



JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION

January 10, 2013

Metro Regional Center, Council Chamber

MEMBERS PRESENT

Lisa Barton-Mullins
Carlotta Collette, Chair
Shirley Craddick
Nina DeConcini
Denny Doyle
Charlie Hales
Kathryn Harrington
Donna Jordan
Diane McKeel
Paul Savas
Neil McFarlane
Roy Rogers
Jason Tell
Bill Wyatt

AFFILIATION

City of Gresham, representing Cities of Multnomah Co.
Metro Council
Metro Council
Oregon Department of Environmental Quality
City of Beaverton, representing Cities of Washington Co.
City of Portland
Metro Council
City of Lake Oswego, representing Cities of Clackamas Co.
Multnomah County
Clackamas County
TriMet
Washington County
Oregon Department of Transportation, Region 1
Port of Portland

MEMBERS EXCUSED

Jack Burkman
Shane Bemis
Deborah Kafoury
Steve Stuart
Don Wagner

AFFILIATION

City of Vancouver
City of Gresham, representing Cities of Multnomah Co.
Multnomah County
Clark County
Washington State Department of Transportation

ALTERNATES PRESENT

Lisa Barton-Mullins
Bart Gernhart
Dean Lookingbill

AFFILIATION

City of Gresham, representing Cities of Multnomah Co.
Washington State Department of Transportation
City of Vancouver

STAFF: Andy Cotugno, Alison Kean Campbell,, Colin Deverell, Kim Ellis, Elissa Gertler, Tom Kloster, Evan Landman, Robin McArthur, John Mermin, Kelsey Newell, Ramona Perrault, Randy Tucker.

1. CALL TO ORDER, DECLARATION OF A QUORUM & INTRODUCTIONS

Chair Carlotta Collette called the meeting to order at 7:32 a.m. and declared a quorum. She recognized new members and congratulated elected officials whose terms have begun since JPACT last met.

2. CITIZEN COMMUNICATIONS ON JPACT ITEMS

Mr. Ron Swaren shared photos of double-decker buses used by transit agencies in Everett, Washington and Ottawa, Canada. He suggested that this type of bus could be used as a flexible, lower-cost alternative for mass transit in suburban areas.

3. UPDATES FROM THE CHAIR & COMMITTEE MEMBERS

There were none.

4. CONSIDERATION OF THE MINUTE S FOR DEC. 13, 2012

MOTION: Mr. Jason Tell moved and Metro Councilor Kathryn Harrington seconded to adopt the minutes for Dec. 13, 2012 with no corrections.

ACTION TAKEN: With all in favor, motion passed.

5. Resolution No. 13-4402: Regional State Legislative Priorities – APPROVAL REQUESTED

Mr. Randy Tucker of Metro presented on the regional legislative priorities for the 2013 legislative session. Every two years, JPACT adopts a state transportation legislative agenda, and then sends it to the Metro Council for approval. Regional cities, counties and agencies began to consider items for inclusion in the list of legislative priorities last summer. A memo was discussed at length with the JPACT finance committee in October, presented to JPACT in November, and a proposed agenda discussed in December. No objections were heard at that time, but the committee decided to wait for the new members to join the panel before getting approval.

The region’s approach to transportation issues in the 2013 legislative session will be guided by the three following principles:

- Jobs and economic recovery, supported through the creation and efficient operation of a robust transportation system.
- Support multimodal investment by identifying new, ongoing state funding to support both existing freight mobility and transit capital projects, as well as transit operations and pedestrian and bicycle facilities.
- Preserve and expand local options, removing existing restrictions on local and regional revenue-raising authority and avoiding enacting now limitations or pre-emptions. The Legislature should also explore new structures and authorities giving local governments the flexibility to build, operate and fund transportation systems.

The agenda also includes three specific recommendations; first, to commit to fund the full Columbia River Crossing project; second, to support a fifth round of ConnectOregon funding; and third, to support the creation of a permanent funding stream for non-highway transportation. Full details are included in the staff report.

JPACT member discussion included:

- The committee asked Mr. Tucker to address the issue of preemption. They asked whether there was any sense that if a vehicle registration fee was implemented, there might be a

statewide preemption preventing local governments from raising their fees. Mr. Tucker acknowledged that this is a danger the region should be concerned about, and noted that the lobbyists feel that it could be problematic. He is looking to JPACT for direction on how to address this issue.

- Commissioner Paul Savas recalled an ODOT presentation on the CRC at the November Association of Oregon Counties meeting. Mr. Savas said that he thought that it would be helpful to have ODOT make a presentation to JPACT about how the project stands today. Chair Collette suggested that a presentation on the CRC could be added to the agenda in February, because of how the project has been prioritized by the Governor and key legislators.
- Councilor Donna Jordan pointed out that while it is out of the arena of transportation, talking about local funding invites a discussion of compression. Compression affects local communities, impacts abilities to do maintenance, which in turn can change which projects jurisdictions might seek funding for. Metro Councilor Kathryn Harrington commented that the Metro Council has made this a top legislative priority.

MOTION: Mayor Denny Doyle moved and Mayor Charlie Hales seconded to adopt the regional legislative priorities.

ACTION TAKEN: With all in favor and two abstained (DeConcini, Savas), motion passed.

6. Federal Legislative Priorities – INFORMATION/DISCUSSION

Mr. Andy Cotugno of Metro presented on the draft federal legislative priorities, and requested feedback from JPACT prior to a resolution next month. The presentation outlined broad principles for member feedback, to be brought before JPACT as a resolution at the next meeting.

Mr. Cotugno delivered a set of broad principles for JPACT members to consider and reviewed a list of regional accomplishments that relate to federal programs.

Mr. Cotugno suggested that JPACT emphasize the role of transportation as investment in the economy during this time of budget uncertainty. There is strong evidence of the connection between job creation and transportation investment, and investment in transportation is investment in the economy in general.

A more robust source of revenue for transportation projects is needed as the gas tax weakens due to increased fuel efficiency standards and increased use of electric vehicles. This has required jurisdictions at different levels to draw on general funds to pay for transportation projects, including the federal government. In the short term, Mr. Cotugno recommended that JPACT support raising the gas tax as a temporary stop-gap while the Congress considers implementing a carbon tax in the long term. Either a gas tax or a carbon tax would limit the need for general fund subsidies for transportation. The historic 50/50 transportation funding split between state and federal governments is eroding, and the federal government should do its part to support that partnership. Additionally, Oregon has made strides towards realizing a workable VMT fee as an eventual replacement for the gas tax, and JPACT should encourage the

federal government to make a similar commitment to study and develop the institutional and technical mechanism to establish national consistency.

JPACT member discussion included:

- Chair Collette explained that the message and form of the legislative priorities would be a bit different this year. Unlike previous years, where JPACT presented a list of requests for funding, this year will take the form of a policy conversation. Chair Collette requested JPACT input on whether it is still worthwhile to go to Washington, D.C., in March, and asked the committee to discuss their policy priorities.
- Mr. Dean Lookingbill raised the issue of the lack of a connection between land use, community development and transportation in the priorities list. USDOT and HUD have coordinated efforts during the Obama administration, but it remains to be seen whether that sort of policymaking will persist in years to come. The Metro region has national credibility in the coordination of land use and transportation, and this may be an opportunity to move in the direction the administration the administration is leaning.
- Mr. Neil McFarlane noted that due to the lack of earmarks in this bill, there has been a transition to a different, big-picture conversation.
- Chair Collette said that is may be an opportunity to revisit topics like bikes, sustainability and investment that have been off the table in recent years. This reauthorization could be the time to talk about why it has been so effective in this region, telling the story and letting the rest of the nation know that we are here as a model.
- Members discussed whether there might be other people, such as lobbyists, that would be beneficial to invite on the trip. Traditionally this has been known as the JPACT trip, but as we work regionally to blend transportation and land use, this might be a good opportunity to expand from the “transportation team” to a wider group of regional stakeholders. Commissioner Diane McKeel suggested reaching out to elected officials who would be present in Washington D.C. at that time for meetings of the National Association of Counties and League of Cities.
- JPACT members noted that while the legislative agenda presented here was conceptually interesting, there is a need to make it clearer exactly what the region will be requesting. Metro Councilor Kathryn Harrington said that this is in-line with federal staff’s desired to talk at the policy level, and that the document is headed in the right direction.

7. State Transportation Improvement Program Application

Mr. Jason Tell of ODOT presented on the State Transportation Improvement Program (STIP) for 2015-2018. STIP is ODOTs budget of federal funds distributed for capital improvements. ODOT is not entering the process for the 2016-2018 allocations.

Unlike previous STIP iterations, there are fewer discreet categories. Instead, as much of the money as possible is available, and the goal is to match priorities to the money. The 2016-2018 STIP has \$66 million to spend in the “enhance” category. The committee is chaired by Bill Wyatt, and first met December 19th.

The committee's primary assignment is to come up with a list of projects that add up to 150% of the \$66 million "enhance" budget. January 25th is the deadline for jurisdictions to submit their 150% lists. On March 15th, the committee will submit a combined list to the Oregon Transportation Commission (OTC). Between then and October 5th, ODOT will go through a public consultation process and develop recommendations to the OTC to use to develop a draft 100% STIP. In 2014, the draft STIP will be published and another round of comment will last through that year.

JPACT member discussion included:

- Members requested clarification regarding how the new criteria would be applied. Because this iteration of the STIP allows a wider range of projects, ODOT was concerned that one set of hard criteria would be too daunting for some projects and might stifle good ideas. Instead, they are relying on a discussion of the merits of the project, from which a decision on what is right for the regional transportation system will emerge. The projects considered should have already been through the planning stage, and have their respective merits well articulated.
- Chair Collette asked whether ODOT would be applying additional criteria after the 150% list. Mr. Tell said that the commission will likely take a "wait and see" approach to how they narrow to the 100% list.
- Councilor Harrington noted that in this STIP process, the onus is on local jurisdictions to provide clarity about projects and articulate the criteria they used. Mr. Tell agreed, and added that the use of hard criteria can sometimes encourage people to write an application more focused on criteria keywords than on providing a compelling reason for a project on its merits. Mr. Savas observed that this approach allows a greater degree of customization for local jurisdiction. However, if criteria was later developed and then retroactively applied, this could disadvantage projects after the fact.
- Councilor Donna Jordan stressed the importance of thinking regionally and looking across jurisdictional lines to determine how different projects can complement one another. The OTC is trying to stress looking at the system across boundaries, and ODOT has produced maps and other materials to show the interconnections, and hopes through the process to leverage federal grant funds to lead to more than the \$66 million STIP.
- Chair Collette encouraged STIP members to be present for this process. Representatives from each jurisdiction may be called upon to defend their projects, and this is an opportunity both to secure funding and to be a part of the conversation with people from around the region and in more outlying areas in the neighboring counties.
- Mr. Ted Leybold of Metro updated the group on the MTIP process. The solicitation packet and applications for Step 2 and Step 3 of the Regional Flexible Funds process are now available online, and are due by March 15. After the applications are received, Metro will provide technical analysis and summary for public comment, coordinating with the STIP process so that all projects can receive comment at the same time. Final decisions on projects selected for funding will be made in the fall.

8. Air Quality Conformity – INFORMATION

Ms. Nina DeConcini of DEQ and Mr. Tom Kloster of Metro presented on the upcoming chance that the region may be out of conformity with EPA air quality standards. In the 1970s, Portland violated Clean Air Act standards for carbon monoxide up to one in three days. While there has not been a violation since 1984, the region has committed to Transportation Control Measures (TCMs): increasing transit service over time, and adding to bicycle and pedestrian facilities. Every MTIP cycle, the categories for bike, pedestrian and transit service are tracked to determine if the level of investment conforms to the regulations. This is calculated as a 5-year rolling average. The region has overspent on the bicycle and pedestrian sides; the challenge now is on the transit side. TriMet's recent service cuts have taken a toll on the calculation used to determine that compliance. While they are now on a trajectory of modest growth, service cuts made during the recession are likely to push the transit TCM out of compliance with EPA standards. If the region lapses out of conformity with these regulations, strict financial penalties may be imposed. Under federal rules, TPAC is the main committee that will be consulted in this process.

Mr. Kloster explained three options to resolve this problem:

- Defer action until September and determine whether TriMet's numbers are out of conformity based on the release of the agency's annual service schedules. TriMet does not recommend deferring action based on their current predictions, and this approach could leave the region unable to reconcile the conformity issue in time for the 2014 RTP update.
- Revisit allocations in MTIP to shift funding to transit side, which risks a negative financial impact to other transportation investments.
- Undergo a TCM Substitution under EPA rules that allow regions to substitute an equivalent or greater reduction strategy to replace an existing TCM.

JPACT member discussion included:

- Ms. Robin McArthur of Metro explained that federal funds are at risk if there is a lapse in TCM conformity. Additionally, the RTP that will be adopted next year must conform, as does the 2015-2018 MTIP.
- Commissioner Roy Rogers asked what percentage of the problem comes from car travel. Ms. DeConcini explained that vehicle emissions are a large percentage, but as cars have gotten cleaner and cities have introduced mitigation strategies like signal synchronization, that has become a smaller issue.
- Mr. McFarlane of TriMet commented that over the past five years, TriMet has added service and capacity through the green line, transit mall project and streetcar. They are falling behind the net increase, but are not at a full deficit. Currently, TriMet has the opportunity to fix service problems, but is not in a position to add new service. TriMet projects a status quo position with the current labor agreement, and will continue to face financial problems related to union employee healthcare and retirement benefits. The agency is working to move back to a trajectory of modest service growth in their union and legislative proposals.
- Mr. Savas noted that the metric of compliance with the air quality regulations is investment, rather than actual measurements of concentrations of any dangerous byproducts. He

advocated for the TCM substitution option, and suggested looking at the three measures in aggregate rather than individually.

9. ADJOURN

Chair Collette adjourned the meeting at 8:53 a.m.

Respectfully submitted,



Evan Landman
Recording Secretary

ATTACHMENTS TO THE PUBLIC RECORD FOR JANUARY 10, 2012

The following have been included as part of the official public record:

ITEM	Document type	Doc Date	Document Description	Document No.
8.	Powerpoint	1/10/2013	Air Quality Conformity and Transportation Control Measures (TCMs)	011013t-01