

## MEETING REPORT

DATE OF MEETING: December 14, 1995

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

PERSONS ATTENDING: Members: Chair Rod Monroe, Susan McLain and Patricia McCaig (alt.), Metro Council; Ed Lindquist, Clackamas County; Earl Blumenauer, City of Portland; Royce Pollard, City of Vancouver; Craig Lomnicki, Cities of Clackamas County; Rob Drake, Cities of Washington County; Claudiette LaVert, Cities of Multnomah County; Mary Legry (alt.), WSDOT; Greg Green (alt.), DEQ; Tom Walsh, Tri-Met; Bruce Warner, ODOT; Tanya Collier, Multnomah County; and Dave Sturdevant, Clark County

Guests: Pat Collmeyer, Neil Goldschmidt's Office; Steve Dotterer and Meeky Blizzard, City of Portland; Rod Sandoz, Clackamas County; John Kowalczyk, DEQ; Bob Post (JPACT alt.), Dave Yaden, Laurie Garrett and G.B. Arrington, Tri-Met; Merrie Waylett, Congressman Wyden's Office; Bob Clour, FHWA (Salem), Lisa Hanf, FHWA (Region 10, Portland); Pat Levine, FTA (Region 10, Seattle); Fred Patron, FHWA (Oregon Division, Salem); Kathy Lehtola, Washington County; Matthew Garrett, Senator Hatfield's Office; and Dean Lookingbill (JPACT alt.), Southwest Washington RTC

Staff: Mike Burton, Executive Officer; Andrew Cotugno, Richard Brandman, Leon Skiles, Gina Whitehill-Baziuk, Larry Shaw, Carol Kelsey, and Lois Kaplan, Secretary

Media: Gordon Oliver, The Oregonian

### SUMMARY:

The meeting was called to order and a quorum declared by Chair Rod Monroe.

### MEETING REPORT

Greg Green moved, seconded by Tom Walsh, to approve the November 9, 1995 JPACT meeting report as written. The motion PASSED unanimously.

RESOLUTION NO. 95-2243 - STUDYING THE SOUTH/NORTH DOWNTOWN  
PORTLAND ALIGNMENT OPTIONS AND AN AMENDED NORTH TERMINUS OPTION  
IN THE DEIS, CONCURRING WITH THE SOUTH/NORTH STEERING GROUP'S  
SELECTION OF DESIGN OPTIONS, AND ADOPTING THE MAJOR INVESTMENT  
STUDY FINAL REPORT

Richard Brandman explained that adoption of Resolution No. 95-2243 would culminate a two-year study process for the South/North Draft Environmental Impact Statement (DEIS). This follows significant technical assistance and hundreds of hours of public comment and testimony. Richard spoke of the public involvement process and assured the Committee that adequate time had been given to seek public comment and educate the public on our position.

The recommendation was unanimously supported by the South/North PMG and the Steering Group and has been approved by the Tri-Met Board, the Portland City Council and Multnomah County Board.

Richard provided an overview of the South/North study process; described the proposed alignment beginning near the Clackamas Town Center area in Oregon and ending in the vicinity of the Veterans Administration Hospital/Clark College in Clark County; and reviewed the public involvement process, recommendations, tradeoffs and benefits of the proposed alignment options, findings, and issues surrounding the study. He reported that Transportation Futures are being considered in Clark County at this time.

Richard noted that the major focus of discussion was in three areas: the Minimum Operable Segments (MOS's) for each light rail alternative; the North Portland crossovers; and the alignment in downtown Portland.

The Minimum Operable Segments (MOS's) recommended are: The Milwaukie Market Place park-and-ride to Veterans Hospital/Clark College in Vancouver, Washington; the Clackamas Town Center (CTC) area to the Rose Quarter area; the CTC area to the Kaiser Clinic area; and the CTC area to the Expo Center. Richard emphasized the need to assure the Federal Government that these are viable projects.

The biggest concentration of analysis and the biggest controversy came about from the downtown alignment. The members of the Steering Group, PMG and the CAC all recommended a surface alignment for downtown Portland within the 5th/6th Avenue transit mall between Union Station in the north and I-405 in the south.

Richard explained that a Downtown Oversight Committee, chaired by Chuck Armstrong of Bank of America, was formed to assist in development of LRT alignment options for the downtown area, identify the most promising surface routes, determine whether the alternatives met the established criteria, and present its recommendation to the South/North Steering Group. The committee was comprised of property owners and residents of the downtown area.

A letter from Chuck Armstrong, Chair of the Downtown Oversight Committee (addressed to the Portland City Council) was distributed and summarized the findings and recommendations of that committee. The Oversight Committee concluded that the proposed 5th/6th Avenue alignment would experience the least amount of disruption of all the alignments and options considered in terms of duration of construction and related impacts. The committee was unanimous that a subway not be recommended because of urban form and cost. Richard noted that this recommendation was also supported by the Association for Portland Progress.

Approval of this resolution would allow technical assistance for the Environmental Impact Statement (EIS) to use the 2015 population growth allocation for the South/North travel demand forecasts based on the 2040 concept that provides for a 4,000-5,000 acre Urban Growth Boundary (UGB) expansion. Richard cited the need to move forward with the EIS. He indicated that the analysis we are proceeding with is a conservative one and was unanimously recommended by the South/North PMG. If population changes need to be made later on, it could be addressed in the Final Environmental Impact Statement (FEIS).

Action Taken: Commissioner Blumenauer moved, seconded by Bruce Warner, to recommend approval of Resolution No. 95-2243, for the purpose of studying the South/North downtown Portland alignment options and an amended North terminus option in the DEIS, concurring with the South/North Steering Group's selection of design options, and adopting the *Major Investment Study Final Report*. The motion PASSED unanimously.

RESOLUTION NO. 95-2251 - RECOMMENDING CREATION OF THE SOUTH/NORTH LIGHT RAIL PUBLIC-PRIVATE TASK FORCE

Dave Yaden reported that, at the last special session of the Legislature, provision was made in the South/North legislation that obligated Tri-Met to provide and identify up to \$75 million of new financing sources toward the new funding authorities. This was intended as a means of reducing the state's \$475 million share of funding South/North light rail.

A task force of 7-9 citizens, supported by Tri-Met's General Manager and Metro's Executive Officer in an ex-officio capacity, will be created to develop recommendations for innovative South/North LRT funding mechanisms. Their recommendations will be submitted to Tri-Met for review by July 15, 1996, forwarded to the JPACT Finance Committee, with eventual review by JPACT. The final recommendation will be presented by Tri-Met and the Task force at the 1997 legislative session after which time the Legislature will decide whether to grant any new funding authorities. The funds could flow back to individual jurisdictions or Tri-Met. Dave noted that there is also a moral obligation to return the funds to the local taxpayers if the authorities are granted.

Dave spoke of the opportunities for innovative finance, citing funding considerations such as tolling, capturing of added property values, joint development of station areas, sale of air quality rights, super turn-key construction, tax-advantaged leasing, tax-advantaged debt financing, joint use of right-of-way and/or facilities, tax credits and exemptions.

Tri-Met's objectives include:

- 1) That new methods of finance be considered to reduce the state share and to allow for shortfalls in public funds and cash flow problems encountered with the South/North LRT project;
- 2) That the Task Force should contemplate how to capture some of the value that gets created along the South/North LRT line;
- 3) That innovative means of financing be identified for extending the line into Clark County; and
- 4) That private sector investment be promoted along rail lines.

The Task Force charge is to look at the full range of measures and determine which are the most feasible in terms of implications and implementation. Dave Yaden spoke of the need for the Task Force to be coordinated with other initiatives underway, citing a study at ODOT, the Congestion Pricing study at Metro, and the Governor's Regional Commission to contemplate other methods of transportation finance. In this connection, an interagency work group will be formed to address those issues.

In clarification of objective No. 3 above, Dave Yaden explained that the intent is to make sure a bi-state project is built.

Action Taken: Bruce Warner moved, seconded by Commissioner Lindquist, to recommend approval of Resolution No. 95-2251, recommending creation of the South/North Light Rail Public-Private Task Force. The motion PASSED unanimously.

FHWA/FTA CERTIFICATION REVIEW

Bob Clour, FHWA Oregon Division Administrator, spoke of Metro's FHWA/FTA certification review in terms of the 1991 ISTEA and federal Metropolitan Planning Rule requirements. A three-day certification review was held of the Portland-Vancouver Transportation Management Area (TMA). It included review of the two MPOs' transportation planning process (Metro, representing the Oregon portion of the TMA; the Southwest Washington Regional Transportation Council, representing the Washington portion of the TMA).

Mr. Clour indicated that the emphasis is placed on multi-modal aspects of ISTEA. Transportation planning is reviewed and evaluated in all management areas every three years and this review represents closure for the Clark County/Metro area. The review consisted of existing documents such as the 1992 FTA independent planning review, the Regional Transportation Plans, the Transportation Improvement Programs, the Air Quality Conformity findings and the Unified Work Programs. The second phase included interviews with elected officials and invited citizens.

Pat Levine, FTA's Acting Regional Administrator, explained that the review focused on recommendations and corrective actions. Her comments indicated that Metro has a first-rate planning process and is recognized as a leader in the area of transportation planning based on integrated land use/transportation planning through the 2040 process. She noted outstanding leadership in the travel demand process, impressive and outstanding efforts relating to public involvement and its documentation, a good job in development of a financially constrained Regional Transportation Plan (RTP), and improvement between Southwest Washington RTC and Metro in bi-state coordination.

Pat pointed out that the analysis was done last June and that many of the recommended "corrective actions" have already been addressed. She reviewed the critiques and responses as laid out in a December 4, 1995 memo from Andy Cotugno to Mike Burton. Pat clarified that the recommendations are intended to improve the planning process but are not required for certification.

Some of the findings included the need for old intergovernmental, conformity, and bi-state agreements to be updated to reflect ISTEA requirements. Pat cited the need for the MIS guidelines to be adopted.

Pat noted the lack of a conforming TIP and a problem relating to communication and coordination between Metro and ODOT and their STIP/MTIP. She also pointed out the need for further clarification in the processing of TIP amendments. The TIP should summarize public comments during the public involvement process. She also noted the need to seek out lower-income and transit-dependent people in the public involvement process.

ISTEA requires 15 factors for consideration in the planning process. Pat noted that the TDP needs to be "beefed up" in terms of addressing how the 15 factors are considered.

Andy Cotugno stated that JPACT had adopted the interim federal transportation planning measures in June 1995 to meet these requirements. Major refinements are still underway. Andy noted that the allocation of the \$27 million of the Region 2040 Reserve fund was also made. He reported that the CMAQ, Transportation Enhancement and the ODOT "cut" process reflecting TIP actions were submitted in October and the air quality conformity analysis requires that those plans meet air quality standards for horizon years. He noted that we have received approval in meeting that conformity effort.

A discussion followed on Metro's role in various ODOT transportation-related activities and the need for that documentation in Intergovernmental Agreements.

Chair Monroe thanked the FTA/FHWA representatives for their presentation.

#### STATUS REPORT ON OZONE AND CO MAINTENANCE PLANS

John Kowalczyk provided an overview of the Carbon Monoxide and Ozone Maintenance Plans, citing the importance of developing new air quality plans for the region. He spoke of the legal ties between transportation planning and air quality conformity created through ISTEA and the need for close coordination between Metro and DEQ.

Metro's responsibilities are to define the transportation emissions budget; identify Transportation Control Measures (TCMs) for inclusion in the maintenance plans; and conduct the conformity analysis.

John reviewed the impacts of air quality plans on Metro. Commissioner Blumenauer raised issues about communities elsewhere receiving federal funds when they aren't doing near as much as the Portland metro area to raise their air quality standards. He noted that comparisons are being made about other areas where cities are not practicing these measures.

John responded that sanctions can be placed on communities that are in non-attainment with air quality standards. The Portland metropolitan area is relying a lot on transportation to meet air quality needs and congestion. He also noted that it's a cost-effective measure. Andy Cotugno emphasized that there are deadlines for air quality attainment.

John reported that industrial growth requirements are in place everywhere. In that regard, those requirements will be lifted when the region is designated an attainment area, resulting in the area being more attractive to industry.

Commissioner Blumenauer cited the need and usefulness to craft a one-page response paper to help communicate the most commonly asked questions on the benefits and reality of air quality standards. That would lend more flexibility in designing the transportation system in either a build or no-build situation.

John reviewed the CO/Ozone history of the Portland area. He explained that maintenance plans must demonstrate how we keep the air clean over a 10-year period. DEQ hopes to replace existing industry offset requirements with an emissions growth allowance. If, however, the plans fail to maintain air quality standards, a contingency plan must be put in place. Contingency measures include use of reformulated gas or congestion pricing measures.

Over three years were spent in developing the CO/Ozone Maintenance Plans in a process that involved many advisory committee meetings and consultation with Metro. Metro, through JPACT and the Metro Council, needs to decide whether the transportation emissions budget is adequate, what TCMs should be in the plan, and approve the final recommendations to the Environmental Quality Commission (EQC). The four strategies for consideration in the Maintenance Plans involve motor vehicles, non-road engines, area sources, and industry. DEQ will also be assuming some credit for the 2040 Growth Concept. New outboard motors, lawnmowers, and paint and solvent mixtures will also be cleaner. In addition, they are continuing to work with the industrial sector on stationary sources and a growth allowance for industry will be established.

In discussion on oxygenated fuels, John felt that the cost of such fuels to the consumer should drop although it's debatable about whether there actually is a cost savings. Oxygenated fuels result in less miles per gallon. Chair Monroe questioned dropping the oxygenated fuel requirement. A decision on that issue needs to be reached by the EQC. The carbon monoxide levels will be kept status quo.

John Kowalczyk spoke of a public education program to be put in place to inform and educate the public and businesses about the benefits of maintaining clean air.

He reviewed the strategy issues revolving around parking controls, the four light rail lines, transit service expansion of 1.5 percent, a future carpool permit parking program, Tri-Met's carpool marketing program, and formation of a TMA in the Lloyd district. John emphasized that DEQ is seeking the ability to substitute TCMs with an equivalent measure.

Andy Cotugno indicated that the conformity analysis requires two components. When this is adopted, those will change. Vehicle emissions are based on vehicle miles of travel that produce a budget on total vehicle emissions. He cited the need to demonstrate that we are implementing the TCMs on schedule in order to stay in attainment. The maintenance plan will add a significant element of what constitutes conformity and will establish methods to demonstrate that we are making progress in implementing TCMs. ODOT is taking this very seriously in terms of giving maximum priority funding to TCMs identified in this maintenance plan.

The issue of public involvement was discussed and John Kowalczyk reported that there have been many advisory committees. He noted that, when the Commission considers adoption of the plan, it will undergo another public comment process.

#### STATUS OF TRANSPORTATION FINANCE

Andy Cotugno reported that the last Community Bridge and Road Program public hearing was being held at Gresham City Hall at 5:00 p.m. Participation has included a high of 48 participants in Beaverton to a low of seven in Lake Oswego. Informational material has been distributed at the meetings.

Andy reported that, while fuel efficiency has increased, the amount being paid for the gas tax has decreased. Costs are increasing due to inflation. Back in 1970, a penny a mile was produced through the gas tax; our current tax produces half that amount. Andy spoke of it being counter-balanced by growth and traffic. When the RTP was adopted in June, it contained a fiscally constrained component. Revenue increases were assumed based on past history of 1 cent at the state level and a 2-cent gas tax every fourth year. Andy cited the seriousness of the situation. He indicated that maintenance by the year 2015 will experience a 37 percent funding gap. The state will experience a 20 percent funding gap to preserve their system, and needs for capital improvements are significant.



Testimony and written responses have been received, a hotline was put in place, and all responses will be compiled for consideration by the JPACT Finance Committee at its December 21 meeting. At the hearing Bruce Warner attended, he felt many responsible comments and suggestions were made. Andy reported that most of the comments received in written form were of a negative nature while those given orally were of a more positive nature. There is a significant negative out there.

Commissioner Blumenauer commented that, in some cases, there is an undercurrent that the hearings are being used as a vehicle for transportation finance. Until the Highway Trust Fund is broken, the effort will be opposed by the OCE Board. Some positive interest has been experienced but with people who have their own agendas in terms of changing the structure, breaking the Trust Fund, or have their own set of priorities. Some committee members felt the cumulative effect of the "no" vote could be profound.

A discussion followed on the issue of creating more growth when you build more roads and bridges. You then need to demonstrate that that's not necessarily the case.

Councilor McLain cited the importance of the education factor. She felt that the meetings held in Beaverton and Hillsboro represented a test to see if our material was good for education. Some corridor groups have a definite agenda. She concurred that people equate roads with growth.

Bruce Warner commented that the Governor is concerned about continued livability, quality of life, economic prosperity, and the local finance efforts. He hopes to develop a transportation finance strategy in the 1997 Legislature. Bruce reported that the OTC met to draft a strategy that was sent to the Governor for his consideration. He indicated it was an aggressive plan. The state hopes to build consensus and broad agreement on a resource and funding strategy. It is meant to build a stronger partnership with other jurisdictions and would be achieved on a statewide and regional basis. The Governor has not endorsed the plan as yet. Bruce felt the details would be addressed in the Governor's "State of the Union" address. An agreement is sought that would define how the statewide issues relate to local funding initiatives so that they won't be at cross purposes with one another. He felt that a September or November referral to a ballot measure are still options.

Mayor Drake spoke of a lot of lead time needed for an effective bond measure. He pointed out that the regional road measure was deferred in order to make the South/North light rail project a priority and that we are behind in our efforts. He didn't feel

that the citizens would be willing to sit by and be content. Bruce Warner felt we would have an opportunity to discuss this further at the January 11 JPACT meeting.

Mike Burton spoke of a meeting with the gas dealers lobbying candidates about prohibition of a gas tax. They would be willing to support a statewide increase in the gas tax. Mike questioned whether there is a commitment on the part of the Legislature to get some funds back to the region if our gas tax measure is not pursued. He pointed out that there are other folks seeking similar ends at this time and the state is aware of some of those issues. They are talking about a transportation package, not a gas tax measure. Bruce Warner clarified that the state is looking at short-term and long-term strategies. Commissioner Collier noted that, in working with county commissioners, it's apparent there's no sympathy for our regional problems.

Chair Monroe commented that this would remain an ongoing discussion. He reported that the public hearings being held is a positive step forward and felt good about the process.

Councilor McCaig stated that the Metro Council Finance Committee had discussed this issue, with spring being set aside as the election date (although it has since been moved to September). She felt it unwise to move it again to the November ballot. Two of the hearings had testimony given that was neutral and the bridge/road funding effort is still not generating any momentum. Councilor McCaig noted that this will be coming before the Council in January and is an effort that is losing ground. She cited the need for the elected leadership to discuss and focus on the necessity of this measure.

Andy Cotugno stated that the Governor's effort will not be concluded until June 30. Timewise, he felt it would be too late to have a November ballot measure if the regional effort was postponed to see how the regional/state efforts relate. Mike Burton indicated he was disturbed about waiting for state leadership to step up its process and felt that November is not an option for a ballot. He concurred with other committee members that the measure should be referred for a vote in either May or September if it's targeted for 1996.

#### PROPOSED MPAC PARKING RATIO POLICY - REGION 2040 EARLY IMPLEMENTATION ACTION

Andy Cotugno indicated that MPAC and JPACT are not in agreement on one of the interim regional parking ratio measures. At issue is whether parking maximums should be pursued as an early implementation measure or over a longer timeframe, consistent with development of the Region 2040 Framework Plan. It is also

JPACT

December 14, 1995

Page 11

proposed that the required level of off-street parking on new developments be lowered; that jurisdictions and employers adopting DEQ's minimums as their maximums be exempted from the ECO Program requirements; and that there be regional efforts to encourage incentives for additional parking reductions in line with pedestrian and transit areas, public parking, and parking management practices.

MPAC has invited JPACT to form a conference committee to draft a joint solution on the issue of parking maximums. Representing MPAC are Commissioner Kafoury, Mayor Drake, and Mayor McRobert. John Fregonese emphasized the need for a JPACT subcommittee to meet with the MPAC subcommittee. Councilor McLain, however, felt it was too important an issue and that it should receive full JPACT consideration. She suggested that the matter be deferred to the January 11 JPACT meeting. Chair Monroe indicated he would meet with Andy Cotugno to appoint a JPACT subcommittee that would work out a solution with the MPAC representatives.

John Fregonese cited the need to adopt the regional parking minimums to help minimize parking demand. The interim measures also allow for no parking minimums in industrial areas or employment areas that back retail. In addition, it is proposed that there be 150 percent maximum parking ratios in areas that do not have good transit service or pedestrian environments, with 125 percent parking ratios elsewhere. Administrative adjustments would be allowed if the ratios proved to be excessive or were abused.

#### ADJOURNMENT

There being no further business, the meeting was adjourned.

REPORT WRITTEN BY: Lois Kaplan

COPIES TO: Mike Burton  
JPACT Members