

MEETING REPORT

DATE OF MEETING: April 9, 1992

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

PERSONS ATTENDING: Members: Chair Richard Devlin, Susan McLain and Jim Gardner, Metro Council; Pauline Anderson, Multnomah County; Earl Blumenauer, City of Portland; Clifford Clark, Cities of Washington County; Don Forbes, ODOT; Fred Hansen, DEQ; Bob Liddell, Cities of Clackamas County; Ed Lindquist, Clackamas County; Roy Rogers, Washington County; Marge Schmunk, Cities of Multnomah County; Gerry Smith, WSDOT; Dave Sturdevant, Clark County; Mike Thorne, Port of Portland; Tom Walsh, Tri-Met; and Bruce Hagensen, City of Vancouver

Guests: Susie Lahsene, Multnomah County; Don Adams, John Rist, Denny Moore and Ted Spence, ODOT; Tom Dechenne, Eastside Businessman; Bob Post (JPACT alt.), Tuck Wilson, Dick Feeney, G.B. Arrington, and Laurie Garrett, Tri-Met; Steve Dotterer and Karen Rabiner, Portland; Keith Ahola (JPACT alt.), WSDOT; Craig Lomnicki (JPACT alt.), Cities of Clackamas County; Terry Cook, Gresham; Carter MacNichol (JPACT alt.), Brian Campbell, Port of Portland; Les White (JPACT alt.) and Mark Landers, C-TRAN; Dean Lookingbill, Clark County IRC; Rod Sandoz and Tom VanderZanden, Clackamas County; Bruce Warner, Washington County; Clay Moorhead, City of Gresham; Bud Roberts, City of Beaverton

Staff: Andy Cotugno, Betsy Bergstein, Gail Ryder, Karen Thackston, and Lois Kaplan, Secretary

SUMMARY:

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

Andy Cotugno pointed out that a thank-you and greetings from James Cowen, President of the Oahu Transit Service, Inc., was included in the agenda packet acknowledging the JPACT caricature that was mailed him.

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Clifford Clark moved, seconded by Tom Walsh, to approve the March 12 JPACT Meeting Report as written. Motion PASSED unanimously.

RESOLUTION NO. 92-1598 - FINALIZING THE WESTSIDE LRT FUNDING PROGRAM

Andy Cotugno reviewed the Staff Report/Resolution that would finalize the Westside LRT funding package toward accomplishment of the Full-Funding Agreement. The policy options being considered include: a status-quo option (seeking 75 percent FTA funding); separation of 185th from the Hillsboro project; or accelerating the Hillsboro project, which would streamline the process but would require a commitment of additional regional funds.

Andy noted that these actions would also involve a Transportation Improvement Program amendment and parts are contingent upon approval from ODOT and Tri-Met. He cited the importance of following the Committee on Accessible Transportation's recommendation for low-floor cars in meeting compliance with ADA requirements.

Andy acknowledged Mayor McRobert's letter to Senator Hatfield (as distributed at the meeting) regarding the funding appropriation in support of Project Breakeven. The Winmar project, for construction of a regional shopping center, would have provided lease revenue and ridership benefit for Tri-Met. However, attempts to get the project approved were unsuccessful. Andy noted that Resolve 8 in the resolution came as a result of TPAC action at its March 27 meeting, directing Tri-Met to work with the City of Gresham to define alternatives and recommend a strategy for keeping the Project Breakeven parcel intact as a transit-supportive site. Andy clarified that the source of funds of the \$13.5 million in question are not the funds required for the Breakeven project.

Tom Walsh encouraged passage of clause No. 10 under "Proposed Action" relating to through-routing of trains for the Westside. He stated that there is no assumption that the \$13.5 million source is that of Project Breakeven, but Tri-Met will not do anything until Gresham and Tri-Met are in accord and will not move the funds until that agreement has been reached. Those funds include necessary improvements for through-routing of trains, which includes double-tracking through the Gulch and Ruby Junction. Andy Cotugno clarified that the resolution does not relate the \$13.5 million to Project Breakeven.

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Don Forbes indicated that ODOT's support is contingent upon adoption by the Oregon Transportation Commission. The policy issue concerns the use of the state share of the STP funds and how it gets apportioned on a statewide basis. Also, he reminded everyone on the need for a clear set of regional recommendations before the state can address those needs.

Clay Moorhead, Community Development Director of Gresham, provided background information relating to Project Breakeven, noting that funds for its use were enacted by Congress in 1990. \$13.5 million was committed to Tri-Met for the purchase of the Winmar property for development of a regional shopping mall that would generate ridership and lease-back revenues to the transit provider. \$4.5 million of matching funds was committed by Tri-Met to get the project off the ground. He noted that the developer backed out but felt there is need for such development, it is likely that it could be built, it is a unique site bisected by light rail and would represent a significant development. From the City of Gresham's perspective, the Westside light rail project would not be impacted by the \$13.5 million. He suggested pulling item No. 10 under "Proposed Action" from consideration.

Mr. Moorhead added that the resolution was approved at the March 27 TPAC meeting with the reservation that Tri-Met and Gresham work together for further discussion on the project. He felt this was fast-tracking the resolution and cited the importance of public involvement in the process toward creating the regional decision. The City of Gresham believes there are a number of options to be explored with regard to the Winmar site. Mr. Moorhead requested that JPACT delete item 10 from the resolution until it can be resolved by the two parties and brought back for further review as he did not feel it would impact the funding package.

Tuck Wilson indicated that it is the same sum of money as the Breakeven project but does not represent the funds allocated for Breakeven. Its source is from a different pot of money. He assured the Committee that Tri-Met is not relinquishing its commitment. When Tri-Met and Gresham reach a recommendation on either to pursue or shift the Breakeven funds, this consideration will be back before JPACT.

Mayor Liddell asked whether the City of Gresham had the same interpretation. Clay Moorhead responded that the City of Gresham does not think there is \$13.5 million available in Section 3 funds. He felt it would be difficult to release the Project Breakeven funds by all parties but it appears that the trade-off of those funds is likely and that the dollars are committed to that area. If a trade-off is permissible, the \$13.5 million is

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available for mass transportation uses. If available, Tri-Met should be looking at other dollars for development of the Winmar site. Clay indicated he was satisfied by being assured that the \$13.5 million did not represent the dollars intended for Project Breakeven.

Fred Hansen asked whether his understanding was correct in that Tri-Met may pursue the Breakeven dollars if a consensus could be reached but that additional action would be needed.

Commissioner Blumenauer was supportive of Project Breakeven and the need for a regional commitment from some other funding source but questioned why it should be considered as an amendment to this resolution when it has been acknowledged that this is our regional priority and \$13.5 million is needed to make the light rail system work right and integrated with the Eastside system.

Commissioner Lindquist reminded the Committee that, when Project Breakeven was first considered, it was not a JPACT priority but agreement had been reached for Tri-Met to seek Discretionary funds for that development. At that time, there was concern over use of transportation funds to buy a shopping center. It was allowed to go through as a request but not as a priority, so at this time he could not support the amendment proposed by Gresham.

Councilor McLain felt the amendment would not further the resolution and that there was no consensus to add the amendment.

Commissioner Lindquist added that the present administration is opposed to this concept even if it had been made a priority. He did not wish to hold up Westside LRT funding to seek approval of the Winmar site. It would first have to be reviewed by JPACT in terms of a priority. It was appropriate as a demonstration grant and JPACT supported securing funds for that demonstration project.

Tom Walsh stated that one of the requirements for the Full-Funding Agreement is that revenues and expenditures balance. It was clarified that the \$13.5 million is not a part of the equation for the Westside project. The Full-Funding agreement concludes the ability to go to 185th and establishes the concept on how to go to Hillsboro.

Chair Devlin concluded that there was no consensus for inclusion of Mr. Moorhead's proposed amendment. He noted that, if there is a trade-out, it would come back to JPACT for consideration.

In discussion of the Full-Funding Agreement, Commissioner Blumenauer expressed concern over who will manage the Westside LRT

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project and what Metro's intentions are regarding a merger with Tri-Met. Over the last year and a half, he felt there was agreement that the issue of pursuing a Tri-Met/Metro merger would be put aside until the Full-Funding Agreement has been signed. He felt that any questions surrounding its management or governance could upset a delicate balance. His three concerns included the following: that the Full-Funding Agreement would be done before the merger issue came up again; the potential for complicating labor discussions at Tri-Met with added cost implications; and the stability and credibility of the project. Since inception, JPACT has been an advisory body on transportation issues to the Metro Council. He was therefore frustrated to learn that an RFP was being considered by Metro Council on this date regarding the proposed merger without discussions at the JPACT level. He cited the fact that there are three Metro Councilors on JPACT who could have enlightened the Committee on the proposal. He wanted the issue laid to rest and that the proposal not cause any interference in seeking the Full-Funding Agreement for the Westside LRT.

Comments offered by Metro Councilor Devlin noted the fact that the Full-Funding Agreement was anticipated to be signed in September of 1991. Metro's Executive Officer and the Council included funds in the budget to conduct additional studies on the Tri-Met/Metro merger following assurance of the Full-Funding Agreement. Chair Devlin did not feel the RFP would go forward at the April 9 Metro Council meeting. However, he noted that the Charter Committee has changes to Metro's authority proposed in the charter for November, which places the Metro Council in a difficult position, waiting for signing of the Full-Funding Agreement.

Metro Councilor Gardner provided background information leading to consideration of the RFP and felt it is in the eventual best interests of the region. The intent of the RFP is to gather technical, actuarial information and he assured the Committee that it would be reworded for clarity if it implied otherwise. It is to provide the technical and financial information about some of the questions if and when the decision-making process goes forward toward a merger. Councilor Gardner was sensitive to the ongoing labor situation and did not wish to hamper those efforts. Within the charter process, there are changes being suggested in the relationship between Tri-Met and Metro. Before it goes forward, he hoped to make it clear that they are not resuming the process about making a decision on the merger at this point. Councilor Gardner agreed with Commissioner Blumenauer that JPACT is the regional consensus-building body to the Metro Council on transportation issues and assured him that JPACT will be fully involved again but that the RFP was not seen as

part of that process, rather a gathering of technical information.

Councilor McLain indicated she did not support going forward with the study as she did not feel it was a good use of funds. However, whenever intergovernmental agreements or budget are concerned, funds need to be included for a foundation of information to arrive at available options.

Action Taken: Clifford Clark moved, seconded by Roy Rogers, to recommend approval of Resolution 92-1598 for the purpose of finalizing the Westside LRT funding program.

In discussion, Mike Thorne indicated that, while the Port supports the effort and energy to complete the Westside LRT project, the resolution creates confusion about the future. He felt it important to support the motion but expressed concern regarding the need for a totally integrated transportation system that includes access for job sites and meets the needs of a community such as ours. He spoke of a strong economy and questioned how item 6 of the Staff Report (relating to \$22 million from Regional Surface Transportation Program funds) impacts the question he raised. He felt it is incumbent upon JPACT to address the cargo transport issue.

Commissioner Blumenauer re-emphasized that people who care about transportation should be concerned about the Request for Proposals being considered by Metro Council. He cited the need for better, fundamental communication between jurisdictions and that JPACT be kept well informed. In response, Councilor McLain clarified that no policy decisions were being considered and that the issue being considered by Metro Council was one of information gathering. Councilor Gardner stated that it is the first time he has heard any concern being expressed regarding this study but felt that communication is both ways. He indicated that the RFP should be clarified further.

The motion PASSED unanimously.

RESOLUTION NO. 92-1584 - REQUESTING GREATER FLEXIBILITY IN THE USE OF THE I-205 BUSLANE FUNDS

Andy Cotugno reviewed the background of the I-205 funding as defined in the Staff Report. Interstate funds were provided for use of buslanes in the I-205 corridor. The funds in question are not flexible but were allowed by law to be used for light rail purposes. The \$15-16 million sum is not sufficient to build light rail.

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Andy reported that support was obtained from FTA to look at light rail in the I-205 and Milwaukie corridors at the same time. Unknown at this time is what the final appropriate set of improvements will be. Under the STA, the last year for appropriation of Interstate Transfer funds is 1993. If appropriated, they would be available for light rail purposes. Andy noted that the purpose of the resolution is to give the region greater flexibility for the use of such funds.

Action Taken: Fred Hansen moved, seconded by Councilor Gardner, to recommend approval of Resolution No. 92-1584, requesting greater flexibility in the use of the I-205 buslane funds.

Commissioner Lindquist supported the resolution, noting that the most we can get from our Congressional delegation is what's most appropriate, or the funds will be lost. He reported that a split-diamond intersection on I-205 is being worked on and indicated support of the resolution.

Mayor Liddell cautioned the committee that, if the funds are to be used outside the I-205 corridor, he wanted it understood that top priority goes back to that specific corridor.

Mike Thorne indicated that it's the Port's concern that the funds are used to address transit concerns in the I-205 corridor. He asked for clarification on why we would ask for a study if there wasn't an understanding that we are looking at that corridor to deal with existing transit problems. He noted that we don't wish to predispose the results of the study but he wanted assurance that transit problems would be addressed in the I-205 corridor.

Andy Cotugno spoke of a wide range of possibilities, citing the cost outcome and the other sources of funds that might be available to complete the project. The purpose of the resolution is to seek flexibility but not to use the funds until resolution of the I-205/Milwaukie Preliminary Alternatives Analysis and an implementation funding strategy.

The motion PASSED unanimously.

FORMATION OF JPACT FINANCE COMMITTEE

A memo was distributed from Chairman Devlin recommending membership on the JPACT Finance Committee as follows:

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Richard Devlin, Chair
Ed Lindquist, Clackamas County
Pauline Anderson, Multnomah County
Roy Rogers, Washington County
Earl Blumenauer, City of Portland
Dave Sturdevant, Clark County
Tom Walsh, Tri-Met
Don Forbes, ODOT

Chair Devlin hoped to keep the subcommittee of minimal size but asked that anyone wishing to be included contact him.

ADJOURNMENT

There being no further business, the meeting was adjourned.

REPORT WRITTEN BY: Lois Kaplan

COPIES TO: Rena Cusma
Dick Engstrom
JPACT Members