

MEETING REPORT

DATE OF MEETING: September 17, 1992

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

PERSONS ATTENDING: Members: Chair Richard Devlin and Susan McLain, Metro Council; Pauline Anderson, Multnomah County; Larry Cole, Cities of Washington County; Don Adams (alt.), ODOT; Fred Hansen, DEQ; Craig Lomnicki (alt.), Cities of Clackamas County; Ed Lindquist, Clackamas County; Roy Rogers, Washington County; Gerry Smith, WSDOT; Les White, C-TRAN; and Tom Walsh, Tri-Met

Guests: Lavinia Wihtol, City of Portland; Tuck Wilson, G.B. Arrington, and Laurie Garrett, Tri-Met; Susie Lahsene, Port of Portland; Steve Greenwood and Howard Harris, DEQ; Bruce Warner, Washington County; John Charles, Oregon Environmental Council; Judy Davis, League of Women Voters; Ron McGee and Scott Thompson, AAA; Dave Williams, ODOT; Lois Anderson, WSDOT; Geoff Larkin, The Larkin Group, Inc.; Bob Hart, Southwest Washington Regional Transportation Council; and Rod Sandoz, Clackamas County

Staff: Andrew Cotugno, Rich Ledbetter, Gail Ryder, Mark Turpel, Mary Weber, and Lois Kaplan, Secretary

Media: Robert Goldfield, Daily Journal of Commerce

SUMMARY:

The meeting was called to order and a quorum declared by Chair Richard Devlin.

MEETING REPORT

The August 13 JPACT Meeting Report was approved as written.

RESOLUTION NO. 92-1667 - ADOPTING THE FY 1993 TO POST 1996 TRANSPORTATION IMPROVEMENT PROGRAM AND THE FY 1993 ANNUAL ELEMENT

Andy Cotugno noted that an errata sheet, documenting previous approval of a DBE Training Program project through Resolution No. 92-1559, was omitted from Exhibit A to the resolution. He added

that the updated TIP reflects major funding and schedule changes over the last year and includes \$22 million of state STP funds.

Mayor Cole questioned what five bridges were being retrofitted (as indicated under "new projects"), and Don Adams responded that he thought they were all part of the Marquam Bridge complex.

In discussion, Les White asked whether both Washington and Oregon MPOs are required to approve the TIP in conjunction with new ISTEA requirements. Andy indicated he was unaware of any such requirement.

Action Taken: Mayor Cole moved, seconded by Commissioner Anderson, to recommend approval of Resolution No. 92-1667, adopting the FY 93 to post 1996 TIP and the FY 93 Annual Element with inclusion of the errata sheet for Exhibit A. The motion PASSED unanimously.

RESOLUTION NO. 92-1668 - DEFERRING PURSUIT OF A LOCAL OPTION VEHICLE REGISTRATION FEE FOR ARTERIAL-RELATED IMPROVEMENTS

Andy highlighted the revised handout for this resolution and exhibits and spoke of the need to define the work program. He indicated there would be ongoing activity until spring in preparation of the material.

Fred Hansen wanted to be assured that issues relating to specific funding would come through the normal JPACT process. Andy stated that was the intent, pointing out the need for integration with other funding strategies and execution of an intergovernmental agreement with the three counties, Portland and Tri-Met to determine which jurisdiction will proceed, at what fee level and for what purpose.

Commissioner Rogers didn't want this effort to be forgotten. Andy responded that Exhibit B to the resolution lays out clear milestones for this program, recognizes specific goals, and assures that the effort will begin immediately.

Mayor Lomnicki expressed concern about resource requirements, questioning whether line-item dollar amounts should be used as opposed to a cap on funding. Andy Cotugno indicated that the information is helpful and that "for example" could be placed next to "Consultants." He added that the consultant generally is told the order of magnitude.

Action Taken: Commissioner Anderson moved, seconded by Tom Walsh, to recommend approval of revised Resolution No. 92-1668, deferring pursuit of a local option vehicle registration fee for arterial-related improvements.

As a friendly amendment, which was accepted and made part of the motion, Mayor Cole suggested some wordsmithing changes as follows:

- . Change the word "ballot" to read voters on the second page of the Staff Report (line 10).
- . Change the word "ballot" to read voters on page 1 of Exhibit A, clause A1.
- . Change clause D2, Exhibit A, to read: "Prior to allocating gross proceeds to the five funds, Metro ~~is~~ will appropriated one-tenth of 1 percent of gross proceeds (net of deductions by DMV) for administrative costs."
- . Delete the word "remaining" in clause D3, Exhibit A.
- . Change clause H1, Exhibit A, to read as follows: "1. This intergovernmental agreement may be terminated by the written request of ~~two-thirds~~ three of the five signatories..."
- . Add the words for example following "Consultants" under item 8 of Exhibit B.

The motion with its friendly amendment PASSED unanimously.

RESOLUTION NO. 92-1670 - AMENDING THE 1993 UNIFIED WORK PROGRAM TO PROVIDE FOR TRANSPORTATION AND LAND USE MODELING IMPROVEMENTS

Andy Cotugno explained that funds were provided through the LUTRAQ process for development of a transportation/land use modeling procedure and FHWA has offered funds to run those models to evaluate their sensitivity to different transportation concepts. He indicated this project would be beneficial to Metro's transportation planning activities. \$75,000 of the \$125,000 allocation would be applied to meet our objectives.

Andy noted that FHWA is approaching the end of its federal fiscal year and authorization must be spent prior to the end of September 1992.

Action Taken: Mayor Cole moved, seconded by Commissioner Anderson, to recommend approval of Resolution No. 92-1670, approving an amendment to the 1993 Unified Work Program to provide for transportation and land use modeling improvements. The motion PASSED unanimously.

RESOLUTION NO. 92-1680 - ENDORSING TRI-MET'S FINANCING PLAN FOR THE WESTSIDE LIGHT RAIL PROJECT WHICH INCLUDES ADVANCING THE REGION'S HILLSBORO EXTENSION ALLOCATED FUNDS TO THE 185TH PROJECT

Tom Walsh explained that this is part of a 10-year effort to fund the second link of the region's LRT system. He spoke of major accomplishments and leadership provided by JPACT and use of flexible funds through ISTEA.

Tom exhibited pride in Tri-Met's efforts as a small transit agency in a medium-sized region setting an example for the rest of the country. He felt the Full-Funding Grant Agreement (FFGA) would bode them well as the region looks next toward a north/south corridor. This agreement, if it followed previous patterns of Full-Funding Agreements, would have had a shorter terminus and not allowed the route to 185th.

Andy Cotugno reviewed the FFGA negotiations and noted that it was three years ago that our objective was to obtain 75 percent federal match, which has been accomplished. He indicated that it was a year ago that the STA directed that the FFGA be executed for \$515 million of Section 3 funding. The addition of Hillsboro (an additional six miles) will add an additional need for \$66 million of Section 3 funds to the project. A supplemental appropriation of \$35 million is needed to accommodate the purchase of 29 low-floor cars. Andy clarified that we now have federal authority to proceed with the low-floor cars.

The second objective was inclusion in the FFGA for a future amendment for the Hillsboro project. Andy pointed out that we have taken steps to assure the Hillsboro project includes one-third federal, one-third flexible, and one-third local match. A Full-Funding Agreement elsewhere in the country would have forced us into a minimum operating segment. The FFGA does recognize that the \$515 million contract is still subject to the appropriations process.

Andy reviewed the \$50 million per year schedule which would stretch the project out over time and take the project to Sunset Highway by 1997 with the remainder following the appropriations schedule. At the \$70 million level, the interim terminus would be at Murray Road. CAPRA requires that local funds be put aside as a reserve account at the \$25 million level. There could be interim borrowing but interest costs are eligible for reimbursement.

A letter from Senator Hatfield, addressed to Administrator Clymer of the Federal Transit Administration, regarding the need for an adequate linkage with the Hillsboro project was distributed and

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discussed. A resolution is needed because the FFGA relies on this advanced mechanism in the event the appropriations fall short. Andy then reviewed the resolution.

Tom Walsh reviewed two outstanding issues: 1) final submittal of the amended Project Management Plan; and 2) status and implications of the one-third federal/one-third flexible/one-third local match financing plan for the Hillsboro Extension and its accompanying covenants.

Tom indicated that Steve Diaz, General Counsel of FTA, recommends that careful attention be given in the FFGA to the extent irrevocable commitments are made to the Hillsboro project. He advised not to put anything in the FFGA that would jeopardize the EIS process and emphasized the need for a full analysis of the Hillsboro segment of the project. As noted in Senator Hatfield's letter, there is need to document the intent. The one-third federal/one-third flexible/one-third local match requirements were met, so the process was expedited. Tom felt such language would be in the grant award letter and might be included in the Letter of Intent.

A discussion followed on how much credence should be placed on the correspondence between the FTA Administrator and Senator Hatfield.

Tom Walsh noted major strides on Westside LRT and felt that the project will continue to Hillsboro. He suggested deleting the language in Resolve 3 following the word "ISTEA." In this regard, Don Adams suggested following "ISTEA" with the words subject to completion of EIS requirements.

Another option discussed was to delay action on this resolution until the outcome of future Hatfield/Clymer correspondence is known.

Councilor McLain supported addition of the phrase "subject to completion of EIS requirements" and cited the need to deal with the resolution at this time. She felt that plans need to be in place to give a good indication of what we hope to achieve. By following Don Adams' proposal, it sets criteria and a strategy in place.

Commissioner Rogers commended Tri-Met on its efforts and those of Hatfield's endeavors. He felt that Washington County will come up "empty" if the Hillsboro Extension is not advanced. He also supported Don Adams's suggestion for the addition to Resolve 3 but would support a deferral of the resolution for one month if needed to settle the technicalities.

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Les White wondered if the problem stemmed from a predetermination on the outcome of the Hillsboro analysis. Tom Walsh responded that this is one of the bases for approval in the Financial Management Plan.

Fred Hansen was supportive of moving ahead with this quickly, suggesting that the resolution be deferred until the end of the meeting so that proper language could be arrived at. During further discussion, it was suggested that the financing plan not be submitted unless there was a satisfactory response to the Hatfield letter.

It was suggested that language be removed following the word "ISTEA", that the financing plan not be adopted unless there is a positive response to Hatfield's letter and, if it is positive, that "a, b and c" under Resolve 3 be included.

Action Taken: Commissioner Rogers moved, seconded by Commissioner Lindquist, to recommend approval of Resolution No. 92-1680, endorsing Tri-Met's financing plan for the Westside light rail project which includes advancing the region's Hillsboro extension allocated funds to the 185th project; that language in Resolve 3 be deleted following the word "ISTEA"; and that if a positive response is not received from Administrator Clymer, JPACT members be polled regarding re-inclusion of subsets a, b and c of Resolve 3.

In discussion, Councilor Devlin questioned whether there has been any recognition that if the project has to be extended over time, the overall cost will be difficult to keep at that level due to inflation. Tom Walsh responded that, if the level is at \$50 million, they won't be doing a regional rail system.

Motion to amend: Fred Hansen wanted to allow Tom Walsh to use judgment with regard to the language and, if he was concerned about the response from Clymer, JPACT would consider another resolution. His motion to amend, seconded by Don Adams, called for Resolve 3 to end following the word "ISTEA", adding the phrase subject to completion of EIS requirements and, if the letter from Clymer is not a satisfactory response, this action would be back before JPACT for further consideration. The motion to amend PASSED.

In calling for the original motion as amended, the motion PASSED unanimously.

Some concerns were expressed over future Congressional changes on the Appropriations Committee.

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Mayor Cole stressed the importance of going beyond the Sunset Highway terminus. He spoke of the need for a balance in the resolution and to bring some kind of security to the process. He felt that we need to be concerned about FTA's interpretation but emphasized the importance of covering our goals, intentions and jurisdictional needs. He noted that the language being omitted is public knowledge.

STATUS REPORT ON GOVERNOR'S TASK FORCE ON VEHICLE EMISSIONS IN THE PORTLAND METROPOLITAN AREA

Andy Cotugno reported that the Governor's Task Force on Vehicle Emissions in the Portland Metropolitan Area will hold an all-day session on September 22 to review its proposed recommendations. The framework for their conclusions for reducing airshed emissions through stationary sources, driving, pricing mechanisms that affect travel behavior, regulatory controls and technology will set a new policy direction. Andy noted that some legislative action will be required in order to implement some of the proposed strategies if they are selected by the Task Force. In addition, it is likely that the Regional Transportation Plan will have to be amended to support Task Force recommendations. JPACT will be involved in the implementing actions and DEQ, Metro and the Governor's Task Force will share in the recommendation. Metro will be asked to support the proposed recommendations and state its position.

Andy then reviewed the four strategies outlined in Table 5.1, the memo and its attachments. He explained that the Governor's Task Force is participating in an open process.

STATUS REPORT ON CONGESTION PRICING

Andy Cotugno explained that the congestion pricing concept affects people's driving choices by altering the cost of travel. FHWA and FTA have proposed pilot program funds under the Surface Transportation Act that would provide for five demonstration projects around the nation to test this approach. An application period will open up this fall. The issue is whether or not the Portland region should pursue a grant application to conduct a congestion pricing demo. If so, the issue needs to be addressed in the Oregon Transportation Plan.

Staff recommends that, if the congestion pricing demonstration grant is pursued, it include four discrete components: a development phase (two years), a decision point, an implementation phase, and a public involvement process.

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Issues to be addressed include: the need for multiple objectives, equity, use of revenues, the need to gain public acceptance to this approach, alternatives available, how it addresses the impact on neighborhood diversion, whether it's an enforceable program and how to evaluate whether it is a success or failure.

If JPACT is supportive of seeking this grant, a Concept Paper would be prepared. Andy asked Committee members whether the congestion pricing Concept Paper should focus in the direction of the Task Force on Vehicle Emissions, the Oregon Transportation Plan and VMT reduction rule.

Don Adams questioned whether the proposal for phasing is acceptable. He felt it needs to first be identified.

Commissioner Lindquist reported that he is a member of the Governor's Task Force on Vehicle Emissions and noted that there is need for a better understanding on the congestion pricing issue. He cited the need to educate the public, proceed as quickly as possible, and was supportive of seeking the grant.

Fred Hansen spoke of the need to get enough information available to determine whether it is a strategy that should be pursued. He encouraged pursuing the grant as he didn't feel it was a commitment to a long-term strategy.

Andy Cotugno indicated that the application process and deadline are unknown at this time and we need to have some sensitivity to that before a commitment is made to pursue the grant.

Action Taken: Fred Hansen moved, seconded by Commissioner Lindquist, that we pursue the congestion pricing demonstration project with the understanding that we look at the north side of the region as well. The motion PASSED unanimously.

NEXT STEPS ON REGION 2040

Andy Cotugno reported that three scenarios have been identified for land use and transportation development and that an effort will be made in October and November to conclude the input phase so that adoption on a set of alternatives can proceed in November and December. Materials at the printers include data on the values of the region and physical and historical constraints depicting these three scenarios.

Andy noted that interest groups are being targeted to determine whether these are the right three choices and focus in the right policy direction. The three scenarios include: 1) continuation of current comprehensive plans for another 30 years; 2) no expansion of the UGB with focus on a network of regional LRT

corridors; and 3) expansion outside the UGB to satellite communities that are self-contained.

Tom Walsh commented that we are underfunded in the 2040 planning effort, that we need to be more supportive in that direction and that it is in everybody's best interest, citing \$18 billion being spent on the transportation infrastructure.

OTHER BUSINESS

Discussion followed on the issue of transitional planning and the fact that a small working group will be formed in the next few weeks to address this issue.

ADJOURNMENT

There being no further business, the meeting was adjourned.

REPORT WRITTEN BY: Lois Kaplan

COPIES TO: Rena Cusma
Dick Engstrom
JPACT Members