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JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION (JPACT)

Meeting Minutes

May 23, 2024

Metro Regional Center, Council Chamber

MEMBERS PRESENT

Juan Carlos González
Christine Lewis
Ashton Simpson
Paul Savas
Nafisa Fai
Carley Francis
Mingus Mapps
Joe Buck
Travis Stovall
Rian Windsheimer
Leann Caver

AFFILIATION

Metro Council
Metro Council
Metro Council
Clackamas County
Washington County
Washington State Department of Transportation
City of Portland
Cities of Clackamas County
City of Gresham
ODOT
C-Tran

MEMBERS EXCUSED

Curtis Robinhold
Jesse Beason
Sam Desue
Curtis Robinhold
Ali Mirzakhali
Steve Callaway
Anne McEnery-Ogle

AFFILIATION

Port of Portland
Multnomah County
TriMet
Port of Portland
Oregon Department of Environmental Quality
Cities of Washington County
City of Vancouver

ALTERNATES PRESENT

Jef Dalin
Brett Sherman
Chris Ford
Lori Stegmann
JC Vanatta

AFFILIATION

Cities of Washington County
Cities of Clackamas County
ODOT
Multnomah County
TriMet

OTHERS PRESENT: Jean Senechal Biggs, Dwight Brashear, Gerik Kransky, Margi Bradway, Beth Osborne, Travis Brouwer, Ken Lobeck, Sara, Tom Powers, Sarah Iannarone, Karen Buehrig, Matthew Hampton, Neelam Dorman, Eric Hesse, Michelle Giguere, Kerrie Franey, Carly Sylva-Gabrielson, Mike Bezer, Jessica Pelz, Jamie Stasny, Josie Tecum, Blake Perez, Cody Field, Cynthia Castro, Sarah Paulus, Miles Pengilly, Laurie Lebowsky, COHV, Mat Dolata, Erik Paulsen, Henry Miller, Alexandra Howard, Alan Lehto, Brenda Bartlett, Cindy Pederson, Monica Krueger, Allison Boyd, Tara O'Brien

STAFF: Georgia Langer, Catherine Ciarlo, Betsy Emery, Ken Lobeck, Gerritt Rosenthal, Ted Leybold, Jaye Cromwell, Grace Cho, Michelle Bellia, Ally Holmqvist, John Mermin, Malu Wilkinson, Kim Ellis, Tom Kloster, Ramona Perrault,

1. CALL TO ORDER AND DECLARATION OF A QUORUM

JPACT Chair Juan Carlos Gonzalez (he/him) called the meeting to order at 7:30 am.

Chair Gonzalez called the role and declared a quorum.

2. PUBLIC COMMUNICATION ON AGENDA ITEMS

Metro staff Georgia Langer read aloud the instructions for providing public testimony.

There being no testimony, Chair Gonzalez moved onto the next agenda item.

3. UPDATES FROM THE CHAIR

Chair Gonzalez introduced Catherine Ciarlo, who shared the fatal traffic accidents that have occurred since the last meeting.

Chair Gonzalez discussed the 2027-30 MTIP Revenue Forecast. He shared that the meeting packet included informational material on the revenue forecast for the 2027-30 Metropolitan Transportation Improvement Program. He shared that the forecast describes the amount and type of federal and state transportation funding expected to come to the region in the timeframe of the upcoming MTIP cycle and provides useful context as the region pursues or comments on federal and state funding awards and as JPACT and the Metro Council consider adoption of and amendments to the MTIP. Chair Gonzalez noted that approximately \$1.1 billion of federal and state formula funds are expected be made available to the region and programmed in the 2027-30 MTIP. Additional federal discretionary funding awards, such as FHWA INFRA funding and FTA New Starts funding, is also expected but not yet included in the forecast. Additionally, Chair Gonzalez noted that the state will be passing through approximately \$1 billion of local share state trust fund revenues to agencies in the region.

JPACT Member Discussion:

Commissioner Nafisa Fai thanked Chair Gonzalez for the information, noting that this is good work.

Chair Gonzalez introduced Betsy Emery to debrief the JPACT trip to DC.

Presentation Summary:

Betsy Emery shared that the trip was a success and highlighted photos from the trip. She shared that they had robust conversations regarding the future of transportation for the region.

JPACT Member Discussion:

Commissioner Paul Savas shared that the trip was a great success, and they learned a lot.

4. CONSENT AGENDA

Chair Gonzalez noted that there were three items on the consent agenda, the first being the Consideration of the April 18, 2024 JPACT Minutes, and the second being Resolution No. 24-5399 For the Purpose of Adopting the Fiscal Year 2024-25 Unified Planning Work Program and Certifying that the Portland Metropolitan Area is in Compliance with Federal Transportation Planning Requirements, and the third being Resolution No. 5418 For the Purpose of Adopting the 2027-2030 Metropolitan Transportation Improvement Program Program Direction for the Portland Metropolitan Area.

ACTION: With all in favor, the consent agenda passed.

Seeing no further discussion, Chair Gonzalez moved onto the next agenda item.

5. ACTION ITEMS

5.1 Resolution No. 24-5412 For the Purpose of Adding Two New ODOT Managed Projects to the 2024-27 MTIP to Meet Federal Transportation Delivery Requirements

Chair Gonzalez introduced Rian Windsheimer, ODOT, and Dwight Brashear, SMART, to present on the topic.

Presentation Summary:

The presenters shared that the Bus on Shoulder (BoS) means that authorized transit providers may drive in the Roadway shoulder to bypass congestion and noted that it is used in over 25 metropolitan areas. They shared that this improves transit reliability and maximizes the use of existing freeway facilities. They described how the BoS functions, noting that buses can travel up to 15 miles per hour faster than adjacent traffic, and a maximum of 35 miles per hour. The presenters noted that busses merge back into the general travel lanes at on- and off-ramps at this time. They discussed what happens before a corridor is operational and noted that they will prepare for BoS with signing before, throughout, and at the end of the travel areas, striping dashed fog-lines at the start and stop, and roadway repair or replacement of failing drainage inlets and manholes, as well as relocation of rumble strips. The presenters shared the current BoS pilot locations, and discussed transit performances, comparing the on-time performance in 2019 versus 2022.

JPACT Member Discussion:

Mayor Joe Buck asked about their thought process and the deployment plan for this work.

Rian Windsheimer shared that they are looking at where the opportunity locations are but noted that it is a partnership planning effort between ODOT and the transit agencies. He added that they are not waiting to have a comprehensive plan of how it will work, but rather they are looking to see if certain services would like this opportunity. He noted that they will engage in road construction to make it work if it would also provide a transit service, there is not a set outdeployment plan at this time.

Carley Francis shared that there is C-Tran improvement and benefits that have been shown on the 205 bridge, noting that BoS is alive and well currently and she is excited to see it grow in the future.

Dwight Brashear thanked C-Tran for their work.

Rian Windsheimer thanked the partners of this work.

There being no further discussion, JPACT Chair Gonzalez asked for a motion to approve this action item.

MOVED: Moved by Commissioner Paul Savas and seconded by Mayor Joe Buck.

ACTION: With all in favor, the Resolution No. 24-5412 For the Purpose of Adding Two New ODOT Managed Projects to the 2024-27 MTIP to Meet Federal Transportation Delivery Requirements passed unanimously.

6. INFORMATION/DISCUSSION ITEMS

6.1 Regional Transportation Priorities and Funding: Alternative Funding Mechanisms

Chair Gonzalez introduced Beth Osborne, Transportation for America, and Travis Brouwer, ODOT, to discuss the topic.

Staff pulled up the Regional Transportation Priorities PowerPoint presentation.

Presentation Summary:

Travis Brouwer discussed road usage charging (RUC), sharing that it is a return to the “user pays” approach. He shared why one would use a road usage charge, explaining the revenue loss as gas tax fades, that everybody pays based on how much they use the roads, and that it is an efficient use of roads. Brouwer shared RUC across the US, and what it means to pay by the mile through OReGO. Brouwer described the 2023 Oregon RUC Bill (HB 3297), which requires vehicles rated at 30MPG or greater to enroll in OReGO, starting July 1, 2027, with model year 2028. The presenter shared the impact it will have on electric and efficient vehicles, and the socioeconomic equity in road taxes. They also described the administrative costs and rural/urban fairness.

Beth Osborne discussed how states fund transportation. She shared a snapshot of transportation funding and provided examples from Missouri, New Jersey, and Minnesota about current transportation funding and how to fund it. She noted that Minnesota has a great system in place, and that Colorado and Minnesota are currently climate leaders in their transportation efforts. The presenter shared public opinion polls, and discussed California’s measuring of induced demand. She discussed Virginia’s project prioritization, and their measuring of access to jobs and services. The presenter described how working with USDOT can be beneficial, and discussed infrastructure law (IIJA), including IIJA highway funds. She also talked about how to discuss projects to USDOT and discussed the program in depth.

JPACT Member Discussion:

Commissioner Savas noted Travis Brouwer's slide regarding the factors that have been the demise of relying on gas tax. He discussed the carbon tax reduction regulations, noting that manufacturers are breaking down their factories and are not producing as much fossil fuel powered engines. He asked if they should come up with a replacement of the gas tax, such as road user charge, sooner because gasoline powered cars are declining. He noted his concern about the fall of gasoline cars.

Travis Brouwer acknowledged the need for alternative funding sources. He shared that currently, the gas tax serves as the primary revenue stream for transportation, but with the transition to cleaner energy sources, this will likely change. However, Brouwer shared that the gas tax should still be maintained as it can function as a form of carbon tax for vehicles not subject to other charges. While acknowledging the gradual replacement of fossil fuel vehicles, Brouwer emphasized that this transition will take time, extending beyond immediate effects, with 2035 marking a significant milestone for phasing out such vehicles.

Beth Osborne expressed agreement with the concern regarding federal leadership in transportation funding, stating that relying on the federal government to take the lead would likely result in inefficiency and delay. She emphasized the need for states to drive the agenda, as they are more trusted to implement taxation measures compared to the federal level. Osborne highlighted the significant reliance on the general fund to cover transportation costs, indicating a potential crisis at the next reauthorization. She expressed uncertainty about the prospects for reauthorization and suggested that pressure from local and state governments would be necessary for federal action to occur.

Chair Gonzalez raised concerns about the adequacy of revenue generated from transportation taxes and the challenges in transitioning from a gas tax to a mileage-based or road user charge system. Chair Gonzalez highlighted the diminishing purchasing power of transportation revenue and the potential need for new mechanisms to surpass the gas tax's revenue. Chair Gonzalez expressed concerns about the feasibility of implementing a new system that not only matches but potentially exceeds the revenue from the gas tax, while also addressing privacy concerns associated with mileage-based systems. He sought recommendations on how to navigate these challenges, particularly in ensuring that revenue generation meets transportation funding needs effectively.

Brouwer emphasized the relatively low rates of the Oregon gas tax, amounting to less than two cents per mile, including federal taxes. Despite this, Brouwer emphasized that it provides considerable value for users, considering the extensive road network in Oregon. While acknowledging fuel efficiency as a factor, Brouwer highlighted the significant impact of inflation on the eroding purchasing power of transportation fees over time. Drawing attention to the historical context, Brouwer noted that the gas tax's purchasing power has significantly declined since its inception in 1933. Brouwer advocated for addressing inflation indexing as a primary concern, suggesting that it would receive as much or more attention than road usage charging or other alternative mechanisms in transportation funding discussions.

Chair Gonzalez asked if the JPACT members could ask their questions all together to be able to get to the next agenda item. He requested that once everyone has asked their questions if the presenters could try to answer them all at once.

Mayor Joe Buck asked where they can learn more and what different technologies are using different mechanisms.

Catherine Ciarlo asked if they have examples of good messaging that they have done for selling that need.

Councilor Christine Lewis stated that this issue comes down to trust, noting that folks sometimes discount the idea that people are concerned about privacy. She asked how they keep the conversation technology-focused, while also advancing privacy rights and individual protections that don't play into those concerns.

Mayor Jef Dalin asked for understanding on how they implement a system that does not disproportionately impact the economically challenged. He noted that 10% of the households he represents cannot pay their water electric or gas every month. He also asked why Minnesota has significantly cheaper gas, and asked how they will charge people who do not have bank accounts.

Commissioner Nafisa Fai asked Travis Brouwer if ODOT is going to bring back the road user charge bill again in 2025, or if he is hoping to use this as direction. She also noted that Texas funding services are robust and wondered if they are considering the other sources that Texas implemented.

Beth responded that people do not see the government as a helpful agency. Osborne stressed the importance of replacing the gas tax with a higher revenue-generating mechanism, emphasizing the need to set the tax at a sufficient level initially rather than attempting incremental adjustments. She advocated for a shift in federal involvement in transportation, suggesting a transition from building new infrastructure to managing existing assets more efficiently and integrating alternative modes of transportation. Osborne highlighted the challenge of maintaining privacy while implementing new funding mechanisms, noting that people are more willing to sacrifice privacy for perceived benefits rather than government taxation. She acknowledged the significant impact of long-distance travel on rural communities, attributing the issue to underinvestment in rural areas and the centralization of services. Regarding Minnesota's lower gas prices, Osborne attributed it to their lower overall emissions and decreasing vehicle miles traveled (VMT), contrasting with Oregon's increasing VMT. Osborne critiqued Texas's transportation system, describing it as inefficient and heavily reliant on car usage, noting that previous investments in highway expansion failed to alleviate congestion effectively.

Brouwer discussed the collaborative efforts within the Western States group, formerly known as Ruck West, now expanded to Ruck America due to increased interest from states outside the western region. Brouwer shared resources, including a national cooperative highway research program book, to provide insights into what other states are doing regarding transportation funding. Addressing privacy concerns, Brouwer outlined voluntary participation in the system and proposed future methods such as odometer readings or flat fees to opt out, aiming to alleviate privacy apprehensions. Regarding the impact on low-income households, Brouwer noted that most drive less and often own older vehicles, potentially minimizing the impact of road usage charges. Regarding potential funding sources, Brouwer mentioned various approaches such as delivery fees, sales taxes on automobiles, and general fund resources utilized by other states. Despite challenges in creating new taxes, Brouwer remained open to exploring different options, citing past legislative actions as precedent for implementing new transportation-related taxes.

Beth Osborne added that tolling is really working in Texas, and they see it as fair to charge people for what they use. She added that Virginia has been very successful in congestion pricing, noting that they set the prices high enough to reduce congestion. She stated that it results in some big surges that people complain about, but the congestion goes away, and it would be way worse to have a lower toll with the added congestion. She noted that transportation household cost is a result of where housing is, distance to destinations, availability of non-driving options, and cost to own a vehicle.

There being no further discussion, JPACT Chair Gonzalez moved onto the next agenda item.

6.2 Regional Flexible Fund Allocation Program Direction

Chair Gonzalez introduced Metro staff Grace Cho and Ted Leybold to discuss the topic.

Staff pulled up the Regional Flexible Fund Allocation (RFFA) PowerPoint presentation.

Presentation Summary:

The presenters discussed the overview of the redistribution funding, noting that federal funding was awarded to Metro by ODOT, that the region contractually obligated more than 80% of project funding on schedule, and that they have approximately \$13.6 million available. They discussed the redistribution funding allocation approach and proposal. The presenters then shared the Regional Flexible Fund Allocation (RFFA) program direction. They shared that the category of Step 1 includes project bonds repayment, regionwide program investments, and MPO, corridor, and system planning. They shared that Step 2 includes advancing the 2023 RTP goals, topical and geographic investments, and regional scale impact and leverage funds. The presenters discussed the proposed program direction update options, which include developing a new bond proposal, Step 2 evaluation criteria, and Step 2 RFFA cycle objectives and process. The presenters asked if JPACT members have any further input on the RFFA Program Direction proposal and/or the redistribution funding proposal before their consideration in June to approve and recommend adoption by the Metro Council.

JPACT Member Discussion:

Commissioner Savas he voiced discomfort regarding the rushed discussion of a forthcoming decision, stressing the need for clarity on the direction sought for staff regarding the RFFA. He distinguished between discussions on step one and step two, emphasizing the necessity of more detailed information on the decision direction. Additionally, he highlighted the importance of receiving complete answers to previously submitted questions. Commissioner Savas underscored the importance of flexibility in allocating funds, ensuring alignment with the Regional Transportation Plan (RTP) and accommodating transit needs. He requested more time for thorough discussion, recognizing the potential unintended rush due to a packed agenda.

Chair Gonzalez recommended that they provide Commissioner Savas with an individual briefing.

Commissioner Fai Commissioner Fai expressed a need for further discussion and openness to the briefing provided, noting the rarity of such briefings from Metro. She echoed Commissioner Savas's support for more dialogue. Commissioner Fai posed questions regarding staff inquiries and emphasized the redistribution funds allocation proposal, particularly addressing the underfunded Fano Creek project. She requested clarification on whether Metro would consider allocating \$500,000 to ensure the full funding of the project.

Ted Leybold outlined the proposed process for redistribution, clarifying that projects previously funded for construction but not yet in that phase would apply for additional funding. He noted that evaluation criteria would include addressing funding gaps caused by inflationary factors or other uncontrollable issues. Leybold stated that the aim is to ensure timely project completion to maintain eligibility for funds. He shared that the Fano Creek project that he thinks Commissioner Fai was referring to could be provided capital funding.

Chair Gonzalez noted that he is discussing with staff about a creating a special meeting about this issue.

JC Vanatta thanked the presenters for the discussion regarding the size of the bond. He noted that he supports their work. He noted that they need to figure out how to put this work into action.

Mayor Dalin requested a special meeting to discuss this more in depth.

7. UPDATES FROM JPACT MEMBERS

Due to time restraints, JPACT Chair Gonzalez moved onto the next agenda item.

8. ADJORN

Chair Gonzalez adjourned the meeting at 9:31AM.

Respectfully Submitted,

Georgia Langer

Georgia Langer,
Recording Secretary

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 23, 2024

ITEM	DOCUMENT TYPE	DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
3.0	Presentation	05/23/2024	Fatal Crash Slide	052324-01
3.1	Presentation	05/23/2024	JPACT Debrief Presentation	052324-02
5.1	Presentation	05/23/2024	Resolution No. 24-5412 Presentation	052324-03
6.1	Presentation	05/23/2024	2024 JPACT Work Plan Review Presentation	052324-04
6.1	Presentation	05/23/2024	Road Use Charging Presentation	052324-05
6.1	Presentation	05/23/2024	Transportation for America Presentation	052324-06
6.2	Presentation	05/23/2024	RFFA PD Proposal Presentation	052324-07