

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF RECOMMENDING ) RESOLUTION NO. 94-1890A  
TO THE OREGON TRANSPORTATION )  
COMMISSION A PACKAGE OF PROGRAM ) Introduced by  
REDUCTIONS AND ADDITIONS FOR ) Councilor Monroe  
INCORPORATION IN THE 1995 THROUGH )  
1998 STATE TRANSPORTATION IMPROVE-)  
MENT PROGRAM )

WHEREAS, The Oregon Transportation Commission (OTC) adopted a 1993-1998 Six-Year Transportation Improvement Program (STIP) in July of 1992; and

WHEREAS, The region has been informed that the last four years (1995-1998) of the STIP Construction element are approximately \$400 million overprogrammed; and

WHEREAS, The STIP must demonstrate fiscal constraint relative to reasonably expected revenue; and

WHEREAS, The urban portion of ODOT Region 1 is responsible for approximately \$136.5 million of the total Program Construction element imbalance; and

WHEREAS, The Region 1 Development element must also be cut to no greater than \$307 million; and

WHEREAS, The OTC has requested Metro to recommend appropriate project cuts to the Construction and Development elements within the urban portion of the ODOT Region 1 jurisdiction encompassing the Portland metropolitan area; and

WHEREAS, The OTC has further allowed Metro to suggest cuts deeper than needed to balance the Program in order that additional funds might be programmed to alternative mode projects in the region; and

WHEREAS, Metro identified program objectives and technical and administrative criteria for review of projects currently contained in the STIP; and

WHEREAS, Metro implemented a four-month long public involvement process that included two public meetings and briefings of TPAC, JPACT, the Metro Council Planning Committee and the Metro Council; and

WHEREAS, Metro accepted oral and written testimony on draft project selection criteria and project cuts and additions to the STIP; and

WHEREAS, Metro produced written responses to the substantive commentary received during this process; and

WHEREAS, ODOT will commence a public process for selection of projects to include in the 1995-1998 STIP in March 1994; and

WHEREAS, Metro will consider adoption of the regional Transportation Improvement Program incorporating the ODOT program; now therefore,

BE IT RESOLVED:

1. That the Metro Council adopts the Construction project cuts and Development element recommendations shown in Exhibit 1 and the alternative mode additions shown in Exhibit 2 for incorporation into the 1995-1998 STIP.

2. That the intent of the Metro Council is to pursue the I-5/Water Avenue ramp or alternative southbound access project and that this project be retained in the Regional Transportation Plan and in the Development element of the STIP. Once

identified, funding for construction of southbound access should be considered.

3. That projects which may be recommended upon completion of the Intermodal Management System Plan be considered eligible for receipt of alternative mode reserve funds identified in Exhibit 2.

4. That, with respect to the several interrelated Sunset Highway projects, the Metro Council urges ODOT to correct only the westbound safety problem, which occurs at the Sylvan Interchange merge with the Canyon Road exit, in the most cost-efficient manner but in no case at a cost in excess of \$50 million; that if this problem can be remedied for less than this amount, any residual balance be allocated to increasing the alternative mode reserve fund identified in Exhibit 2. Working through Metro, ODOT will involve affected local governments and citizens in the project design efforts to produce a specific project which corrects the westbound safety problem while minimizing expenditures and construction disruption on the main line of the Sunset Highway.

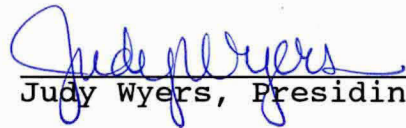
5. That the intent of the Metro Council with respect to recommended cuts associated with the remaining Sunset Highway projects is that completion of the full Sunset Highway widening project commence in 1999 and that funding for construction be considered during the next Metro TIP and STIP updates.

6. That staff be directed to forward these priorities in testimony during the appropriate hearings on the STIP update by the Oregon Transportation Commission.

7. That this action is consistent with the Regional Transportation Plan.

8. That if adopted by the OTC, these recommendations will be reflected in amendment of the Metro TIP.

ADOPTED by the Metro Council this 27th day of January 1994.

  
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Judy Wyers, Presiding Officer

94-1890A.RES  
1-13-94

**EXHIBIT 1: STAFF RECOMMENDED PROGRAM WITH ALTERNATIVE MODE ALLOCATION**

	CONSTRUCTION PROJECTS	COST	KEEP	CUT
1	I-5: @ 217/Kruseway	43.40	13.40	30.00
*2	TV Hwy: 160th Avenue - 110th Avenue	8.40	2.70	5.70
*3	US 26: Beaverton/Tigard Hwy - Camelot	7.24		7.24
4	I-5: E. Marquam Grand Ave/MLK Jr. Ramps	50.00		50.00
5	US 26: Murray Road - 217	20.30		20.30
6	Farmington: 167th - Murray Blvd.	5.18	5.18	
7	I-5: Stafford Interchange	7.90	7.90	
*8	I-5: Water Avenue Ramps (Esplanade)	19.00	1.80	17.20
9	I-205: @ Sunnybrook Interchange	18.20	18.20	
*10	US 26: Camelot Int - Sylvan Int	66.20	50.00	16.20
11	99W: @ 124th	1.00		1.00
12	I-205: @ Glisan N&S Bound	0.37		0.37
13	US 26: Sylvan Int - Highlands Int	9.40		9.40
14	I-84: 223rd - Troutdale	29.00	22.00	7.00
15	OR-47: Council Creek - Quince (Hwy 47 Bypass)	7.13	7.13	
*16	TV Hwy: Shute Park - 21st	4.65	4.65	
*17	US 30B: Columbia Blvd. - I-205 (Turn Lanes)	0.44	0.44	
18	217: NB Off-Ramp @ Scholls Hwy	0.27		0.27
19	VAR: Metro Advance Warning Signs (ATMS)	1.21	1.21	
20	VAR: Metro Area Freeways Detection Sys. (ATMS)	1.43	1.43	
21	VAR: Motorist Information System (ATMS)	1.10	1.10	
22	Two Additional MACS (ATMS)	6.62	3.31	3.31
23	Various TSM Initiatives (ATMS)	1.54	0.77	0.77
24	Sandy MACS	4.41	4.41	
25	BV/Tualatin Hwy: Lower Boones Ferry Rd. - Tualatin/Sherwood (Bikeway)	0.24	0.24	
26	BV/Tualatin Hwy: 99W - SW McDonald St. (Bikeway)	0.39	0.39	
27	OR-43: Mcvey Avenue - Burnham (Bikeway)	0.44	0.44	
28	Barbur Blvd.: Hamilton/Miles (Bikeway)	1.50	1.50	
29	I-84: Gateway Park & Ride Lot	0.96	0.96	
30	I-205: Columbia River/N.E. Falling (landscaping)	1.97		1.97
31	U.S. 30B: Linnton/Sauvie Is. Brdg. (rockfall)	1.79		1.79
32	I-205: Willamette Rv. Bridge Ice Detector	0.17		0.17
33	Excess Bid for Three FY 93 WS LRT Projects	11.50	11.50	
<b>TOTAL</b>		<b>333.35</b>	<b>160.66</b>	<b>172.69</b>
<b>TARGET</b>				<b>136.50</b>
<b>BALANCE FOR PROGRAMMING TO ALT. MODES</b>				<b>36.19</b>

\*Staff recommendation has changed regarding these projects

\*\*Of which \$229.46 is Hardship ROW which has been removed from Subtotal

	DEVELOPMENT PROJECTS	CONSTR. COST	CURRENT STATUS	RECOMMENDED STATUS	NEW COST
<b>Construction Elements Deferred to Development</b>					
1	TV Hwy: 160th - 110th	5.70	Constr.	ROW	5.70
*2	I-5/217/Kruse Way (Unit 1)	30.00	Constr.	ROW	10.00
*3	US 26: Beaverton/Tigard Hwy - Camelot	7.24	Constr.	ROW	7.24
4	U.S. 26: Murray to 217	20.30	Constr.	H/ROW**	20.30
5	I-5: Marquam Ramps	50.00	Constr.	Study/EIS	0.00
6	99W @ 124th	1.00	Constr.	ROW	1.00
7	I-205: Glisan N & S Bound Ramps	0.37	Constr.	FIN. DESIGN	0.37
*8	Water Ramps (SB Access Alternative)	17.20	Constr.	Study/EIS	0.00
9	U.S. 26: Camelot to Sylvan	16.20	Constr.	ROW	16.20
10	217: NB Off-ramp @ Scholls Hwy	0.27	Constr.	FIN. DESIGN	0.27
11	US 26: Sylvan Int - Highlands Int	9.40	Constr.	ROW	9.40
12	I-84: 223rd/Troutdale	7.00	Constr.	DELETE	0.00
13	Various MACS & TSM Projects (ATMS)	4.08	Constr.	ROW	4.08
<b>Development Program ROW Projects</b>					
14	217: Sunset - T.V. Hwy	20.60	ROW	EIS	20.60
15	I-5: 217/Kruse Way Interchange (Unit 2)	37.00	ROW	EIS	0.00
16	Farmington: 209th-Murray Phase 2	2.67	ROW	ROW	2.67
17	MP 4.1 - Dabney Park (Rockfall)	3.86	ROW	ROW	3.86
<b>Develop Program Hardship ROW Projects</b>					
18	Mt. Hood Parkway: I-84 - US 26 Sunrise Corridor:	27.60	H/ROW	H/ROW**	27.60
19	Sunrise Corridor: I-205 - Rock Creek Jct	85.30	H/ROW	H/ROW**	85.30
20	Sunrise Corridor: Rock Creek Jct - Mt. Hood Hwy	31.36	H/ROW	H/ROW**	31.36
21	I-205: Sunrise Interchange	64.90	H/ROW	H/ROW**	64.90
<b>Development Program Final Design Projects</b>					
22	I-5: Wilsonville Interchange	12.60	FIN. DES.	FIN. DESIGN	12.60
<b>Development Program EIS Projects</b>					
23	99E: SE Harold-SE Tacoma Interchange	6.44	EIS	DELETE	0.00
24	99E: MLK/Grand Viaduct-SE Harold	6.42	EIS	DELETE	0.00
25	I-5: Greeley Ramp- No. Banfield Interchange (Unit 2)	33.50	EIS	EIS	33.50
26	217: TV Hwy-72nd Ave Interchange	38.20	EIS	EIS	38.20
27	Western Bypass Corridor EIS	0.00	EIS	EIS	0.00
				<b>SUBTOTAL**</b>	<b>158.445</b>
				<b>TARGET</b>	<b>307.000</b>
				<b>BALANCE</b>	<b>148.555</b>
<b>Metro Suggested Adds to Develop Element</b>					
1	Regionally Significant Bike Program	??	NA	ROW	??
2	Regionally Significant Pedestrian Program	??	NA	ROW	??
*3	ISTEA Mng't Systems Plans & CMS projects	??	NA	ROW	??
4	Two 10-Minute Transit Corridors	??	NA	ROW	??
5	Transit Oriented Development Program	??	NA	FIN. DESIGN	??
6	Hwy/Arterial/Transit ATMS Program	20.00	NA	ROW	20.00
7	S/N FEIS/Final Design	1800.00	NA	FIN. DESIGN	1800.00

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**EXHIBIT 2**

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**ALTERNATIVE MODE INVESTMENT RECOMMENDATIONS**

1.	Fund Tri-Met core capital program.	\$ 29.00 million
2.	Reserve balance for 2 years. Use funds to implement construction elements recommended by development efforts on the following candidates:	\$ 7.19 million
	a. Transit Oriented Development projects	
	b. Regionally Significant Bike Program projects	
	c. Regionally Significant Ped. Program projects	
	d. Congestion Management Plan projects	
	e. Intermodal Management Plan projects	
	<b>TOTAL</b>	<b>\$ <u>36.19 Million</u></b>

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## ATTACHMENT 1

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### REVISED CUT TARGET INFORMATION

The region was provided an initial cut target of \$126 million by ODOT Region 1 staff. Revised cost estimates for the I-84: 223rd to Troutdale project increased the cut target by \$6 million. Cost overruns associated with several Sunset Highway projects increased the cut target by \$11.5 million. With respect to the \$11.5 million, staff previously advised TPAC to urge ODOT to assign to this region only 31.5 percent of these overruns, (i.e., the factor used to compute the region's share of the original Six-year program imbalance of \$400 million.) After additional consultation, staff now agree with ODOT that it is more appropriate to accept 100 percent of this region's overruns than 31.5 percent of all similar statewide overruns.

A new cost has arisen from the need to apply a five percent inflation factor to the entire balance of the Six-Year Program cost estimates that are currently expressed in 1993 dollars. This adjustment increases the region's cut target by \$7 million. This information is summarized in Table 1, below.

On the positive side, ODOT has informed Metro that one of the projects on the candidate cut list, the Sunset Highway westbound climbing lane, is actually a demonstration project earmarked in the ISTEAs for receipt of \$14 million. The region was not previously credited with receipt of these funds in ODOT's revenue calculations. Therefore, the Metro staff position, as shown in Table 1, is that the final cut target amount should be revised to a total of \$136.5 million.

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**TABLE 1**

<u>Metro Area Cut Target:</u>	<u>Amount (millions)</u>
Initial Target	\$ 126.00
FY 93 Sunset Hwy Cost Overruns	11.50
I-84: 223rd to Troutdale Cost Increase	6.00
5 Percent Inflation	<u>7.00</u>
<b>SUBTOTAL:</b>	<b>\$ 150.50</b>
Uncounted Revenue: Sunset climbing lane as demo in ISTEAs	\$ <u>14.00</u>
<b>FINAL TARGET:</b>	<b>\$ 136.50</b>

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# TECHNICAL RANKING OF ODOT CANDIDATE CUT LIST OF PROJECTS

PROJECT	TOTAL SCORE	RUNNING TOTAL	VOLUME TO CAPACITY RATIO FACTORS			ACCIDENT FACTOR		ECONOMIC DEVELOPMENT FACTORS								
			1990 V/C	SCALE 1990	SCALE 2000	2000 V/C	ACCIDENT RATE	SCALE > 124% = 25 100-200% = 10 < 100% = 0	'88-'95 JOBS			SCALE		'95-2010 JOBS		JOBS TOTAL
				>1.0 = 15 0.9-1 = 10 < 0.9 = 0	>1.0 = 10 0.9-1 = 5 < 0.9 = 0				'88 JOBS	'95 JOBS	NET	87-95	95-2010	NET	'2010 JOBS	
				POINTS	POINTS			POINTS				PNTS 95	PNTS 2010			
T/V Hwy: 160th Avenue - 110th Avenue	95	13.4	1.06	15	10	1.20	>124	25	10614	12015	1401	10	10	3009	15024	
I-5: @ 217/Kruseway	85	50	1.41	15	10	1.50	140	25	6352	9201	2849	10	10	3209	12410	20
US 26: Murray Road - 217	83	58.4	1.07	15	10	1.11	138	25	7100	8322	1222	10	10	2238	10560	20
US 26: Beaverton/Tigard Hwy - Camelot	80	108.4	1.01	15	10	1.05	171	25	7444	8131	687	5	5	1193	9324	10
I-5: E. Marquam Grand Avenue/MLK Jr. Ramps	78	116.8	1.13	15	10	1.20	229	25	7203	8140	937	10	5	1599	9739	15
I-5: Stafford Interchange	75	123.93	1.16	15	10	1.20	160	25	2055	2789	734	5	5	1800	4589	10
Farmington: 167th - Murray Blvd.	75	131.17	1.02	15	10	1.02	>124	25	367	370	3	0	0	147	517	0
I-5: Water Avenue Ramps	70	138.41	0.95	10	10	1.04	207	25	102368	112671	10303	10	10	25770	138441	20
US 26: Camelot Int - Sylvan Int	60	204.61	1.01	15	10	1.05	171	25	2276	2358	82	0	0	145	2503	0
99W: @ 124th	60	209.79	1.20	15	10	1.30	NA	0	251	1117	866	5	10	2316	3433	15
I-205: @ Sunnybrook Interchange	58	216.92	1.20	15	10	1.30	<100	0	8307	11461	3154	10	10	4250	15711	20
I-205: @ Gilsan N&S Bound	50	217.29	1.00	10	10	1.10	NA	10	967	942	-25	0	0	-712	230	0
US 26: Sylvan Int - Highlands Int	45	226.69	0.97	10	10	1.01	89	0	1294	1304	10	0	0	7	1311	0
OR-47: Council Creek - Quince (Hwy 47 Bypass)	37	233.82	0.65	0	0	0.75	>124	25	832	982	150	0	0	422	1404	0
I-84: 223rd - Troutdale	35	234.28	1.11	15	10	1.24	36	0	865	1058	193	0	5	568	1626	5
T/V Hwy: Shute Park - 21st	35	241.39	0.86	0	0	0.89	100-124	10	3060	3540	480	10	5	1607	5147	15
US 30B: Columbia Blvd. - I-205 (Turn Lanes)	28	241.83	0.90	10	5	0.98	64	0	951	1049	98	0	0	290	1339	0
217: NB Off-Ramp @ Scholla Hwy	10	242.1	0.84	0	0	0.86	NA	0	5087	5794	707	5	5	571	6365	10

PROJECT	COST/BENEFIT FACTOR						MULTI-MODAL FACTOR			
	VHD 2000 BLD	VHD 1990	DELAY DELTA	PROJECT COST	\$/VHD	SCALE	BIKE/PED	INTERMODAL	TRANSIT	TOTAL MULTI-MODAL POINTS
						TOP 1/3 = 15	REG SYS=5	YES = 5	YES = 5	
						MID 1/3 = 8	LOC SYS=2	NO = 0	NO = 0	
					BOT 1/3 = 0	NO CHNG=0				
T/V Hwy: 160th Avenue - 110th Avenue	69.95	129.53	59.88	8.40	0.140	15	5	0	5	10
I-5: @ 217/Kruseway	24.92	70.19	24.33	13.40	0.551	15	0	0	0	0
US 26: Murray Road - 217	67.99	82.02	14.03	20.30	1.447	8	5	0	0	5
US 26: Beaverton/Tigard Hwy - Camelot	10.53	103.45	92.92	7.24	0.078	15	5	0	0	5
I-5: E. Marquam Grand Avenue/MLK Jr. Ramps	13.62	23.78	10.16	50.00	4.921	8	0	5	0	5
I-5: Stafford Interchange	0	1.61	1.61	7.90	4.907	8	2	5	0	7
Farmington: 167th - Murray Blvd.	0.31	34.91	34.6	5.18	0.150	15	5	0	5	10
I-5: Water Avenue Ramps	0.18	0.22	0.04	19.00	475.000	0	0	5	0	5
US 26: Camelot Int - Sylvan Int	49.01	26.556	-22.46	66.20	-2.947	0	5	5	0	10
99W: @ 124th	0	13.2	13.2	1.00	0.076	15	0	0	5	5
I-205: @ Sunnybrook Interchange	10.69	19.28	8.59	18.20	2.119	8	5	0	0	5
I-205: @ Gilsan N&S Bound	0	4.82	4.82	0.37	0.077	15	0	0	5	5
US 26: Sylvan Int - Highlands Int	0	29.85	29.85	9.40	0.315	15	5	5	0	10
OR-47: Council Creek - Quince (Hwy 47 Bypass)	0	0	0	7.13	NA	0	2	5	5	12
I-84: 223rd - Troutdale	0	2.12	2.12	22.00	10.377	0	5	0	0	5
T/V Hwy: Shute Park - 21st	0	0	0	4.65	NA	0	5	0	5	10
US 30B: Columbia Blvd. - I-205 (Turn Lanes)	1.17	1.4	0.23	0.44	1.913	8	0	5	0	5
217: NB Off-Ramp @ Scholla Hwy	0	0	0	0.27	NA	0	0	0	0	0

Total Cost Of All Projects 261.1



ATTACHMENT 3

ADMINISTRATIVE CRITERIA WHICH SUPPLEMENT PROJECT TECHNICAL RANKINGS

	PROJECT	SIGNIFICANT PUB/PRIVATE PARTICIPATION?	HI PROBABILITY OF PROCEEDING ON SCHEDULE	HAS PROJECT PROGRESSED TO ROW	IS COMMODITY OR GOODS MOV'MT SPECIFICALLY ENHANCED?	STRONG LINK TO WS LRT?
1	I-5: @ 217/Kruseway	N	N - full design infeasible; lengthy redesign; new EIS	Y - partial	N	N
2	T/V Hwy: 160th - 110th Avenue	N	Y	N	N	N
3	US 26: Beaverton/Tigard Hwy - Camelot	N	Y	Y	N	Y
4	I-5: E. Marquam Grand Ave/ MLK Jr. Ramps	N	N - local commitment remains pending; new EIS needed	N	Y	N
5	US 26: Murray Road - 217	N	N - no EIS	N	N	N
6	Farmington: 167th - Murray Blvd.	Y - 66%	Y	N - one hardship lot	N	N
7	I-5: Stafford Interchange	Y - 20%	Y	Y	Y	N
8	I-5: Water Avenue Ramps	N	N - local commitment uncertain	N - NA	Y	N
9	I-205: @ Sunnybrook Intrchnng	Y - 55%	Y	Y	N	N
10	US 26: Camelot - Sylvan Intrchnng	N	Y	Y	Y	Y
11	99W: @ 124th	N - local commit- ment pending	Y	N	N	N
12	I-205: @ Gilsan N&S Bound	N	Y	N - NA	N	N
13	US 26: Sylvan - Highlands Int	N	Y	Y	Y	Y
14	I-84: 223rd - Troutdale	N	Y	Y	N	N
15	OR-47: Council Creek-Quince (Hwy 47 Bypass)	Y - 40%	Y - though alignment remains pending w/ ODOT	Y	Y	N
16	T/V Hwy: Shute Park - 21st	Y - 63%	Y	Y	N	N
17	US 30B: Columbia Blvd. - I-205 (Turn Lanes)	N	Y	N - NA	Y	N
18	217: NB Off-Ramp @ Scholls Hwy	N	Y	N - NA	N	N

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## ATTACHMENT 4

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### SUNSET HIGHWAY PROJECTS

There are two critical objectives served by TPAC's recommendations regarding the three Sunset Highway corridor projects on ODOT's list of candidate cut projects. First, corridor activities which would disrupt operation of the mainline freeway segments would be deferred until after 1998. This will allow time for the start of Westside LRT service which can help mitigate the expected severe congestion. Secondly, elements of the proposed projects which correct the severe safety problems associated with the Sylvan/Canyon Road exit weaving conditions would be scheduled for early implementation. This schedule is shown more fully in Table 1 of this Attachment.

Staff previously described a preliminary "Option 2" which relied on a preliminary stage of the Sylvan interchange costing only \$15 million. The final staff recommendation reserves \$50 million for this task and redefines the means of correcting the corridor's most severe problem - resolution of the weaving deficiency at the Canyon Road exit. Previously it was assumed the weaving problem would need to be resolved by providing new mainline capacity with the westbound climbing lane. The climbing lane would, in turn, also require expensive widening of the Sylvan Interchange. ODOT now proposes to resolve the weaving problem by building the collector/distributor road projects that are also elements of the Sylvan Interchange project. This allows deferring the \$9.4 million climbing lane, the Sylvan Interchange structure widening, and the consequent disruption of mainline operation, until after 1998 and the start of Westside LRT service in 1997.

ODOT has expressed hope that construction of the collector/distributor solution to the Canyon Road weaving problem will cost less than the \$50 million allocated for this task. TPAC recommends that any surplus funds be reallocated to new alternative mode programming. TPAC also recommends that widening of the eastbound lanes connecting Highway 217 to the Sunset (\$7.24 million) be delayed.

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**ATTACHMENT 4 (cont.)**

**TABLE 1: SUMMARY OF RECOMMENDATIONS REGARDING SUNSET HIGHWAY PROJECTS**

OBJECTIVE OF RECOMMENDATION: Projects with the greatest disruption to mainline traffic operations are deferred until after Westside LRT opening. Collector/Distributor road projects, which correct severe safety problem at the Sylvan/Canyon Rd. weave, proceed. The dollar amount deferred from the Sylvan Interchange project (\$16.2 M) could increase based on final ODOT analysis.

PROJECT	COST (millions)	CURRENT STATUS	RECOMMENDATION	RESULT	
				keep	cut
Added Lane Westbound: Tunnel portal to Cedar Hills	n.a.	under contract	complete on schedule	n.a.	n.a.
Westbound Zoo On-ramps	n.a.	under contract	complete on schedule	n.a.	n.a.
Westbound Climbing Lane	9.40	scheduled for construction spring, '94 to late, '95	delay to '99		9.40
Sylvan to Camelot Interchange	66.20	scheduled for constr. spring '96 to late '99	a. build WB C/D weave, perhaps sooner  b. delay balance of mainline project	up to 50.00	not less than 16.20
Added Lane EB: Hwy 217 to Camelot	7.24	scheduled for constr. late '96 to late '97	delay to '99.		7.24
<b>82.84</b>				<b>50.00</b>	<b>32.84</b>

## STAFF REPORT

### CONSIDERATION OF RESOLUTION NO. 94-1890A FOR THE PURPOSE OF RECOMMENDING TO THE OREGON TRANSPORTATION COMMISSION A PACKAGE OF PROGRAM REDUCTIONS AND ADDITIONS FOR INCORPORATION IN THE 1995 THROUGH 1998 STATE TRANSPORTATION IMPROVEMENT PROGRAM

Date: December 28, 1993

Presented by: Andrew Cotugno

## PROPOSED ACTION

Adoption of this resolution would send a recommendation to the Oregon Transportation Commission (OTC) proposing deferral of approximately \$173 million of projects from the final four years of the current 1993 through 1998 state Six-Year Transportation Improvement Program (STIP) Construction element. It would also suggest deletion of some projects from and restructuring of the Development element of the state TIP. Finally, it would recommend amendment of the Construction element to add approximately \$36.2 million of new alternative mode projects and amendment of the Development element to program funding in support of several alternative mode program initiatives. If approved by the OTC, these recommendations would be considered at a later date as an amendment of the 1995 through 1998 state Transportation Improvement Program scheduled for public hearings in March 1994. A subsequent amendment of the Metro TIP will also be considered.

## FACTUAL BACKGROUND AND ANALYSIS

### Background

Every two years, the Oregon Transportation Commission adopts a state Transportation Improvement Program (STIP), historically a six-year program of transportation projects for receipt of both state-controlled gas tax funds and federal transportation funds. STIP projects in the Portland metropolitan area must be scheduled in consultation with Metro and the STIP must include all projects included in the Portland metropolitan area TIP.

In August of this year, ODOT Region 1 staff informed Metro of the need to cut \$126 million of projects in the metropolitan area from the remaining 1995 through 1998 Construction element of the current STIP. Cost overruns and inflation adjustment have increased this figure to \$136.5 million (see Attachment 1). ODOT Region 1 staff were directed by the OTC to develop a recommendation for a 1995-1998 STIP which reflects projected revenues by cutting a number of previously funded projects. ODOT staff responded with a preliminary list of candidate cut projects comprised almost exclusively of highway modernization projects. ODOT staff recommended retention of virtually all currently programmed safety and preservation-oriented projects, as well as

projects which receive "categorical" funds (e.g., CMAQ, Transportation Enhancement and Regional STP-funded projects). The OTC will eventually make the final decision of which projects to cut when it approves a four-year 1995 through 1998 STIP in July, 1994.

The cuts are needed to balance a \$400 million statewide deficit in the Construction element that has resulted from overprogramming of projects relative to projected state and federal revenues. The overprogramming occurred for several reasons, including lower than anticipated collection of state gas taxes and reduced federal funding appropriations. This was compounded by failure to obtain legislative increases of transportation funding.

Additionally, Region 1 has informed Metro that the Development element of the STIP must be reduced to a target of \$307 million, a reduction of approximately \$67 million from the current total. The Development element represents the anticipated future construction cost of projects for which ODOT is committed to completion of EIS work, final design and/or right-of-way (ROW) acquisition. The Development element target figure is linked to ODOT's estimate of the revenue that will be available -- beyond the program period -- to construct new projects.

The Transportation Policy Alternatives Committee (TPAC) directed members of its TIP Subcommittee to assist in developing a staff recommendation to JPACT and Metro Council regarding which Construction and Development projects should be cut from the STIP. Using the preliminary ODOT list of candidate projects as a starting point, Metro staff conducted a four-month technical, administrative and public evaluation process, further described below, to arrive at the current recommendation.

#### Process for Development of Recommendation

Technical Criteria. The projects contained in the Region 1 candidate cut list were run through a modified version of arterial expansion technical ranking criteria approved by JPACT and the Metro Council in 1991. Those criteria were used to recommend projects for inclusion in the current 1993-1998 STIP. The five factors evaluated by these modified criteria include:

1. Congestion relief
2. Safety enhancement
3. Economic development benefits
4. Cost/benefit
5. Benefits to the bike/pedestrian system, freight movement and transit operations

The results of this technical ranking are included in Attachment 2.

Administrative Criteria. In response to public testimony and written letters, supplementary "administrative" criteria were developed to consider critical project information not easily accounted for by the technical criteria. Five criteria were developed in consultation with ODOT and members of the TIP Subcommittee and are discussed below.

1. Has significant public and/or private match money been committed to project phases in anticipation of ODOT participation in the project?
2. Is there a high probability that the project will proceed as currently scheduled, or might it be delayed beyond the four-year time period for which the current Six-Year Program is overcommitted? Considerations include: Is the NEPA process complete? Is the planned alignment stable? Is the project the subject of significant, unresolved controversy (e.g., does it involve substantial right-of-way or entail elimination of private access to a state facility)? Are local commitments still forthcoming?
3. Has the project proceeded to right-of-way acquisition? In other words, has the state already committed significant resources to the project that would be abandoned if the project were cut from the program?
4. Does the project specifically target enhancement of the region's ability to transport commodities or goods?
5. Lastly, is the project strongly linked to safe and efficient operation of the Sunset Highway/Highway 217 Corridor? Sunset Highway projects critical to construction of the Westside LRT are not at issue under this factor; they are already part of ODOT's baseline of projects assured funding. This factor acknowledges that improvement of the Sunset/217 Corridor to achieve balanced system operation is critical to the safety of commuter and through travel and to the regional movement of goods and services within and through the region. This need was initially determined to be pertinent to the westbound climbing lanes out of Portland on U.S. 26, and widening of the section to six lanes from Finley's overpass to Highway 217.

Attachment 3 shows evaluation of the projects relative to these administrative criteria. However, through the public process and through discussion at TPAC, it has been determined that consideration No. 5 relative to the safe and efficient operation of the Sunset Highway should be modified. The critical problem is a safety issue regarding the westbound Sylvan interchange to Canyon Drive merge and weave. TPAC has recommended that this portion of the project proceed to construction. While the efficient operation of the Sunset is still determined as important, it is

recommended that capacity improvements in this area be deferred until 1999 and considered for inclusion in the next STIP. This allows uninterrupted use of the Sunset during Westside LRT construction and, conversely, allows for full operation of Westside MAX during subsequent highway construction. A more detailed discussion of Sunset Highway projects is found in Attachment 4.

Public Involvement. A four-month Metro public involvement process was developed with information distributed to the media and Metro's interested persons and organization list. The schedule included two public meetings with notification in the Oregonian, the opportunity for written response, and informational presentations to TPAC, JPACT, the Metro Planning Committee and the Metro Council. The Metro process will conclude with adoption actions before JPACT and the Metro Council in January.

The first of the two public meetings was held October 21 and was attended by approximately 80 persons. The meeting was hosted by Metro and chaired by Councilor Richard Devlin. The meeting served to introduce to the public the funding shortfall and to describe alternative approaches for addressing the problem. The public was also asked to review and discuss the technical ranking criteria used to prioritize projects within modal categories; to suggest other factors to consider when determining which projects to fund; to identify viable alternative mode projects; to comment on any of the projects in the Construction program; and to comment on the OTC priority to first fund maintenance, preservation and safety needs.

The meeting generated substantial comment, both through testimony and follow-up letters. Eighteen persons testified at the meeting and Metro/ODOT staff received 99 letters as follow-up. Staff reviewed the written and oral testimony and provided summary briefings to members of TPAC, JPACT, the Metro Planning Committee and the Metro Council. During this time and, based on public, TPAC, JPACT and Council comment, staff modified the preliminary project technical rankings; developed the five administrative criteria discussed above; further evaluated candidate projects; and developed a draft staff recommendation package. One significant result of the testimony and discussion was a recognition by staff that a development and prioritization process for regional bicycle and pedestrian projects should be implemented before awarding regional funds to specific projects. This reflects a lack of regional consensus on the nature of such programs and projects and such an effort is reflected in the current recommendation.

The second meeting, held December 7 at the Convention Center, was attended by approximately 140 persons. The meeting was hosted by JPACT members who took testimony from 53 speakers. Metro staff have received 20 additional letters since the second meeting.

Evaluation of the testimony received at this second meeting led to additional modification of both technical and administrative rankings, particularly concerning the status of Sunset Highway projects (see Attachment 4) and refinement of alternative mode funding recommendations (see Exhibit 2). Attachment 5 provides a summary of all public testimony received (written and oral) as part of this process and includes a staff response describing how the testimony affected the recommendations.

#### RECOMMENDATION

Metro staff's final recommendation regarding reduction of both the ODOT Construction and Development elements of the current STIP are summarized in Exhibit 1. Implementation of these recommendations would cut approximately \$173 million from the current ODOT 1995 through 1998 Construction Program. This level of cuts would create a balanced construction program and a \$36.19 million fund for investment in new alternative mode projects. Metro staff have also recommended reduction and restructuring of the Development element and have suggested that ODOT program several new alternative mode development projects.

#### Program Objectives

Program objectives were developed in order to provide an overall policy-level context for the recommendations. They reflect federal, state and regional directives and policy and also public comment. The objectives are:

- . Maintain and preserve the existing highway and transit infrastructure;
- . Fund critical safety projects;
- . Develop and fund alternative mode projects and programs which will reduce reliance on SOVs and improve air quality consistent with federal and state directives as contained in ISTEA, the OTP and Rule 12.
- . No new (not included in current TIP construction element) highway projects will be considered for funding.
- . Fund for construction those regionally significant highway projects which are of critical need to the multi-modal transportation system, maximize prior commitments, are likely to proceed on schedule, are linked to construction and enhanced operation of Westside LRT, enhance the flow of commodities or goods, and have a high technical justification; and
- . Defer to the Development section those projects previously identified for construction but which are now unfunded.



Projects and programs must be consistent with the program objectives to be included in the STIP Construction recommendations.

#### Recommended Alternative Mode Investment Strategy

Based on availability of \$36.19 million for alternative mode investment, TPAC has recommended allocation of funds to the priorities identified in Exhibit 2. The emphasis of the allocation recommendations is preservation of the existing core transit program (\$29 million) and one-half percent service expansion. The balance, \$7.19 million, would be held in a reserve and would be used to implement alternative mode activities. It should be emphasized that, under the recommendations, the various activities funded by the reserve would be developed through right-of-way acquisition from Development element funding recommendations which are identified in Exhibit 1. The \$7.19 million reserve would therefore be augmented by:

- . Development funding for these activities;
- . \$2.57 million allocated to bicycle projects recommended for retention in the current program; and
- . \$13 million of TSM/TDM investments recommended for retention in the current program.

#### Recommended Modification to the Development Element

As discussed above, TPAC has recommended both restructuring of and additions to the Development element of the STIP. First, the current ROW program is composed of one class of projects which enjoys ODOT's full development commitment through purchase of all needed right-of-way and a second class of projects which enjoys a far more limited "hardship" commitment. This second class of projects is composed mostly, at this time, of two Access Oregon Highway projects (Sunrise Corridor and Mt. Hood Parkway). Staff recommends that ODOT transfer these projects out of the ROW subcategory of the Development element and into a new Development subcategory titled Hardship ROW. This new classification would retain an ODOT commitment to completion of the EIS process for the AOH projects (and others included in the category). However, it would eliminate approximately \$229 million of anticipated construction costs from the total of Development element commitments. This makes explicit that future funding is not available to commit to construction. Also, it clarifies that ODOT's true current commitment to purchase right-of-way for these projects is limited to very special circumstances where planning related to selection of project alignments causes a hardship for private property owners whose title is uncertain given ODOT's project design decisions.

Second, this reduction of the Development element (combined with other savings shown in Exhibit 1) would free approximately \$149 million of Development element allocation to new development initiatives. Therefore, staff originally recommended that ODOT commit funding for development through right-of-way acquisition for several alternative mode programs, including:

- . Regionally significant bicycle program;
- . Regionally significant pedestrian program;
- . Two "10-minute" transit corridors;
- . Projects recommended from both the Congestion and Intermodal Management systems now under development;
- . Regional Transit-Oriented Development (TOD) program; and
- . South/North FEIS/Final Design.

As previously noted, this development support would leverage the alternative mode Construction element recommendations. Early commitment to these development activities will help assure smooth implementation of the recommended alternative mode construction program by the end of fiscal year 1998. It should also be noted that TPAC amended this recommendation to exclude funding of projects recommended from the Intermodal Management System Plan (see TPAC amendments below).

#### Contingent Issues

Several variables are not fully resolved at this time and may lead to modification of the current recommendation. These are discussed below.

- . The outcome of the Sylvan interchange and associated Sunset Highway projects is a critical variable to the "keep/cut" recommendation. The extent to which ODOT will be able to stage elements of these projects remains uncertain, although the strategic objectives of a staging strategy are far better defined now than previously. The outcome of these projects could vary sums available for reprogramming to alternative mode projects. These points are further discussed in Attachment 4. Should less money than allocated in the recommendation be needed to meet the critical objectives of these interrelated Sunset Highway projects, TPAC recommends that any excess funds be used to increase the level of alternative mode reserve account outlined in Exhibit 2.
- . The Portland City Council recently voted to reject implementation of the \$19 million I-5 Water Ramps project. However, TPAC recommends cutting only \$17.2 million at this time. This would retain \$1.8 million of funds for the Eastbank Esplanade project, which represents mitigation for all phases of recent, current and scheduled Eastbank freeway construction.

In addition, a request was made by the Oregon Trucking Association and the Central Eastside Industrial Council to retain funding for the Water Avenue ramps in the STIP. Although the funding commitment is not included in this recommendation, it is recommended that the project be retained in the Development element. Also, the project will be retained in the RTP until a replacement southbound I-5 access is recommended by the City of Portland.

- Staff previously recommended deferral of \$8.4 million for the T/V Highway: 110th to 160th project. Based on public testimony and reappraisal of needs addressed by the project, TPAC now recommends retention of a \$2.7 million phase for completion of that portion of the project which improves the operational and safety problems occurring between Highway 217 and 117th. ODOT recently repaved this road segment. Therefore, the TPAC recommendation defers only the largely reconstructive elements of the project west of 117th, (i.e., curbs, sidewalks and drainage, etc.) until after 1998.
- Also reflecting testimony, TPAC now recommends retention of the T/V Highway: Shute Park to 21st project (\$4.65 million) in order to honor local overmatch commitments and the U.S. 30B: Columbia Blvd - I 205 turn-lane project (\$440,000) which implements policy directives of ISTEA and the Oregon Transportation Plan to fund projects which enhance intermodal and freight and goods movement capacity.
- The I-5/Highway 217/Kruse Way interchange project has been reduced from a \$43 million construction project (and an additional \$37 million "phase 2" development proposal) to a \$13.4 million phase 1 project. This downsized first-phase project represents allocation of \$13.4 million for construction costs backed by an additional approximate \$5 million right-of-way investment. The design would correct all existing deficient freeway-to-freeway movements. The Development element recommendation would also retain a \$10 million (construction cost) commitment to development of a second-phase improvement that would focus on correction of residual local circulation problems in the vicinity of the interchange.

#### TPAC Amendments

TPAC reviewed the staff recommendation in its regular session held on Wednesday, December 22. Eight amendments to the main motion to adopt staff's recommendation were considered.

1. A motion was adopted unanimously to stipulate in the staff report and resolution that those elements of the Sunset Highway projects recommended for deferral should be initiated in 1999 and that allocation of funding for the deferred elements should be addressed in the next TIP update.

2. A motion was adopted unanimously to stipulate in the staff report and resolution that the Water Avenue Ramp project be retained in both the EIS category of the STIP Development element and in the Regional Transportation Plan and that allocation of funds be addressed at such time as the City of Portland approves a southbound access alternative to the ramps.
3. A motion was defeated (3 in favor, 15 opposed) to stipulate that ODOT allocate no more than \$35 million to an initial phase of the Sunset Highway projects and that resulting funds for alternative mode programming from this project be increased from the approximately \$7 million recommended by staff to approximately \$22 million.
4. A variant of the previous motion was defeated (three in favor, 15 opposed) to stipulate that the region strongly desires to provide funding for alternative mode projects at a level of \$50 million and that ODOT is urged to undertake further evaluation of the Sunset Highway projects to confirm whether adequate safety improvements could be attained for no greater than \$35 million.
5. A motion was defeated (9 in favor, 10 opposed) to remove Congestion Management Plan implementation projects from the list of activities eligible for receipt of funding from staff's recommended alternative mode (non-transit) reserve account of \$7.19 million. Projects in this category would include transportation demand management, transportation system management, and advanced transportation system monitoring for both traffic and transit.
6. A motion was approved (12 in favor, 6 opposed) to remove Intermodal Management Plan implementation projects from the list of activities eligible for receipt of funding from staff's recommended alternative mode (non-transit) reserve account, unless the reserve account is increased from the staff recommended level of \$7.19 million to at least \$20 million.
7. A motion was adopted unanimously to clarify in the staff report and resolution the recommendation for correction of the Sylvan Interchange/Canyon Road westbound weave safety problem. The recommendation defers the capacity expansion elements for consideration in a future STIP and limits funding for the safety piece to \$50 million. If less than \$50 million is needed, any excess funds would be dedicated to the alternative mode reserve account. A friendly amendment was also approved urging ODOT to pursue the most cost-efficient, feasible design solution.
8. A final motion was unanimously adopted to amend the staff recommendation to include completion of the management systems mandated by ISTEA within the Development element of the STIP.

The main motion to approve staff's recommendation, as amended, was adopted unanimously.

#### JPACT Amendments

1. Mike Thorne of the Port of Portland offered an amendment of Resolve 3 to strike the requirement that the Alternative Mode Reserve fund, identified in Exhibit 2, must reach a level of \$20 million or greater before projects recommended for construction from the Intermodal Management System Plan may become eligible to compete for funding from the fund and that a category "e. Intermodal Management Plan projects" be added to the exhibit's listing of eligible activities. The amendment was adopted unanimously subject to clarification that the Port's intent was to seek funding for only two projects at a total cost no greater than \$1.05 million and that this amendment did not constitute an "earmark" for these projects but rather entitled the Port to compete for funding against other eligible activities.
2. Commissioner Blumenauer offered an amendment of the fourth resolve which was adopted unanimously, addressing Sunset Highway projects. The intent of the amendment was to assure that ODOT's formulation of first-phase scope, design and cost estimates to correct safety problems associated with the Sylvan/Canyon Road westbound merge will occur in an open forum and include public and agency involvement in and review of ODOT planning.
3. Commissioner Rogers of Washington County offered an amendment of Exhibit 2 (adopted unanimously) which would substitute the term "core capital program" for the range of activities to which Tri-Met would be permitted to allocate the \$29 million provided for in the exhibit in order to provide greater programming flexibility.
4. A concern was raised whether or not it would be valuable to specify that any funds which might become available from under-estimate construction costs should be allocated to over-estimate construction projects rather than to new projects. Bruce Warner of ODOT Region 1 offered assurance that this was standard practice at ODOT and that an amendment to this effect was not necessary.
5. A concern was raised whether the I-5/217/Kruse Way Interchange project was adequately funded. Bruce Warner then provided several reassurances regarding the recommended downsized project:
  - a. It represents \$13.4 million of construction costs and would be augmented by approximately \$5 million of right-of-way expenditures;

- b. It meets all existing critical freeway-to-freeway problems;
- c. It would be designed to avoid any major "throw-away" elements;
- d. It is an initial phase and is backed by a commitment in the Development element to a future phase that would address local circulation problems.
- e. Future final phases of the project would be shaped by outcome of the Western Bypass Study.

Given these considerations, Mr. Warner suggested that additional amendment of the resolution relative to the project was unnecessary.

- 6. Commissioner Rogers of Washington County suggested that an amendment be considered for adoption of JPACT endorsing that the I-5/217 Kruse Way Interchange project be considered a project of statewide significance and that funds over and above those recommended for allocation to the project by the region should be provided directly by the state.

Mr. Warner agreed that the project was of high priority; that a project offering immediate relief of significant interchange safety and operational problems was needed; that such a project was in fact represented by the region's recommendation; and that he would communicate the urgency of this recommendation directly to the Oregon Transportation Commission. Commissioner Rogers then withdrew the motion.

- 7. Commissioner Rogers moved to strike from Resolve 4 the direction that should remediation of the westbound merge problem cost less than \$50 million, any savings should go to increasing the Alternative Mode Reserve fund. Commissioner Rogers expressed the consensus of leaders in Washington County that allocation of \$36 million for such purposes was sufficient and that any excess funds should be allocated to approved road projects. The motion failed, four in favor, 10 against.
- 8. Chairman Monroe introduced a possible amendment, the main intent being to:
  - a. Restore \$17.2 million to the I-5/Water Avenue ramp project providing full funding at \$19 million;
  - b. Cut the Sunset Highway/Sylvan project by \$15 million, resulting in a \$35 million budget to solve the West-bound weave problem and deferring \$31.2 million (rather than \$16.2 million) to be funded for construction after the Westside LRT opens;

- c. Cut \$2.2 million from the project titled "Two additional MACS" (Metropolitan Area Corridor Studies), leaving \$1.1 million.

Mr. Warner clarified that, absent City of Portland concurrence, ODOT is prohibited by the National Environmental Policy Act (NEPA) from proceeding with the project. Mr. Warner further asserted that, given organized opposition to the project and its remaining design, planning and permit hurdles, the project would be unable to reach construction within the remaining four years of the STIP, even if the City should reverse its most recent vote to reject the project.

Fred Hansen expressed concern that JPACT action to "approve" the project, contrary to Portland's locally expressed will, would be an unacceptable encroachment of local transportation planning autonomy.

Councilor McLain stated her belief that if the project represented a significant regional interest, then JPACT should vote for the region's interest and express support for the project in its recommendation.

Following discussion, a motion was unanimously approved to adopt the following amendment of Resolve 2:

"That the intent of the Metro Council is to pursue the I-5/Water Avenue ramp or alternative southbound access and that this project be retained in the Regional Transportation Plan and in the Development element of the STIP. Once identified, funding for construction of southbound access should be considered."

The intent of the amendment is to acknowledge the importance of the Water Avenue ramp or alternate soundbound access project even though construction funding is not contained in the recommendation.

9. Mr. Warner clarified that ODOT is committed to finalizing the Sylvan Interchange design subject to several stipulations. These are:
  - a. Meeting all pertinent design standards;
  - b. Retention of the project scope analyzed in the EIS;
  - c. Avoidance of major "throw-away" elements;
  - d. Correction of only the westbound safety-related weave problem as stipulated in the resolution; and
  - e. Completion of some facility preservation work within the \$50 million allocation now that deferral of the mainline

reconstruction projects has also deferred their preservation benefits.

The main motion to adopt the resolution, as amended, was adopted unanimously.

The Metro Planning Committee is scheduled to review the resolution on Thursday, January 20, 1994.

The Metro Council is scheduled to take action on the resolution on Thursday, January 28, 1994.

An adopted set of recommendations will then provide the basis for the region's comments on the 1995-1998 STIP before the OTC at public hearings in March 1994.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 94-1890A.



## Attachment 5

### ODOT 1995-1998 TIP Metro Public Involvement Process Overview of Public Comments

Metro staff is in the process of developing an attachment summarizing public comment, with a staff response, on testimony received regarding ODOT's 1995-1998 Transportation Improvement Program (TIP). The attachment will JPACT and the Metro Council as they take action on final recommendations on the 1995-1998 State TIP. The summary is intended to respond to the 125 letters Metro and ODOT Region 1 staff received, and to the 77 persons who testified at Metro's two public hearings on the TIP.

Pending completion of an attachment addressing all comments, the following information identifies the key public comments having policy and program implications and provides a staff response to those issues. Not included in as part of this summary are comments in support or opposition to individual projects. Those comments will be included in the complete version.

In part, the following responses provide the basis for the program objectives identified in the Staff Report and are intended to reflect existing policy and planning directives as contained in the Oregon Transportation Plan, the Regional Transportation Plan, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, the Clean Air Act Amendments of 1990, and the State Transportation Planning Rule (12). The program objectives were also developed in consideration of Oregon Transportation Commission directives and public comment.

#### Comments

The following summarizes the key public testimony with a policy or program orientation.

1. Planning Context. Single-occupant vehicle/capacity expansion projects conflict with ISTEA and the Transportation Planning Rule 12. Consequently, all SOV/capacity projects should be cut from the program and the funds used for alternative modes.
2. Highway Needs. The highway/arterial projects represent long-standing needs identified in local and regional plans. Substantial time, effort, and money has been exerted on developing projects. Alternative modes cannot entirely replace the automobile and the public wants motorist taxes and fees to be used only for construction and maintenance of roads and bridges. No funds should be shifted to alternative mode projects.

*Response to 1 and 2:*

*Statements 1 and 2 represent views at the opposite end of the spectrum: one promoting essentially all highways, the other all alternative modes. The actual federal and state policy directive is that ISTEA and Rule 12 promote the development of balanced, multi-modal transportation system plans which reduce reliance on single-occupant vehicles (SOVs). Similarly, Federal funds are flexible in nature in order to develop multi-modal TIPs. However, neither ISTEA nor Rule 12 restrict capacity expansion projects. Both do require that alternatives to significant SOV/capacity projects be developed. ODOT and Metro will be doing this on a project by project basis through Federal Interim and ultimately final requirements for Congestion Management Systems. The highway projects included in the construction element of the TIP are subject to these regulations.*

*In addition, the projects recommended in the construction element are necessary regardless of the preferred scenario under Region 2040. They have also been found to satisfy the program objectives for funding highway projects having an immediate need. Staff also recommended, and TPAC concurred, to defer \$36.19 million of highway projects not meeting program objectives in order to fund additional alternative mode projects. That money would combine with CMAQ, Transportation Enhancement, and other alternative mode projects to provide the balanced, multi-modal element in this TIP.*

- 3. Sunset Highway Projects/Westside LRT. Highway projects on the Sunset (U.S. 26: Vista Tunnel to Hwy. 217) should be deferred until after completion of the LRT.*

*Response to 3:*

*Staff recommended, and TPAC concurred, to add a program objectives which would essentially limit funding of Sunset Highway projects to those which are linked to the construction and enhanced operation of the Westside LRT or which solve critical safety problems. This resulted in a shift of over \$32 million from Sunset Highway projects to alternative modes.*

- 4. Preservation/Maintenance/Safety. Almost all the letters which addressed this subject support a priority for preservation/maintenance/safety projects.*

*Response to 4:*

*Program objectives identify safety, preservation, and maintenance projects as top priorities for funding.*

5. Bicycle/Pedestrian Projects/Program. There was substantial support for the development and funding of regionally significant bicycle and pedestrian programs. There was also some opposition. Two issues: 1) should programs to define system plans and identify and develop projects be initiated; and 2) should a reserve account be developed specifically for construction of bicycle and pedestrian projects.

*Response to 5:*

*It is recommended that ODOT fund in the development section of the STIP both a regionally significant bicycle program and a regionally significant pedestrian program. The programs would provide the planning and project development work necessary before improvements can actually be constructed. In addition, the alternative mode account includes a reserve of just over \$7 million to fund non-transit alternative modes such as bicycle and pedestrian projects. The funding would be above and beyond the \$14.6 million already included in the STIP over the period 1994 through 1998 (under CMAQ, Transportation Enhancement, and STP funding categories).*

6. Transit Oriented Development (TOD). Similar to bicycle and pedestrian programs, there was substantial support and some opposition to TOD programs.

*Response to 6:*

*Similar to bicycle and pedestrian programs, the recommendation includes TOD development funds and the \$7 million non-transit alternative mode reserve.*

7. Transit. Most of the comments either supported or opposed additional program cuts to fund transit. Little comment was received on the type of transit which should be implemented.

*Response to 7:*

*Consistent with ISTEA and Rule 12 directives, the recommendation includes over \$36 million for alternative modes, with \$29 million allocated for transit. The type of transit will allow for modest service expansion and replacement of existing infrastructure.*

8. Marquam Ramps/I-5. Given the Portland City Council decision, what is the JPACT/Metro Council position, considering the possibilities of LUBA appeals, RTP amendments, etc.

Response to 8:

*The recommendation is to maintain the project within the development program pending any future decision and/or RTP amendment regarding I-5 southbound access from the central eastside area.*

9. Administrative Criteria. General concern was raised over whether the administrative (special factors) criteria were appropriate and whether certain administrative criteria should over-ride others.

Response to 9:

*The administrative criteria generally reflect concerns regarding the progress of a project as it moves towards construction. Staff recognizes that particular criteria may be more significant than others, however, time constraints inherent in this four-month process did not allow sufficient time to determine those priorities. Instead, the recommendation reflects policy-based program objectives, the administrative criteria, and specific performance related technical criteria. All criteria will be re-evaluated prior to development of the next TIP.*

10. Access Oregon Highway (AOH) Projects. AOH projects in the Portland area include the Western Bypass, the Mt. Hoot Park Way, and the Sunrise Corridor. Their was support based on need and work already done; opposition based on conflict with ISTEPA/Rule 12 objectives.

Response to 10:

*The recommendation is to finish each project through the Environmental Impact Statement (EIS) phase and to determine how well each corridor "fits" under the Region 2040 growth concepts.*

11. Down-scope Projects (as appropriate and possible). Where-ever possible, reduce the scope of projects.

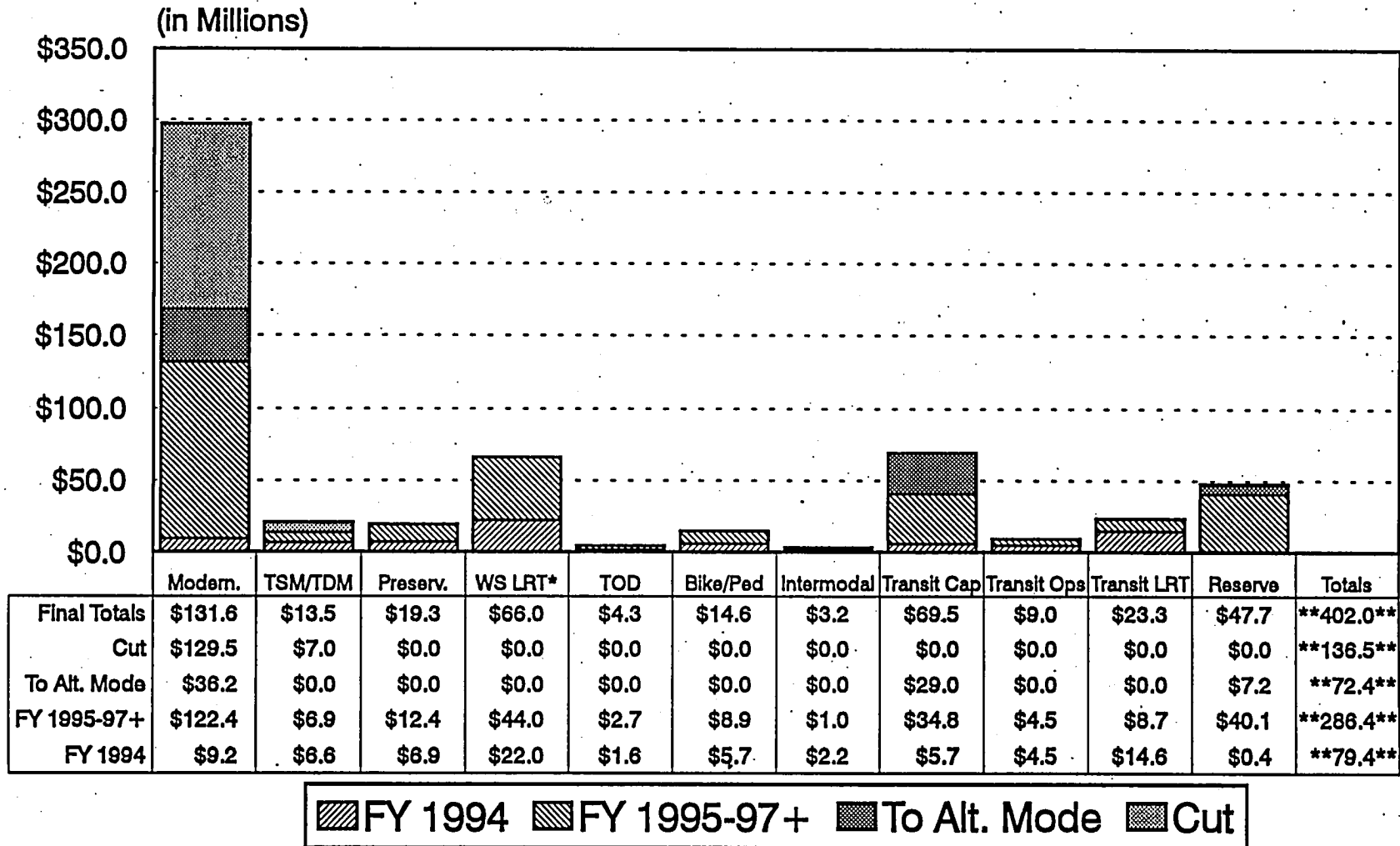
Response to 11:

*ODOT and Metro staffs have identified a number of projects which have certain elements which can be deferred or down-scoped, including: Sunset Highway Projects (from Vista Tunnel to Hwy. 217); T-V Hwy. (110th to 160th); I-5 at Hwy. 217/Kruse Way; and I-84 (223rd to Troutdale).*

MH

# Transportation Improvement Program

By Project Type for FY 1994 and FY 1995 to Post 1997



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF RECOMMENDING ) RESOLUTION NO. 94-1890A  
TO THE OREGON TRANSPORTATION )  
COMMISSION A PACKAGE OF PROGRAM ) Introduced by  
REDUCTIONS AND ADDITIONS FOR ) Councilor Monroe  
INCORPORATION IN THE 1995 THROUGH )  
1998 STATE TRANSPORTATION IMPROVE-)  
MENT PROGRAM

WHEREAS, The Oregon Transportation Commission (OTC) adopted a 1993-1998 Six-Year Transportation Improvement Program (STIP) in July of 1992; and

WHEREAS, The region has been informed that the last four years (1995-1998) of the STIP Construction element are approximately \$400 million overprogrammed; and

WHEREAS, The STIP must demonstrate fiscal constraint relative to reasonably expected revenue; and

WHEREAS, The urban portion of ODOT Region 1 is responsible for approximately \$136.5 million of the total Program Construction element imbalance; and

WHEREAS, The Region 1 Development element must also be cut to no greater than \$307 million; and

WHEREAS, The OTC has requested Metro to recommend appropriate project cuts to the Construction and Development elements within the urban portion of the ODOT Region 1 jurisdiction encompassing the Portland metropolitan area; and

WHEREAS, The OTC has further allowed Metro to suggest cuts deeper than needed to balance the Program in order that additional funds might be programmed to alternative mode projects in the region; and

WHEREAS, Metro identified program objectives and technical

and administrative criteria for review of projects currently contained in the STIP; and

WHEREAS, Metro implemented a four-month long public involvement process that included two public meetings and briefings of TPAC, JPACT, the Metro Council Planning Committee and the Metro Council; and

WHEREAS, Metro accepted oral and written testimony on draft project selection criteria and project cuts and additions to the STIP; and

WHEREAS, Metro produced written responses to the substantive commentary received during this process; and

WHEREAS, ODOT will commence a public process for selection of projects to include in the 1995-1998 STIP in March 1994; and

WHEREAS, Metro will consider adoption of the regional Transportation Improvement Program incorporating the ODOT program; now therefore,

BE IT RESOLVED:

1. That the Metro Council adopts the Construction project cuts and Development element recommendations shown in Exhibit 1 and the alternative mode additions shown in Exhibit 2 for incorporation into the 1995-1998 STIP.

2. That the intent of the Metro Council ~~with respect to the recommended cut of the I-5/Water Avenue ramps~~ is to pursue the I-5/Water Avenue ramp or alternative southbound access project and that this project be retained in the Regional Transportation Plan and in the Development element of the STIP. Once identified, funding for ~~an alternative~~ construction of southbound access should be considered.

3. That projects which may be recommended upon completion of the Intermodal Management System Plan be considered eligible for receipt of alternative mode reserve funds identified in Exhibit 2. ~~only if this fund is increased to \$20 million, or greater.~~

4. That, with respect to the several interrelated Sunset Highway projects, the Metro Council urges ODOT to correct only the westbound safety problem, which occurs at the Sylvan Interchange merge with the Canyon Road exit, in the most cost-efficient manner but in no case at a cost in excess of \$50 million; that if this problem can be remedied for less than this amount, any residual balance be allocated to increasing the alternative mode reserve fund identified in Exhibit 2. Working through Metro, ODOT will involve affected local governments and citizens in the project design efforts to produce a specific project which corrects the westbound safety problem while minimizing expenditures and construction disruption on the main line of the Sunset Highway.

5. That the intent of the Metro Council with respect to recommended cuts associated with the remaining Sunset Highway projects is that completion of the full Sunset Highway widening project commence in 1999 and that funding for construction be considered during the next Metro TIP and STIP updates.

6. That staff be directed to forward these priorities in testimony during the appropriate hearings on the STIP update by the Oregon Transportation Commission.

7. That this action is consistent with the Regional Transportation Plan.



8. That if adopted by the OTC, these recommendations will be reflected in amendment of the Metro TIP.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_, 1994.

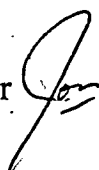
Judy Wyers, Presiding Officer

94-1890A.RES  
1-13-94



## M E T R O

**To:** Planning Committee  
Interested Parties

**From:** Councilor Jon Kvistad, Chair 

**Date:** January 12, 1994

**Re:** Final Action on Resolution 94-1890 - ODOT Six-Year Cuts

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As you may know, Resolution 94-1890, which recommends to the Oregon Transportation Commission a package of program reductions and additions for incorporation in the 1995 through 1998 State Transportation Improvement Program (STIP), has been under consideration since early October. The four-month public involvement process included two public hearings in addition to informational presentations before the Transportation Policy Advisory Committee (TPAC), the Joint Policy Advisory Committee on Transportation (JPACT), the Metro Planning Committee, and Metro Council. Councilors have been furnished with an extensive package of minutes and written testimony from all of these proceedings.

On January 6, 1994, the Metro Planning Committee held a public hearing on the resolution and will hold a second hearing on January 20th. Because of the extensive opportunity for previous public testimony, Councilors access to all written records from past proceedings, and the fact that this committee has already held one public hearing on this matter, it is my intent to limit the amount of testimony on January 20th to allow the committee ample opportunity, in a work session following the public hearing, to fully discuss this measure before taking final action.

I would encourage new witnesses who have not previously testified on this issue to come forward with any information not previously heard. I would also encourage these witnesses and all other potential witnesses to provide their remarks in written form prior to the hearing so that Councilors can make best use of the remaining time. Those witnesses that have provided testimony previously, that still feel they must address the committee verbally will be asked to limit their remarks to two minutes.

Please address your written remarks to Metro Planning Committee, attention Gail Ryder, 600 NE Grand Avenue, Portland, OR 97232. If your remarks are received by 10 AM on Thursday, January 20, there will be opportunity to assure that all Councilors receive copies. This will also apply to faxed copies sent to 797-1793 received by the same time. Witnessed bringing testimony to the meeting should provide the Committee Recorder with 15 copies.

# ***ODOT 1995-1998 TIP Public Hearing Meeting Report***

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***December 7, 1993 - 7:00-11:00 p.m. - Convention Center, Rooms B117-119***

The meeting was called to order at 7:05 p.m. by George Van Bergen, Metro Council and JPACT Chair.

## **Welcome/Opening Remarks**

Councilor Van Bergen welcomed the audience to the second ODOT Transportation Improvement Program (TIP) public meeting. He introduced himself as a Metro Councilor and Chair of the Joint Policy Advisory Committee on Transportation (JPACT). Councilor Van Bergen continued with a review of JPACT's and the Metro Council's roles in regard to the proposed ODOT 1995-1998 Transportation Improvement Program recommendations.

It is the responsibility of JPACT and the Metro Council to make recommendations to the Oregon Transportation Commission on metro area transportation priorities for funding in the ODOT 1995-1998 TIP. To date, the State TIP has an approximate \$400 million shortfall statewide. Of that shortfall, the metro area is responsible for recommending \$136.5 million in cuts.

This meeting, along with the meeting held on October 21, 1993, was held to address the shortfalls. At the October 21 meeting, an overview of the TIP and candidate projects to be cut from the TIP were reviewed. Public testimony was heard on which projects were and were not supported, cutting highway construction programs further in order to fund alternative modes of transportation, and draft technical criteria used to rank the projects.

Councilor Van Bergen continued with a review of the purpose of the second public meeting, and the agenda for the meeting.

The purpose of the meeting was to present proposed recommendation options to the public. The options describe proposed project cuts necessary in order to meet the shortfall target, and also identifies what other cuts would be necessary in order to fund alternative modes.

As staff explained later, the region will finalize the staff recommendation to ODOT in January, 1994. The final action is the responsibility of the Oregon Transportation Commission (OTC). OTC will hold separate public hearings in March of 1994, and have a final decision in early summer.

Councilor Van Bergen turned the meeting over to Gina Whitehill-Baziuk, Metro Public Involvement.

Ms. Whitehill-Baziuk briefly explained the public participation section of the meeting. She asked that participants limit their comments to 3 minutes each, and encouraged the audience to

participate. Ms. Whitehill-Baziuk then turned the meeting over to Bruce Warner, ODOT, Region I.

### **TIP and ODOT Shortfall Background**

Mr. Warner briefed the audience on how the process has gotten to the current stage. He explained that the TIP is being updated and will be constrained to reasonably available revenue. The TIP will be downsized to meet available resources. 100 percent of the funds authorized by Congress were not received, rather 80 percent. Also, the anticipated 2 percent gas tax, and the truck weight taxes were not approved as part of the transportation finance package presented to the Legislature. Mr. Warner continued by explaining that the Metro Council will provide guidance with OTC.

The meeting was turned over to Mike Hoglund, Metro Transportation Planning Manager.

### **Summary of Public Comment Received to Date, and Revised Project Selection Criteria and Consideration**

Mr. Hoglund introduced himself to the audience as the Regional Transportation Planning Manager. It is Metro's Regional Transportation Planning section that is responsible for working with ODOT to develop the Transportation Improvement Program (TIP).

Mr. Hoglund initiated his review by describing the comments heard to date and how Metro will respond to those comments. To date, Metro has received over 100 letters on the topic. ODOT has received a similar amount. In addition to the letters, oral testimony and written comments were presented to staff at the October 21 public meeting. A questionnaire regarding technical selection criteria was distributed to participants of the meeting and received 30 responses.

Included in the material distributed at the entrance of the meeting, was a summary of comments and Metro responses. Mr. Hoglund did not review each, but pointed out some major areas of concern by the public. They include: alternative mode criteria, and ideas for pedestrian, transit and bicycle projects. Consequently, instead of developing alternative mode priorities, staff will present options for alternative mode packages in the form of "reserves."

Also, concerns were heard on the various elements of the technical selection criteria for highway/arterials on the scores that were assigned to particular projects. In response, staff incorporated updated information as available and revised scores as appropriate. It was also suggested by the public that highway projects be dropped as they are inconsistent with Intermodal Surface Transportation Efficiency Act (ISTEA) and the State Transportation Planning Rule 12.

Mr. Hoglund responded by stating that the above legislation aims to reduce reliance on single-occupant vehicles, however, does not restrict them. Rather, they are part of an adopted regionwide system plan that reduces reliance. Metro is in the process of developing the plan

through the Region 2040 Study and a subsequent update to the Regional Transportation Plan (RTP). The RTP will meet ISTEA and Rule 12 requirements.

Mr. Hoglund closed by stating that Metro is in the process of grouping and providing formal responses to all the comments received. With that, he turned the meeting over to Andrew Cotugno, Metro Planning Director.

### **Recommended Options for Highway Program Cuts, and Alternative Mode Project Substitutions**

Mr. Cotugno introduced himself to the audience and reviewed the staff recommended options for consideration. He referred the audience to the orange packet which was distributed at the entrance of the meeting. The packet outlines each option and explains what is proposed to be cut and to what extent.

Mr. Cotugno continued with a description of the ranking of projects based on technical information (Table 1 of orange packet). Additional criteria were also described, which staff believe are worth consideration based on available information and public comments (Table 2). Last, Mr. Cotugno reviewed staff's rationale on the layout of potential for keeping and cutting projects in the TIP. There are 5 projects that have a degree of uncertainty as far as cutting or keeping - they require additional evaluation.

Mr. Cotugno closed by stating that following the meeting and review of testimony received, a single staff recommendation will be presented to TPAC on December 15. TPAC will take action on the recommendation on December 22, and will forward their recommendation to JPACT on January 13, 1994. The Metro Council will take action on January 27, prior to the Oregon Transportation Commission process. Prior to OTC's final recommendation, statewide hearings will be held.

Mr. Cotugno turned the meeting back over to Councilor Van Bergen who initiated the public comment process.

### **Public Comment**

**Douglas Klotz**, 2630 SE 43rd Avenue, Portland. Mr. Klotz stated that he was under the impression that Metro Council members would be present at the hearing, and opportunities would be provided to address specific questions to them.

Mr. Van Bergen introduced the Councilors present and made the necessary accommodations to sit them at the panel table. Unfortunately, the area could not accommodate all attending Councilors.

**Steve Schell**, 707 SW Washington, Portland. Mr. Schell spoke on behalf of Portland Future Focus/Growth Management, which was created by the City of Portland to examine where the area would be in the 15-25 years. Mr. Schell spoke in support of transferring funds to Transit

Oriented Development (TOD). He submitted a proposal, which supported his recommendation, for the record.

**Chris Beck**, 1211 SW 6th, Portland. Mr. Beck spoke on the Transit Oriented Development revolving fund. He believed that government needs to become more involved in promoting transit oriented developments. He passed out an article to the panel and staff which described public agencies acquiring and selling properties to promote transit oriented developments. Mr. Beck closed with stating that there needs to be development in the suburbs, as well as the need to control land used along the transit lines and bus corridors.

**Don Weege**, 9921 SW Quail Post Road, Portland. Mr. Weege spoke on behalf of the silent majority of people that drive cars. He spoke in support of retaining the I-5 Stafford Interchange project. In regards to funds, Mr. Weege was in support of using funds for existing transportation systems, including improving roads. He spoke adamantly on not using funds for bike paths and pedestrian walkways. Mr. Weege stated that he did not believe that bikes were comparable to automobiles as a means for transportation. He closed by encouraging the panel to take the road-only option.

**Bernie Brown**, 475 NE Hillwood Drive, Hillsboro. Mr. Brown spoke on behalf of the Hillsboro Chamber of Commerce. He recommended that TV Hwy. project, as well as the Hwy. 47 realignment through downtown Forest Grove, be retained.

**Chris VanDyke**, 12000 SE 82nd Avenue, Portland. Mr. VanDyke manages Clackamas Town Center and spoke on their behalf. His recommendation was to retain the I-205 @ Sunnybrook Interchange. He briefly explained the Center's interest in the project and the impact the cut would make.

**Rex Burkholder**, P.O. Box 9072, Portland. Mr. Burkholder spoke on behalf of himself and the Bicycle Transportation Alliance. Mr. Burkholder spoke in support of bike and pedestrian facilities. Their support also lies with the delay or deletion of projects that promote motor vehicles.

**Jeff Grant**, 8880 SW Wilsonville Road, Wilsonville. Mr. Grant spoke on behalf of the Wilsonville Chamber of Commerce. Their support is for the retention of the I-5 Stafford Interchange. Mr. Grant felt that there should be improved alternate modes of transit, such as bike and pedestrian paths. He expressed his concern for safety and economic issues. Others supporting Mr. Grant's recommendation were: Ben Altman, Urban Solutions; Patricia Davis, RFD Publications; and Mike Cook, Mentor Graphics.

**Jim Foster**, Payless Drugs. Mr. Foster submitted a letter(s) for the record (did not speak).

**Marianne Fitzgerald**, 5912 SW Dickinson, Portland. Ms. Fitzgerald, representing the SWNI Transportation Committee, spoke in support for funds to be used for bike and pedestrian paths and transit. She spoke in support of cuts along the Sunset Hwy., which would give LRT an

opportunity to succeed, and the Barbur Blvd. (Hamilton to Miles) project, utilizing the Terwilliger Bridge for a bike path.

**Richard Stein**, 901 SW Westwood Drive, Portland. Mr. Stein spoke representing the Hillsdale Vision Group. Mr. Stein supported cuts along Hwy. 26, while using funds to enhance bicycle and pedestrian transit.

**Douglas Klotz**, 2630 SE 43rd Avenue, Portland (also spoke earlier). Mr. Klotz, representing the Willamette Pedestrian Coalition, spoke in support of delaying the US 26, Camelot to Sylvan, project until the completion of the Westside LRT construction. He also recommended more funds be allotted to pedestrian facilities.

**Wesley Risher**, 1627 SW Troy Street, Portland. Mr. Risher stated that he did not feel it would be necessary to defer the widening of interchanges along US 26.

**Tom Van Raalte**, 2224 SE Brooklyn Street, Portland. Mr. Van Raalte spoke in support of Option B, Balanced Construction Program with Alternative Mode Additions.

**Duncan Brown**, 2934 NE 29th Avenue, Portland. Mr. Brown also spoke in support of Option B. He believes that using the existing system rather than rebuilding would be financially smarter.

**Marc San Soucie**, 4230 NW 147th Avenue, Portland. Mr. San Soucie spoke on behalf of himself as a bike commuter. He spoke in favor of delaying the widening of interchanges along US 26 until the completion of the Westside LRT construction.

**Marge Hamlin**, 5228 NE Couch, Portland. Ms. Hamlin spoke in support of Option B and improved bike facilities.

**Paul Bonneau**, 12600 SW Tremont, Portland. Mr. Bonneau spoke in support of Option B. He also spoke on US 26 projects - supports delaying or deleting projects that are in direct competition with the Westside LRT.

**Don Robertson**, 109 Ash Avenue, Wood Village. Mr. Robertson spoke on the I-84, 223rd Avenue to Troutdale, project. He spoke in favor of completion/construction. His primary concerns were safety and losing funds that were included in the ODOT Six-Year Plan.

**Kari Stanley**, 24800 SE Stark, Gresham. Ms. Stanley, representing the Gresham Area Chamber of Commerce, spoke in support of continuing the I-84 and Mt. Hood Parkway projects.

**Don Lloyd**, 1540 SE 25th, Troutdale. Mr. Lloyd, representing the Troutdale City Council, spoke in support of the staff's recommendation on the I-84, 223rd Avenue project.

**Len Edwards**, 635 Lincoln Street, Fairview. Mr. Edwards, representing the Fairview City Council, spoke in support of retaining the I-84 (to Troutdale) improvement project.



**Vicki Thompson**, 647 SW Birdsdale Drive, Gresham. Ms. Thompson, representing the Gresham Transportation Committee, spoke in support of Mt. Hood Parkway, Woodvillage exchange.

**Thomasina Gabriele**, 3334 NW Vaughn, Portland. Ms. Gabriele, representing the Gabriele Development Services, recommended that funds be used for transit oriented developments (TOD).

**George Crandall**, 708 SW 3rd, Portland. Mr. Crandall, representing the AIA Urban Design Committee, spoke in support of projects that increase transit ridership. He also spoke in support of the recommended alternative mode investment option.

**Sam Learn**, 15148 SE 122nd, Clackamas. Mr. Learn spoke in support of projects that increase transit ridership.

**Keith Bartholomew**, 534 SW 3rd, Portland. Mr. Bartholomew, representing 1000 Friends of Oregon, spoke in support of the Transit Oriented Development (TOD) proposal. He also favored both the Option A, "Roads Only" Construction Program without Alternative Mode Additions, and Option B, Balanced Construction Program with Alternative Mode Additions. Mr. Bartholomew also urged JPACT to cut funding for the EIS on the Mt. Hood Parkway.

**Tom Tucker**, 8812 NW Springville Court, Portland. Mr. Tucker, representing Sensible Transit Options for People (STOP), spoke in support of TOD alternative mode options and projects that enhance transit ridership. He spoke in opposition to additional funding of the Western Bypass Study.

**Karl Mawson**, P.O. Box 326, Forest Grove. Mr. Mawson, representing the City of Forest Grove and the Downtown Task Force, spoke in support of the Forest Grove Bypass, OR 47.

A short break was taken at 8:45 p.m. The meeting was called back to order at 8:55 p.m.

**Dan Mueller**, 4110 Pacific Avenue, Forest Grove. Mr. Mueller, representing the Forest Grove Chamber of Commerce, also spoke in support of the Forest Grove Bypass, OR 47.

**Meg O'Hara**, 2043 College Way, Forest Grove. Ms. O'Hara, representing Pacific University, again spoke in support of the OR 47, Forest Grove Bypass. Her concern was that of the safety of the students and community of Pacific University.

**Doug Longhurst**, 1808 17th Avenue, Forest Grove. Mr. Longhurst spoke in favor of staff's recommendation on Hwy. 47.

**Bob Alexander**, 2417 Pacific Avenue, Forest Grove. Mr. Alexander, representing Forest Grove/Cornelius Economic Development Council, spoke in favor the Forest Grove Bypass, OR 47.

**Richard Kidd**, 8022 Watercrest Road, Forest Grove. Mayor Kidd, City of Forest Grove, spoke in support for the Forest Grove Bypass, OR 47.

**Councilor Judy Fessler**, City of Tigard. Ms. Fessler, representing the Tigard City Council, spoke on behalf of Mayor Edwards. They are in support of staff's recommendation to retain the I-5 @ 217/Kruseway, and are also in support of retaining the TV/Tualatin Hwy: 99W - SW McDonald Street (Bikeway project), Option B.

**Linda Adlard**, City of Beaverton. Ms. Adlard, speaking on behalf of Mayor Rob Drake, expressed concern with the proposed cut of the TV Hwy.: 110th to 160th. Ms. Adlard expressed concerns that the City of Beaverton has concerning a previous commitment made by ODOT assuring the City that the project's design process would continue after completion a City of Beaverton Task Force survey. Ms. Adlard stated that she believed the cut to be a mistake, and added that the cut would have a critical impact on safety and capacity improvements, as well as transit oriented development in Beaverton.

**Bruce Warner**, ODOT, questioned Ms. Adlard on the existing appeal filed by the Fred Meyer Corp. Ms. Adlard stated that, per the City of Beaverton Transportation Director, the major issues of the appeal have been resolved. However, the appeal has not yet been formally dropped.

**Steve Clark**, 6975 SW Sandburg Road, Tigard. Mr. Clark, representing Beaverton Chamber of Commerce and the City of Tigard Highway 99W Task Force, spoke in support of retaining the Hall Blvd./99W Interchange, along with the Canyon Road project. He expressed concern in safety issues related to the I-5 Interchange. He also encouraged staff to not limit the options to only 2, A and B - other options should also be developed.

**Cathy Stanton**, 8595 SW Rebecca Lane, Beaverton. Ms. Stanton, representing the City of Beaverton Traffic Commission, spoke in support of retaining the TV Hwy.: 110th to 160th. She continued by stating that the TV Hwy. is essential to traffic movement, with Canyon Road being a major component to livability.

**Eric Johansen**, 8675 SW Cortez Court, Beaverton. Mr. Johansen, representing the Beaverton Committee for Citizen Involvement, spoke in support of retaining the TV Hwy.: 110th to 160th.

**John Kvistad**, Metro Council, submitted a letter from Roy Rogers, Washington County, for the record (attached).

**Daryl Steffan**, City of Beaverton. Mr. Steffan, City of Beaverton Transportation Program Manager, commented on the technical criteria used to develop the staff recommendations. Mr. Steffan submitted to memorandums for the record.

**Joe Blowers**, 2050 SW 78th, Portland. Mr. Blowers, speaking on behalf of himself as a biker, spoke in support of Option B, Balanced Construction Program with Alternative Mode Additions.

He also expressed concerns with safety on Hwy 26/Sunset Freeway. His concern is that cuts on Hwy 26 will cut or defer bike paths.

**Phil Adamsak**, 2075 SW 78th Avenue, Portland. Mr. Adamsak spoke in response to Hwy 26 cuts. Mr. Adamsak lives next to the Hwy. and has been appealing for a sound wall next to his property. He stated that under FTA regulations for "Neighbors of a Highway" the wall should be constructed.

**Tom Brady**, 2200 NE 24th, Portland. Mr. Brady, representing the Metropolitan Family Service Community Division, spoke in support of allocating resources to volunteer programs for special transit services.

**Elaine Wells**, 5540 NE Sandy Blvd., Portland. Ms. Wells, representing Volunteer Transportation of Washington and Multnomah counties, spoke urging staff to consider a balanced transportation system (i.e., transit for special services, a diversity of modes and cost effective alternatives). She stated that she recognizes the limit in funds, but urges staff to consider the citizens of the community and provide a variety of transit modes for special needs.

**Terry Parker**, 1527 NE 65th Avenue, Portland. Mr. Parker spoke in favor of transit oriented development (TOD) projects, specifically an Eastside Connector. He also spoke in favor of a modified Option A, "Roads Only" Construction Program without Alternative Mode Additions. He was opposed to Option B, Balanced Construction Program with Alternative Mode Additions, due to the bike option. He added that a ramp or controlled access to I-84, eastbound off Grand Avenue, be considered. Mr. Parker closed by stating that project that lead to congestion pricing be deleted.

**Ellen Vanderslice**, 2951 NW Raleigh, Portland. Ms. Vanderslice, representing herself and the Portland Pedestrian Program Citizen Advisory Committee, spoke in support of Option B and developing a revenue fund for bike and pedestrian projects.

**James Beard**, 027 SW Arthur, Portland. Mr. Beard, representing the Oregon Environmental Council, thanked staff for the opportunity to speak, with special thanks to Jenny Kirk, Mike Hogle, Gina Whitehill and Terry Whisler, Metro. Mr. Beard continued by expressing his understanding that building road projects for congestion relief does not work. He continued by stating that he would be in support of market-based transportation forms receiving some TIP funds. He also recommended that a complete database for all the projects be provided. His recommendation was to cut \$182 million from construction projects.

**Molly O'Reilly**, Sensible Transportation Options for People (STOP). Ms. O'Reilly spoke in support of the Hwy 26 cuts, however, is in support constructing a sound wall. She encouraged staff to make additional cuts and adopt Option B. She also spoke in favor of TOD projects. She was opposed to auto oriented projects and the Western Bypass project.

**Jim Howell**, Citizens for Better Transit. Mr. Howell, speaking on behalf of Ray Polani (CBT), spoke in support of cutting additional funds allocated to the Western Bypass and diverting Water Avenue Ramp funds to multimodal projects.

**Peter Fry**, 733 SW 2nd, Portland. Mr. Fry, spoke in support of staff's recommendation on the Marquam Bridge construction and the Central Eastside development.

**Moshe Lenske**, 4314 SE Crystal Springs Blvd., Portland. Ms. Lenske spoke in opposition to the Water Avenue Ramp.

**Ernie Bonner**, Portland Citizen. Mr. Bonner urged staff to develop alternatives for the Water Avenue Ramp.

**Doug Allen**, 2247 SE 51st Avenue, Portland. Mr. Allen also spoke in opposition to the Water Avenue Ramp, however, urged staff to retain the funds for a future south-bound access project.

**Roy Gibson**, City of Hillsboro. Mr. Gibson spoke in support of retaining the TV Hwy - Shute Park to 21st Avenue project.

**Pamela Reamer Williams**, 5940 N. Basin. Ms. Williams spoke representing the Oregon Trucking Association and the Intermodal Transportation Council. Ms. Williams spoke in general on ISTEAs and freight mobility, and federal and state regulations. One specific recommendation that she made was the retention of the Water Avenue Ramp.

**Mary Tobias**, 10200 SW Nimbus, Tigard. Ms. Tobias, representing the Tualatin Valley Economics Development Commission, spoke in general on ODOT funding issues. Her concern was that the determination of what projects should be built should not weigh so heavily on the budget cuts, but rather on building adequate transit systems for the region. Specifically, she was in support of retaining the I-5/217/Kruse Way Interchange, Stafford Road Interchange, Hwy 47 Bypass and the TV Hwy./Shute Road project, Canyon Road project and the Western Bypass EIS.

**Jack Reardon**, PO Box 23635, Tigard. Mr. Reardon, representing himself and Washington Square, spoke in support of adequate funds being allocated to the I-5 Kruse Way/217 Interchange.

**Douglas Terrill**, 6436 SW Capitol Hwy., Portland. Mr. Terrill submitted a testimony card, but was not present when his name was called.

**Jay Mower**, 777 SW Chestnut Street, Portland. Mr. Mower submitted a testimony card, but was not present to speak when his name was called.

**Allen Sheldrake**, 1718 SW Parkview Court, Portland. Mr. Sheldrake submitted a testimony card, but was not present to speak when his name was called.

**Susan Wade**, 5515 SW Canyon Court, Portland. Ms. Wade spoke representing Big Red's restaurant. Ms. Wade was in opposition to the Sylvan Interchange project.

**Richard Wade**, 5515 SW Canyon Court, Portland. Mr. Wade also spoke representing Big Red's. Mr. Wade also spoke in support of delaying or deleting the Sylvan Interchange project.

**Michael Smith**, P.O. Box 23132, Portland. Mr. Smith submitted a testimony card, but was not present to speak when his name was called.

**Richard Waker**, Sunset Corridor Association. Mr. Waker spoke in general on the proposed cuts, specifically in the downtown Portland area. He submitted testimony for the record.

**Other**

Mr. Cotugno, Metro, reiterated that the Metro Staff Recommendation Options for the ODOT 1995-1998 Transportation Improvement Program (TIP) will be presented to JPACT on Thursday, December 9, for review only. TPAC will take action on the recommended options on December 22.

The meeting was adjourned at 11:05 p.m.

bc

**COPIES OF LETTERS RECEIVED AS  
PUBLIC TESTIMONY ARE AVAILABLE UPON REQUEST.**



## M E T R O

**To:** Planning Committee  
Interested Parties

**From:** Gail Ryder, ~~Senior~~ Council Analyst

**Date:** January 13, 1994

**Re:** Resolution 94-1890 - Program Reductions/Additions STIP

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**BACKGROUND:** Deliberations toward an agreed upon package of program reductions and additions for incorporation in the 1995 - 1989 State Six-Year Transportation Improvement Program (STIP) began last October. Since that time there has been a four-month public process including two public hearings and informational presentations before the Transportation Policy Alternatives Committee (TPAC), the Policy Advisory Committee on Transportation (JPACT), the Metro Planning Committee and the Metro Council. Most recently there was a public hearing and briefing before the Planning Committee on January 6 and a JPACT decision on January 13. The final package must receive the approval by JPACT, the Metro Council and the Oregon Transportation Commission. The second phase of approval is scheduled for public hearings in March, 1994 when a subsequent amendment of the Metro TIP will also be considered.

The \$136.5 million in budget cuts, adjusted from the original \$126 million figure, was brought to Metro's attention in August, 1993 as the region's share of the \$400 million in total statewide cuts. This is needed to make up a deficit in the Construction element resulting from over programming in anticipation of additional revenues when the state legislature failed to approve collection of additional gas taxes and when anticipated federal revenues were not forthcoming.

**PROPOSED ACTION:** Approval of this resolution sends a recommendation to the Oregon Transportation Commission (OTC) proposing the deferral of \$173 million in projects from the final four years of the Construction element of the 1993 - 1998 STIP. Also suggested are the deletion and/or restructuring of some projects from the Development element to allow a separate fund of \$36.19 million to be devoted to

alternate modes. The Development element is also amended to include several alternate mode program initiatives.

**ADVISORY GROUP ACTION:** This resolution has received the approval of TPAC and JPACT. Since the committee has already been briefed on TPAC action, I will limit this report to the action of JPACT. During JPACT's meeting, there was considerable discussion limited to three major highway projects: 1) the Kruse Way/I-5/217 Interchange; 2) the Sunset Highway projects; and 3) the Water Avenue/I-5 Ramp. Remaining discussion centered on the \$36.19 million Alternate Mode Reserve Fund.

1. Kruse Way/I-5/217 Interchange: Significant concern from citizens has been expressed about the sufficiency of \$13.4 million to cover the needs of the project. Many witnesses throughout the public process suggested that \$22 million was the minimum needed for the project. Written testimony from Councilor Terry Moore suggested reserving the existing money and allowing for further public review.

Representatives from the Oregon Department of Transportation (ODOT) indicated that they have again reviewed the project and have determined that \$4.5 - 5 million of right-of-way funds for the project are available apart from the \$13.4 million identified for construction of a project and that that amount will construct a project that assists in the permanent assistance of north to north movement. They clarified that the \$13.4 million project should not be considered as a temporary solution that would only be redone during later phases of the project. JPACT agreed that the staff should clarify this matter in the staff report and that an amendment suggested by Washington County was not necessary. ODOT also clarified that all problems of local circulation for this interchange are not considered to be solved with this action. The area will be greatly impacted by the final decision on the Western Bypass.

Councilor Kvistad and Washington County each suggested additional amendments regarding the Kruse Way project. Both wished to clarify that this project was of "statewide concern" and would be treated as such by ODOT. Washington County's amendment, to so identify the project in the resolution, was withdrawn largely because of discussion pointing out that there were many projects of "statewide concern" that were not so identified and to single one out would be unfair and draw undue attention from the remainder of the state that already believes the region holds an advantaged funding level. ODOT representatives assured the group that this project was of primary importance to the agency and was considered to be a matter of "statewide concern".

2. Sunset Highway Projects: There was considerable discussion about the interrelated Sunset Highway projects referenced in resolve #4. Washington County



attempted an amendment that would limit the cost at \$50,000 but removed the language ". . .that if this problem cannot be remedied for less than this amount, any residual balance be allocated to increasing the alternative mode reserve fund identified in Exhibit 2." They suggested monies from any overruns should be applied to the Kruse Way project instead. The amendment failed by a wide margin.

The City of Portland was successful in adding language to the resolve calling for ODOT to work through Metro and involve local governments and citizens on a project design to correct the westbound safety problem, while minimizing expenditures and construction disruption on the mainline of the Sunset highway.

3. Water Avenue/I-5 Ramps: Representatives from the Central Eastside Industrial Council appealed to JPACT to intercede with the City of Portland and restore funding to the project. They are in the process of lobbying members of the Portland City Council and have hopes of a reversal of Portland's decision.

Councilor Monroe presented an amendment that restored the \$19 million project to full funding by cutting \$15 million from the Sunset Highway/Sylvan project to resolve the westbound weave problem and deferring \$31.2 million, rather than \$16.2 million to be funded for construction after the Westside LRT opens. The remaining \$2.2 million was suggested to come from Project 22 for two additional Metropolitan Area Corridor Studies, leaving \$1.1 million.

ODOT told the committee that without the approval of the City of Portland, it would not be possible for the agency to proceed with the project. This is due to the requirements of the National Environmental Protection Policy Act and other federal requirements. They stated that even if all parties reverse their previous action, the project would be tied up for many years with environmental and other processes.

A significant discussion took place regarding whether the region does or should have the authority to override the wishes of a local jurisdiction when a decision has regionwide implications. Commissioner Blumenauer pointed out that there appeared to be no precedent of this type in government except the citing of federal post offices. There was also general concern over removing the funds from other projects when ODOT felt they could not proceed or from other regions in the state.

Staff offered a compromise which was adopted for resolve #2 which will now read:

2. That the intent of the Metro Council to pursue [~~with respect to the recommended cut of~~] the I-5/Water Avenue ramps project or other south bound access is that this project be retained in the Regional

Transportation Plan and in the Development element of the STIP. Once identified, funding for construction of a [an-alternative] southbound access should be considered.

Following passage of this compromise, Councilor Kvistad withdrew his amendment relating to the restoration of the Water Avenue project and the increase in funding to the \$22 million level for the Kruse Way project. Commissioner Blumenauer clarified that he abstained on the compromise vote.

4. Alternate Mode Reserve Fund: Citizen comments were strongly in favor of sustaining the \$36.19 million in the Alternate Mode Reserve Fund. Written testimony from Councilor Terry Moore suggested that if no additional amount can be identified, that funding for the intermodal and congestion management plans should be deleted from the list of candidate projects.

The Port of Portland offered an amendment which was approved by JPACT. In resolve #3, projects that may be recommended upon completion of the Intermodal Management System Plan shall be considered eligible for receipt of alternative mode reserve funds. Under the TPAC recommendation, that would have only been allowed if the fund increased to \$20 million or greater. The Port clarified that the two projects included: 1) the improvement of the Columbia Boulevard intersection into South Rivergate (\$950,000); and 2) a signal inter-tie system on Columbia Boulevard (\$100,000).

***STAFF REVIEW:*** At the last Planning Committee meeting, there was a request to seek a legal opinion from General Counsel regarding the role JPACT and the Council might appropriately and legally play in objecting to the position of the City of Portland regarding the Water Avenue/I-5 Ramps project. General Council has clarified that the action of the Portland City Council was done by resolution and is not legally binding or irreversible. Their decision was not to reject the project, rather to delay it from progressing at this time so that another possibility for southbound access can be studied. The project is still part of the Portland comprehensive plan and the Regional Transportation Plan.

Resolution 94-1890 is only a recommendation to the Oregon Transportation Commission. For JPACT or the Metro Council to vote to recommend a project, even over the objection of a local jurisdiction, is unprecedented but should not be considered inappropriate. ODOT's position on this matter, however, remains constant that they would take no action without the reversal of the decision by the City of Portland.

## PLANNING COMMITTEE REPORT

### **CONSIDERATION OF RESOLUTION NO. 94-1890A, FOR THE PURPOSE OF RECOMMENDING TO THE OREGON TRANSPORTATION COMMISSION A PACKAGE OF PROGRAM REDUCTIONS AND ADDITIONS FOR INCORPORATION IN THE 1995 THROUGH 1998 STATE TRANSPORTATION IMPROVEMENT PROGRAM**

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Date: January 24, 1994

Presented By: Councilor Monroe

**Committee Recommendation:** At the January 20 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 94-1890A. Voting in favor: Councilors Kvistad, Gardner, Devlin, Gates, Moore, and Washington. Absent: Councilors McLain and Monroe.

In a supplemental action, the Planning Committee voted to forward to the full Council a draft letter to the City of Portland from the Metro Council voicing concerns over their decision on the I-5 / Water Avenue Ramp project. The letter is forwarded without recommendation by the unanimous vote of the committee. Voting in favor: Councilors Kvistad, Gardner, Devlin, Gates, Moore, and Washington. Absent: Councilors McLain and Monroe.

**Committee Issues/Discussion:** Andy Cotugno, Planning Director, gave the staff presentation. Deliberations toward an agreed upon package of program reductions and additions for incorporation in the 1995 - 1989 State Six-Year Transportation Improvement Program (STIP) began last October. Since that time there has been a four-month public process including two public hearings and informational presentations before the Transportation Policy Alternatives Committee (TPAC), the Policy Advisory Committee on Transportation (JPACT), the Metro Planning Committee and the Metro Council. Most recently there was a public hearing and briefing before the Planning Committee on January 6 and a JPACT decision on January 13. The final package must receive the approval by JPACT, the Metro Council and the Oregon Transportation Commission. The second phase of approval is scheduled for public hearings in March, 1994 when a subsequent amendment of the Metro TIP will also be considered. Both TPAC and JPACT have reviewed the staff recommendation and the changes made by each group are detailed in both the staff report and Council staff analysis.

The \$136.5 million in budget cuts, adjusted from the original \$126 million figure, was brought to Metro's attention in August, 1993 as the region's share of the \$400 million in total statewide cuts. This is needed to make up a deficit in the Construction element

resulting from over programming in anticipation of additional revenues when the state legislature failed to approve collection of additional gas taxes and when anticipated federal revenues were not forthcoming.

Bruce Warner, Oregon Department of Transportation (ODOT), appeared before the committee to elaborate on the I-5/217 discussion. He explained that the project was important to ODOT because of congestion and safety problems. They have worked at length with local governments and although the project has grown to over \$80 million problems continue. The freeway to freeway movement needs immediate solution. He explained that in phase two of the project \$7.8 million will be spent to complete the bikeway system. Seismic retrofitting of the structure will also be addressed.

Councilor Devlin commented about the project size asking whether there was recognition by ODOT that when they built freeways they often cause severe traffic problems for local jurisdictions because of the choice of location. Warner agreed that such interchanges attract development. ODOT acknowledges development but their intent is safety and improved circulation.

Councilor Kvistad, referring to the Water Avenue Ramp project, asked whether Metro, rather than the City of Portland, should make the decision on a "locally preferred alternate"? Warner explained that ODOT looks at who makes the land use decision. In the National Environmental Protection Act (NEPA), it is the local jurisdiction. If what is being suggested is for Metro to make such a decision rather than the local jurisdiction, then ODOT will need to look into it further because this isn't the common interpretation. It was generally agreed that a legal interpretation should be pursued by the committee.

G. B. Arrington, Tri-Met, appeared before the committee to answer questions raised by Councilor Devlin regarding Tri-Met's plan for purchasing buses with funds from the Alternate Modes Reserve Fund. All buses purchased will comply with current air quality standards. The Tri-Met Strategic Plan identified \$72 million funding need. There is a \$27 million short fall and these funds will be used to get Tri-Met closer to their goal. The final decision on the use of the money will be reviewed by this committee again when the regional Transportation Improvement Plan is approved.

Public Hearing: Testimony before the committee included: 1) concern from citizens about the loss of sound walls at the Sylvan Project and inherent noise problems from construction of the tunnel; 2) concern that the road widening at Sylvan is the only to get access to the Sunset Light Rail Transit station by means of a bike path; and 3) concern over removal of the Water Avenue Ramp project by the City of Portland.

Committee Discussion: There was considerable discussion about Metro's role as a decision maker regarding the Water Avenue project. Andy Cotugno detailed the steps that must be completed before the project could be built. First there must be regional consensus, then a new environmental impact statement (EIS) must be written, the preferred alternative resulting from the EIS must be approved, legal challenges must be satisfied, and then a number of permits must be approved by other governing bodies (probably the Corp of Engineers and State Lands Division). When and if consensus is reached locally, there is money in the program to pay it, if all decisions detailed above approve the project. Staff has recommended, and ODOT has agreed, to keep the money in the Regional Transportation Plan. The largest part of this question now is how to gain political consensus. There are also legal questions that must be resolved to force the action. The question of approval v. recommendation is dependent on when the decision is made and the nature of the decision. This decision relates to budgeting money, not whether a project is approved or disapproved. He felt the City of Portland is right in recommending Metro not budget the money at this time. However, at a later point, after the EIS is completed, the actual project must be approved. Historically, that decision is made by the local government. It is a complex legal question whether Metro can approve a locally preferred alternative.

Councilor Gardner asked about the JPACT action to restore the Intermodal Management System (IMS) projects as potentially eligible for funding from the Alternative Modes Reserve Fund. He asked for clarification about whether the Port must compete equally with other interest for monies from this fund. Cotugno indicated affirmatively that the Port would be considered equally with others. The staff report clarifies the Ports intent to seek funds for only two projects at a total cost not to exceed \$1.05 million.

Councilor Gardner clarified Washington County Commissioner Rogers proposal at JPACT to delete language that applied any remaining funds from the Sunset project (\$50 million) to go to the Alternate Modes Reserve Fund. The motion by Rogers failed. Councilor Gardner's question regarded the "preservation work" needed for the project. His concern is that the preservation work does not directly deal with the safety problems in the Sylvan weave. He is afraid that this allowance will act as a "blank check" to guarantee that no money will be left for alternate modes. Cotugno clarified that there are two things that will keep this from occurring: 1) the requirement for an open process will keep the project under constant public scrutiny; and 2) following approval of this resolution by the OTC, Metro will need to approve a detailed program for our own TIP. By that time the specific dollar amounts can be itemized.

Councilor Gardner asked Mr. Warner about the nature of the "open public process". Would a similar process apply to the preservation aspects of this project? Warner indicated affirmatively and said that ODOT did not consider it an "open ended check".

He then detailed the nature of the problem of badly rutted road, particularly in rainy weather and small vehicles. Maintenance has been deferred in order to do the climbing lane work scheduled for construction this year and next year. ODOT intends to do a design that considers the life of the pavement laid down now for preservation. They do not intend to pave now than is absolutely necessary.

Councilor Gardner asked when the Alternative Mode Reserve Fund is finally considered, whether Metro could direct the money to be used for the sound walls and bike paths. Mr. Cotugno indicated that to do so at this time would mean this resolution must be returned to JPACT.

Councilor Moore also expressed concern about "preservation" being now considered as a safety improvement. She said this diverges from what TPAC and JPACT recommended. If preservation is allowed, then why not existing construction commitments, deemed necessary for the project to assure that the neighborhoods that are affected by the existing noise, can be considered for part of the \$50 million. It seemed ironic to her that sound walls would be built on the north side of the road but not on the south side where the need was further demonstrated. Mr. Warner detailed the Sunset Highway projects. The eastbound lane is the highest priority now, the sound walls will come later in 1999. ODOT has had a long standing policy that they will not construct sound walls as a stand alone project. This is because of the large demand that would be generated and because of economies of scale. The OTC has had exceptions to the policy; only when there has been substantial local fiscal participation (usually 50% local match).

Councilor Devlin asked whether the portion of I-5 at Water Avenue was on the National Highway System. Isn't there a point when the concerns of a region outweigh the concern of an individual city. Mr. Warner said yes the area was part of the NHS and is very important to the region if the priority is to build "up" rather than "out". It will be necessary to maximize the use of property within the core area. From a statewide perspective, the access does nothing to enhance interstate movement and may actually degrade the efficiency of I-5. The question can be argued both ways; from either a regional or statewide perspective.

Councilor Devlin commented that the amendment he had considered submitting recognized the fact that at JPACT there was clarification about the additional \$5 million of funding for the I-5/217 Kruse Way project that is allocated for right of way acquisition. He chose not to request the amendment if ODOT would clarify in a letter to the Metro Council, the items referenced at JPACT in pages 10-11 of the staff report. Mr. Warner agreed to send the letter prior to Council approval on January 27.

Councilor Devlin raised the concern that the clarification in the amendment shouldn't

need to be returned to JPACT as others believed. He felt that if an item is not substantive, the Council should have the right to make such changes. His memory of the original JPACT Bylaws is that this ordinarily should be allowed. Considering the delicacy of this compromise, he chose not to test the issue with this resolution.

Councilor Moore asked for a similar letter from ODOT clarifying the \$7.19 million in the Alternative Modes Reserve Fund regarding the Port of Portland IMS projects. Mr. Warner agreed to the suggestion. Mr. Cotugno stated that the staff report should serve the purpose of both of these letters; to document the nature of the discussion that has taken place. The committee report done by Council staff fill this purpose also.

Councilor Kvistad commented that the decision about Water Avenue at JPACT was completely based on ODOT's comments. Had their comments been different, he felt, that JPACT would have chosen to include the Water Avenue project.

Supplemental Action: Following the approval of the resolution, with the caveat of letters from ODOT, Councilor Devlin submitted a draft letter from the Metro Council to the Portland City Council commenting on the Council's concern about the Water Avenue decision. He suggested that the committee send the letter without recommendation to the full Metro Council for their approval, following approval of this resolution. Under separate motion, the committee unanimously approved sending the draft letter to the Council without recommendation.