating the Pioneer train. Ms. Crunican said she thought that was a great idea. Action taken: Mayor Drake moved, with a second by Commissioner Kennemer, to send the support letter to Mayor McLaren. The motion passed unanimously. (At this time, Commissioner Pridemore and Commissioner Hales were absent.)

Ms. Crunican said she assumed everyone knew the Talgo train had been approved.

There being no further business, the meeting was adjourned at 8:48 a.m.

Respectfully submitted,

Rooney Barker
Recording Secretary