

MEETING REPORT

DATE OF MEETING: February 13, 1992

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

PERSONS ATTENDING: Members: Chair Richard Devlin, Jim Gardner and Susan McLain, Metro Council; Earl Blumenauer, City of Portland; Ed Lindquist, Clackamas County; Steve Greenwood (alt.), DEQ; Larry Cole, Cities of Washington County; Don Forbes, ODOT; Gerry Smith, WSDOT; Les White, C-TRAN; Carter MacNichol (alt.), Port of Portland; Tom Walsh, Tri-Met; Roy Rogers, Washington County; Bob Liddell, Cities of Clackamas County; and Pauline Anderson, Multnomah County

Guests: G.B. Arrington, Tuck Wilson and Bob Post (JPACT alt.), Tri-Met; Grace Crunican and Steve Dotterer, City of Portland; Craig Lomnicki (JPACT alt.), Cities of Clackamas County; Kim Chin, C-TRAN; Bebe Rucker, Port of Portland; Dean Lookingbill, Clark County IRC; Rod Sandoz, Clackamas County, Roger Buchanan, Metro Council; Rick Root, City of Beaverton; Molly O'Reilly, Citizen; Susie Lahsene, Multnomah County; Don Adams (JPACT alt.), John Rist and Ted Spence, ODOT; Jim Howell, Oregon Association of Railway Passengers; Keith Ahola (JPACT alt.), WSDOT; and Dale Chambers, Land Use Advisory Commission

Staff: Andy Cotugno, Gail Ryder, Keith Lawton and Lois Kaplan, Secretary

SUMMARY:

The meeting was called to order by Richard Devlin who announced that the Metro Council had appointed him to serve as Chair of JPACT this year.

MEETING REPORT

The January 9, 1992 Meeting Report was approved as written.

RESOLUTION NO. 92-1559 - ENDORSING TRI-MET GRANT APPLICATIONS FOR FUNDING UNDER 1) SECTION 20 HUMAN RESOURCES PROGRAM AND 2) SECTION 16(B)(2)/CIGARETTE TAX SPECIAL TRANSPORTATION DISCRETIONARY PROGRAM

Andy Cotugno explained that this action would amend the Transportation Improvement Program for two unrelated items: The Section 20 program (encouraged by the Federal Transit Administration) is requested to better serve the disadvantaged community and the Section 16(b)(2) project (through ODOT) is for special needs transportation through use of cigarette tax funds.

Action Taken: Tom Walsh moved, seconded by Don Forbes, to recommend approval of Resolution No. 92-1559, endorsing Tri-Met grant applications for funding the Section 20 Human Resources Program and the Section 16(b)(2)/cigarette tax Special Discretionary Program. Motion PASSED unanimously.

RESOLUTION NO. 92-1561B - PROVIDING THE ASSESSMENT OF DUES TO LOCAL GOVERNMENTS FOR FY 1992-93

Andy Cotugno noted that this consideration is in line with the 120-day legislated requirement for dues notification to jurisdictions. A revised resolution (Resolution No. 92-1561B) was distributed reflecting action taken at the February 12 TPAC meeting. Andy reviewed TPAC's recommendation to assess local governments at a rate between \$.43 and \$.51 per capita with the Council establishing the final assessment rate based upon deliberation of the FY 1992-93 budget with input from JPACT and RPAC.

Andy reviewed Attachments A and B to the Staff Report and Exhibit A to the Resolution. He noted the proposed contractual support for Region 2040 and the fact that no work program has been established for Phase II. He cited possible use of a dues increase as follows: 1) a Portland State University proposal to assess local governments using RLIS (for training and technical advice); and 2) a source of funds to enhance the Region 2040 program. Because of the uncertainty of the work program, it is recommended that the dues assessment be placed between \$.43 and \$.51 for factoring in the final budget process.

Commissioner Anderson reported that RPAC recommended unanimously to keep the dues assessment at \$.43 or less and felt that JPACT's recommendation should be consistent with theirs.

Action Taken: Pauline Anderson moved, seconded by Earl Blume-nauer, to recommend approval of Resolution No. 92-1561B with

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language consistent with RPAC for a dues assessment at a rate of \$.43 or less.

In discussion on the motion, Commissioner Blumenauer noted that, given the revised population figures, most jurisdictions will pay a higher amount than last year and have figured budgets based on that.

Councilor Gardner, Chair of RPAC, did not feel the recommendation must be consistent with RPAC's, noting the difference in representation on the two committees. He hoped that JPACT could keep an open mind when the work program is approved and would be open to revising its recommendation on a case-by-case basis if something is deemed appropriate for the dues money.

Mayor Cole noted that the Cities of Washington County support a \$.43 cap on the dues assessment.

Mayor Liddell cited the need to be prudent and to revisit all work programs before setting the rate.

Commissioner Blumenauer spoke of the need to be flexible in terms of long-term requirements and the variety of sources of funds. The money derived from dues comes from the least flexible pool, and it is a mandatory assessment. He felt there may be projects for which we may want to seek ways to enhance the budget, particularly the Region 2040 Program.

The motion to adopt Resolution No. 92-1561B as amended PASSED unanimously.

ANNOUNCEMENTS

Chair Devlin announced that Susan McLain, Jim Gardner, and he would be serving as JPACT representatives from Metro Council along with George Van Bergen as alternate. He also noted that Mayor Bruce Hagensen of Vancouver has filled the vacancy left by Ron Hart.

WESTSIDE LRT ACCESSIBILITY STUDY

Tuck Wilson introduced Denny Porter, Jan Schaeffer and Bob Pike, staff support and consultant, respectively, for the Special Citizens Advisory Committee.

Bob Pike explained that a number of jurisdictions made the recommendation to do away with the Eastside lifts and look at a means of level boarding. The three types investigated include:

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1) full-length high platforms; 2) Mini-high platforms; and low-floor light rail vehicles. Bob spoke of mobility impairments, user problems, and difficulty with accessing one door only (which is not in compliance with ADA requirements).

Bob spoke of low-floor cars which have been built from an operational standpoint to get everyone on faster. Bob reviewed the conclusions, concerns and priorities of the study, citing the following major issues: 1) to establish a program for full-level boarding regionally; 2) to minimize a permanent impact on the downtown area; and 3) to minimize technical risks to development of the Westside system.

Bob acknowledged that articulated cars and raised cars will be studied.

Denny Porter provided an overview of the five-month study and spoke of the need for an integrated system in keeping the Westside LRT an extension of the Eastside LRT line but cited ease of use as a consideration. Other considerations he noted include the differences between U.S. protection standards and what is in place in Europe. Tri-Met's engineering staff feels there are ways to overcome the technical difficulties for low-floor cars. To accommodate low-floor cars, it is estimated there will be a 20 percent cost increase. He spoke of coupling new cars with old cars and getting rid of the lifts. Denny stated that costs are determined in 1992 dollars based on a fleet of 39 light rail vehicles. Ten cars are planned for the Eastside line and 29 for the Westside. Tri-Met anticipates some reconstruction on existing platforms and some modification to the existing maintenance facility.

The conclusions he noted were:

- . The need to meet ADA compliance;
- . The need to meet local expectations;
- . To determine what the system will look like;
- . To determine whether it can be done technically;
- . To establish what it will cost; and
- . To ascertain how we will pay for it.

A discussion followed on unacceptable impacts on the downtown area.

Recommendations of the Advisory Committee are as follows:

- . Adopt Tri-Met's preference for low-floor light rail vehicles as the single level-boarding technology for the MAX system.

- . Assess further the type of low-floor vehicle best suited for the MAX system.
- . Design Westside light rail station platforms for use with the recommended low-floor cars and modify the Eastside platforms and other facilities to accommodate low-floor cars when they are operational.
- . Determine a plan for funding the additional costs of 39 low-floor cars and associated facilities and seek regional consensus in support of this plan.

Denny Porter indicated that the Advisory Committee must now deal with the conceptual desirability, technical feasibility (internal process at Tri-Met), and financial capability in partnership with the region (\$23-30 million range). He noted that the technical feasibility has yet to be determined and that analysis will be undertaken by consultants. If the technical risks can be alleviated, Tri-Met will move forward with a plan for its financing.

Councilor Gardner asked about the financial impact of the boarding applications -- whether there would be any pluses or cost advantages. Tuck Wilson responded that there are ridership impacts and that long-range and systemwide costs are yet to be determined. He added that he did not feel there would ever be high platforms in Portland and noted that the life expectancy of the cars is 20-30 years.

Commissioner Lindquist suggested seeking federal help under 90/10 provisions for ADA compliance. He stated it would be long-term relief but wouldn't help the short-term cash flow.

Bob Post felt that through "equivalent facilitation," we would be meeting ADA compliance. The Rehabilitation Act of 1974 was in effect in 1974 so those regulations were applied when the Eastside light rail was put in place.

Councilor Devlin reported that this matter would be back before JPACT next month along with a funding recommendation.

John Rist, ODOT, informed the Committee of a movement in Congress relating to public buildings, which is a supplemental package for ADA requirements. He felt there may be an infusion of new money. The co-sponsored bill is aimed at demonstration projects.

OVERVIEW OF INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT (ISTEA)

Andy Cotugno encouraged JPACT attendance at the February 25 JPACT-sponsored lunch meeting scheduled for FHWA Administrator Tom Larson at the Convention Center.

Andy highlighted the ISTEA table for the Committee, noting there would be about a 20 percent increase in the highway category and a 40-60 percent increase in the transit level for the next fiscal year. He explained use of funds in Interstate Construction, Interstate Maintenance, National Highway System, Surface Transportation Program, Congestion/Air Quality, Bridge, and Interstate Transfer for the highway side. On the transit side, he explained use of Section 9, Section 9 Operating, Section 8 Planning, Section 3 funds and Interstate Transfer transit funds.

ODOT SIX-YEAR PROGRAM

Andy noted that ODOT is in the process of a Six-Year Program update and they are seeking recommendations on projects. Project recommendations were previously formally approved by JPACT. ODOT is now in the public review process of the draft update.

At a special TPAC meeting on February 12, committee members deliberated on comments for a regional position. ODOT will consider comments received prior to final adoption of the Six-Year Program in either July or August. Andy Cotugno indicated that freight rail and transit are included along with a Development Section identified for engineering, right-of-way acquisition and EIS.

Because of the changing environment of the funds being programmed and a changing STA, the region is asking for changes to meet the eligibility and flexibility of fund requirements during that time period. Andy reviewed the memo that acknowledges that the priorities included are important ones and would advance the highway program.

Andy pointed out that there is \$386 million of new money in the ISTEA but that the Six-Year Program is \$173 overprogrammed. Changes in the new ISTEA present broader opportunities for multi-modal projects as candidate projects. He then reviewed the types of projects to be considered as reflected in the memo. He noted the recommendation of a separate Bike and Pedestrian Section and that use of the Enhancement and Air Quality funds should consider a broader set of candidate projects.

Andy expressed TPAC concerns over the shortfall and apprehension over use of bonds to meet the unfunded portion of the Program against future federal funds that are flexible and could be tied up. Also included in the memo is an opportunity to use a different approach in addressing the Bridge Program. One comment suggests that the region undertake a multi-modal project evaluation for newly available STP, Enhancement funds, Air Quality/Congestion Mitigation funds and Section 9 funds.

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In addition, Andy reviewed the optional language proposed for JPACT consideration pertaining to flagging of specific new projects in the Six-Year Program in a cooperative effort with ODOT to consider alternative projects by October.

Andy asked that JPACT consider approval of the memo, noting that, if delayed, it would miss the ODOT hearing date.

Commissioner Rogers spoke of critical projects to Washington County in the Six-Year Program and the integration of transit with road projects. He acknowledged the \$173 million shortfall and questioned whether those critical projects would be reprioritized and held in abeyance if the recommendation is followed.

Don Forbes commented on the need to honor the flexibility issue. He reported that ODOT is doing its best to follow the region's priorities. As a region that wishes to shift focus, he cited the need to develop consensus.

Councilor Devlin noted that ISTEA is a piece of legislation that has "Oregon" written all over it. He felt that this is a region-wide issue and that the flexibility component will be evaluated again in the future.

Councilor McLain felt the important issue is that the Six-Year Program is not a static document and the region has the ability to re-evaluate new issues and new technologies. She felt it was a clarifying device rather than a tracking device.

Carter MacNichol pointed out that the approach should be to meet the timelines and proceed with high priority projects but have the flexibility to change things. He noted that we asked for increased flexibility. Carter asked why this approach was chosen as the preferred alternative as opposed to internally flagging lower priority projects in keeping them off the list. A portion would be held in reserve for reprioritization.

Don Forbes stated that ODOT uses the Six-Year Program as an implementation document. In terms of flexibility, the transportation needs might be met by some other alternatives. He felt the region needs to flag those projects that might be met by alternate use.

Councilor Gardner noted that ISTEA indicates a new environment. By flagging a project, it doesn't mean it's not going to be built and he pointed out the short term between now and October recommended in the memo.

Commissioner Blumenauer expressed concern that we not "pass the buck" and felt that re-evaluation should be done at the state and

local level. He cited the use of flexibility, a favorable borrowing climate, some federal opportunities and some aggressive planning in the region at a time when new circumstances prevail and was hopeful the memo could be "toughened up." He felt some unique opportunities are present that afford clever and more aggressive planning but accompany some risk.

Mayor Liddell expressed concern regarding slippage of some projects but felt there is need to look at the big picture and presenting information to the public during this transition period that is not "business as usual." He spoke in terms of livability, that this is a good approach, that there needs to be a public outreach, and that it needs to be defined to the rest of the region.

Tom Walsh felt that the significance of the new Surface Transportation Act is predictability and flexibility. He cited it as a significant major opportunity for future STAs. He felt we need to plant the message that if legislation is to be done differently, one state will respond.

Andy Cotugno noted that the new Six-Year Program adds two years to the old program. It does not change predictability of old projects in the first four years but the last two years are predominantly new projects. Andy cited the difficulty involved in deprogramming something that is already committed so this is a modest way to include projects in the Six-Year Program by flagging them as "new projects."

Commissioner Rogers felt we need to look at different alternatives but wanted a better understanding of the flagging, regional priorities and participation in the process. He asked for further clarification as to what would be given up.

Councilor Gardner understood Commissioner Rogers' concern but noted that those concerns will be driven by the OTC hearings. If there is an opportunity to give comments, then it should be decided as quickly as possible. The flagging would be done between now and October for regional discussion with some suggested amendments to ODOT at the end of that period. He cited the need to state that this is a transition period and in view of the timetable.

Action Taken: Councilor Gardner moved, seconded by Commissioner Blumenauer, to endorse these comments to ODOT on their Six-Year Transportation Improvement Program and include the additional language in Paragraph 4 (noted as optional JPACT language) with inclusion of the word Modernization preceding the word "projects."

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In discussion on the motion, Mayor Cole spoke as representative from the Cities of Washington County and their preference to keep the Six-Year Program intact during this update with re-evaluation during the second year, voicing concern about looking at the whole package.

Don Forbes reminded the Committee that there would be a second round of comments in June.

Andy Cotugno cited the importance of moving forward with the comments that lay out principles to deal with the flagged projects. He indicated that the flagging issue could take place in May and felt it would be a mistake to miss the hearings.

Carter MacNichol was willing to support the motion and, at another time, drop the flagged projects but concurred in the need for flexibility for consideration of alternative projects. He felt it might be a disservice to some jurisdictions whose projects are being "flagged" and suggested a delay until March.

The motion PASSED unanimously.

JPACT FINANCE SUBCOMMITTEE

Andy Cotugno felt it would be timely to appoint a JPACT Finance Subcommittee with the task of preparing a funding resolution for JPACT consideration for the next legislative session. Chair Devlin asked members interested in serving on the Finance Subcommittee to 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