

JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION

March 17, 2005

MEMBERS PRESENT

AFFILIATION

Chair Rex Burkholder	Metro Council
Vice-Chair Rod Park	Metro Council
Sam Adams	City of Portland
Rob Drake	City of Beaverton, representing Cities of Washington County
Matthew Garrett	Oregon Department of Transportation (ODOT – Region I)
Fred Hansen	TriMet
Bill Kennemer	Clackamas County
Brian Newman	Metro Council
Lynn Peterson	City of Lake Oswego, representing Cities of Clackamas County
Roy Rogers	Washington County
Maria Rojo de Steffey	Multnomah County
Steve Stuart	Clark County
Don Wagner	Washington State Department of Transportation (WSDOT)

MEMBERS ABSENT

AFFILIATION

Stephanie Hallock	Oregon Department of Environmental Quality (DEQ)
Steve Owens	City of Fairview, representing Cities of Multnomah County
Royce Pollard	City of Vancouver
Bill Wyatt	Port of Portland

ALTERNATES PRESENT

AFFILIATION

Susie Lahsene	Port of Portland
Dean Lookingbill	SW Washington RTC
Dick Pedersen	Oregon Department of Environmental Quality (DEQ)
Dave Shields	City of Gresham

GUESTS PRESENT

AFFILIATION

David Bragdon	Metro Council
Jeff King	City of Milwaukie
Laurel Wentworth	City of Portland
Kathy Busse	Washington County
John Wiebke	City of Hillsboro
Kevin Smith	City of Hillsboro
Jef Dalin	City of Cornelius
John Rist	Clackamas County
Dave Nordberg	Oregon Department of Environmental Quality (DEQ)
Chris Smith	Citizen

GUESTS PRESENTAFFILIATION

Nancy Kraushaar	City of Oregon City
Ron Papsdorf	City of Gresham
Richard Meyer	City of Cornelius
Danielle Cowan	City of Wilsonville
Shelli Romero	Multnomah County
Tom Markgraf	Columbia River Crossing
Olivia Clark	TriMet
Phil Selinger	TriMet
Karen Schilling	Multnomah County
Robin McArthur	Oregon Department of Transportation (ODOT - Region 1)
Dick Schouten	Washington County Commission
Ed Abrahamson	Multnomah County
Mark Garrity	Washington Department of Transportation (WSDOT)
Karl Rohde	Citizen
Rob De Graff	Oregon Department of Transportation (ODOT)
Patrick Flanagan	THPRD
Robin Katz	Port of Portland
Edward Barnes	WSDOT Commissioner
Walter Valenta	Interstate Corridor Urban Renewal Association
Charlotte Lehan	City of Wilsonville
Alice Norris	City of Oregon City
Tom Miller	City of Portland
Terry Whisler	City of Cornelius
Catherine Ciarlo	BTA
Kay Durtschi	Multnomah County – TPAC Citizen Representative
Thayer Rorabaugh	City of Vancouver
Addison Jacobs	Port of Vancouver

METRO STAFF

Richard Brandman	Alison Kean Campbell	Andy Cotugno	John Cullerton
Kim Ellis	Jan Faraca	Karen Kane	Tom Kloster
Ted Leybold	Patty Unfred Montgomery	Amelia Porterfield	Amy Rose
Kathryn Schutte	Dave Unsworth	Kelley Webb	Michael Wetter
Phil Whitmore			

I. CALL TO ORDER AND DECLARATION OF A QUORUM

The Chair Rex Burkholder declared a quorum and called the meeting to order at 7:25 a.m.

II. INTRODUCTIONS

The Chair Burkholder welcomed Clark County Commissioner Steve Stuart to his first meeting. The Chair announced a change in the order of the agenda, delaying Communications from the Chair and Discussion Items until after consideration of the Resolutions/Ordinances items has been completed. While he delayed his report on a recent trip to Washington, D.C., he called attention to a list of regional projects earmarked in the TEA LU, from FY 2004 through FY 2009, the Reauthorization House Bill (included as part of this meeting record).

The revised order of business for the day follows:

III. CITIZEN COMMUNICATIONS ON NON-AGENDA ITEMS

Walter Valenta, co-chair of the Interstate Corridor Urban Renewal Area, urged maintaining funding for the Killingsworth project. The urban renewal district was formed to bring money to the most blighted area of Albina, and in the past, urban renewal funds for the area have been redirected to other projects. Even though they may have been worthy projects, it is time for some funding to flow back into the Albina area, before complicated partnerships begin to unravel. Folks sometimes feel disenfranchised because promises are made and then not kept, he said. He encouraged the committee to keep some funding flowing into the area.

The Chair commented that Mr. Valenta's comments were not confined to non-agenda items.

III. CONSENT AGENDA

ACTION TAKEN: Commissioner Bill Kennemer moved and Councilor Dave Shields seconded approval of the Feb. 10, 2005 meeting minutes as presented. The motion passed.

IV. RESOLUTIONS/ORDINANCES

RESOLUTION NO. 05-3559 METRO-TRIMET IGA PLEDGING MTIP FUNDS FOR I-205/TRANSIT MALL LIGHT RAIL, WASHINGTON COUNTY COMMUTER RAIL AND NORTH MACADAM IMPROVEMENTS

Introduction: Andy Cotugno presented the Resolution No. 05-3559 (included as part of this meeting record).

This is implementing the series of resolutions that have been made as a funding commitment over time out of the MTIP toward, first, Interstate MAX and, now, the I-205 Light Rail, Washington County Commuter Rail and the North Macadam Access projects. This is not new money; it is already committed. TriMet will be attempting to sell "worthy" bonds on the commercial bond market, and this agreement will help shore up the stability of the bonds. The bonds pledge the first MTIP dollars for repayment; this agreement is particularly important because the life of the MTIP cycle is shorter than the bond debt repayment period.

Fred Hansen commented that in past years, TriMet has been able to use the TriMet General Fund as the repayment guarantee, but recently the economy has depleted the TriMet General Fund so that there is not an adequate excess flow to generate the needed confidence on the bond market.

Councilor Brian Newman asked if specific projects for the South Waterfront portion of the bond proceeds had been defined for funding. Laurel Wentworth of the City of Portland's Office of Transportation, indicated that funds would be directed to the Streetcar project.

ACTION TAKEN: Mr. Fred Hansen moved and Councilor Brian Newman seconded approval of Resolution No. 05-3559. The motion passed.

RESOLUTION NO. 05-3529 PRIORITIES 2006-09 FINAL DECISION (100% PROJECT ALLOCATION)

Andy Cotugno presented Resolution No. 05-3529 (included as part of this meeting record).

INTRODUCTION: Chair Burkholder acknowledged the hard work of many persons to bring together a package to achieve better communities through improved transportation infrastructure.

Mr. Cotugno introduced the MTIP package recommended by TPAC. The base program was developed carefully to adhere to the direction received from JPACT in January. He suggested committee members decide whether or not to over-program funds, and if the committee decides to over-program, how much and with what conditions. The base program relies on the expectation that this reauthorization bill will increase the region's funding level from \$25 to 30 million per year, or \$10 million more in the two-year period; on the other hand, a 20 percent cut in CMAQ funds (for having cleaned up the air) could occur. Allocating the full reauthorization amount builds an extra 10 percent into this MTIP revenue estimate and insures that all funds can be fully utilized during the allocation period. This allows for some projects to slip and for others in the pipeline and ready, to move forward. Mr. Cotugno suggested approval of a balanced amount of funds going towards the projects--the target revenue estimate is \$62.2 million. He advised developing a program based on less than the \$62.2 million and a contingency list that could be adopted in six months, after the bill's adoption when allocations would be firm. He cautioned that if the target revenue estimate is high, the program might need to be scaled back.

Mr. Cotugno distributed his draft project list (included as part of this meeting record) to start the conversation. The first part of the draft was composed of the TPAC-recommended base program while the second part was intended to represent a contingency list.

DISCUSSION: Matt Garrett said he supported the direction and discipline of Mr. Cotugno's proposal. He questioned when the contingency list should be made final.

Mr. Cotugno suggested that a base list with a contingency list be adopted now. If necessary, JPACT could reconsider the contingency list later. The overall program should be adopted by August, about the time the bill should have passed and questions answered about the funding levels. The air quality conformity work for all of these projects must be completed by August. Adding more projects in six months would only slow down the process because new projects also would need to complete the air quality analysis process, he said.

Councilor Dave Shields described some of the difficulties related to establishing a contingency list and suggested establishing some ground rules.

In response to questions from Councilor Lynn Peterson regarding the fluidity of project funds within jurisdictions, Mr. Cotugno indicated that the base list is project-based and changes in project funding allocations must be approved by JPACT. (There is a mechanism established for making changes.)

Fred Hansen spoke in support of the Mr. Cotugno's balanced budget proposal and favored postponing making contingency list rules until later in the meeting.

As a point of clarification, the Chair noted that the primary item on the table for discussion was the principle of a firm package of \$62.2 million. Further, the committee needed to discuss and decide if there would be a contingency list, what projects would be listed and if they would be reconsidered in six months.

ACTION TAKEN: Councilor Newman moved for approval of a package not to exceed \$62.2 million; seconded by Mayor Rob Drake. The motion passed with one dissenting vote voiced by Commissioner Roy Rogers.

Commissioner Bill Kennemer asked Commissioner Rogers to explain his no vote. Commissioner Rogers said that the list did not reflect jurisdictional equity. Washington County represents 30 percent of the population and would get only 11 or 12 percent of the revenues. He supported over-committing to prioritize some projects for the future to favor jurisdictions that may not have been rewarded in the current process. There is a Cornelius project that is important to and supported by the western part of Washington County that should be on a contingency list. If it is not included, the result would be hard feelings in Washington County, he predicted. Commissioner Rogers said he voted no to Washington County getting less than a proportionate share of the MTIP package and not having the contingent ability to move Washington County projects forward in the future.

In response to a question, Commissioner Rogers said that his vote would be a "yes" if a commitment were made to create a contingency list, regardless of the rules or content.

Mr. Hansen suggested that probably everyone at the table would agree that the discussion was headed toward establishing a contingency list.

INTRODUCTION: Chair Burkholder noted that the committee had approved the concept of a \$62.2 million budget. The next step is to consider is a contingency list—how much it should total, when it should be established and what projects it should include.

Mayor Rob Drake said he supports the idea of establishing an intelligent secondary (contingency) list in the event more funds become available. He also favored adding the City of Cornelius project to the contingency list in the interest of helping the city develop as a "complete community."

MOTION: Commissioner Sam Adams moved and seconded by Mayor Drake, to create a contingency list not to exceed \$5 million.

DISCUSSION: Commissioner Steve Stuart asked if there was a sense of how much the contingency list projects should total. The Chair responded that there might be no funding for contingency projects.

Councilor Peterson said the list begs the question of regional equity.

Councilor Dave Shields asked what criteria is used to determine how to distribute the funds.

Chair Burkholder explained that there is a screen that attempts to measure how well the MTIP process works at spreading the dollars around, with the goal of ensuring that good projects from every area get funded. It is a bit of an art—scientific application does not apply in every case, he added.

Commissioner Adams explained that his motion for a contingency list was to create a limited bucket and that determining what was in it would be a follow-up task.

Councilor Rod Park advised thinking about regional equity in terms of a project's impact beyond jurisdictional boundaries. He cited the Sellwood Bridge, which vehicles use to travel between counties and cities, as an example of a jurisdictional (Multnomah County) project with region-wide impacts.

Commissioner Maria Rojo de Steffey said Multnomah County will be getting \$3 million in federal funds for construction for the Sellwood Bridge project but the construction money cannot be used to do the start-up work. The county needs an additional \$500,000 from MTIP to begin the work. There are not many sources for funding of big bridge projects, she noted.

Chair Burkholder suggested focusing on the three basic issues, as follows:

- 1) Are we aiming for a firm target of \$62.2 million?
- 2) Should we have a contingency list and how should it be structured?
- 3) How to develop a base package plus a secondary list; which of the many variations should be used?

In response, Councilor Newman restated the motion on the floor: there should be a contingency list, it should be prioritized and it should not exceed \$5 million. After a brief discussion, the Chair called for the vote.

ACTION TAKEN: The motion to create a contingency list not to exceed \$5 million passed.

MOTION: Mayor Drake moved, seconded by Susie Lahsene, to adopt a base package today and begin work toward the contingency list.

DISCUSSION: Commissioner Rogers urged the committee to review the equity issue. He mentioned his concern about the Powerline Trail project, which involves a complex agreement among a number of parties including the Trust for Public Lands, and the need for an immediate commitment of \$600,000.

In response to a question from Mr. Hansen, Mayor Drake said his intent was to approve a base

package today and then develop a contingent list. He did not want to exclude projects that probably should be funded in the cycle and could be on a list to select individually. He mentioned \$600,000 for the Powerline Trail project where the option is soon to expire.

Mr. Hansen observed that the budget list of \$62.2 million would have to be agreed upon within two weeks. In response to a question, Mr. Cotugno explained that to avoid future delays in project funding, the timely initiation and completion of the air quality analysis process would be undertaken for all base and contingency projects.

Susie Lahsene asked if projects within the base program could be substituted at this point in time. She noted that the committee had already moved on the I-205 Light Rail, commuter rail and South Waterfront Streetcar projects.

Chair Burkholder encouraged Mayor Drake to repeat the motion on the floor: The motion was to adopt the base package today and to begin developing a contingency list.

Mr. Hansen asked for clarification on what the base package totaled. Following a brief discussion, it was agreed to define the base package as recommended by TPAC at \$56.908 million.

Mr. Cotugno stated that parliamentary procedure allows for amendments, and discussion, to be entertained before calling for a vote on the motion.

The Chair opened the floor to amendments up to \$62.2 million and discussion.

Councilor Shields asked for clarification about the contents of the base package. The Chair said the decision about which projects to include on the base and contingency lists was at the discretion of the committee.

As a point of procedure, the Chair suggested that the committee hear amendments and then recess briefly before voting.

Commissioner Bill Kennemer said that before the committee started taking amendments, he favored having additional discussion because he did not support the base and others might feel the same way. He said he was displeased about the process that would allow a \$700,000 project for Clackamas County in the base package that was not the county's first priority. He wanted to discuss the process and the issue of regional equity.

It was suggested that Commissioner Kennemer could propose an amendment to revise the allocation and/or the project. Commissioner Kennemer's response was that he thought that the process needed to be reviewed and revised.

Councilor Rod Park commented that JPACT received policy directives from the Metro Council to support the program and the base package. Policies and priorities were laid out; there was an agreement to prioritize projects least likely to have other funding options, and this was the result. Councilor Park and the Chair agreed that the process was difficult.

Mr. Hansen suggested dividing the discussion into parts, one to consider the more straightforward amendments that would enable project substitutions; and another part to consider the fundamental issues described by Commissioner Kennemer.

AMENDMENTS (Adjustments to the Base Program):

An amendment to the base moved by Commissioner Adams and seconded by Councilor Newman, would subtract \$1.0 million from the Cully Boulevard project and add \$1.0 million to the Eastside Streetcar project; subtract \$0.1 million from the Ledbetter project and subtract \$0.21 million from the North Lombard Slough Bridge project and add \$0.31 million to the SW Capitol Highway project.

An amendment to the base moved by Councilor Peterson and seconded by Mayor Drake, would subtract \$0.74 million from the Trolley Trail project and add \$0.74 million to the 172nd Avenue project.

An amendment to the base moved by Susie Lahsene and seconded by Mayor Drake, would subtract \$0.4 million from the Killingsworth project and add \$0.4 million to the Ledbetter extension project. *(Ms. Lahsene later withdrew this amendment.)*

AMENDMENTS (Additions to the Base Program):

An amendment to the base moved by Councilor Peterson and seconded by Commissioner Kennemer, would add \$2.0 million for the 172nd Avenue project; add \$0.9 million for the South AMTRAK Station, and subtract \$0.45 million from the Ledbetter extension project.

An amendment to the base moved by Commissioner Rojo de Steffey and seconded by Mr. Garrett, would add \$0.5 million to the Sellwood Bridge project.

An amendment to the base moved by Councilor Dave Shields and seconded by Commissioner Rojo de Steffey, would add \$1.54 million to the Cleveland Avenue project.

An amendment to the base moved by Mayor Drake and seconded by Commissioner Steve Stuart, would add \$0.6 million to the Powerline Trail right-of-way project.

An amendment to the base moved by Commissioner Rogers and seconded by Mayor Drake, would add \$1.0 million to the Beaverton-Hillsdale/Scholls/Oleson PE project.

An amendment to the base moved by Mayor Drake and seconded by Mr. Garrett, would add \$0.86 million to the City of Cornelius's 10th Avenue Intersections project.

RECESS AND RECONVENE: The Chair called for a brief recess and then reconvened the meeting.

A modification to the previously stated amendment moved by Commissioner Adams would add \$0.685 million for the Marine Drive bike lanes/path project, \$0.5 million for Gateway TOD project, and \$1.45 million for the Ledbetter extension project (to a total of \$1.8 million).

A modification to the previously stated amendment moved by Mr. Hansen would add \$0.6 million for the Willamette Shoreline/Highway 43 project preliminary engineering (PE).

A modification to the previously stated amendment moved by Commissioner Rojo de Steffey would add \$0.45 million for the Wood Village Boulevard project.

DISCUSSION: The Chair indicated that he had suspended the usual Roberts rules.

Mayor Drake proposed, seconded by Commissioner Roy, to modify his original motion to stipulate that the amendments be referred to the JPACT Finance Committee meeting next week to delineate between projects for the base package and the contingency list. He said his intention was to act on the "clean" substitutions as discussed prior to the recess and let JPACT Finance Committee deal with the add-on amendments next week. Further, he said he was concerned that the amendment process was adding on more projects for funding than the revenue projections would allow and Commissioner Kennemer agreed.

Commissioner Steve Stuart asked for clarification about the substitutions.

Mayor Drake indicated amendments to be included in the base for action today and those to be considered for the contingency list at the JPACT meeting next week (included as part of the meeting record). Committee members concurred that clarification was needed on the Ledbetter project proposals and that they should be held over to the next meeting. The Chair indicated the need for refinements.

Commissioner Adams requested that staff provide an accounting of the level of funding for each project at the JPACT meeting next week.

Ms. Lahsene withdrew her amendment to base package regarding the Ledbetter project with the understanding that the City of Portland and the Port of Portland would work together to clarify the proposal.

MOTION: An amendment from the Chair was moved and seconded by Mr. Hansen, to clarify and act on Mayor Drake's motion to accept the base package as recommended by TPAC plus the "clean" amendments (the adjustments to the Base Program), and forward the remaining amendments to the JPACT meeting the next week for action. (See Attachment 1 – Proposed JPACT Amendments to 2005 Transportation Priorities.)

ACTION TAKEN: The motion passed.

NEXT MEETING: Thursday, March 24, 2005

V. ADJOURN: Hearing no further business, the Chair adjourned the meeting at 9:20 a.m.

Respectfully submitted,

Jan Faraca
Recording Secretary

Attachment 1**Proposed JPACT Amendments to
2005 Transportation Priorities**

Base Program	\$56.91
<u>JPACT Recommended changes to Base Program (revenue neutral)</u>	
Cully Boulevard	-\$1.0
Eastside Streetcar	+\$1.0
Leadbetter extension	-\$0.1
N Lombard Slough Bridge	-\$0.21
Capitol Highway Pedestrian	+\$0.31
Trolley Trail	-\$0.74
172 nd Avenue	+\$0.74
<u>JPACT motions to consider project additions to Base Program. ⁽¹⁾</u>	
172 nd Avenue	\$2.0
South Metro Amtrak Station	\$0.9
Leadbetter extension	(\$0.45)
Sellwood Bridge PE	\$0.5
Cleveland Avenue	\$1.54
Powerline Trail right-of-way	\$0.6
10 th Avenue Intersections (Cornelius)	\$0.86
Beaverton-Hillsdale/Scholls/Oleson PE	\$1.0
Marine Drive bike lanes/path	\$0.69
Gateway TOD	\$0.5
Leadbetter extension ⁽²⁾	\$1.45
Willamette Shoreline/Hwy 43 PE	\$0.6
Wood Village Boulevard	\$0.45
Total Potential Project Additions	\$10.64
Total Base + Potential Project Additions	\$67.55
Forecasted Revenues	\$62.23
Potential Project Cost above Forecasted Revenues	\$5.32

⁽¹⁾ Potential Project additions will be recommended for additions within a financially constrained Total Program of \$62.2 million (current forecast of expected revenues) and additions contingent on potential funds made available through the federal reauthorization bill beyond the forecasted \$62.2 million.

⁽²⁾ This request was to fund the Leadbetter project at a total of \$1.8 million. If the earlier request to reduce funding of the Leadbetter project by \$.45 million is accepted, it would require an additional \$1.45 million to fund the Leadbetter project at \$1.8 million.

Project code	Project name	JPACT Approved Base Package (millions of \$)	Potential Adds	Balanced Package	Contingent Additions
Planning					
PI0005	Regional Freight Planning: region wide	\$0.300			
PI0001	MPO Required Planning: region wide	\$1.731			
PI1003	Milwaukie LRT Supplemental EIS: Portland central city to Milwaukie town center	\$2.000			
PI5053	Multi-Use Master Plans: Lake Oswego to Milwaukie, Tonquin Trail, Mt. Scott -Scouter's Loop	\$0.300			
PI0002	Next Priority Corridor Study	\$0.500			
PI1017	Willamette Shoreline - Hwy 43 transit alternatives analysis/PE: Portland South Waterfront to Lake Oswego	\$0.688	\$0.600		
Bike/Trail					
Bk1009	Springwater Trail-Sellwood Gap: SE 19th to SE Umallilla	\$1.629			
BK4011	Marine Dr Bike Lanes & Trail Gaps: 6th Ave. to 185th	\$0.966	\$0.685		
Bk2055	Springwater Trailhead at Main City Park	\$0.310			
Bk2052	MAX Multi-use Path: Cleveland Station to Ruby Junction	\$0.890			
Bk5026	Trolley Trail: Arista to Glen Echo (Segments 5-6)	\$0.000			
Bk3012	Rock Creek Trail: Orchard Park to NW Wilkens	\$0.675			
Bk3072	Powerline Trail (north): Schuepback Park to Burntwood Dr. (ROW)		\$0.600		
Pedestrian					
Fd3163	Forest Grove Town Center Pedestrian Improvements	\$0.660			
Pd5054	Milwaukie Town Center: Main/Harrison/21st	\$0.450			
Pd1202	SW Capitol Highway (PE): Multnomah to Taylors Ferry	\$0.310			
Regional Travel Options					
n/a	Program management & administration	\$0.340			
n/a	Regional marketing program	\$2.960			
n/a	Regional evaluation	\$0.300			
n/a	1 TravelSmart project	\$0.500			
Transit Oriented Development					
TD0005	Regional TOD LRT Station Area Program	\$3.000			
TD0002	Regional TOD Urban Center Program	\$1.000			
TD0003	Site acquisition: Beaverton regional center	\$2.000			
TD0004	Gateway Transit Center Redevelopment		\$0.500		
Transit					
Tr1001	I-205 LRT, Commuter Rail, S Waterfront Streetcar	\$16.000			
Tr1002	I-205 Supplemental	\$2.600			
Tr8035	Frequent Bus Capital program	\$2.750			
Tr1106	Eastside Streetcar (Con)	\$1.000			
Tr5126	South Metro Amtrak Station: Phase II		\$0.900		
Road Capacity					
RC6014	SW Greenburg Road: Washington Square Dr. to Tiedeman	\$1.000			
RC1184	Beaverton-Hillsdale Hwy/Oleson/Scholls Ferry Intersection (PE)		\$1.000		
RC7000	SE 172nd Ave: Phase I, Sunnyside to Hwy 212 (ROW + \$1.0m)	\$0.742	\$2.000		
RC2110	Wood Village Blvd Arata to Halsey		\$0.450		
Road Reconstruction					
Fr3166	10th Avenue at Highway 8 intersections		\$0.837		
RR2035	Cleveland St: NE Stark to SE Powell		\$1.540		
Boulevard					
Bd3020	Rose Biggi extension: Crescent St to Hall (PE)	\$0.580			
Bd1051	Burnside Street: Bridge to E 14th (PE)	\$1.650			
Bd1260	Killingsworth: N Commercial to NE MLK (PE)	\$0.400			
Freight					
Fr4063	N Lombard Slough over crossing	\$2.000			