

MEETING REPORT

DATE OF MEETING: May 11, 2000

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

PERSONS ATTENDING: Members: Jon Kvistad, Chair, and Rod Monroe and Ed Washington, Metro Council; Roy Rogers, Washington County; Serena Cruz, Multnomah County; Royce Pollard, City of Vancouver; Karl Rohde, Cities of Clackamas County; Rob Drake, Cities of Washington County; Bill Kennemer, Clackamas County; Fred Hansen, Tri-Met; Charlie Hales, City of Portland; Craig Pridemore, Clark County; Don Wagner, Washington State Department of Transportation (WSDOT); Jim Kight, Cities of Multnomah County; Dave Lohman, Port of Portland; Kay Van Sichel, Oregon Department of Transportation (ODOT); Andy Ginsburg, Oregon Department of Environmental Quality (DEQ).

Guests: Scott Rice, City of Cornelius City Council; John Rosenberger, Washington County; Steve Dotterrer, City of Portland; Elsa Coleman, City of Portland; Bernie Bottomly, Tri-Met; Mark Lear, City of Portland; Deb Wallace, C-Tran; Brian Newman, City of Milwaukie; Dean Lookingbill, RTC; Jim Howell, Association of Oregon Rail & Transit Advocates (AORTA); Dan Kaempff, Tualatin TMA; Karen Schilling, Multnomah County; Beckie Lee, Multnomah County; Mary Legry, WSDOT; Marc Zoltan, City of Portland; Lucy Baker, Multnomah County Aging and Disabled Services; Chris Hammond, Central Eastside Industrial Council (CEIC); Michael Bolliger, CEIC; Paul Silver, City of Wilsonville; Steve Kelley, Washington County; Ross Williams, Citizens for Sensible Transportation; Martha Bennett, City of Milwaukie; Bob Stacey, Tri-Met; Tom Markgraf, Congressman Earl Blumenauer's Office; Ron Papsdorf, City of Gresham.

METRO STAFF: Andy Cotugno, Richard Brandman, Christine Deffebach, Ted Leybold, Mike Hoglund.

SUMMARY:

The meeting was called to order and Chair Jon Kvistad declared a quorum.

MEETING REPORT:

The meeting reports of February 10 and March 2, 2000, were moved for approval by Mayor Drake, with a second by Councilor Kight. The motion passed unanimously.

The revised agenda with the accompanying draft resolution 00-2950 was distributed.

RTP: APPROVE RELEASE OF ADOPTION DRAFT FOR PUBLIC COMMENT

The committee reviewed the draft schedule for the Spring 2000 Adoption Timeline without comment, pointing out that May 15th opens the final public comment period which will then close June 29th. The final amendments to the Plan that may result from that comment period will then be brought back to this committee on July. Releasing the document, he said, represents two pieces: the main part of the RTP is the document compiled from the review period this past fall, and the document distributed in today's agenda packet incorporated all the amendments made in December/January 2000. When JPACT approved the resolutions in December and January, we recognized that there were still some unsettled issues and wanted the opportunity to solicit further comment. The Supplemental Revisions document incorporates the revisions included from that comment period. The two documents represent the final public review draft.

Mr. Cotugno explained that the finance piece remains unchanged from the December version, and that some of the information that will be reviewed at this meeting can be refined at the next meeting. If JPACT thinks there is further direction that ought to be set in the RTP, it can be incorporated as the process continues. By the final adoption, there will have been a total of three adjustments to incorporate the amendments and public comments.

Mr. Cotugno said there are quite a few choices that need to be made, and the committee was not meeting today to adopt a final funding plan for the RTP, but to look at a few regional choices and to understand how and whether they will work. He referred to the table, RTP Strategic Transportation System Funding Options (attached to the May 4, 2000, RTP Finance memo included in the agenda packet), which was designed to lay the different parts of funding the RTP (in the left column, A through E), and the four Options were shown. The first Option was the baseline of where we've been heading, pursuing a 2-cent/year gas tax increase at the state level. We would need to pursue 2 cents for maintenance and another 2 cents for modernization if this is the path we follow. That's what's not working, he said, so the three other Options listed are suggestions to emphasize local sources, not just the gas tax source. He expanded on the fact that the traditional funding sources are not working and that transportation funding is low compared to other utilities' funding. Mr. Cotugno said about one-penny-per-year at the local level, plus a \$15/year registration fee, would take care of the maintenance problem if it were applied throughout the region.

In response to a question from Fred Hansen, Mr. Cotugno replied that a penny collected at the state level raises truck taxes that go with it, so the dollar amount raises more but the amount shared back with the region is less because only 40 percent comes back to local governments. The penny raised locally is fully used locally, but it doesn't include trucks. That's why the dollar amounts are not too different but are for different reasons.

Andy Ginsburg asked who would pay the street utilities fee; Mr. Cotugno's response was that the street utilities fee model that is currently being applied in Wilsonville, Tualatin and some down-state cities assess that fee to all developed properties and on a rate schedule based upon traffic generation. The rate shown on the table would be the rate for households, but the rates per thousand square feet of industrial and commercial would vary according to the traffic generation of the industry. There's a fee schedule that would apply to all developed land to take care of maintenance of the system. Councilor Kight asked how that fee was collected, and Mr. Cotugno said it's currently assessed through the local utility bills (sewer, water, stormwater if applicable, and streets).

Mr. Cotugno continued to say that another model being applied was a road maintenance district, a property tax base source, that would amount to about \$6/month on a single-family household. This source would be tied to value where the other source would be tied to traffic. This would be for funding local (city and county) maintenance. In order to fund state maintenance, he said, there are no local sources. Of the two-cent per year state gas tax increase, the share that goes to ODOT essentially would be used for maintenance and preservation of the system. Two cents per year would fully meet the needs; one cent per year would maintain the status quo but not take care of the backlog. There aren't many options except the state gas tax to deal with ODOT maintenance, he said.

If two-cents per year were available, and this would be another two-cents per year, it would fund all of the modernization needs of the RTP. That's not happening, so other sources and combinations of sources were looked at. If there were two-cents per year available at the state level, ODOT would spend their share on maintenance of their system, and there would still be the local share that comes back which could afford to be dedicated to modernization. And the reverse would hold true: if the local source were spent to take care of maintenance, a local source would need to be found to pay for the modernization. If the two cents that comes back to the locals weren't spent on modernization, it would still need to be supplemented with additional emphasis on SDCs and some degree of tolling around the region (there are eight possible routes that have been identified, he said, that could be considered for tolling).

Operating costs for transit are different from maintenance, he continued; the system needs to be maintained but the buses also need to be operated and that's the larger portion of the cost. Two funding source possibilities were presented. Another .1% on the payroll tax would meet the need of the RTP expansion. This would allow the RTP objective of 3.8% greater transit growth rate. Or, if a street utilities fee for road maintenance were used, a street utilities fee component for transit operation could be included, as well.

Responding to a question from Mayor Drake, both Mr. Hansen and Mr. Cotugno replied that an increase to the payroll tax would require state legislation. In fact, Mr. Cotugno said, several of the proposed funding proposals would require state legislation. He said the overall dollar level needed is a manageable level but the sources need to be implemented on both the state and the regional or local level; relying on just the state approach takes too big of a bite out of the state, and relying on just the local approach leaves dealing with state maintenance out of the equation. This committee needs to look at both sides of a strategy. If we pursue reasonable sources, we

can have confidence as we move along that we'll find the funding sources that actually will implement the RTP.

Mr. Hansen and Kay Van Sickel requested copies of the material used in this presentation.

Councilor Monroe said he was intrigued with the idea of using the street utilities fee as a funding source. One problem with transportation funding in this state, he said, is that it relies on one source and if we want to even come close to meeting some of the transportation needs we would need to diversify that. How could this fee be implemented, he asked. Would it require legislation, would it best be done county by county or by Metro, regionally, or by the cities. Mr. Cotugno replied that the implementation, to date, has been at the city level principally because it usually is the city that sends out the sewer/water bill and has traditionally been the vehicle for the monthly billing. There are other variations such as a sewer district or a water district, but this is an important criterion. Conversely, another aspect of that is that this billing is in existence because those agencies cover a sewer and water area, not a street district area. There are so many permutations on street ownership around the region, and a larger collecting unit would make sense. The billing mechanism is one consideration and which streets/roads would be maintained is the second.

Mr. Ginsburg said some of these funding mechanisms are trip related and some are not. Those that are have potential to affect traffic generation and the potential need for expansion or maintenance needs. He asked if this had been factored in. Mr. Cotugno said staff didn't think the trip generation component was big enough to affect travel – congestion pricing is big enough because it goes up so much more during the peak, but a penny-per-mile is small. The \$7 parking fee could be passed on to the user.

Commissioner Cruz wanted clarification, in the RTP supplemental revisions (in the yellow, draft document dated May 15, 2000) on p. 9, in Chapter 3, 3.2 Existing and Proposed Regional Bikeways, paragraph 2., that the language used doesn't indicate a policy change. She thought the word used for the combined category, Preferred, should say Strategic. Commissioner Cruz also suggested that the committee look at and decide upon the principals used in evaluating the possible funding sources, i.e., how would they impact particular households, how would they address policies to promote fewer VMTs, and how could these potential sources be used to promote other programs. Mr. Cotugno suggested that staff could develop those principals and have that be part of the discussion at the committee's next meeting. That could then be the basis for the evaluation criteria. Commissioner Hales agreed, saying it's important to remember that there is no revenue option that's going to enact a policy or behavior change. Commissioner Cruz disagreed, saying it was her understanding that tolling policies do affect people's behavior. Most of the members agreed that tolling was one exception to not affecting behavior.

Chair Kvistad said that the committee would soon be working on the funding strategies and timelines, although that discussion would not take place at this meeting.

Commissioner Rogers said it's important for any funding policy to understand what the base system is, who it belongs to, and what these taxes would really mean regarding revenue at the

local level. It's also important to know what constitutes a regional road vs. a local road and how that would be determined. It would not be easy to levy regional taxes in Washington County. He felt it would be better to look at a definition of regional responsibility. It's true that the state doesn't have the money, and it seems very attractive to look at local options, but he believes the committee needs to go to the next phase, similar to what Commissioner Cruz was saying, of what is this committee here to accomplish before we tax ourselves and then argue over the distribution.

Action taken: Mayor Drake moved, with a second by Commissioner Rogers, to approve releasing the Adoption Draft of the RTP for public comment. The motion passed unanimously.

BI-STATE TRANSPORTATION COMMITTEE UPDATE

Councilor Monroe reminded the committee that the Bi-State Committee was created jointly by JPACT and by the RTC in southwest Washington about one year ago, and started meeting in September 1999. The Bi-State Committee was given the responsibility to review all transportation related matters in the I-5/I-205 Corridor affecting the transportation between the two states, and, in the mandate creating the committee, JPACT and RTC said that all issues related to this matter must be referred to the Bi-State Committee. Over the last several months, the Bi-State Committee has been talking about High-Occupancy Vehicle (HOV) lanes in the I-5 Corridor and has been studying what will and won't work, and concluded on April 27, 2000, with a resolution that was adopted that comes to you as advice to JPACT and RTC (because the Bi-State Committee only has authority to recommend to JPACT and RTC). This resolution is such a recommendation on HOV lanes. The RTC is scheduled to take action on these recommendations at its June meeting, and that will happen prior to the recommendation coming to JPACT at its June meeting so JPACT will know what the RTC action on the resolution is prior to being asked to take action. Briefly, the recommendation is as follows: currently, WSDOT is building an additional lane southbound on I-5 from 99th Street south toward the Interstate Bridge; the first part of this recommendation is that the new lane be designated as an HOV lane. The timing is important because in both states there are policies against "takings" and taking a General Purpose (GP) lane and converting it to an HOV. An HOV lane has to be an "added" lane. If it became a General Purpose lane, in the future we would not be able to, under current policy, "take" it. This is a state policy, not a federal policy. The Bi-State Committee reviewed the Interstate Bridge and looked at all possible options for converting a lane so there would four lanes going one way and two lanes going the other way, morning and evening. None of those options worked. The bridge is too narrow to allow for a safe way to do that. Part of the recommendation is that we not pursue an HOV lane on the current Interstate Bridge.

The Bi-State Committee has asked ODOT, as part of their recommendation, to look at ways of building an HOV lane south through Delta Park, south of the Interstate Bridge, southbound on the Oregon side. This would involve adding a lane similar to the added northbound HOV lane. Another part of this proposal is to make permanent the northbound HOV lane that currently exists, and yet another part of the proposal is not to pursue at this time a northbound HOV in the state of Washington. The bottleneck is really at Delta Park and at the Interstate Bridge, and there

doesn't appear to be congestion north of the Interstate Bridge, northbound in the evening. At this time, that's not being pursued. Long-term in the Corridor, and this involves a new or rebuilt Interstate Bridge, we foresee HOV in both directions north of the bridge, at least during peak hours. The final part of this resolution that will be before this body next month is that RTC and JPACT develop and carry out a public information plan with the implementation of the Bi-State Committee's HOV policy recommendations, that we seek public review and comment on this proposal.

Commissioner Pridemore directed the committee's attention to Mayor Pollard's letter to Don Wagner, WSDOT, of May 2nd, distributed earlier and included in the blue packet. He briefly referred to the two-plus-one strategy referred to in the letter, and then asked Don Wagner of WSDOT to update the committee. Mr. Wagner said one of the important fruits of the Bi-State Committee is an issue that both sides have to begin talking about, and that is system plans. The State of Washington system plan calls for I-5 from I-205 down to be a four-lane facility in each direction. He said he believes the Oregon plan, from the Interstate Bridge south, does not include four lanes in each direction. As a result of the conversations on this and a substantial legislative discussion on HOVs in the State of Washington, and keeping in mind that Washington has well over 150 miles of HOVs currently in operation, some of the policies seem to be shifting substantially to take all reference of HOV conversion back to a GP out of the initiatives. There is a groundswell occurring in Washington, very positively around HOVs, and that the issue around part-time HOVs is becoming a moot point, and that we may possibly be able to match the Oregon policy on part-time HOVs. Conversion of GP lanes to HOVs also looks as if it's becoming much more acceptable. There are still technical issues on air quality conformity and some operating policies that are yet to be done, but it really does look as if things are moving smoothly. Some of the major hurdles that as recent as a few months ago that were looked at as possible major flaws are now looking very, very minor. This is in large part due to the Bi-State Committee. The meeting tomorrow will explore the schedule of how to actually open a new segment of HOV, if that's the wish on both sides of the river, in about a year.

Councilor Monroe added that one of the pieces of information that came from this study was that the current northbound HOV on I-5 at peak time carries as many or sometimes more passengers per hour as the other two GP lanes.

Mr. Ginsburg asked what the Bi-State Committee had looked at regarding the effectiveness of the existing HOV lanes, commenting that they wouldn't work if they were not enforced. Councilor Monroe said the committee had studied reports on it, and the general thinking was that the threshold was that if an HOV lane operates at about 85 to 90 percent compliance, then it's functional. If the compliance rate is lower, the system disintegrates. Our current compliance rate is within the 85 to 90 percent range.

Kay Van Sickel agreed that enforcement is very important, and that's why ODOT has worked closely with the City of Portland to make sure that enforcement is there. At some time in the future who will pay for enforcement will need to be considered because ODOT is paying for it now. The method of enforcement has been changed at various times, and that helps also in it being accepted. She added that overall acceptance, users and non-users combined, has stayed at

70 percent or greater, and she felt that was a positive figure, particularly because this is only about a three-mile segment.

Mr. Wagner, in addressing the enforcement issue in Washington, said that along with the unmarked state vehicles, they are also beginning a motorcycle detachment in the Vancouver area starting in July this year, so they'll have that practice prior to the HOV opening. Unlike Oregon, Washing State Patrol's sole responsibility is traffic enforcement. Seattle found that enforcement is indeed the key.

It was noted that the Bi-State Committee resolution would be an action item at the June JPACT meeting.

ELDERLY AND DISABLED PLAN – INFORMATIONAL

Bernie Bottomly gave the committee an update on the Tri-County Elderly and Disabled Plan that Tri-Met is doing in cooperation with the three counties in the metropolitan area. He said the effort to start this committee was at the urging of Jim McConnell, Director of Elderly and Disabled Programs for Multnomah County. Mr. Bottomly then referred to the green sheet distributed earlier, which briefly summarized the project itself, the process the committee was taking and a time frame, as well listing the committee members.

The committee was formed to look comprehensively at elderly and disabled transportation in the three-county area, both inside and outside the Tri-Met district, and including the other districts in the region. The funding is partially from Tri-Met, and also from the area agencies on aging and disability in the three counties. Another portion is from state discretionary funds that are part of the \$19 million that was approved by the last legislature.

The purpose of the Plan is to produce a vision of what elderly and disabled transportation should look like within the region, to look at the needs, map where the populations are, where there are gaps in the existing systems, to suggest ways to address those gaps, to try to define what the minimum and optimal levels of service are that need to be or should be provided. The committee will also look at who provides those services now, how are they coordinated or not coordinate, as the case may be, what other kinds of institutions or organizational structures should be put in place to try to fill those gaps. Finally, the committee will look at how to pay for those services.

Ultimately, he said the committee's goal is to produce a plan by December/January to have a basis to go back to the next legislature to discuss and discuss funding and organizing the services in the region. They also want to bring the results of that effort to the local jurisdictions in the region to let you know what the committee has done. As part of this effort, the RTP will include a placeholder which shows in the yellow document presented today on p. 26 in Chapter 6, 6.8.12 – Special Needs Transportation Study. Upon completion, this will be folded into the RTP. One of the issues they will look at, he added, was the connection between elderly and disabled transportation and land use.

They've started the data gathering process and have information from the counties. They're planning to conduct a survey, as well. There will be public involvement opportunities during the process, and a recommended set of actions at the end of the process, which will be taken out for public comment, as well. Mr. Bottomly mentioned that Mr. Cotugno and Jon Putman, another TPAC member, were also on the steering committee.

Mr. Hansen added that when he appointed the committee and asked John Mullin to chair, the charge given them was not the traditional how do you make Tri-Met's lift program work, or the Ride Connection or various other things, but to be able to look very fundamentally, and very particularly at the aging population and how we are connecting land use with services, and how will we deal with the frail and elderly as well. Unless we have a clear vision of what we're going to need to address, it's going to be difficult to address anything in a comprehensive way. Mr. Hansen said he's very excited about what the committee will be able to report to the region.

Councilor Rohde asked how much it was costing, and Mr. Bottomly said about \$220,000, total budget. Mr. Hansen added that they've allocated that among the partners. Mr. Rohde then asked if, when the report is brought before the legislature, would it state how it would be funded. Mr. Hansen replied that there would be sufficient information to educate the legislature.

RESOLUTION NO. 00-2950 – FOR THE PURPOSE OF AMENDING THE METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO INCLUDE \$500,000 OF SECTION 5309 FUNDS FOR PRELIMINARY ENGINEERING OF THE WILSONVILLE TO BEAVERTON COMMUTER RAIL PROJECT

Richard Brandman explained that the Washington County Commuter Rail project is moving forward at a brisk pace. There is an Environmental Assessment that's being reviewed by the Federal Transit Administration (FTA), and this should be approved in June. Washington County is set to adopt the Locally Preferred Alternative which is the recommended Commuter Rail.

The Commuter Rail project will be ready to advance in early June to the Preliminary Engineering phase. Last year, Congress appropriated \$500,000 of Section 5309 funds to this project, and this resolution would amend the TIP to allow those funds to be spent. Washington County has requested that Metro be the grant recipient as Metro was for the STP funds for the Alternatives Analysis. That relationship would be continued through the conclusion of Preliminary Engineering. The construction dollars would shift to the construction agency.

Commissioner Kennemer asked if there wasn't \$650,000 included in that legislation for the Milwaukie Transit Center, and if Mr. Brandman knew the status of that. Mr. Brandman responses that Metro would check in to the status of those funds, but that he thought they were already included in the approved TIP.

Action taken: Commissioner Rogers moved, with a second by Commissioner Hales, to approve Resolution No. 00-2950. The motion passed unanimously. Chair Kvistad added that this would be fast-tracked and placed on today's Metro Council agenda.

ODOT 2001-03 BUDGET AND STIP UPDATE

Kay Van Sickel said that like most government agencies today, ODOT is facing some difficult choices related to how to meet their transportation responsibilities with very limited resources. Without the increase in the gas tax for additional revenue, ODOT as well as local governments, are going to be hit hard by that. There are a number of factors that are affecting this, from the delivery of the STIP project to cost responsibility adjustments, the impact of inflation, cost of living increase, etc. This is one of the topics of today's commission meeting, as well as being a topic of discussion at their last meeting three weeks ago. What they're struggling with, she said, is giving the department some direction regarding their 2001-03 biennial budget. ODOT operates on a two-year budget process. They are also now looking at the two-year STIP update for 2004-05. The commission has asked each of the regions to go back to discuss with the local interests, and to get back to the commission by their June meeting, how they feel about some of the issues being considered. In an effort to give JPACT the best information possible for this discussion and because of the importance of these kinds of decisions, Ms. Van Sickel asked if she could appear before the JPACT Finance Committee to discuss these issues at length. She requested that the Finance Committee meet within the next two weeks in order to frame a response for the June commission meeting.

Chair Kvistad asked for questions or comments, and there were none. He agreed to call a JPACT Finance Committee meeting. Mr. Cotugno reminded the body that part of the time constraint was that the next commission meeting was scheduled to meet the day before the next JPACT meeting, June 8th. The three counties, the City of Portland, Metro, Tri-Met, ODOT and the Port of Portland were the representatives comprising the Finance Committee membership, he said, but anyone would be welcome. Chair Kvistad said JPACT members are always invited, even though, he added, they haven't felt the need to convene the committee in almost two years.

Ms. Van Sickel said the commission would be very interested in hearing JPACT's comments, and that it would be very important that they look at options, pros and cons, which she will present to the Finance Committee.

ADDED AGENDA ITEM: *THE OREGONIAN* ARTICLE (of May 11, 2000) ON THE FEDERAL FUNDING ALLOCATION FOR THE INTERSTATE MAX PROJECT

Mr. Hansen made three points:

1. He said JPACT probably would join him in his deep disappointment that the House Subcommittee put in a budget of \$5 million for Interstate MAX where the President had requested \$40 million in his budget, and the regional goal requested had been \$65.9 million.
2. This is a very good project. The FTA rated Interstate MAX the highest of any of the projects in this round of new full funding grant agreement efforts that are under way, although we don't have a full funding grant agreement.

3. This is the beginning of the process. We expect to do better in the Senate. We need to continue to make the point that the number one priority is Interstate MAX. Mr. Hansen said he was asked yesterday if there was disagreement within the delegation and he'd said his view was that the letter sent by the state delegation was clear that Interstate MAX is number one, number two is both Commuter Rail and the South Corridor, and that there are a number of other projects.

CASCADIA METROPOLITAN FORUM

Mr. Cotugno referred the committee's attention to the two Cascadia notices in their agenda packet for two upcoming events. The gray notice, which focuses on the three metropolitan regions, the Seattle region, the Vancouver, B.C. region and the Portland region, is one we've participated in. This forum is by invitation, not a general forum, and is aimed at approximately 20 elected officials from each of the three regions. We're interested in getting a good cross-section of people from JPACT and MPAC, and he said he'd like to coordinate who would be interested in attending so that a good transportation and land use set of representatives. He asked the committee members to let him know if they were interested. He said anyone who wanted to go to the forum could sign up, but that he'd like to coordinate who the delegation from this region would be.

OTHER BUSINESS/INFORMATION

Commissioner Pridemore notified the committee that Ron Bergman, the Public Works Director for Clark County, had resigned with May 11th (this date) as his last day. Pete Cappell will be the acting Director for the next six months.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Rooney Barker
Recording Secretary

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