

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 92-1547 FOR THE PURPOSE OF CERTIFYING THAT TRI-MET'S COMPLEMENTARY PARATRANSIT PLAN CONFORMS TO METRO'S REGIONAL TRANSPORTATION PLAN

Date: January 3, 1992

Presented by: Andrew Cotugno

PROPOSED ACTION

This resolution certifies to the Federal Transit Administration (FTA) (formerly the Urban Mass Transportation Administration) that Tri-Met's recently adopted Complementary Paratransit Plan conforms to Metro's Regional Transportation Plan. Tri-Met is required to obtain this certification from Metro to meet the requirements of the Americans With Disabilities Act of 1990.

FACTUAL BACKGROUND AND ANALYSIS

The Americans with Disabilities Act (ADA), enacted by the U.S. Congress in 1990, extends the protections of the Civil Rights Act of 1964 to persons with physical or mental disabilities. The Act prohibits discrimination and guarantees equal opportunity for disabled persons in employment, transportation, public accommodations, public services, and telecommunications. The U.S. Department of Transportation issued a final rule implementing the transportation provisions of the ADA on September 6, 1991. As applied to the Portland metropolitan area, the rule imposes extensive planning and operations requirements on Tri-Met, and planning requirements on Metro.

A. Operations and Planning Requirements: Tri-Met.

The Act addresses the needs of two classes of disabled persons, those who are able to ride accessible fixed route buses and those who must depend on paratransit services.

1. Fixed route service. The Act requires that as fleet vehicles are replaced, they must be replaced with accessible vehicles until 100% of the fleet is accessible to the disabled. Although this is a new federal policy, it has been a Tri-Met policy for a number of years. Tri-Met expects to have a 100% accessible fleet by 1997.

The final rule also requires that all rail cars and certain rail stations be accessible to the disabled. All MAX trains are currently accessible through a system of lifts which are located at each station. Current plans are to have the entire light rail system accessible to the disabled as it is built, although the method of accessibility is currently being reconsidered.

In summary, accessibility of Tri-Met fixed route service meets the requirements of the new Act.

2. Paratransit Service. The new rule reflects an alteration in philosophy about who should be eligible for paratransit services and how much service should be available, and thus will require Tri-Met to make fairly extensive changes to its current paratransit service. The rule requires Tri-Met to develop a paratransit plan explaining how it plans to comply with the Act. The plan must be submitted to FTA by January 26, 1992. Tri-Met has until January 26, 1997 to implement the plan, thus bringing itself into compliance with the law.

On December 18, 1991, the Tri-Met Board adopted the proposed Americans with Disabilities Act Joint Complementary Paratransit Plan of the Tri-County Metropolitan Transportation District of Oregon and the Molalla Transportation District as its response to the requirement that a plan be developed for the Portland metropolitan area. The plan outlines the requirements of the Act as applied to Tri-Met's service area, the deficiencies of the current service when compared to the requirements of the new Act, and the remedial measures which will be taken to bring Tri-Met into compliance with the Act. Tri-Met is planning a three-stage service expansion to bring itself into compliance with the ADA. Tri-Met's goal is to be in full compliance with the ADA by September 1994, approximately 2 1/2 years earlier than required. The plan will be updated each year. At that time all previous decisions will be reviewed.

The most significant issues addressed in the Tri-Met Paratransit Plan include the following:

- a. Eligibility. The ADA requires complementary paratransit service to be provided to all individuals who, as the result of a physical or mental impairment, cannot use accessible fixed route transit.

Tri-Met currently applies a similar rule to establish eligibility. Therefore, Tri-Met will continue to use its present eligibility determination and appeals process.

- b. Demand for service and demand estimation. The ADA requires paratransit service to be provided to all of those who are eligible for the service within one hour of their requested trip time. The ADA further requires transit agencies to estimate demand by ADA-eligible individuals for such paratransit services.

Tri-Met is not currently using demand estimation techniques for its paratransit service because such techniques do not exist, as they do for fixed route services. Tri-Met will work with existing ridership data, information available from the disabled

community, and data acquired as it expands service to develop better methods for estimating demand. Service will be expanded in stages until the requirements of the law are met.

Tri-Met personnel believe that capacity constraints which exist in the current system mask the actual demand. Those constraints include a 48-hour reservation system, the right to turn down requests which exceed capacity, and limited service hours. Tri-Met currently turns down approximately 1% of trip requests. However, there is a sense that demand may increase by as much as 25% to 50% as the service is extended to evenings and weekends and as disabled persons who have been turned down in the past regain confidence in the new service.

- c. Service area and service times. The ADA requires that paratransit service be provided to all origins and destinations that are within three-quarters of a mile of a transit route. In suburban areas, service may be provided within one and one-half miles around transit routes. Similar standards apply to light rail lines. The ADA also requires that paratransit service be provided during the same time periods that transit service is offered.

Tri-Met's current geographical service area for paratransit exceeds the service area for fixed route service. However, current service hours for paratransit (6 AM to 6 PM) are fewer than for fixed route service.

Tri-Met plans to address the requirements of the final rule by increasing the service hours for paratransit to match those of the fixed route service (4:30 AM to 2:30 AM), and by redeveloping the service area so that it complies with the new rule. Tri-Met will continue to serve any ADA-eligible persons currently receiving ongoing paratransit rides but whose trip begins or ends outside of the new service boundaries.

- d. Response time. The ADA requires that a reservation service be available during normal business hours of the transit operation and that service be available on the next day.

Tri-Met currently requires 48 hours advance notice. Tri-Met will provide next-day reservation service by September 1994, or earlier if possible.

- e. Fares. The ADA permits paratransit fares to be no more than twice the fare that would be charged to an individual paying full fare for a similar trip on the fixed route system.

Tri-Met paratransit fares are currently \$.50 per trip. Fixed route fares are \$.90 for 2-zone trips and \$1.20 for 3-zone trips. Tri-Met has no current plans to increase paratransit fares as permitted under the ADA.

- f. Trip purpose restrictions. The ADA does not permit transit agencies to impose restrictions or priorities based on trip purpose.

Tri-Met currently does restrict trips based on purpose. The Paratransit Plan calls for a multi-year three-stage expansion of service. The current restrictions will be eliminated by September of 1994, when the service has fully expanded to comply with the ADA.

- g. Capacity constraints. The ADA prohibits the use of mechanisms which constrain demand, such as waiting lists, limits on numbers of trips, and operational patterns which make the service unattractive.

Tri-Met does not engage in such practices, except that the 48-hour reservation system currently in use and the right to refuse trips may be perceived as capacity constraints. As explained above, both of these aspects of the paratransit operation will be eliminated when the service is fully expanded by September 1994.

B. Planning Requirements: Metro.

The final rule requires Metro, as the Metropolitan Planning Organization, to review Tri-Met's paratransit plan and certify that the plan conforms to the Regional Transportation Plan (RTP). This certification is one of the required components of Tri-Met's submittal to the Federal Transit Administration, and without the certification Tri-Met cannot be found to be in compliance with the ADA. The RTP, as amended by Ordinance No. 91-433, will conform to the requirements of the ADA.

The following provisions in the RTP, as amended by Ordinance No. 91-433, respond to the requirements of the ADA:

- Tri-Met will continue to develop Complementary Paratransit Services which comply with the ADA;
- Tri-Met will continue to specify lifts on all new transit vehicles until 100 percent of the fleet is accessible;
- Tri-Met will continue to work with local jurisdictions to make transit stops accessible; and,
- Tri-Met will continue to develop other facilities and services which are accessible to the disabled as required by the ADA.

In future updates and amendments to the Regional Transportation Plan, Metro will further examine the special needs of the disabled population to ensure that the RTP continues to respond in full to the requirements of the ADA.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 92-1547.

AZ:lmk
92-1547.RES
12-23-91

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CERTIFYING)	RESOLUTION NO. 92-1547
THAT TRI-MET'S COMPLEMENTARY)	
PARATRANSIT PLAN CONFORMS TO)	Introduced by
METRO'S REGIONAL TRANSPORTA-)	Councilor David Knowles
TION PLAN)	

WHEREAS, The U.S. Department of Transportation issued a final rule implementing the transportation provisions of the Americans with Disabilities Act (ADA) on September 6, 1991; and

WHEREAS, The final rule as applied to the Portland metropolitan area requires Tri-Met to develop a paratransit plan which conforms to the Regional Transportation Plan (RTP); and

WHEREAS, The final rule requires that the Metropolitan Planning Organization (MPO) review the paratransit plan and certify that it conforms to the RTP; and

WHEREAS, The Joint Policy Advisory Committee on Transportation certifies that it has reviewed the ADA paratransit plan prepared by Tri-Met as required under 49 CFR part 37.139(h) and finds it to be in conformance with the RTP (the transportation plan developed under 49 CFR part 613 and 23 CFR part 450 [the UMTA/FHWA joint planning regulation]); and

WHEREAS, The Joint Policy Advisory Committee on Transportation recommends certification by the Metro Council; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District hereby certifies that it has reviewed the ADA paratransit plan prepared

by Tri-Met (included as Exhibit A) as required under 49 CFR part 37.139(h) and finds it to be in conformance with the RTP, the transportation plan developed under 49 CFR part 613 and 23 CFR part 450 (the UMTA/FHWA joint planning regulation), for a period of one year.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1992.

Tanya Collier, Presiding Officer

AC:AMZ:lmk
92-1547.RES
12-17-91

PROPOSED AMERICANS WITH DISABILITIES ACT
JOINT COMPLEMENTARY PARATRANSIT PLAN
OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION
DISTRICT OF OREGON (TRI-MET)
AND THE MOLALLA TRANSPORTATION DISTRICT
EXECUTIVE SUMMARY
(Revised 11-26-91)

The following summary outlines Tri-Met's and the Molalla Transportation District's plan to comply with the complementary paratransit provisions of the Americans with Disabilities Act.

WHAT IS THE AMERICANS WITH DISABILITIES ACT? The Americans with Disabilities Act (ADA) extends the protections of the Civil Rights Act of 1964, which prohibits discrimination based on "sex, religion, color, race or national origin" to persons with physical or mental disabilities. The law guarantees equal opportunity for persons with disabilities in employment, transportation, public accommodations, public services, and telecommunications.

The ADA requires transit agencies to provide next day demand responsive paratransit service to eligible individuals with disabilities at the same times and days fixed route service operates in corridors adjacent to the fixed routes. All transit agencies must fully comply with the complementary paratransit provisions of the ADA by January 26, 1997.

WHO IS ADA ELIGIBLE? Individuals who, as the result of a physical or mental impairment, cannot use accessible fixed route transit and whose ride begins and ends within three-quarters of a mile of a transit route; this includes all areas surrounded by transit routes (Attachment 1 - LIFT ADA Service Area).

In addition, ADA eligibility includes:

- o Persons who could use fixed route accessible transportation (big buses with lifts or MAX), but buses with lifts are not available for the trip or on the route these persons would travel. (Please note: Tri-Met plans to have all buses and bus routes accessible by 1997; currently 61% of Tri-Met's buses are lift-equipped, and an additional 108 accessible buses will be ordered. All weekend fixed-route service is accessible.)
- o Individuals who have a specific impairment related condition that prevents them from getting to or traveling from a transit stop or station.

- o Individuals who have a conditional or temporary disability that prevents them from using accessible fixed route transit on occasion.
- o Temporary physical, mental, or environmental conditions may qualify a customer for door-to-door LIFT service for the period the temporary conditions exists, even if the person routinely uses fixed-route service.

HOW WILL TRI-MET DETERMINE ADA ELIGIBILITY? To determine ADA eligibility for LIFT service, Tri-Met will continue to use its present eligibility system which requires certification from a professionally trained person that the individual cannot (or under certain circumstances, cannot) use fixed-route buses or MAX. Rides requested must begin and end within the LIFT ADA Service Area.

WHAT WILL SERVICE HOURS BE? WHAT AREA WILL BE SERVED? Between 4:30 AM and 2:30 AM weekdays, Saturdays and Sundays, LIFT service will be provided to all origins and destinations that are within three-quarters of a mile of a transit route. This includes all areas surrounded by transit routes (Attachment 1 - LIFT ADA Service Area). LIFT service to Sandy and Estacada will end at 10:00 p.m.

Tri-Met will review the service areas and times when the complementary paratransit plan is updated annually.

WHAT ABOUT TRIP PRIORITIES? Tri-Met will discontinue prioritizing LIFT ADA trip requests based on trip purpose by September 1993 for midday, evening, and weekend rides. Tri-Met will discontinue prioritizing LIFT ADA trip requests based on trip purpose during peak hours by September 1994.

WHAT ABOUT RESPONSE TIME? Tri-Met may negotiate with individuals on the pickup time, but will not require individuals to be picked up more than one hour before or one hour after his or her requested trip time.

LIFT reservation service will be open seven days a week from 8:30 AM to 4:30 PM beginning September 1992.

Tri-Met will provide next day reservation service by September 1994, earlier if possible. At this time, individuals will be able to call in at 4:30 PM in order to schedule an ADA LIFT trip as early as 4:30 AM the next day. Until then, Tri-Met will continue the present 48 hour advance notice reservation service.

WHAT WILL FARES BE? Under the ADA, fares for complementary paratransit service may be no more than twice the fare that would be charged to an individual paying full fare for a similar trip on the fixed- route system. Tri-Met proposes that the current \$.50

LIFT fare be retained at least until September 1993. In the meantime, Tri-Met and the Committee on Accessible Transportation (CAT) will study future LIFT fares. Integrated fixed-route Honored Citizen and LIFT fares will be analyzed along with other options.

WHAT ABOUT INDIVIDUALS WHO RECEIVE PARATRANSIT SERVICE TODAY, BUT WHOSE TRIP REQUEST IS NOT ADA ELIGIBLE BECAUSE IT DOES NOT BEGIN AND END WITHIN THE LIFT ADA SERVICE AREA?

Tri-Met's intent is that no customer presently receiving LIFT service will be made worse off by this plan. ADA eligible individuals who currently (as of 1/26/92) receive on-going LIFT rides that begin and/or end outside the LIFT ADA Service Area will continue to receive those rides on a guaranteed basis. In addition, hours of service availability will be expanded to 4:30 AM to 2:30 AM weekdays, Saturdays, and Sundays. ADA eligible individuals not currently (as of 1/26/92) receiving on-going LIFT service, who request trips that begin or end outside the LIFT ADA service area, will be provided service on a space available basis.

The service area and times will be reviewed annually.

To meet the paratransit requirements of the ADA, Tri-Met is proposing a three-year phase-in of additional LIFT service. Gradual phase-in will allow LIFT customers and Tri-Met to evaluate the service and make necessary modifications in order to achieve full compliance with the paratransit provisions of the ADA before the January 26, 1997 date. Three important milestones in the plan are:

September 1992: LIFT service will be extended to evenings, Saturdays, and Sundays and midday service will increase. *Goal:* Provide all requested LIFT ADA rides within the LIFT ADA Service Area during weekday midday, evenings, and weekends by September 1993.

September 1993: Additional LIFT vehicles begin service to meet peak hour ride requests within the LIFT ADA Service Area. *Goal:* Provide all LIFT ADA Service Area ride requests by September 1994.

September 1994: Next day LIFT reservation service begins, earlier if possible. *Goal:* Full ADA compliance achieved by September 1994.

WILL THE PLAN BE UPDATED? Tri-Met will update the Complementary Paratransit Plan annually. At that time, all previous decisions will be reviewed. The Committee on Accessible Transportation may continue to be fully involved in all aspects of each update.

WHAT ABOUT MOLALLA? Tri-Met provides LIFT rides in Molalla today, as well as in other rural areas. These rides are funded through Tri-Met's Section 18 contract with the State of Oregon, and, in addition, 6% of cigarette tax revenues received by Tri-Met must be used outside the Tri-Met district. This joint plan allows for coordinated paratransit service for the Molalla Transportation District and Tri-Met, and meets the requirements of the ADA. Current levels of paratransit service will be maintained until the coordinated plan goes into effect.

Copies of the full revised proposed complementary paratransit plan are available on request. (Also available in large print, tape, or braille upon request.) For copies call:

Elaine Tourville,

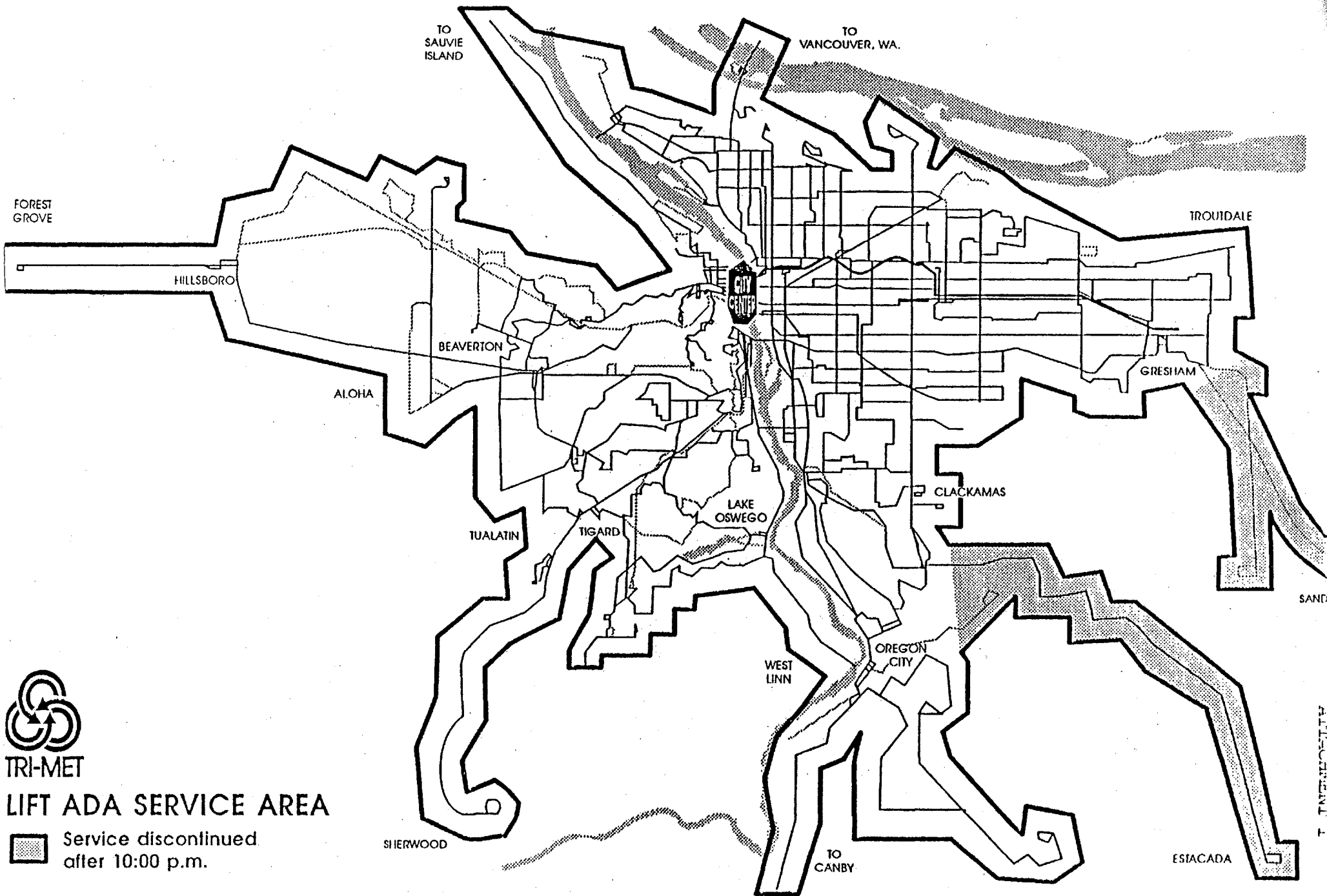
Tri-Met Paratransit Secretary

503-238-4988, or

TDD 238-5811 (8:30 a.m. to 4:30 p.m. weekdays; provide your name, address and request)

Copies of the Americans with Disabilities Act are available at the Tri-Met library at 4012 S.E. 17th Avenue in Portland.

565.CC/dsj



TRI-MET

LIFT ADA SERVICE AREA

Service discontinued after 10:00 p.m.

Appendix A

Groups representing persons with disabilities, social service agencies working with people with disabilities, and most Tri-County area Senior Centers were mailed the special agendas for the public hearings (11/20/91 and 12/18/91) on Tri-Met's proposed and revised (11/26/91) proposed Complementary Paratransit Plan (CPP) with the plan's summary attached. The mailing list included, but was not limited to, the following:

AARP

Access Oregon
Albertina Kerr Centers
American Cancer Society
American Red Cross
Catholic Community Services of Portland
Clackamas Community College
 Disabled Student Services
Coalition of Handicapped Organizations
Commission for the Blind
Community Ear
Developmental Disabilities Council
East County MS Support Group
Easter Seal Society of Oregon
Foster Grandparent Program
Goodwill Industries
Gray Panthers
Human Solutions
Oregon Disabilities Commission
Loaves & Fishes Centers, Inc.
Madison High School
 Special Education Department
Multiple Sclerosis National Society
Muscular Dystrophy Association
Northwest Portland Ministries
Oasis
Oregon Paralyzed Veterans
Oregon City High School
 Special Services Department
Oregon Council for the Blind
People First
Portland Community College
 Handicapped Student Services
Portland Habilitation Center
Portland Impact
Portland State University
 Handicapped Student Services

Project Linkage
Providence Elder Place
Portland Adventist Medical Center
Quadriplegics United Against Dependency
Rainbow Adult Living
Tuality Community Hospital
Rehabilitation Institute of Oregon
REO: Community Re-entry Service
SOAR
Spina Bifida Association
St. Vincent DePaul Rehabilitation Center
Students with Disabilities Union
Tri-County Respite Care
United Seniors
United Cerebral Palsy
Vocational Aptitude Programs
Mt. Hood Community College
Volunteers of America of Oregon

STAFF REPORT

CONSIDERATION OF RESOLUTION 92-1549 FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING AN ORGANIZATIONAL STRUCTURE FOR OVERSEEING HIGH CAPACITY TRANSIT STUDIES

Date: December 23, 1991

Presented by: Leon P. Skiles

PROPOSED ACTION

This resolution would amend the established organizational structure for the oversight of High Capacity Transit (HCT) studies, as originally established through Metro Resolution 90-1179 and IRC Resolution No. 89-11-03, to reflect recently approved and proposed HCT studies and work plans.

FACTUAL BACKGROUND AND ANALYSIS

I. Summary of Metro Resolution No. 90-1179 and IRC Resolution No. 89-11-03

Metro Resolution No. 90-1179 and IRC Resolution No. 89-11-03, which established an organizational and oversight structure for the region's HCT studies, were adopted as a joint resolution in June, 1990. The resolutions adopted the following general oversight structure:

■ I-205/Milwaukie Alternatives Analysis/DEIS

JPACT. Policy oversight of the coordinated I-205/Milwaukie AA/DEIS was to be provided through JPACT.

Project Management Group. A Project Management Group (PMG) made up of senior management staff from Metro, Tri-Met, ODOT, Portland, Milwaukie, Oregon City, Clackamas County, Multnomah County, Port of Portland, Clark County IRC, C-TRAN and WSDOT would provide management direction for the study to ensure consistency between the evaluation of alternatives in the I-205 and the Milwaukie corridors and to oversee the preparation of a DEIS and selection of a Locally Preferred Alternative.

Technical Advisory Committees. Two separate Technical Advisory Committees (TACs) were to oversee the technical work in the AA/DEIS studies. The I-205 TAC was to have been made up of technical staff from all the jurisdictions represented on the PMG. The Milwaukie TAC would be made up of technical staff from those same jurisdictions, except for the Port of Portland, WSDOT and C-TRAN.

- **Eastside Systems Studies (Bi-State)**

Technical Advisory Committee. A TAC was to be established to provide technical oversight of the Bi-State Eastside Systems Study. Made up of representatives from Metro, Tri-Met, ODOT, Portland, Multnomah County, Clackamas County, Port of Portland, Clark County IRC, WSDOT, C-TRAN, Vancouver and Port of Vancouver, the TAC's charge was to evaluate the adequacy of the adopted RTP for meeting future travel demands and to define the nature and extent of travel needs not met. The TAC was also to recommend to JPACT and the IRC Transportation Policy Committee whether to amend the RTP to add LRT extensions to Clark County and whether to add additional alignment alternatives within the City of Portland.

- **HCT Finance Committee**

The HCT Finance Committee was established to consider trade-offs in priority and/or timing between individual corridor recommendations in order to recommend to JPACT and the IRC Transportation Policy Committee the scope and timing of the full regional LRT system. This committee was to determine cost-effectiveness criteria for each corridor, to refine regional policies for public-private coventure funding, to make recommendations on the staging of the full LRT system, and to develop a financing strategy for the full LRT system. Membership was of senior management staff from Metro, Tri-Met, ODOT, Portland, Multnomah County, Washington County, Clackamas County, Port of Portland, C-TRAN, Clark County IRC and WSDOT.

- **Joint JPACT and IRC Transportation Policy Committee Meetings**

Joint JPACT and IRC TPC Committee meetings were to be held periodically to oversee bi-state corridor planning and to review decisions involving regional priorities and financing of any LRT corridor after the Westside Corridor prior to consideration for adoption by JPACT or IRC.

- **Individual Responsibilities of JPACT and IRC TPC**

Within their own respective jurisdictions, JPACT/Metro and IRC TPC would have the responsibility to adopt amendments to the RTP, approve final decisions relating to trade-offs between corridors, adopt priorities for funding, and authorize a corridor to proceed into AA/DEIS or PE/FEIS.

II. Implementation

Since the adoption of Metro Resolution No. 90-1179 and IRC Resolution No. 89-11-03, several actions have been taken throughout the region that have affected the status of HCT studies:

■ I-205/Milwaukie AA/DEIS

Work plans for the I-205 Corridor and Milwaukie Corridor AA/DEISs were submitted to UMTA in July 1990 for review and approval. UMTA denied the application, citing their rule that only one corridor at a time could advance into the project development phase (AA/DEIS and PE/FEIS). As the region's highest priority following the Westside Project to 185th Avenue, the region had advanced the Hillsboro Corridor into AA/DEIS in June 1990. UMTA suggested that the I-205/Milwaukie study should be transitional in nature, emphasizing the selection of a priority corridor, development of a problem statement, narrowing of alternatives, and establishment of preliminary evidence of cost effectiveness of the alternatives that would advance into AA/DEIS following the Hillsboro Corridor.

■ Eastside Systems Studies (Bi-State)

The Bi-State Study has developed its findings of the adequacy of the RTP to meet future travel needs and the nature and extent of travel needs not met. In early 1992, the Bi-State TAC will forward recommendations resulting from the study to JPACT and the Clark County IRC Transportation Planning Committee. C-TRAN and the Clark County IRC have concluded their systems level study of HCT corridors within Clark County by:

1. Eliminating the cross-county corridor HCT alternatives from further consideration;
2. Limiting further consideration of the I-205 corridor from the Columbia River to I-5 and 179th to bus-oriented HCT alternatives; and
3. Retaining bus and LRT-oriented HCT alternatives within the I-5 corridor for further consideration.

The City of Portland has completed its assessment of possible LRT alignments through the Albina Community Plan.

■ **Metro Resolution No. 91-1456 and IRC Resolution No. TPC 6-91-2**

In June 1991, based upon the recommended position agreed upon by Portland Commissioner Earl Blumenauer, Metro Council Member David Knowles, Clackamas County Commissioner Ed Lindquist, Tri-Met General Manager (designate) Tom Walsh, Vancouver City Councilor Ron Hart, Clark County Commissioner Dave Sturdevant, and Oregon Transportation Commission Chair Mike Hollern, Metro adopted Resolution No. 91-1456 and IRC adopted Resolution No. TPC 6-91-2 that included the following policies for establishing a strategy for HCT studies:

1. After the Westside Project to Hillsboro, the construction of the next LRT corridor in the Portland/Vancouver region will include a terminus in Clackamas County, either in the I-205 or Milwaukie corridors;
2. An UMTA-funded Preliminary AA will be initiated for the I-205 and Milwaukie corridors to select a priority corridor and to develop the necessary information to advance that corridor into AA/DEIS;
3. To initiate a locally funded Preliminary AA in the I-5/I-205 Portland/Vancouver corridors from Portland into Clark County to select a priority corridor and to develop the necessary information to advance that corridor into AA/DEIS either concurrently with or following the Clackamas County corridor;
4. That the two Preliminary AAs would be completed on a concurrent schedule;
5. That the region intends to initiate the Preliminary AAs with the support of UMTA;
6. That actions should be taken by the region to protect the I-205 bus lane withdrawal funds;
7. That any request by any party to pursue federal funds for transit or highway improvements will first be brought to JPACT for approval.

■ **I-205/Milwaukie Preliminary AA**

The adopted 1991-92 Unified Work Program included the I-205/Milwaukie Preliminary AA in lieu of the two previously proposed AA/DEISs. A work team, TAC and PMG worked together to prepare a Work Plan that reflected the policy directions included within Metro Resolution No. 91-1456 and IRC Resolution No. TPC 6-91-2. Metro submitted the Work Plan and grant application for 85 percent of the \$1,173,000 in study costs to UMTA in September 1991 for their review and approval. The Work Plan

describes a study organizational structure that includes JPACT as the policy oversight body, with review by TPAC, and project management through a PMG. Also included is an Expert Review Panel (ERP), a Citizen Advisory Committee (CAC) and a TAC. In order to provide for the coordination of policy schedule between the I-205/Milwaukie Preliminary AA and the I-5/I-205 Portland/Vancouver Preliminary AA (described below), JPACT will provide policy oversight for both studies, and the two studies will share the same PMG and Expert Review Panel.

The PMG approved local matching shares for the required 15 percent local match as follows:

Tri-Met	\$ 87,975.00
Metro	14,662.50
ODOT.	14,662.50
Portland.	14,662.50
Clackamas County. . .	14,662.50
Multnomah County. . .	14,662.50
Milwaukie	8,412.50
Port of Portland. . .	6,250.00
	<u>\$175,950.00</u>

■ **Establishment of Clark County Joint Regional Policy Committee**

In order for the region to access High Capacity Transit Account funds that the Washington State Legislature set aside in the 1991 First Extraordinary Session to help fund the Preliminary AA study prescribed in Metro Resolution No. 91-1456 and IRC Resolution No. TPC 6-91-2, C-TRAN established in October 1991 a Joint Regional Policy Committee (JRPC) as a Policy Forum for HCT issues in Clark County. The JRPC is composed of the C-TRAN Board which includes elected representatives from the county and cities and a representative from the Washington State DOT.

■ **I-5/I-205 Portland/Vancouver Preliminary AA**

In September 1991 Metro Council adopted Resolution No. 91-1501A and IRC adopted Resolution No. 09-19-01 that approved the addition of the I-5/I-205 Portland/Vancouver Preliminary AA to the 1991-92 UWP. A work team, TAC and PMG worked together to prepare the Work Plan that reflected the policy directions included within Metro Resolution No. 91-1456 and IRC Resolution No. TPC 6-91-2. C-TRAN submitted the Work Plan and grant application to WSDOT on December 13, 1991 for review and approval of an 80 percent grant from the Washington State HCT Development Account to help fund the \$1,800,000 study.

The PMG approved local matching shares for the required 20 percent local match as follows:

C-TRAN	\$180,000
Metro.	45,000
Portland	45,000
ODOT	45,000
Tri-Met.	<u>45,000</u>
	\$360,000

■ Regional HCT Study

The 1991-92 UWP includes a work element for the Regional HCT Study, with the objectives of determining the HCT needs within the CBD, the system infrastructure needs (including maintenance facilities, vehicle requirements, etc.), the staging of the regional HCT plan following the I-205/Milwaukie and I-5/I-205 corridors, and the systemwide financial needs for HCT development. The study will develop a Regional HCT System Plan and staging strategy based upon the adopted RTP. In November 1991, a work team and TAC were formed to guide the development of a Work Plan for the Regional HCT Study. As the work was initiated, it was determined that the financial element should be removed from within the Regional HCT Study and should be developed as a separate study effort with its own organizational oversight structure. It was also determined that the Regional HCT Study should receive its oversight through a separate regional PMG and through JPACT. The Work Plan for the Regional HCT Study will be finalized in January 1992.

■ Systemwide HCT Financial Plan

As noted above, the 1991-92 UWP included the development of a systemwide HCT financial plan within the Regional HCT Study, and, as work on that study progressed, it was decided to separate the financial element into a separate study with a separate oversight structure. The Systemwide HCT Financial Plan will develop a regional financing strategy for the development of the next corridor(s) to advance into AA as determined through the Preliminary AA studies, and for staging of the Regional HCT System Plan as determined through the Regional HCT Study.

III. Revised HCT Planning Oversight Structure

Because of the large amount of HCT planning underway in the region, and because many of those planning efforts are new or have different scopes than were envisioned when Metro adopted Resolution No. 90-1179 and IRC adopted Resolution No. 89-11-03, it is necessary to adopt a revised organizational structure for the oversight of HCT studies described above.

The proposed oversight structure described in Exhibit A of proposed Metro Resolution No. 92-1549 and the proposed IRC Resolution No. ____-____ (to be assigned) follows the following overall principles:

1. The process focuses on the LRT issues after the Westside Project to Hillsboro which is designated the region's number one priority.
2. Decisions regarding financing and regional priorities will be done in the context of the priorities already set which calls for the decision of the next corridor after the Westside to Hillsboro to be finalized through the I-205/Milwaukie Preliminary AA, and that the I-5/I-205 Portland/Vancouver Preliminary AA will determine whether a North priority corridor should advance concurrently with or following the I-205 or Milwaukie Corridor.
3. Committees are combined where significant overlap of issues or ~~alternatives exist and separation is recommended~~ to maintain the focus of the correct set of committee members on their area of interest.
4. Overall policy oversight is provided through the existing JPACT and IRC Transportation Policy Committee structure rather than through a new committee.
5. Membership on individual committees is targeted only to those affected by the studies they oversee.
6. The scope of work for a Preliminary AA and a Regional HCT study are significantly greater than the Eastside Systems Study and require a higher level of management oversight. As such, a "Planning Management Group" is recommended for the Preliminary AA, AA/DEIS and PE/FEIS phases of the HCT corridor planning, and for the Regional HCT Study.
7. A regional HCT Finance Committee (TMAC) is maintained to make recommendations affecting the development of a Systemwide HCT Financial Plan addressing the conclusions of the corridor Preliminary AA studies and the Regional HCT Study. This committee has a balanced regionwide membership.
8. Decision-making is focused on Oregon and Washington jurisdictions for decisions pertinent to their area with a significant need for bi-state coordination on issues affecting the I-5/I-205 Portland/Vancouver study, coordination with the I-205/Milwaukie study, systemwide issues to be addressed within the Regional HCT Study, and the development of a regional HCT financial strategy.

EXECUTIVE OFFICER'S RECOMMENDATION

The Metro Executive Officer has reviewed this proposed amendment and recommends approval of Resolution No. 92-1549.

LS:lmk
92-1549.RES
12-24-91

RESOLUTION OF THE
METROPOLITAN SERVICE DISTRICT
AND THE
INTERGOVERNMENTAL RESOURCE CENTER

FOR THE PURPOSE OF ESTABLISH-)	METRO RESOLUTION NO. 92-1549
ING AND MAINTAINING AN ORGANI-)	IRC RESOLUTION NO.
ZATIONAL STRUCTURE FOR OVER-)	
SEEING HIGH CAPACITY TRANSIT)	
STUDIES)	

WHEREAS, Metro was designated by the Governor of the State of Oregon as the Metropolitan Planning Organization (MPO) for the urbanized areas of Clackamas, Multnomah, and Washington Counties effective November 6, 1979; and

WHEREAS, IRC was designated by the Governor of the State of Washington as the Metropolitan Planning Organization (MPO) for Clark County effective January 1, 1979; and

WHEREAS, The Metro Council through the Joint Policy Advisory Committee on Transportation provides locally elected officials direct involvement in the transportation planning and decision-making process; and

WHEREAS, the IRC Board of Directors has established a Transportation Policy Committee to develop regional transportation policies subject to the review and approval of the full Board of Directors; and

WHEREAS, the Washington State Legislature established the High Capacity Transit Act of 1990 (HB 1825) and subsequent amendments (HB 1677, HR 2151) and set aside funds to support Portland/Vancouver HCT planning studies in the 1991 First Extraordinary Session; and

WHEREAS, C-TRAN established the Joint Regional Policy Committee consisting of the C-TRAN Board of Directors and a representative from the Washington State Department of Transportation as the Policy Forum required by the High Capacity Transit Act of 1990 as amended (RCW 81.104.030); and

WHEREAS, Metro adopted Resolution No. 91-1407 and IRC adopted Resolution No. _____ adopting the 1992 Unified Work Program; and

WHEREAS, Metro adopted Resolution No. 91-1501A and IRC adopted Resolution No. 09-19-01 revising the 1992 Unified Work Program to include the I-5 North Portland/Vancouver Preliminary Alternatives Analysis; and

WHEREAS, the 1992 adopted and revised 1992 Unified Work Program calls for an I-205/Milwaukie Preliminary Alternatives Analysis, an I-5/I-205 Portland/Vancouver Preliminary Alternatives Analysis and a Regional HCT Study; and

WHEREAS, Metro adopted Resolution No. 90-1179 and IRC adopted Resolution No. 89-11-03 for the purpose of establishing an organizational structure for overseeing High Capacity Transit Studies; and

WHEREAS, Metro adopted Resolution No. 91-1456 and IRC adopted Resolution No. TPC 6-91-2 establishing a strategy for High Capacity Transit studies, and affirming that after the Westside LRT Project to Hillsboro, construction of the next LRT corridor in the Portland/Vancouver metropolitan area will include a terminus in Clackamas County; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District and the Board of the Intergovernmental Resource Center hereby adopt the revised organizational structure for the oversight of High Capacity Transit studies as defined on Figure 1 (Exhibit A).

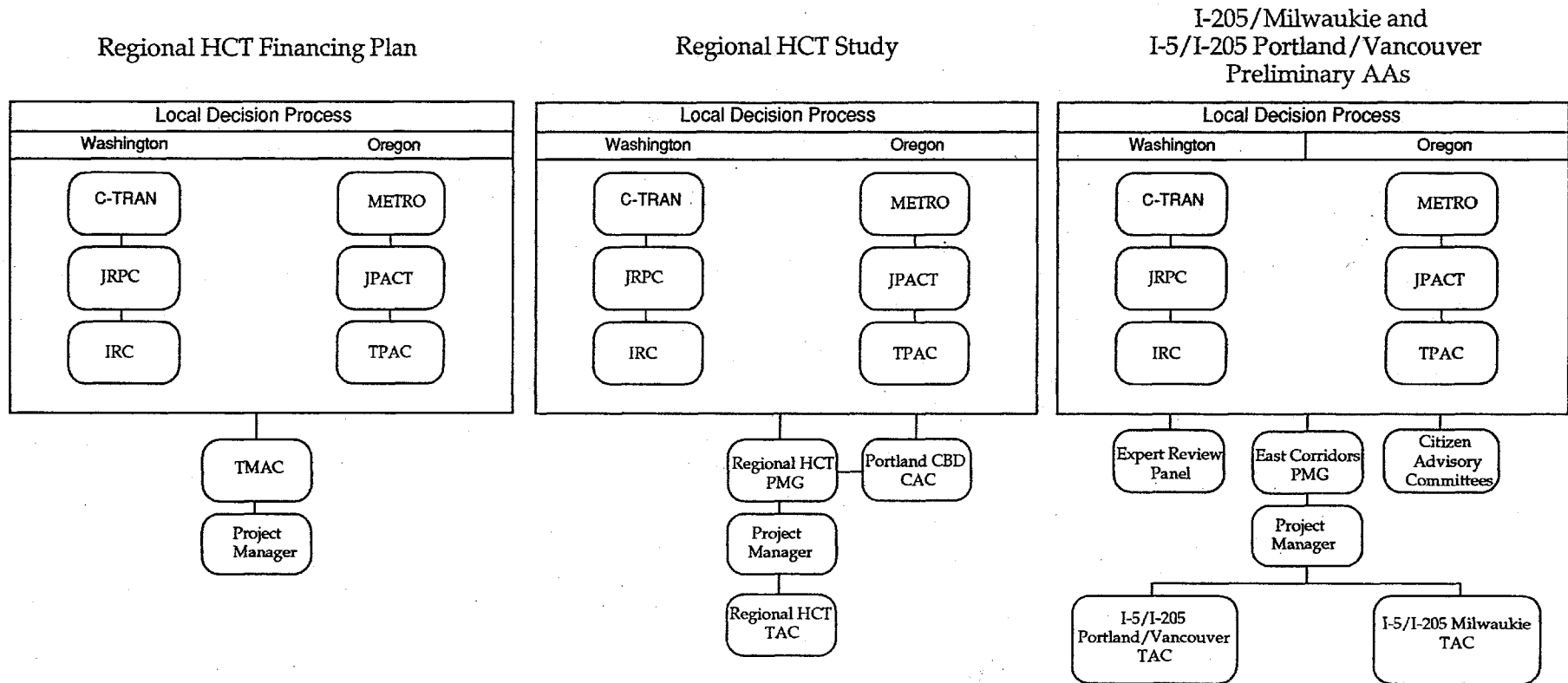
ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1992.

Tanya Collier, Presiding Officer
Metro Council

David Sturdevant, Chair
IRC Transportation Policy Committee

92-1549.RES
12-23-91

Figure 1: Organizational Structure for Oversight of High Capacity Transit Studies



Purpose:

- Develop systemwide financing strategies and Corridor Financing Plan that are consistent with the conclusions of the Regional HCT Study and the Preliminary AA Studies.
- Coordinate HCT Financial Planning Study with other transportation and transit financing efforts.

Purpose:

- Develop an HCT System Plan and Staging Strategy.
- Determine systemwide infrastructure and operational needs.
- Determine CBD requirements and Staging Strategy.

Purpose:

- Advance the SE Priority Corridor into AA/DEIS; define alternatives to pursue.
- Decide whether the North Priority Corridor should advance concurrently with or following the S.E. Corridor; define alternatives to pursue.

EXHIBIT A

Organizational Structure for Overseeing High Capacity Transit Studies

I. I-205/Milwaukie Preliminary AA, AA/DEIS, and PE/FEIS

A. JPACT

1. Policy oversight for HCT development studies within the I-205/Milwaukie corridor will be provided by JPACT.
2. TPAC will make recommendations for policy decisions to JPACT

B. Project Management Group

A single Project Management Group will be shared between the I-205/Milwaukie and the I-5/I-205 Portland/Vancouver studies. For the I-205/Milwaukie studies the PMG will:

1. Ensure coordination with the I-5/I-205 Portland/Vancouver Preliminary AA.
2. Ensure consistency of assumptions between with the I-5/I-205 Portland/Vancouver AA.
3. Provide oversight of the general management of the study, concentrating on schedule, scope of work, budget and policy decisions to be forwarded to TPAC and JPACT.
4. Recommend the screening of alternatives and the selection of a priority corridor to advance into Alternatives Analysis; define the alternatives to be considered in the Alternatives Analysis.
5. Approve the DEIS.
6. Recommend the locally preferred alternative.
7. Approve the FEIS.

Membership: Senior Management Staff from affected agencies including Metro, Tri-Met, C-TRAN, ODOT, WSDOT, Portland, Milwaukie, Oregon City, Lake Oswego, Port of Portland, Vancouver, Multnomah County, Clark County, Clackamas County and IRC.

B. I-205/Milwaukie Technical Advisory Committee

1. Monitor and review technical aspect of the study, concentrating on the development of methodologies, analysis, alignment and operations assumptions and evaluation of alternatives.
2. Recommend screening of alternatives and alternatives to be included within the DEIS.
3. Oversee preparation of results reports, the DEIS and FEIS.
4. Two sub-committees of the TAC will meet regularly, one concentrating on the I-205 corridor and one concentrating on the Milwaukie Corridor.

Membership: Technical Staff from affected agencies including Metro, Tri-Met, ODOT, Portland, Milwaukie, Oregon City, Lake Oswego, Port of Portland, Multnomah County, and Clackamas County.

C. Citizens Advisory Committee

1. The CAC will be made up of a variety of citizens from throughout the corridor.
2. The CAC will be asked to prepare independent recommendations to JPACT on all policy decisions requested of JPACT, such as the screening of alternatives, the selection of a priority corridor, and the selection of a locally preferred alternative.
3. The CAC will meet periodically and will receive reports from the project manager and other technical staff.
4. The CAC will provide opportunity for public testimony at its regular meetings.

D. Expert Review Panel

An Expert Review Panel, consistent with the Washington State's High Capacity Transit Act requirements, will be shared between the I-205/Milwaukie and the I-5/I-205 Portland/Vancouver Preliminary AAs. For the I-205/Milwaukie Study the ERP will:

1. Provide independent review of project assumptions, methods and products to ensure that adequate and appropriate information of the highest quality is

available to local decision makers to assist them in the screening of alternatives and the selection of the priority corridor.

2. The Panel will include 5 to 10 experts in the fields relevant to the analysis and development of high capacity transportation systems.
3. Selection of the ERP members will be made by Washington's Chair of the Legislative Transportation Committee, Secretary of Transportation and Governor, the Chair of JPACT and ODOT's representative to JPACT. The panel appointments will be by consensus of the appointment body.

II. I-5/I-205 Portland/Vancouver Preliminary AA, AA/DEIS, and PE/FEIS

A. JPACT

1. Policy oversight for HCT development studies within the I-5/I-205 Portland/Vancouver corridor will be provided by JPACT.
2. TPAC will make recommendations for policy decisions to JPACT

B. Project Management Group

A single Project Management Group will be shared between the I-205/Milwaukie and the I-5/I-205 Portland/Vancouver studies. For the I-5/I-205 Portland/Vancouver studies the PMG will:

1. Ensure coordination with the I-205/Milwaukie studies.
2. Ensure consistency of assumptions between with the I-205/Milwaukie studies.
3. Provide oversight of the general management of the study, concentrating on schedule, scope of work, budget and policy decisions to be forwarded to TPAC and JPACT.
4. Recommend the screening of alternatives and the selection of a priority corridor to advance into Alternatives Analysis; determine whether to

proceed concurrent with or following the Alternatives Analysis from Portland to Clackamas County; define the alternatives to be considered in the Alternatives Analysis.

5. Approve the DEIS.
6. Recommend the locally preferred alternative.
7. Approve the FEIS.

Membership: Senior Management Staff from affected agencies including Metro, Tri-Met, C-TRAN, ODOT, WSDOT, Portland, Milwaukie, Oregon City, Lake Oswego, Port of Portland, Vancouver, Multnomah County, Clark County, Clackamas County and IRC.

B. I-5/I-205 Portland/Vancouver Technical Advisory Committee

1. Monitor and review technical aspect of the study, concentrating on the development of methodologies, analysis, alignment and operations assumptions and evaluation of alternatives.
2. Recommend screening of alternatives and alternatives to be included within the DEIS.
3. Oversee preparation of results reports, the DEIS and FEIS.
4. Sub-committees of the TAC will meet as needed.

Membership: Technical Staff from affected agencies including Metro, IRC, Tri-Met, C-TRAN, ODOT, WSDOT, Portland, Vancouver, Clark County.

C. Citizen's Advisory Committee

1. The CAC will be made up of a variety of citizens from throughout the corridor.
2. The CAC will be asked to prepare independent recommendations to JPACT on all policy decisions requested of JPACT, such as the screening of alternatives, the selection of a priority corridor, and the selection of a locally preferred alternative.

3. The CAC will meet periodically and will receive reports from the project manager and other technical staff.
4. The CAC will provide opportunity for public testimony at its regular meetings.

D. Expert Review Panel

An Expert Review Panel, consistent with the Washington State's High Capacity Transit Act requirements, will be shared between the I-205/Milwaukie and the I-5/I-205 Portland/Vancouver Preliminary AAs. For the I-5/I-205 Portland/Vancouver Study the ERP will:

1. Provide independent review of project assumptions, methods and products to ensure that adequate and appropriate information of the highest quality is available to local decision makers to assist them in the screening of alternatives and the selection of the priority corridor.
2. The Panel will include 5 to 10 experts in the fields relevant to the analysis and development of high capacity transportation systems.
3. Selection of the ERP members will be made by Washington's Chair of the Legislative Transportation Committee, Secretary of Transportation and Governor, the Chair of JPACT and ODOT's representative to JPACT. The panel appointments will be by consensus of the appointment body.

III. Regional High Capacity Transit Study

A. JPACT

1. Policy oversight for the Regional HCT Study will be provided by JPACT.
2. TPAC will make recommendations for policy decisions to JPACT

B. Project Management Group

1. Ensure consistency of the studies assumptions with the adopted HCT element of the RTP.
2. Ensure consistency of assumptions with the Regional HCT Study and the I-205/Milwaukie and I-5/I-205 studies.

3. Provide oversight of the general management of the study, concentrating on schedule, scope of work, budget and policy decisions to be forwarded to TPAC and JPACT.
4. Recommend to JPACT the screening of alternatives and of a regional HCT system plan and staging strategy.
5. Recommend to JPACT the CBD alternative that will advance into AA/DEIS with the next corridor(s).

Membership: Senior Management Staff from affected agencies including Metro, Tri-Met, C-TRAN, ODOT, Portland, Multnomah County, Clark County, and Clackamas County.

B. Regional HCT Technical Advisory Committee

1. Monitor and review technical aspect of the study, concentrating on the development of methodologies, analysis, alignment and operations assumptions and evaluation of alternatives.
2. Recommend screening of alternatives and alternatives to be included within the system plan.
3. Recommend the CBD alternatives that will advance into AA/DEIS with the next corridor(s).
4. Subcommittees of the TAC will meet as needed.

Membership: Technical Staff from affected agencies including Metro, IRC, Tri-Met, C-TRAN, ODOT, WSDOT, Portland, Vancouver, Clark County.

IV. High Capacity Transit Finance Committee (TMAC)

1. Refinement of regional policies for public-private coventure funding; approval of corridor-specific public-private funding recommendations.
2. Develop recommendations for a systemwide HCT financing strategy consistent with the Regional HCT System Plan and staging strategy determined within the Regional HCT Study and the priority corridor(s) to be advanced into AA/DEIS as determined within the I-205/Milwaukie Preliminary AA and the I-5/I-205 Portland/Vancouver Preliminary AA.

Membership: Senior management staff from Metro, Tri-Met, C-TRAN, ODOT, Portland, Multnomah County, Clackamas County, and Washington County.

V. Joint JPACT and IRC TPC Meetings

Joint JPACT/IRC Transportation Policy Committee meetings will be periodically convened to oversee bi-state corridor planning and to review decisions involving regional priorities and financing of any HCT corridor after the Westside Corridor prior to consideration for adoption by JPACT or IRC.

VI. Individual Responsibilities of JPACT and IRC Transportation Policy Committee

In each of their respective jurisdictions (JPACT in Oregon and IRC in Clark County), JPACT and the IRC Transportation Policy Committee will have the following responsibilities.

- A. Adopt amendments to the RTP adding or deleting potential long-range HCT corridors.
- B. Approval of Final decisions relating to trade-offs between corridors.
- C. Adoption of priorities for funding from regional and federal resources.
- D. Authorization for a corridor to proceed into AA/DEIS or PE/FEIS and joint approval of the required Unified Work Program amendment.

92-1549.RES
12-24-91
LS:lmk

STAFF REPORT

CONSIDERATION OF RESOLUTION 92-1549 FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING AN ORGANIZATIONAL STRUCTURE FOR OVERSEEING HIGH CAPACITY TRANSIT STUDIES

Date: January 6, 1992

Presented by: Leon P. Skiles

PROPOSED ACTION

This resolution would amend the established organizational structure for the oversight of High Capacity Transit (HCT) studies, as originally established through Metro Resolution 90-1179 and IRC Resolution No. 89-11-03, to reflect recently approved and proposed HCT studies and work plans.

TPAC has reviewed this amendment and recommends approval of Resolution No. 92-1549.

FACTUAL BACKGROUND AND ANALYSIS

I. Summary of Metro Resolution No. 90-1179 and IRC Resolution No. 89-11-03

Metro Resolution No. 90-1179 and IRC Resolution No. 89-11-03, which established an organizational and oversight structure for the region's HCT studies, were adopted as a joint resolution in June, 1990. The resolutions adopted the following general oversight structure:

■ I-205/Milwaukie Alternatives Analysis/DEIS

JPACT. Policy oversight of the coordinated I-205/Milwaukie AA/DEIS was to be provided through JPACT.

Project Management Group. A Project Management Group (PMG) made up of senior management staff from Metro, Tri-Met, ODOT, Portland, Milwaukie, Oregon City, Clackamas County, Multnomah County, Port of Portland, Clark County IRC, C-TRAN and WSDOT would provide management direction for the study to ensure consistency between the evaluation of alternatives in the I-205 and the Milwaukie corridors and to oversee the preparation of a DEIS and selection of a Locally Preferred Alternative.

Technical Advisory Committees. Two separate Technical Advisory Committees (TACs) were to oversee the technical work in the AA/DEIS studies. The I-205 TAC was to have been made up of technical staff from all the jurisdictions represented on the PMG. The Milwaukie TAC would be made up of technical

staff from those same jurisdictions, except for the Port of Portland, WSDOT and C-TRAN.

- **Eastside Systems Studies (Bi-State)**

Technical Advisory Committee. A TAC was to be established to provide technical oversight of the Bi-State Eastside Systems Study. Made up of representatives from Metro, Tri-Met, ODOT, Portland, Multnomah County, Clackamas County, Port of Portland, Clark County IRC, WSDOT, C-TRAN, Vancouver and Port of Vancouver, the TAC's charge was to evaluate the adequacy of the adopted RTP for meeting future travel demands and to define the nature and extent of travel needs not met. The TAC was also to recommend to JPACT and the IRC Transportation Policy Committee whether to amend the RTP to add LRT extensions to Clark County and whether to add additional alignment alternatives within the City of Portland.

- **HCT Finance Committee**

The HCT Finance Committee was established to consider trade-offs in priority and/or timing between individual corridor recommendations in order to recommend to JPACT and the IRC Transportation Policy Committee the scope and timing of the full regional LRT system. This committee was to determine cost-effectiveness criteria for each corridor, to refine regional policies for public-private coventure funding, to make recommendations on the staging of the full LRT system, and to develop a financing strategy for the full LRT system. Membership was of senior management staff from Metro, Tri-Met, ODOT, Portland, Multnomah County, Washington County, Clackamas County, Port of Portland, C-TRAN, Clark County IRC and WSDOT.

- **Joint JPACT and IRC Transportation Policy Committee Meetings**

Joint JPACT and IRC TPC Committee meetings were to be held periodically to oversee bi-state corridor planning and to review decisions involving regional priorities and financing of any LRT corridor after the Westside Corridor prior to consideration for adoption by JPACT or IRC.

- **Individual Responsibilities of JPACT and IRC TPC**

Within their own respective jurisdictions, JPACT/Metro and IRC TPC would have the responsibility to adopt amendments to the RTP, approve final decisions relating to trade-offs between corridors, adopt priorities for funding, and authorize a corridor to proceed into AA/DEIS or PE/FEIS.

II. Implementation

Since the adoption of Metro Resolution No. 90-1179 and IRC Resolution No. 89-11-03, several actions have been taken throughout the region that have affected the status of HCT studies:

- **I-205/Milwaukie AA/DEIS**

Work plans for the I-205 Corridor and Milwaukie Corridor AA/DEISs were submitted to UMTA in July 1990 for review and approval. UMTA denied the application, citing their rule that only one corridor at a time could advance into the project development phase (AA/DEIS and PE/FEIS). As the region's highest priority following the Westside Project to 185th Avenue, the region had advanced the Hillsboro Corridor into AA/DEIS in June 1990. UMTA suggested that the I-205/Milwaukie study should be transitional in nature, emphasizing the selection of a priority corridor, development of a problem statement, narrowing of alternatives, and establishment of preliminary evidence of cost effectiveness of the alternatives that would advance into AA/DEIS following the Hillsboro Corridor.

- **Eastside Systems Studies (Bi-State)**

The Bi-State Study has developed its findings of the adequacy of the RTP to meet future travel needs and the nature and extent of travel needs not met. In early 1992, the Bi-State TAC will forward recommendations resulting from the study to JPACT and the Clark County IRC Transportation Planning Committee. C-TRAN and the Clark County IRC have concluded their systems level study of HCT corridors within Clark County by:

1. Eliminating the cross-county corridor HCT alternatives from further consideration;
2. Limiting further consideration of the I-205 corridor from the Columbia River to I-5 and 179th to bus-oriented HCT alternatives; and
3. Retaining bus and LRT-oriented HCT alternatives within the I-5 corridor for further consideration.

The City of Portland has completed its assessment of possible LRT alignments through the Albina Community Plan.

■ **Metro Resolution No. 91-1456 and IRC Resolution No. TPC 6-91-2**

In June 1991, based upon the recommended position agreed upon by Portland Commissioner Earl Blumenauer, Metro Council Member David Knowles, Clackamas County Commissioner Ed Lindquist, Tri-Met General Manager (designate) Tom Walsh, Vancouver City Councilor Ron Hart, Clark County Commissioner Dave Sturdevant, and Oregon Transportation Commission Chair Mike Hollern, Metro adopted Resolution No. 91-1456 and IRC adopted Resolution No. TPC 6-91-2 that included the following policies for establishing a strategy for HCT studies:

1. After the Westside Project to Hillsboro, the construction of the next LRT corridor in the Portland/Vancouver region will include a terminus in Clackamas County, either in the I-205 or Milwaukie corridors;
2. An UMTA-funded Preliminary AA will be initiated for the I-205 and Milwaukie corridors to select a priority corridor and to develop the necessary information to advance that corridor into AA/DEIS;
3. To initiate a locally funded Preliminary AA in the I-5/I-205 Portland/Vancouver corridors from Portland into Clark County to select a priority corridor and to develop the necessary information to advance that corridor into AA/DEIS either concurrently with or following the Clackamas County corridor;
4. That the two Preliminary AAs would be completed on a concurrent schedule;
5. That the region intends to initiate the Preliminary AAs with the support of UMTA;
6. That actions should be taken by the region to protect the I-205 bus lane withdrawal funds;
7. That any request by any party to pursue federal funds for transit or highway improvements will first be brought to JPACT for approval.

■ **I-205/Milwaukie Preliminary AA**

The adopted 1991-92 Unified Work Program included the I-205/Milwaukie Preliminary AA in lieu of the two previously proposed AA/DEISs. A work team, TAC and PMG worked together to prepare a Work Plan that reflected the policy directions included within Metro Resolution No. 91-1456 and IRC Resolution No. TPC 6-91-2. Metro submitted the Work Plan and grant application for 85 percent of the \$1,173,000 in study costs to UMTA in September 1991 for their review and approval. The Work Plan

describes a study organizational structure that includes JPACT as the policy oversight body, with review by TPAC, and project management through a PMG. Also included is an Expert Review Panel (ERP), a Citizen Advisory Committee (CAC) and a TAC. In order to provide for the coordination of policy schedule between the I-205/Milwaukie Preliminary AA and the I-5/I-205 Portland/Vancouver Preliminary AA (described below), JPACT will provide policy oversight for both studies, and the two studies will share the same PMG and Expert Review Panel.

The PMG approved local matching shares for the required 15 percent local match as follows:

Tri-Met	\$ 87,975.00
Metro	14,662.50
ODOT.	14,662.50
Portland.	14,662.50
Clackamas County. . .	14,662.50
Multnomah County. . .	14,662.50
Milwaukie	8,412.50
Port of Portland. . .	<u>6,250.00</u>
	\$175,950.00

■ **Establishment of Clark County Joint Regional Policy Committee**

In order for the region to access High Capacity Transit Account funds that the Washington State Legislature set aside in the 1991 First Extraordinary Session to help fund the Preliminary AA study prescribed in Metro Resolution No. 91-1456 and IRC Resolution No. TPC 6-91-2, C-TRAN established in October 1991 a Joint Regional Policy Committee (JRPC) as a Policy Forum for HCT issues in Clark County. The JRPC is composed of the C-TRAN Board which includes elected representatives from the county and cities and a representative from the Washington State DOT.

■ **I-5/I-205 Portland/Vancouver Preliminary AA**

In September 1991 Metro Council adopted Resolution No. 91-1501A and IRC adopted Resolution No. 09-19-01 that approved the addition of the I-5/I-205 Portland/Vancouver Preliminary AA to the 1991-92 UWP. A work team, TAC and PMG worked together to prepare the Work Plan that reflected the policy directions included within Metro Resolution No. 91-1456 and IRC Resolution No. TPC 6-91-2. C-TRAN submitted the Work Plan and grant application to WSDOT on December 13, 1991 for review and approval of an 80 percent grant from the Washington State HCT Development Account to help fund the \$1,800,000 study.

The PMG approved local matching shares for the required 20 percent local match as follows:

C-TRAN	\$180,000
Metro.	45,000
Portland	45,000
ODOT	45,000
Tri-Met.	<u>45,000</u>
	\$360,000

■ Regional HCT Study

The 1991-92 UWP includes a work element for the Regional HCT Study, with the objectives of determining the HCT needs within the CBD, the system infrastructure needs (including maintenance facilities, vehicle requirements, etc.), the staging of the regional HCT plan following the I-205/Milwaukie and I-5/I-205 corridors, and the systemwide financial needs for HCT development. The study will develop a Regional HCT System Plan and staging strategy based upon the adopted RTP. In November 1991, a work team and TAC were formed to guide the development of a Work Plan for the Regional HCT Study. As the work was initiated, it was determined that the financial element should be removed from within the Regional HCT Study and should be developed as a separate study effort with its own organizational oversight structure. It was also determined that the Regional HCT Study should receive its oversight through a separate regional PMG and through JPACT. The Work Plan for the Regional HCT Study will be finalized in January 1992.

■ Systemwide HCT Financial Plan

As noted above, the 1991-92 UWP included the development of a systemwide HCT financial plan within the Regional HCT Study, and, as work on that study progressed, it was decided to separate the financial element into a separate study with a separate oversight structure. The Systemwide HCT Financial Plan will develop a regional financing strategy for the development of the next corridor(s) to advance into AA as determined through the Preliminary AA studies, and for staging of the Regional HCT System Plan as determined through the Regional HCT Study.

The Transportation Managers Advisory Committee (TMAC) has functioned as the HCT Finance Committee for the Westside Project to Hillsboro. TMAC is made up of upper-level transportation managers from jurisdictions throughout the region. It has developed the financial plan recommendations for the Westside Project to Hillsboro, including local, state and federal funding options. It also developed recommendations for funding the local match obligations for the I-205/Milwaukie and I-5/I-205 Portland/Vancouver Preliminary AA

studies. TMAC is proposed to continue its function as the HCT Finance Committee under the revised organizational structure for oversight of HCT studies.

III. Revised HCT Planning Oversight Structure

Because of the large amount of HCT planning underway in the region, and because many of those planning efforts are new or have different scopes than were envisioned when Metro adopted Resolution No. 90-1179 and IRC adopted Resolution No. 89-11-03, it is necessary to adopt a revised organizational structure for the oversight of HCT studies described above.

The proposed oversight structure described in Exhibit A of proposed Metro Resolution No. 92-1549 and the proposed IRC Resolution No. 1-92-2 follows the following overall principles:

1. The process focuses on the LRT issues after the Westside Project to Hillsboro which is designated the region's number one priority.
2. Decisions regarding financing and regional priorities will be done in the context of the priorities already set which calls for the decision of the next corridor after the Westside to Hillsboro to be finalized through the I-205/Milwaukie Preliminary AA, and that the I-5/I-205 Portland/Vancouver Preliminary AA will determine whether a North priority corridor should advance concurrently with or following the I-205 or Milwaukie Corridor.
3. Committees are combined where significant overlap of issues or alternatives exist and separation is recommended to maintain the focus of the correct set of committee members on their area of interest.
4. Overall policy oversight is provided through the existing JPACT and IRC Transportation Policy Committee structure rather than through a new committee.
5. Membership on individual committees is targeted only to those affected by the studies they oversee.
6. The scope of work for a Preliminary AA and a Regional HCT study are significantly greater than the Eastside Systems Study and require a higher level of management oversight. As such, a "Planning Management Group" is recommended for the Preliminary AA, AA/DEIS and PE/FEIS phases of the HCT corridor planning, and for the Regional HCT Study.
7. A regional HCT Finance Committee (TMAC) is maintained to make recommendations affecting the development of a Systemwide HCT Financial Plan addressing the conclusions of the corridor

Preliminary AA studies and the Regional HCT Study. This committee has a balanced regionwide membership.

8. Decision-making is focused on Oregon and Washington jurisdictions for decisions pertinent to their area with a significant need for bi-state coordination on issues affecting the I-5/I-205 Portland/Vancouver study, coordination with the I-205/Milwaukie study, systemwide issues to be addressed within the Regional HCT Study, and the development of a regional HCT financial strategy.

EXECUTIVE OFFICER'S RECOMMENDATION

The Metro Executive Officer has reviewed this proposed amendment and recommends approval of Resolution No. 92-1549.

LS:lmk
92-1549.RES
1-6-92

RESOLUTION OF THE
METROPOLITAN SERVICE DISTRICT
AND THE
INTERGOVERNMENTAL RESOURCE CENTER

FOR THE PURPOSE OF ESTABLISH-)	METRO RESOLUTION NO. 92-1549
ING AND MAINTAINING AN ORGANI-)	IRC RESOLUTION NO. 1-92-2
ZATIONAL STRUCTURE FOR OVER-)	
SEEING HIGH CAPACITY TRANSIT)	
STUDIES)	

WHEREAS, Metro was designated by the Governor of the State of Oregon as the Metropolitan Planning Organization (MPO) for the urbanized areas of Clackamas, Multnomah, and Washington Counties effective November 6, 1979; and

WHEREAS, IRC was designated by the Governor of the State of Washington as the Metropolitan Planning Organization (MPO) for Clark County effective January 1, 1979; and

WHEREAS, The Metro Council through the Joint Policy Advisory Committee on Transportation provides locally elected officials direct involvement in the transportation planning and decision-making process; and

WHEREAS, the IRC Board of Directors has established a Transportation Policy Committee to develop regional transportation policies subject to the review and approval of the full Board of Directors; and

WHEREAS, the Washington State Legislature established the High Capacity Transit Act of 1990 (HB 1825) and subsequent amendments (HB 1677, HR 2151) and set aside funds to support Portland/Vancouver HCT planning studies in the 1991 First Extraordinary Session; and

WHEREAS, C-TRAN established the Joint Regional Policy Committee consisting of the C-TRAN Board of Directors and a representative from the Washington State Department of Transportation as the Policy Forum required by the High Capacity Transit Act of 1990 as amended (RCW 81.104.030); and

WHEREAS, Metro adopted Resolution No. 91-1407 and IRC adopted Resolution No. 91-03-02 adopting the 1992 Unified Work Program; and

WHEREAS, Metro adopted Resolution No. 91-1501A and IRC adopted Resolution No. 09-19-01 revising the 1992 Unified Work Program to include the I-5 North Portland/Vancouver Preliminary Alternatives Analysis; and

WHEREAS, the 1992 adopted and revised 1992 Unified Work Program calls for an I-205/Milwaukie Preliminary Alternatives Analysis, an I-5/I-205 Portland/Vancouver Preliminary Alternatives Analysis and a Regional HCT Study; and

WHEREAS, Metro adopted Resolution No. 90-1179 and IRC adopted Resolution No. 89-11-03 for the purpose of establishing an organizational structure for overseeing High Capacity Transit Studies; and

WHEREAS, Metro adopted Resolution No. 91-1456 and IRC adopted Resolution No. TPC 6-91-2 establishing a strategy for High Capacity Transit studies, and affirming that after the Westside LRT Project to Hillsboro, construction of the next LRT corridor in the Portland/Vancouver metropolitan area will include a terminus in Clackamas County; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District and the Board of the Intergovernmental Resource Center hereby adopt the revised organizational structure for the oversight of High Capacity Transit studies as defined on Figure 1 (Exhibit A).

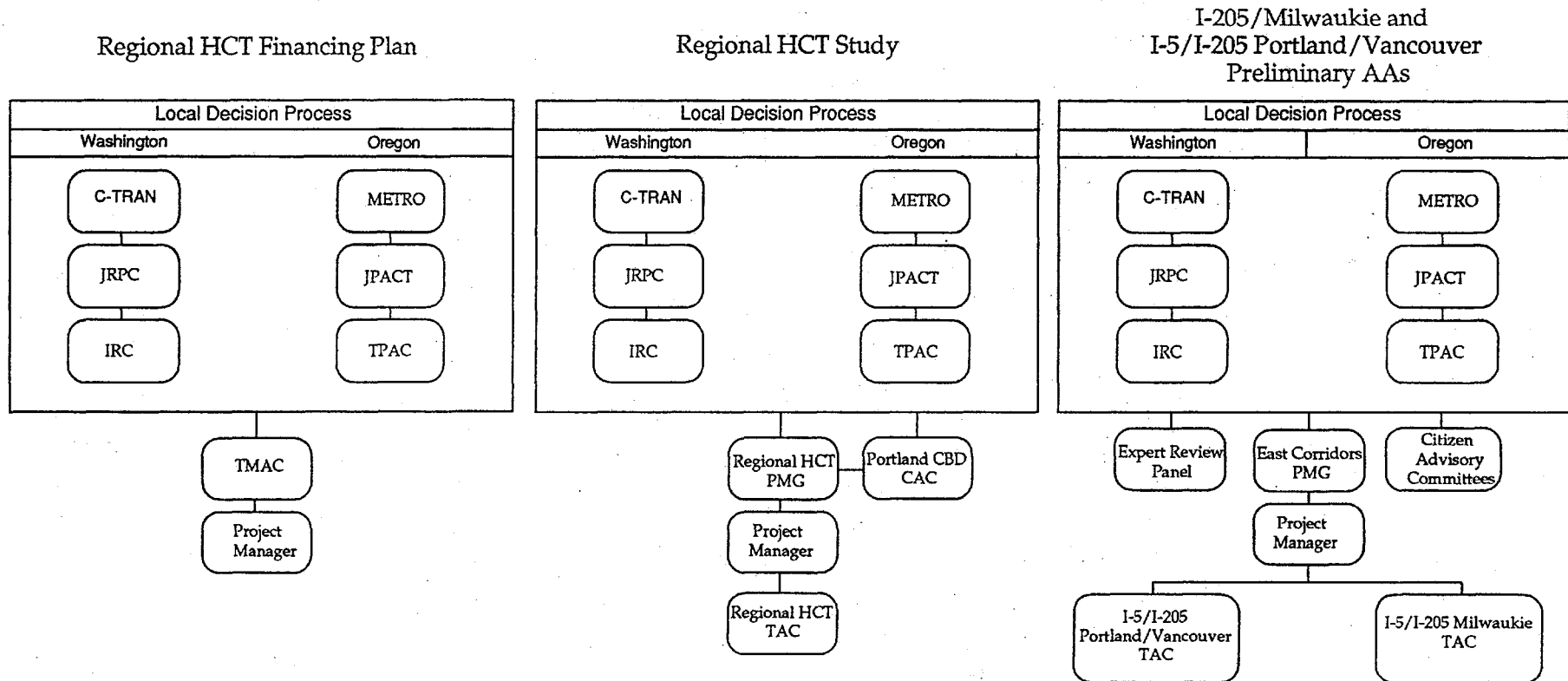
ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1992.

Tanya Collier, Presiding Officer
Metro Council

David Sturdevant, Chair
IRC Transportation Policy Committee

92-1549.RES
12-23-91

Figure 1: Organizational Structure for Oversight of High Capacity Transit Studies



Purpose:

- Develop systemwide financing strategies and Corridor Financing Plan that are consistent with the conclusions of the Regional HCT Study and the Preliminary AA Studies.
- Coordinate HCT Financial Planning Study with other transportation and transit financing efforts.

Purpose:

- Develop an HCT System Plan and Staging Strategy.
- Determine systemwide infrastructure and operational needs.
- Determine CBD requirements and Staging Strategy.

Purpose:

- Advance the SE Priority Corridor into AA/DEIS; define alternatives to pursue.
- Decide whether the North Priority Corridor should advance concurrently with or following the S.E. Corridor; define alternatives to pursue.

EXHIBIT A

Organizational Structure for Overseeing High Capacity Transit Studies

I. I-205/Milwaukie Preliminary AA, AA/DEIS, and PE/FEIS

A. JPACT

1. Policy oversight for HCT development studies within the I-205/Milwaukie corridor will be provided by JPACT.
2. TPAC will make recommendations for policy decisions to JPACT

B. Project Management Group

A single Project Management Group will be shared between the I-205/Milwaukie and the I-5/I-205 Portland/Vancouver studies. For the I-205/Milwaukie studies the PMG will:

1. Ensure coordination with the I-5/I-205 Portland/Vancouver Preliminary AA.
2. Ensure consistency of assumptions between with the I-5/I-205 Portland/Vancouver AA.
3. Provide oversight of the general management of the study, concentrating on schedule, scope of work, budget and policy decisions to be forwarded to TPAC and JPACT.
4. Recommend the screening of alternatives and the selection of a priority corridor to advance into Alternatives Analysis; define the alternatives to be considered in the Alternatives Analysis.
5. Approve the DEIS.
6. Recommend the locally preferred alternative.
7. Approve the FEIS.

Membership: Senior Management Staff from affected agencies including Metro, Tri-Met, C-TRAN, ODOT, WSDOT, Portland, Milwaukie, Oregon City, Lake Oswego, Port of Portland, Vancouver, Multnomah County, Clark County, Clackamas County and IRC.

C. I-205/Milwaukie Technical Advisory Committee

1. Monitor and review technical aspect of the study, concentrating on the development of methodologies, analysis, alignment and operations assumptions and evaluation of alternatives.
2. Recommend screening of alternatives and alternatives to be included within the DEIS.
3. Oversee preparation of results reports, the DEIS and FEIS.
4. Two sub-committees of the TAC will meet regularly, one concentrating on the I-205 corridor and one concentrating on the Milwaukie Corridor.

Membership: Technical Staff from affected agencies including Metro, Tri-Met, ODOT, Portland, Milwaukie, Oregon City, Lake Oswego, Port of Portland, Multnomah County, and Clackamas County.

D. Citizens Advisory Committee

1. The CAC will be made up of a variety of citizens from throughout the corridor.
2. The CAC will be asked to prepare independent recommendations to JPACT on all policy decisions requested of JPACT, such as the screening of alternatives, the selection of a priority corridor, and the selection of a locally preferred alternative.
3. The CAC will meet periodically and will receive reports from the project manager and other technical staff.
4. The CAC will provide opportunity for public testimony at its regular meetings.

E. Expert Review Panel

An Expert Review Panel, consistent with the Washington State's High Capacity Transit Act requirements, will be shared between the I-205/Milwaukie and the I-5/I-205 Portland/Vancouver Preliminary AAs. For the I-205/Milwaukie Study the ERP will:

1. Provide independent review of project assumptions, methods and products to ensure that adequate and appropriate information of the highest quality is

available to local decision makers to assist them in the screening of alternatives and the selection of the priority corridor.

2. The Panel will include 5 to 10 experts in the fields relevant to the analysis and development of high capacity transportation systems.
3. Selection of the ERP members will be made by Washington's Chair of the Legislative Transportation Committee, Secretary of Transportation and Governor, the Chair of JPACT and ODOT's representative to JPACT. The panel appointments will be by consensus of the appointment body.

II. I-5/I-205 Portland/Vancouver Preliminary AA, AA/DEIS, and PE/FEIS

A. JPACT

1. Policy oversight for HCT development studies within the I-5/I-205 Portland/Vancouver corridor will be provided by JPACT.
2. TPAC will make recommendations for policy decisions to JPACT

B. Project Management Group

A single Project Management Group will be shared between the I-205/Milwaukie and the I-5/I-205 Portland/Vancouver studies. For the I-5/I-205 Portland/Vancouver studies the PMG will:

1. Ensure coordination with the I-205/Milwaukie studies.
2. Ensure consistency of assumptions between with the I-205/Milwaukie studies.
3. Provide oversight of the general management of the study, concentrating on schedule, scope of work, budget and policy decisions to be forwarded to TPAC and JPACT.
4. Recommend the screening of alternatives and the selection of a priority corridor to advance into Alternatives Analysis; determine whether to

proceed concurrent with or following the Alternatives Analysis from Portland to Clackamas County; define the alternatives to be considered in the Alternatives Analysis.

5. Approve the DEIS.
6. Recommend the locally preferred alternative.
7. Approve the FEIS.

Membership: Senior Management Staff from affected agencies including Metro, Tri-Met, C-TRAN, ODOT, WSDOT, Portland, Milwaukie, Oregon City, Lake Oswego, Port of Portland, Vancouver, Multnomah County, Clark County, Clackamas County and IRC.

C. I-5/I-205 Portland/Vancouver Technical Advisory Committee

1. Monitor and review technical aspect of the study, concentrating on the development of methodologies, analysis, alignment and operations assumptions and evaluation of alternatives.
2. Recommend screening of alternatives and alternatives to be included within the DEIS.
3. Oversee preparation of results reports, the DEIS and FEIS.
4. Subcommittees of the TAC will meet as needed.

Membership: Technical Staff from affected agencies including Metro, IRC, Tri-Met, C-TRAN, ODOT, WSDOT, Portland, Vancouver, Clark County.

D. Citizens Advisory Committee

1. The CAC will be made up of a variety of citizens from throughout the corridor.
2. The CAC will be asked to prepare independent recommendations to JPACT on all policy decisions requested of JPACT, such as the screening of alternatives, the selection of a priority corridor, and the selection of a Locally Preferred Alternative.

3. The CAC will meet periodically and will receive reports from the Project Manager and other technical staff.
4. The CAC will provide opportunity for public testimony at its regular meetings.

E. Expert Review Panel

An Expert Review Panel, consistent with the Washington State's High Capacity Transit Act requirements, will be shared between the I-205/Milwaukie and the I-5/I-205 Portland/Vancouver Preliminary AAs. For the I-5/I-205 Portland/Vancouver Study, the ERP will:

1. Provide independent review of project assumptions, methods and products to ensure that adequate and appropriate information of the highest quality is available to local decision-makers to assist them in the screening of alternatives and the selection of the priority corridor.
2. The Panel will include 5 to 10 experts in the fields relevant to the analysis and development of high capacity transportation systems.
3. Selection of the ERP members will be made by Washington's Chair of the Legislative Transportation Committee, Secretary of Transportation and Governor, the Chair of JPACT and ODOT's representative to JPACT. The panel appointments will be by consensus of the appointment body.

III. Regional High Capacity Transit Study

A. JPACT

1. Policy oversight for the Regional HCT Study will be provided by JPACT.
2. TPAC will make recommendations for policy decisions to JPACT

B. Project Management Group

1. Ensure consistency of the studies assumptions with the adopted HCT element of the RTP.
2. Ensure consistency of assumptions with the Regional HCT Study and the I-205/Milwaukie and I-5/I-205 studies.

3. Provide oversight of the general management of the study, concentrating on schedule, scope of work, budget and policy decisions to be forwarded to TPAC and JPACT.
4. Recommend to JPACT the screening of alternatives and of a regional HCT system plan and staging strategy.
5. Recommend to JPACT the CBD alternative that will advance into AA/DEIS with the next corridor(s).

Membership: Senior Management Staff from affected agencies including Metro, Tri-Met, C-TRAN, ODOT, Portland, Multnomah County, Washington County, and Clackamas County.

C. Regional HCT Technical Advisory Committee

1. Monitor and review technical aspect of the study, concentrating on the development of methodologies, analysis, alignment and operations assumptions and evaluation of alternatives.
2. Recommend screening of alternatives and alternatives to be included within the system plan.
3. Recommend the CBD alternatives that will advance into AA/DEIS with the next corridor(s).
4. Subcommittees of the TAC will meet as needed.

Membership: Technical Staff from affected agencies including Metro, Tri-Met, C-TRAN, ODOT, Portland, Multnomah County, Washington County and Clackamas County.

D. Downtown Citizen's Advisory Committee

1. The CAC will be made up of a variety of citizens (e.g., business owners, residents, employees, and retail and service users) from within the Portland downtown area.
2. The CAC will be asked to prepare independent recommendations to JPACT on all policy decisions requested of JPACT concerning the CBD element of the Regional HCT Study.
3. The CAC will meet periodically and will receive reports from the Project Manager and other technical staff.

4. The CAC will provide opportunity for public testimony at its regular meetings.
5. Membership on the CAC will be determined through the TAC, PMG, TPAC and JPACT.

IV. High Capacity Transit Finance Committee -- Transportation Managers Advisory Committee (TMAC)

- A. Refinement of regional policies for public-private coventure funding; approval of corridor-specific public-private funding recommendations.
- B. Develop recommendations for a systemwide HCT financing strategy consistent with the Regional HCT System Plan and staging strategy determined within the Regional HCT Study and the priority corridor(s) to be advanced into AA/DEIS as determined within the I-205/Milwaukie Preliminary AA and the I-5/I-205 Portland/Vancouver Preliminary AA.

Membership: Senior Management Staff from Metro, Tri-Met, C-TRAN, ODOT, Portland, Multnomah County, Clackamas County, and Washington County.

V. Joint JPACT and IRC TPC Meetings

Joint JPACT/IRC Transportation Policy Committee meetings will be periodically convened to oversee bi-state corridor planning and to review decisions involving regional priorities and financing of any HCT corridor after the Westside Corridor prior to consideration for adoption by JPACT or IRC.

VI. Individual Responsibilities of JPACT and IRC Transportation Policy Committee

In each of their respective jurisdictions (JPACT in Oregon and IRC in Clark County), JPACT and the IRC Transportation Policy Committee will have the following responsibilities.

- A. Adopt amendments to the RTP adding or deleting potential long-range HCT corridors.
- B. Approval of Final decisions relating to trade-offs between corridors.
- C. Adoption of priorities for funding from regional and federal resources.
- D. Authorization for a corridor to proceed into AA/DEIS or PE/FEIS and joint approval of the required Unified Work Program amendment.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 92-1550 FOR THE PURPOSE OF ALTERING THE INTERGOVERNMENTAL AGREEMENT ON THE WESTERN BYPASS STUDY

Date: December 24, 1991

Presented by: Andrew Cotugno

PROPOSED ACTION

Adopt Resolution No. 92-1550 authorizing the change in the intergovernmental agreement between Metro, ODOT, Washington County and the cities of Washington County defining the decision-making process for the Western Bypass Study.

TPAC has reviewed the intergovernmental agreement and recommends approval of Resolution No. 92-1550.

FACTUAL BACKGROUND AND ANALYSIS

The Metro Council joined in an intergovernmental agreement in May of 1991 (Resolution No. 91-1425) defining the Western Bypass Study decision-making process. This resolution included the agreement to make a decision on the inclusion or elimination of the broad strategies to be developed as refined alternatives and carried, without further decisions through the Draft Environmental Impact Statement process, terminating in a "preferred alternative" decision.

At the Citizens, Technical and Steering Committee meetings, the representatives came to the conclusion that, while there was sufficient information at the broad strategy level to drop some alternative(s), there was insufficient information to determine the reasonableness of strategies to be carried forward through the DEIS process as recommended by ODOT staff.

This amendment to the intergovernmental agreement would allow the elimination of obviously unreasonable alternatives at the end of the strategy evaluation and allow the refinement and analysis of alternatives to be carried out, giving more detailed information at the end of the Alternatives Analysis. This amendment also inserts a new decision point on which alternatives to carry through the DEIS at the end of this more detailed analysis (in short, getting more information before making a decision).

The attachment diagrams the change in the decision point. Moving decisions that were placed between strategy evaluation and Alternatives Analysis to a point between Alternatives Analysis and the preparation of the DEIS.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 92-1550.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ALTERING) RESOLUTION NO. 92-1550
THE INTERGOVERNMENTAL AGREEMENT)
ON THE WESTERN BYPASS STUDY) Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metropolitan Service District (Metro) is a signatory to the Western Bypass Study Planning Coordination Agreement in accordance with Resolution No. 91-1425; and

WHEREAS, That Planning Coordination Agreement was intended to define the involvement and decision-making process for the participating jurisdictions; and

WHEREAS, It has been determined that there is insufficient detail in information developed at the strategy evaluation stage to make decisions on the reasonableness of recommendations for further study prior to the refinement of alternatives; and

WHEREAS, the Oregon Department of Transportation (ODOT) has requested amendments to the process to postpone these decisions on reasonableness of alternatives for final consideration in the Draft Environmental Impact Statement until after the refinements and analysis of alternatives; and

WHEREAS, It is expected that there will be enough information to eliminate a limited number of broad strategies from further consideration; and

WHEREAS, These amendments do not reduce involvement of affected local governments but postpone their decisions to a later stage of the process; and

WHEREAS, This postponement will produce more detailed information; now, therefore,

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District authorizes amendments to the Intergovernmental Agreement for the Western Bypass Study as substantially defined in Exhibit A.

2. That the Council requests that at the time ODOT presents its recommendation on strategies to be eliminated, ODOT shall also present a detailed description of their process for ensuring that the non-eliminated strategies, in all significant aspects, are represented in the alternatives advanced for further analysis.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1992.

Tanya Collier, Presiding Officer

TKL:lmk
92-1550.RES
1-15-92

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District
authorizes amendments to the Intergovernmental Agreement for the
Western Bypass Study as substantially defined in Exhibit A.

2.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1992.

Tanya Collier, Presiding Officer

TKL:lmk
92-1550.RES
1-6-92

EXHIBIT A

ODOT'S PROPOSED AMENDMENTS TO
WESTERN BYPASS STUDY PLANNING COORDINATION AGREEMENT

I. Amend Section III as follows:

III. Recommendation of Strategies

- A. ODOT's staff will study, develop, and refine strategies to meet the statewide and regional westside circumferential travel needs identified in the Purpose and Need Statement. Reasonable system modes, including major highways, arterial, major transit (bus and light rail), and demand management measures, shall be considered. ODOT's staff will recommend elimination of some modes and strategies from further detailed consideration by the following steps:
1. Identification of strategies;
 2. Development of conceptual system-level alternatives;
 3. Evaluation of strategies; and
 4. Recommendation of reasonable strategies that meet the identified purpose and need.
- B. Based on the strategies recommended for elimination by ODOT's staff, JPACT and Metro shall consider recommending or requiring elimination of strategies considered unreasonable to meet the purposes and needs identified in the Statement. As part of this process, JPACT and Metro shall consider any appropriate amendments to the RTP to eliminate strategies from further study. The adoption of any RTP amendments eliminating strategies from further study shall be accompanied by findings demonstrating compliance with applicable statewide planning goals and regional goals and objectives, if necessary. For each strategy eliminated, Metro shall demonstrate the reasons why the eliminated strategy cannot meet the identified statewide and regional transportation system needs.
- C. Each City and the County hereby agree to provide staff assistance to Metro in the development of findings demonstrating compliance with applicable statewide planning goals to support an RTP amendment eliminating strategies considered unreasonable to meet the purposes and needs set forth in the Statement.
- D. Upon completion of the activities described in subsection B above, Metro shall transmit correspondence to each City and the County identifying the strategies recommended to

be eliminated from further study. The correspondence shall contain the findings supporting Metro's action.

IIIA Recommendation of Alternatives for DEIS Evaluation.

- A. Based on the strategies it recommended for further study, ODOT's staff will develop, refine, and recommend alternatives for evaluation in the Draft Environmental Impact Statement (DEIS).
- B. Based on the alternatives recommended for DEIS evaluation by ODOT's staff, JPACT and Metro shall consider reasonable alternatives for DEIS evaluation. As part of this process, JPACT and Metro shall consider any appropriate amendments to the RTP to incorporate alternatives recommended for DEIS evaluation.
- C. Upon completion of the activities described in subsection B above, Metro shall transmit correspondence to each City and the County identifying the alternatives approved for evaluation in the DEIS.
- D. Within 90 days following receipt of Metro's correspondence, each City and the County shall consider adopting a Resolution in response to Metro's action. The Resolution shall be in the form attached hereto as Exhibit "C" and shall endorse or reject the alternatives recommended by JPACT and Metro for DEIS evaluation. Upon adoption, the Resolution shall be submitted to ODOT's Manager. Failure to submit the Resolution shall be considered a rejection of the alternatives recommended for DEIS evaluation.

IV. Acknowledged Comprehensive Plan and Zoning Review.

Within 30 days following approval by JPACT and Metro of alternatives recommended for DEIS evaluation, Metro, the County, and each City shall assist the study by:

- A. Initiating staff review of their respective functional or comprehensive plans and land use regulations to determine applicable provisions which apply to the Study; and
- B. Transmitting to ODOT's Manager a copy of those plan and regulation provisions deemed applicable.

EXHIBIT "C"

IN THE MATTER OF ENDORSEMENT OF)
ALTERNATIVES RECOMMENDED BY JPACT) RESOLUTION NO. _____
AND METRO FOR DEIS EVALUATION)

WHEREAS, the Oregon Department of Transportation (ODOT) is conducting a Western Bypass Study to identify and resolve issues related to accommodating major existing and future state, regional and intra-county travel needs within the project study area; and

WHEREAS, a Purpose and Need Statement has been prepared identifying the underlying purpose and need for the Western Bypass Study; and

WHEREAS, ODOT's staff has studied, developed, and refined alternatives to meet the regional westside circumferential travel needs identified in the Purpose and Need Statement; and

WHEREAS, ODOT's staff has recommended certain reasonable alternatives for evaluation in the Draft Environmental Impact Statement (DEIS); and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metropolitan Service District (Metro) have considered reasonable alternatives for DEIS evaluation as recommended by ODOT's staff.

NOW, THEREFORE, IT IS RESOLVED as follows:

That the [city, county] hereby endorses for further study the reasonable alternatives endorsed by JPACT and Metro for evaluation in the DEIS.

or

That the [city, county] hereby rejects the alternatives endorsed by JPACT and Metro for evaluation in the DEIS because [explain].

EXHIBIT "C"

IN THE MATTER OF ENDORSEMENT OF)
[FURTHER STUDY OF STRATEGIES])
ALTERNATIVES RECOMMENDED BY JPACT)
AND METRO FOR DEIS EVALUATION)

RESOLUTION NO. _____

WHEREAS, the Oregon Department of Transportation (ODOT) is conducting a Western Bypass Study to identify and resolve issues related to accommodating major existing and future state, regional and intra-county travel needs within the project study area; and

WHEREAS, a Purpose and Need Statement has been prepared identifying the underlying purpose and need for the Western Bypass Study; and

WHEREAS, ODOT's staff has studied, developed, and refined [strategies] alternatives to meet the regional westside circumferential travel needs identified in the Purpose and Need Statement; and

WHEREAS, ODOT's staff has recommended certain reasonable [strategies] alternatives for [further study] evaluation in the Draft Environmental Impact Statement (DEIS); and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metropolitan Service District (Metro) have considered reasonable [strategies] alternatives for [further study] DEIS evaluation as recommended by ODOT's staff.

NOW, THEREFORE, IT IS RESOLVED as follows:

That the [city, county] hereby endorses for further study the reasonable [strategies] alternatives endorsed by JPACT and Metro for [further study] evaluation in the DEIS.

or

That the [city, county] hereby rejects the [strategies] alternatives endorsed by JPACT and Metro for [further study] evaluation in the DEIS because [explain].

PROPOSED FINDINGS IN SUPPORT OF AMENDMENTS TO
WESTERN BYPASS STUDY PLANNING COORDINATION AGREEMENT

The Oregon Department of Transportation is proposing amendments to the Western Bypass Study Planning Coordination Agreement (Agreement). ODOT's proposals would amend Sections III and IV and Exhibit "C" of the Agreement and add a new Section IIIA.

The thrust of the proposed amendments is to split the current process governing the recommendation of strategies for elimination or for further study into two separate steps. Presently, JPACT and Metro consider both the elimination of strategies and the recommendation of strategies for further study following completion of the strategies stage of the Study. Under the proposed amendments, JPACT and Metro would consider only the elimination of strategies at the completion of the strategies stage. JPACT and Metro review of strategies recommended for further study by ODOT's staff would be postponed until after ODOT's staff has developed, refined and recommended alternatives for evaluation in the Draft Environmental Impact Statement (DEIS). Following action by JPACT and Metro on the alternatives recommended for evaluation in the DEIS, each City and County would consider adopting a resolution either endorsing or rejecting the alternatives recommended by JPACT and Metro for DEIS evaluation.

This amendment is justified for several reasons. First, there is sufficient information available at the completion of the strategies stage of this Study to eliminate certain strategies from further review. It is reasonable not to consider these strategies further, or to spend additional funds studying these strategies, when adequate information already is available to demonstrate that those strategies cannot reasonably meet the purposes and needs identified in the Purpose and Need Statement. Accordingly, the provisions regarding action by JPACT and Metro to eliminate these strategies from further study following completion of strategies are unchanged.

Second, several local government and citizen representatives on the Technical Advisory Committee, Citizens Advisory Committee and the Steering Committee have stated that the level of detail provided in the strategies stage is not sufficient to enable them to determine whether the strategies recommended for further study are reasonable. These representatives have requested more detailed information on these strategies to obtain a better understanding of what each strategy would look like and how the strategies would achieve the identified purposes and needs. Because the Study process already provides for development and refinement of alternatives before commencing with evaluation in the Draft Environmental Impact Statement, it is reasonable to postpone, until completion of the alternatives stage, (1) consideration by JPACT and Metro of alternatives recommended by ODOT's staff for evaluation in the DEIS; and (2) endorsement or rejection of those alternatives by the Cities and County. Through this postponement, JPACT, Metro, and the Cities and County will be better able to

assess the reasonableness of the alternatives proposed for DEIS evaluation.

In summary, with these amendments, JPACT, Metro, and the Cities and County would not be asked to endorse or reject strategies proposed for further study by ODOT's staff, but instead would be asked to endorse or reject more detailed and refined alternatives proposed for evaluation in the DEIS. JPACT, Metro, the Cities and Counties would review and endorse or reject the alternatives before work commences on the DEIS. Their review would be aided by the more detailed information gathered by ODOT's staff during the alternatives stage of the Study. With this more detailed information, JPACT, Metro, each City and the County will be better able to judge whether the alternatives recommended for evaluation in the DEIS are reasonable.

**PROCEDURES FOR AMENDMENTS TO THE
WESTERN BYPASS STUDY PLANNING COORDINATION AGREEMENT**

The process for amending the IGA is set out in Section X of the Agreement. That section authorizes any party to the Agreement, to "submit a formal request for amendment to the other parties." The formal request must contain (1) a statement describing the amendment; and (2) a statement of findings indicating why the proposed amendment is necessary. See Section X(B)(1) and (2). As the party originating the proposal, ODOT would bear this responsibility.

Upon receipt of the proposed amendment, the appropriate local government governing body must, within 45 days, "schedule a review of the request." Upon completion of this review, the governing body may approve or deny the request or make a determination that the request warrants "additional review." The decision should then be promptly forwarded to ODOT's manager. While the decision to approve, deny or seek additional review should be made at a public meeting, the governing body is not required to hold a public hearing or take public testimony on the proposed amendment. However, each party is required to make good faith efforts to resolve requests to amend the Agreement.

If additional review is requested, then ODOT, as the party proposing the amendment, would commence a joint study within 30 days following the date it determines that the proposed amendment creates disagreement. The study must be completed within 90 days following that date. After the study is completed, ODOT would review the recommendations drawn from the study and decide whether or how to proceed.

ODOT'S PROPOSED AMENDMENTS TO
WESTERN BYPASS STUDY PLANNING COORDINATION AGREEMENT

Note: Additions are underlined; deletions are [bracketed].

I. Amend Section III as follows:

III. Recommendation of Strategies

- A. ODOT's staff will study, develop, and refine strategies to meet the statewide and regional westside circumferential travel needs identified in the Purpose and Need Statement. Reasonable system modes, including major highways, arterial, major transit (bus and light rail), and demand management measures, shall be considered. ODOT's staff will recommend elimination of some modes and strategies from further detailed consideration by the following steps:
1. Identification of strategies;
 2. Development of conceptual system-level alternatives;
 3. Evaluation of strategies; and
 4. Recommendation of reasonable strategies that meet the identified purpose and need.
- B. Based on the strategies [recommended for further study and the strategies] recommended for elimination by ODOT's staff, JPACT and Metro shall consider [reasonable strategies for further study and shall consider] recommending or requiring elimination of strategies considered unreasonable to meet the purposes and needs identified in the Statement. As part of this process, JPACT and Metro shall consider any appropriate amendments to the RTP to eliminate strategies from further study. [, including both the incorporation of strategies recommended for further study and the elimination of strategies considered unreasonable to meet the purposes and needs identified in the Statement.] The adoption of any RTP amendments eliminating strategies from further study shall be accompanied by findings demonstrating compliance with applicable statewide planning goals and regional goals and objectives, if necessary. For each strategy eliminated, Metro shall demonstrate the reasons why the eliminated strategy cannot meet the identified statewide and regional transportation system needs.
- C. Each City and the County hereby agree to provide staff assistance to Metro in the development of findings demonstrating compliance with applicable statewide

planning goals to support an RTP amendment eliminating strategies considered unreasonable to meet the purposes and needs set forth in the Statement.

- D. Upon completion of the activities described in subsection B above, Metro shall transmit correspondence to each City and the County identifying the strategies [approved for further study and those] recommended to be eliminated from further study. The correspondence shall contain the findings supporting Metro's action.
- E. [Within 90 days following receipt of Metro's correspondence, each City and the County shall consider adopting a Resolution in response to Metro's action. The Resolution shall be in the form attached hereto as Exhibit "C" and shall endorse or reject the strategies recommended by JPACT and Metro for further study. Upon adoption, the Resolution shall be submitted to ODOT's Manager. Failure to submit the Resolution shall be considered a rejection of the strategies recommended for further study.]

NEW SECTION

IIIA Recommendation of Alternatives for DEIS Evaluation.

- A. Based on the strategies it recommended for further study, ODOT's staff will develop, refine, and recommend alternatives for evaluation in the Draft Environmental Impact Statement (DEIS).
- B. Based on the alternatives recommended for DEIS evaluation by ODOT's staff, JPACT and Metro shall consider reasonable alternatives for DEIS evaluation. As part of this process, JPACT and Metro shall consider any appropriate amendments to the RTP to incorporate alternatives recommended for DEIS evaluation.
- C. Upon completion of the activities described in subsection B above, Metro shall transmit correspondence to each City and the County identifying the alternatives approved for evaluation in the DEIS.
- D. Within 90 days following receipt of Metro's correspondence, each City and the County shall consider adopting a Resolution in response to Metro's action. The Resolution shall be in the form attached hereto as Exhibit "C" and shall endorse or reject the alternatives recommended by JPACT and Metro for DEIS evaluation. Upon adoption, the Resolution shall be submitted to ODOT's Manager. Failure to submit the Resolution shall be considered a rejection of the alternatives recommended for DEIS evaluation.

IV. Acknowledged Comprehensive Plan and Zoning Review.

Within 30 days following approval by JPACT and Metro of [strategies] alternatives recommended for DEIS evaluation, Metro, the County, and each City shall assist the study by:

- A. Initiating staff review of their respective functional or comprehensive plans and land use regulations to determine applicable provisions which apply to the Study; and
- B. Transmitting to ODOT's Manager a copy of those plan and regulation provisions deemed applicable.

STOP



Sensible Transportation Options for People

December 11, 1991

CONCERNS ABOUT ODOT'S PROPOSED AMENDMENT TO THE WESTERN BYPASS STUDY IGA

On December 3, 1991, the Oregon Department of Transportation (ODOT) sent a memo to the members of the Western Bypass Study Steering Committee, Technical Advisory Committee (TAC), and Citizens Advisory Committee (CAC), informing them of a proposed amendment to the study's Intergovernmental Agreement (IGA). This amendment shifts the local government endorsement of the study results from the end of the strategies phase to the end of the alternatives phase prior to beginning work on the DEIS (Draft Environmental Impact Statement).

STOP opposes this amendment for the following reasons:

1. It undermines the Study's stated objectives of assuring consensus from local jurisdictions at each step in the study process.

ODOT has repeatedly stated that consensus from all jurisdictions is critical before the study progresses to the next step, so that concerns and potential problems are identified and addressed immediately. Yet when several local jurisdictions recently balked at the revised strategies, ODOT responded by changing the process rather than addressing those concerns.

2. It eliminates public participation from a critical point in the study. If there are problems with the revised strategies, local jurisdictions hear from their constituents now, so the problems can be addressed as the strategies are developed into alternatives.
3. It postpones public review of the various alternatives until they are "cast in asphalt" and highly resistant to change. By postponing the public review step, ODOT has reduced public involvement to reaction to the stated alternatives; there is no opportunity for citizens to be involved in the alternatives' development.
4. The proposed amendment removes the continued discussion of alternatives from public view. Already Washington County and the cities of Beaverton and Tigard have signed a Memorandum of Understanding to address the timing and funding of two projects included in one of the alternatives,

without notifying other study participants. This MOU was placed on Washington County's Consent Agenda, to be passed without the benefit of public discussion.

ODOT maintains that the public can follow the development of alternatives by attending the Western Bypass Study committee meetings. These meetings, however, actively discourage public participation. The CAC allows brief public comments at the beginning of the meeting, but does not require the committee to address these concerns in any way as the meeting progresses. In fact, the CAC has rarely addressed any public comment during the course of the study. Public comment at the TAC and Steering Committee is solely at the discretion of the committee chair. Public comments at these meetings have rarely been addressed by either committee.

STOP also objects to the way in which ODOT has presented the proposed amendment to the study committees, particularly the CAC.

- * ODOT did not advise any of the study committees of the proposed IGA amendment until after local jurisdictions had recieved the amendment and timeline for consideration.
- * ODOT did not advise the Citizens Advisory Committee of the amendment process or timing until after one local jurisdiction had already considered and approved the amendment. This effectively blocked any members of the CAC from knowing about or participating in the discussion of the proposed amendment.
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In short, ODOT's neglect of the Citizens Advisory Committee has effectively denied CAC members -- and the general public -- the opportunity to comment on a change that eliminates public input from a critical point in the study!

This is far from good public involvement.

Therefore, STOP recommends:

1. The defeat of the IGA Amendment as proposed by ODOT.
2. A new amendment that adds local jurisdiction review and public hearings on the alternatives recommended for DEIS Evaluation.

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CITY OF

PORTLAND, OREGON

OFFICE OF TRANSPORTATION

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FAX (503) 796-7576

January 2, 1992

MEMORANDUM

To: Andy Cotugno
From: Steve Dotterer *SD*
Re: TPAC Meeting for January 3rd

Due to holiday schedules and conflicts, neither Vic Rhodes, the City's TPAC alternate, nor I can attend this month's meeting. I do have some comments on one of the agenda items (Res. 92-1550) which I ask you to pass on to other TPAC members.

In its current form, I would not support adoption of the resolution amending the Western Bypass study process. The proposed amendment seems flawed in several ways:

1. It now seeks to defer decisions due to lack of critical information about some of the strategies/alternatives. This problem could be solved simply by delaying the strategy selection until the information or alternative refinements have been prepared.
2. It alters a study process adopted several years ago (pre-Transportation Planning Rule) without revising the study to reflect the significant policy elements of the Rule. This was the subject of much discussion last month when the RTP amendments were adopted. At a minimum, it would seem necessary to include an evaluation of each Western Bypass scenario based on the Transportation Rule.
3. I believe that the last time TPAC reviewed this study, we asked for an opportunity to review the selection criteria. I do not believe that the review occurred and this amendment seems to make it impossible.

I hope that discussion and amendments at TPAC will remove these flaws.

SD:db

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 92-1550 FOR THE PURPOSE OF ALTERING THE INTERGOVERNMENTAL AGREEMENT ON THE WESTERN BYPASS STUDY

Date: December 24, 1991

Presented by: Andrew Cotugno

PROPOSED ACTION

Adopt Resolution No. 92-1550 authorizing the change in the intergovernmental agreement between Metro, ODOT, Washington County and the cities of Washington County defining the decision-making process for the Western Bypass Study.

TPAC has reviewed the intergovernmental agreement and recommends approval of Resolution No. 92-1550.

FACTUAL BACKGROUND AND ANALYSIS

The Metro Council joined in an intergovernmental agreement in May of 1991 (Resolution No. 91-1425) defining the Western Bypass Study decision-making process. This resolution included the agreement to make a decision on the inclusion or elimination of the broad strategies to be developed as refined alternatives and carried, without further decisions through the Draft Environmental Impact Statement process, terminating in a "preferred alternative" decision.

At the Steering Committee meetings, the representatives came to the conclusion that, while there was sufficient information at the broad strategy level to drop some alternative(s), there was insufficient information to determine the reasonableness of strategies to be carried forward through the DEIS process as recommended by ODOT staff.

This amendment to the intergovernmental agreement would allow the elimination of obviously unreasonable alternatives at the end of the strategy evaluation and allow the refinement and analysis of alternatives to be carried out, giving more detailed information at the end of the Alternatives Analysis. This amendment also inserts a new decision point on which alternatives to carry through the DEIS at the end of this more detailed analysis (in short, getting more information before making a decision).

The attachment diagrams the change in the decision point. Moving decisions that were placed between strategy evaluation and Alternatives Analysis to a point between Alternatives Analysis and the preparation of the DEIS.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 92-1550.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ALTERING) RESOLUTION NO. 92-1550
THE INTERGOVERNMENTAL AGREEMENT)
ON THE WESTERN BYPASS STUDY) Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metropolitan Service District (Metro) is a signatory to the Western Bypass Study Planning Coordination Agreement in accordance with Resolution No. 91-1425; and

WHEREAS, That Planning Coordination Agreement was intended to define the involvement and decision-making process for the participating jurisdictions; and

WHEREAS, It has been determined that there is insufficient detail in information developed at the strategy evaluation stage to make decisions on the reasonableness of recommendations for further study prior to the refinement of alternatives; and

WHEREAS, the Oregon Department of Transportation (ODOT) has requested amendments to the process to postpone these decisions on reasonableness of alternatives for final consideration in the Draft Environmental Impact Statement until after the refinements and analysis of alternatives; and

WHEREAS, It is expected that there will be enough information to eliminate a limited number of broad strategies from further consideration; and

WHEREAS, These amendments do not reduce involvement of affected local governments but postpone their decisions to a later stage of the process; and

WHEREAS, This postponement will produce more detailed information; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District
authorizes amendments to the Intergovernmental Agreement for the
Western Bypass Study as substantially defined in Exhibit A.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1992.

Tanya Collier, Presiding Officer

TKL:lmk
92-1550.RES
1-6-92

EXHIBIT A

ODOT'S PROPOSED AMENDMENTS TO
WESTERN BYPASS STUDY PLANNING COORDINATION AGREEMENT

I. Amend Section III as follows:

III. Recommendation of Strategies

- A. ODOT's staff will study, develop, and refine strategies to meet the statewide and regional westside circumferential travel needs identified in the Purpose and Need Statement. Reasonable system modes, including major highways, arterial, major transit (bus and light rail), and demand management measures, shall be considered. ODOT's staff will recommend elimination of some modes and strategies from further detailed consideration by the following steps:
 1. Identification of strategies;
 2. Development of conceptual system-level alternatives;
 3. Evaluation of strategies; and
 4. Recommendation of reasonable strategies that meet the identified purpose and need.
- B. Based on the strategies recommended for elimination by ODOT's staff, JPACT and Metro shall consider recommending or requiring elimination of strategies considered unreasonable to meet the purposes and needs identified in the Statement. As part of this process, JPACT and Metro shall consider any appropriate amendments to the RTP to eliminate strategies from further study. The adoption of any RTP amendments eliminating strategies from further study shall be accompanied by findings demonstrating compliance with applicable statewide planning goals and regional goals and objectives, if necessary. For each strategy eliminated, Metro shall demonstrate the reasons why the eliminated strategy cannot meet the identified statewide and regional transportation system needs.
- C. Each City and the County hereby agree to provide staff assistance to Metro in the development of findings demonstrating compliance with applicable statewide planning goals to support an RTP amendment eliminating strategies considered unreasonable to meet the purposes and needs set forth in the Statement.
- D. Upon completion of the activities described in subsection B above, Metro shall transmit correspondence to each City and the County identifying the strategies recommended to

be eliminated from further study. The correspondence shall contain the findings supporting Metro's action.

IIIA Recommendation of Alternatives for DEIS Evaluation.

- A. Based on the strategies it recommended for further study, ODOT's staff will develop, refine, and recommend alternatives for evaluation in the Draft Environmental Impact Statement (DEIS).
- B. Based on the alternatives recommended for DEIS evaluation by ODOT's staff, JPACT and Metro shall consider reasonable alternatives for DEIS evaluation. As part of this process, JPACT and Metro shall consider any appropriate amendments to the RTP to incorporate alternatives recommended for DEIS evaluation.
- C. Upon completion of the activities described in subsection B above, Metro shall transmit correspondence to each City and the County identifying the alternatives approved for evaluation in the DEIS.
- D. Within 90 days following receipt of Metro's correspondence, each City and the County shall consider adopting a Resolution in response to Metro's action. The Resolution shall be in the form attached hereto as Exhibit "C" and shall endorse or reject the alternatives recommended by JPACT and Metro for DEIS evaluation. Upon adoption, the Resolution shall be submitted to ODOT's Manager. Failure to submit the Resolution shall be considered a rejection of the alternatives recommended for DEIS evaluation.

IV. Acknowledged Comprehensive Plan and Zoning Review.

Within 30 days following approval by JPACT and Metro of alternatives recommended for DEIS evaluation, Metro, the County, and each City shall assist the study by:

- A. Initiating staff review of their respective functional or comprehensive plans and land use regulations to determine applicable provisions which apply to the Study; and
- B. Transmitting to ODOT's Manager a copy of those plan and regulation provisions deemed applicable.

EXHIBIT "C"

IN THE MATTER OF ENDORSEMENT OF)
ALTERNATIVES RECOMMENDED BY JPACT) RESOLUTION NO. _____
AND METRO FOR DEIS EVALUATION)

WHEREAS, the Oregon Department of Transportation (ODOT) is conducting a Western Bypass Study to identify and resolve issues related to accommodating major existing and future state, regional and intra-county travel needs within the project study area; and

WHEREAS, a Purpose and Need Statement has been prepared identifying the underlying purpose and need for the Western Bypass Study; and

WHEREAS, ODOT's staff has studied, developed, and refined alternatives to meet the regional westside circumferential travel needs identified in the Purpose and Need Statement; and

WHEREAS, ODOT's staff has recommended certain reasonable alternatives for evaluation in the Draft Environmental Impact Statement (DEIS); and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metropolitan Service District (Metro) have considered reasonable alternatives for DEIS evaluation as recommended by ODOT's staff.

NOW, THEREFORE, IT IS RESOLVED as follows:

That the [city, county] hereby endorses for further study the reasonable alternatives endorsed by JPACT and Metro for evaluation in the DEIS.

or

That the [city, county] hereby rejects the alternatives endorsed by JPACT and Metro for evaluation in the DEIS because [explain].

EXHIBIT "C"

IN THE MATTER OF ENDORSEMENT OF)
[FURTHER STUDY OF STRATEGIES])
ALTERNATIVES RECOMMENDED BY JPACT)
AND METRO FOR DEIS EVALUATION)

RESOLUTION NO. _____

WHEREAS, the Oregon Department of Transportation (ODOT) is conducting a Western Bypass Study to identify and resolve issues related to accommodating major existing and future state, regional and intra-county travel needs within the project study area; and

WHEREAS, a Purpose and Need Statement has been prepared identifying the underlying purpose and need for the Western Bypass Study; and

WHEREAS, ODOT's staff has studied, developed, and refined [strategies] alternatives to meet the regional westside circumferential travel needs identified in the Purpose and Need Statement; and

WHEREAS, ODOT's staff has recommended certain reasonable [strategies] alternatives for [further study] evaluation in the Draft Environmental Impact Statement (DEIS); and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metropolitan Service District (Metro) have considered reasonable [strategies] alternatives for [further study] DEIS evaluation as recommended by ODOT's staff.

NOW, THEREFORE, IT IS RESOLVED as follows:

That the [city, county] hereby endorses for further study the reasonable [strategies] alternatives endorsed by JPACT and Metro for [further study] evaluation in the DEIS.

or

That the [city, county] hereby rejects the [strategies] alternatives endorsed by JPACT and Metro for [further study] evaluation in the DEIS because [explain].

**PROPOSED FINDINGS IN SUPPORT OF AMENDMENTS TO
WESTERN BYPASS STUDY PLANNING COORDINATION AGREEMENT**

The Oregon Department of Transportation is proposing amendments to the Western Bypass Study Planning Coordination Agreement (Agreement). ODOT's proposals would amend Sections III and IV and Exhibit "C" of the Agreement and add a new Section IIIA.

The thrust of the proposed amendments is to split the current process governing the recommendation of strategies for elimination or for further study into two separate steps. Presently, JPACT and Metro consider both the elimination of strategies and the recommendation of strategies for further study following completion of the strategies stage of the Study. Under the proposed amendments, JPACT and Metro would consider only the elimination of strategies at the completion of the strategies stage. JPACT and Metro review of strategies recommended for further study by ODOT's staff would be postponed until after ODOT's staff has developed, refined and recommended alternatives for evaluation in the Draft Environmental Impact Statement (DEIS). Following action by JPACT and Metro on the alternatives recommended for evaluation in the DEIS, each City and County would consider adopting a resolution either endorsing or rejecting the alternatives recommended by JPACT and Metro for DEIS evaluation.

This amendment is justified for several reasons. First, there is sufficient information available at the completion of the strategies stage of this Study to eliminate certain strategies from further review. It is reasonable not to consider these strategies further, or to spend additional funds studying these strategies, when adequate information already is available to demonstrate that those strategies cannot reasonably meet the purposes and needs identified in the Purpose and Need Statement. Accordingly, the provisions regarding action by JPACT and Metro to eliminate these strategies from further study following completion of strategies are unchanged.

Second, several local government and citizen representatives on the Technical Advisory Committee, Citizens Advisory Committee and the Steering Committee have stated that the level of detail provided in the strategies stage is not sufficient to enable them to determine whether the strategies recommended for further study are reasonable. These representatives have requested more detailed information on these strategies to obtain a better understanding of what each strategy would look like and how the strategies would achieve the identified purposes and needs. Because the Study process already provides for development and refinement of alternatives before commencing with evaluation in the Draft Environmental Impact Statement, it is reasonable to postpone, until completion of the alternatives stage, (1) consideration by JPACT and Metro of alternatives recommended by ODOT's staff for evaluation in the DEIS; and (2) endorsement or rejection of those alternatives by the Cities and County. Through this postponement, JPACT, Metro, and the Cities and County will be better able to

assess the reasonableness of the alternatives proposed for DEIS evaluation.

In summary, with these amendments, JPACT, Metro, and the Cities and County would not be asked to endorse or reject strategies proposed for further study by ODOT's staff, but instead would be asked to endorse or reject more detailed and refined alternatives proposed for evaluation in the DEIS. JPACT, Metro, the Cities and Counties would review and endorse or reject the alternatives before work commences on the DEIS. Their review would be aided by the more detailed information gathered by ODOT's staff during the alternatives stage of the Study. With this more detailed information, JPACT, Metro, each City and the County will be better able to judge whether the alternatives recommended for evaluation in the DEIS are reasonable.

**PROCEDURES FOR AMENDMENTS TO THE
WESTERN BYPASS STUDY PLANNING COORDINATION AGREEMENT**

The process for amending the IGA is set out in Section X of the Agreement. That section authorizes any party to the Agreement, to "submit a formal request for amendment to the other parties." The formal request must contain (1) a statement describing the amendment; and (2) a statement of findings indicating why the proposed amendment is necessary. See Section X(B)(1) and (2). As the party originating the proposal, ODOT would bear this responsibility.

Upon receipt of the proposed amendment, the appropriate local government governing body must, within 45 days, "schedule a review of the request." Upon completion of this review, the governing body may approve or deny the request or make a determination that the request warrants "additional review." The decision should then be promptly forwarded to ODOT's manager. While the decision to approve, deny or seek additional review should be made at a public meeting, the governing body is not required to hold a public hearing or take public testimony on the proposed amendment. However, each party is required to make good faith efforts to resolve requests to amend the Agreement.

If additional review is requested, then ODOT, as the party proposing the amendment, would commence a joint study within 30 days following the date it determines that the proposed amendment creates disagreement. The study must be completed within 90 days following that date. After the study is completed, ODOT would review the recommendations drawn from the study and decide whether or how to proceed.

ODOT'S PROPOSED AMENDMENTS TO
WESTERN BYPASS STUDY PLANNING COORDINATION AGREEMENT

Note: Additions are underlined; deletions are [bracketed].

I. Amend Section III as follows:

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- A. ODOT's staff will study, develop, and refine strategies to meet the statewide and regional westside circumferential travel needs identified in the Purpose and Need Statement. Reasonable system modes, including major highways, arterial, major transit (bus and light rail), and demand management measures, shall be considered. ODOT's staff will recommend elimination of some modes and strategies from further detailed consideration by the following steps:
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- B. Based on the strategies [recommended for further study and the strategies] recommended for elimination by ODOT's staff, JPACT and Metro shall consider [reasonable strategies for further study and shall consider] recommending or requiring elimination of strategies considered unreasonable to meet the purposes and needs identified in the Statement. As part of this process, JPACT and Metro shall consider any appropriate amendments to the RTP to eliminate strategies from further study. [, including both the incorporation of strategies recommended for further study and the elimination of strategies considered unreasonable to meet the purposes and needs identified in the Statement.] The adoption of any RTP amendments eliminating strategies from further study shall be accompanied by findings demonstrating compliance with applicable statewide planning goals and regional goals and objectives, if necessary. For each strategy eliminated, Metro shall demonstrate the reasons why the eliminated strategy cannot meet the identified statewide and regional transportation system needs.
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planning goals to support an RTP amendment eliminating strategies considered unreasonable to meet the purposes and needs set forth in the Statement.

- D. Upon completion of the activities described in subsection B above, Metro shall transmit correspondence to each City and the County identifying the strategies [approved for further study and those] recommended to be eliminated from further study. The correspondence shall contain the findings supporting Metro's action.
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NEW SECTION

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STOP



Sensible Transportation Options for People

December 11, 1991

CONCERNS ABOUT ODOT'S PROPOSED AMENDMENT TO THE WESTERN BYPASS STUDY IGA

On December 3, 1991, the Oregon Department of Transportation (ODOT) sent a memo to the members of the Western Bypass Study Steering Committee, Technical Advisory Committee (TAC), and Citizens Advisory Committee (CAC), informing them of a proposed amendment to the study's Intergovernmental Agreement (IGA). This amendment shifts the local government endorsement of the study results from the end of the strategies phase to the end of the alternatives phase prior to beginning work on the DEIS (Draft Environmental Impact Statement).

STOP opposes this amendment for the following reasons:

1. It undermines the Study's stated objectives of assuring consensus from local jurisdictions at each step in the study process.

ODOT has repeatedly stated that consensus from all jurisdictions is critical before the study progresses to the next step, so that concerns and potential problems are identified and addressed immediately. Yet when several local jurisdictions recently balked at the revised strategies, ODOT responded by changing the process rather than addressing those concerns.

2. It eliminates public participation from a critical point in the study. If there are problems with the revised strategies, local jurisdictions hear from their constituents now, so the problems can be addressed as the strategies are developed into alternatives.
3. It postpones public review of the various alternatives until they are "cast in asphalt" and highly resistant to change. By postponing the public review step, ODOT has reduced public involvement to reaction to the stated alternatives; there is no opportunity for citizens to be involved in the alternatives' development.
4. The proposed amendment removes the continued discussion of alternatives from public view. Already Washington County and the cities of Beaverton and Tigard have signed a Memorandum of Understanding to address the timing and funding of two projects included in one of the alternatives,

without notifying other study participants. This MOU was placed on Washington County's Consent Agenda, to be passed without the benefit of public discussion.

ODOT maintains that the public can follow the development of alternatives by attending the Western Bypass Study committee meetings. These meetings, however, actively discourage public participation. The CAC allows brief public comments at the beginning of the meeting, but does not require the committee to address these concerns in any way as the meeting progresses. In fact, the CAC has rarely addressed any public comment during the course of the study. Public comment at the TAC and Steering Committee is solely at the discretion of the committee chair. Public comments at these meetings have rarely been addressed by either committee.

STOP also objects to the way in which ODOT has presented the proposed amendment to the study committees, particularly the CAC.

- * ODOT did not advise any of the study committees of the proposed IGA amendment until after local jurisdictions had recieved the amendment and timeline for consideration.
- * ODOT did not advise the Citizens Advisory Committee of the amendment process or timing until after one local jurisdiction had already considered and approved the amendment. This effectively blocked any members of the CAC from knowing about or participating in the discussion of the proposed amendment.
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January 2, 1992

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From: Steve Dotterer *SD*
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I hope that discussion and amendments at TPAC will remove these flaws.

SD:db

WESTSIDE CORRIDOR PROJECT TRAFFIC MITIGATION STRATEGY

MISSION STATEMENT

Develop and implement measures that ensure that traffic flows efficiently, and that disruption and impacts on the quality of life in the corridor are minimized during the construction of the Westside Corridor Project.

GOALS

- 1) Maintain mobility in and through the corridor, and manage construction vehicle and other traffic to minimize impacts on road capacity and adjacent neighborhoods.
- 2) Encourage higher transit use and reduce traffic demand in the corridor both during and after project construction.
- 3) Institute a workable Traffic Management Plan that maintains project construction cost effectiveness and schedules, while addressing all traffic mitigation measures contained in the Final Environmental Impact Statement.
- 4) Maintain effective communication with the public, adjacent neighborhoods, local governments, utility companies, and contractors during construction to insure proper coordination of efforts.

TRAFFIC MITIGATION ISSUES

Four major areas of traffic mitigation issues have been identified on a preliminary basis, and will form the focus of further technical work. More specific issues related to traffic mitigation in certain locations, construction vehicle movements, transportation alternatives, and other issues will be identified and addressed as part of the development of the Traffic Management Plan. The general categories of issues are as follows:

- 1) **Construction Issues** - minimizing impacts on freeway, interchange and cross street capacities during construction and managing movements of construction vehicles in the neighborhoods adjacent to construction activity areas.
- 2) **Peripheral Neighborhoods** - managing impacts on neighborhoods beyond construction zones due to drivers selecting alternate routes away from construction zones and the Sunset/217 freeways.

- 3) **Demand Reduction** - encouraging greater public transportation use and other alternatives to reduce traffic demand.
- 4) **Public Awareness and Communication** - instituting a public awareness campaign to ensure that commuters, residents, and businesses are properly informed of project construction activities, available alternate routes and alternative transit modes.

COMMITTEE MEETING TITLE

J/PACT

DATE

1/9/92, 7:15 a.m.

NAME

AFFILIATION

TOM WALSH

TRI-MET

Earl Blumenauer

Portland

George David Bergen

Metro

Les White

C-TRAN

BOB LIDDELL

Clackamas Cities

FRED HANSEN

DEQ

Don Forbes

ODOT

Gerry Smith

WSDOT

David Sturdevant

CLARK County

EO McQuinn

Clackamas County

ROY ROGERS

WASHINGTON County

RICH DEUKWY

METRO

Nashlee Crederman

Mult. Co.

Marjorie D. Schmunk

Cities of Mult County

Dorel Kussos

metro

Ray Polani

CBT/TPAC

Steve Greenwood

DEQ

GB ARRINGTON

Tri-Met

Claire Cushman

Tri-Met

Pete Woodworth

" "

Ann Zeltman

Metro

Ed Pickering

Mult Co

Kim CHIN

C-TRAN

COMMITTEE MEETING TITLE _____

DATE _____

NAME

AFFILIATION

LEON SKILES

METRO

Don Adams

ODOT

STEVE DOTTERER

CITY OF PORTLAND

BRUCE WARNER

WASH. CO.

Micky Blizard

STOP

Molly O'Reilly

STOP

Bebe Rucker

Port

Ted Spence

ODOT

Keith Ahola

WSDOT

Dean Loringbill

TRC

ROD SANDER

CLATSOP COUNTY

QUEEN ELIZABETH

EMPIRE OF PORTLAND

Karen Shackleton

Metro

Bill Ciz

ODOT

Michael West

ODOT