

MINUTES

Metropolitan Policy Committee
Bascom-Tykeson Room—Eugene Public Library—100 West Tenth Avenue
Eugene, Oregon

December 8, 2011
11:30 a.m.

PRESENT: Hillary Wylie, Chair; Sid Leiken, Vice Chair; John Fox (arrived at 11:50 a.m.) (City of Coburg), Kitty Piercy, Alan Zelenka (City of Eugene), Christine Lundberg (City of Springfield), Jay Bozievich (Lane County), Lisa Nell (Oregon Department of Transportation), Mike Eyster (left at 1:07 p.m.) Greg Evans, (Lane Transit District), members; Gino Grimaldi (City of Springfield), Ron Kilcoyne, (Lane Transit District), Brenda Wilson for Jon Ruiz (City of Eugene), Liane Richardson (left at 1:05 p.m.) (Lane County), Petra Schuetz (City of Coburg) *ex officio* members.

Byron Vanderpool, Andrea Riner, Kathi Wiederhold, Paul Thompson, Ann Mortenson, Mike Greenwald, Susan Payne, George Kloepfel, (Lane Council of Governments); Rob Inerfeld, Kurt Yeiter, (City of Eugene), Tom Boyatt, David Reesor (City of Springfield), Celia Barry, Alex Cuyler, (Lane County), Tom Schwetz, Natalie Stiffler, (Lane Transit District), David Jacobson, Edward Winter (Metropolitan Planning Organization Citizen Advisory Committee); Mark Robinowitz, guest.

1. WELCOME AND INTRODUCTIONS

Ms. Wylie welcomed everyone to the meeting. Those present introduced themselves.

Mr. Grimaldi congratulated Ms. Schuetz on her recent appointment as City Administrator of the City of Coburg.

2. CALL TO ORDER/APPROVE NOVEMBER 10, 2011 MEETING MINUTES

Mr. Eyster moved to approve the November 10, 2011 minutes as submitted.

Mr. Kloepfel said Mark Robinowitz presented public testimony at both the public comment section and in the public hearing at the November 10, 2011, and had distributed clarification of the minutes which he viewed as incomplete and inappropriate to MPC members. Mr. Kloepfel explained MPC members had the option of including or not including those comments in the minutes, or deferring approval of the minutes to a future meeting.

Mr. Eyster withdrew his motion and moved to defer approval of the November 10, 2011 minutes to a future meeting. Ms. Wylie noted consensus to defer approval to a future meeting.

3. ADJUSTMENTS TO THE AGENDA/ANNOUNCEMENTS FROM MPC MEMBERS

There were no adjustments to the agenda. No MPC members had announcements.

4. COMMENTS FROM THE AUDIENCE

Mark Robinowitz said anybody on the MPC who had taken money in any form from road construction companies or speculative developers should recuse themselves from taking part in the RTP decision to honor conflict of interest laws. Anybody who was not an elected official should recuse themselves and not make binding decisions on budgets. He hoped one jurisdiction would raise questions about spending money on highway construction. He had been unable to find where one road project had been cancelled in the U.S. or Canada over the last 20 years because of peak oil or climate change. The greenhouse gas (GHG) plan needed to withdraw proposals that would increase GHG production.

Ms. Wylie reminded Mr. Robinowitz that LTD Board members were appointed by the governor and approved by the Oregon State Senate.

5. METROPOLITAN PLANNING ORGANIZATION (MPO) ISSUES

a. Report from the MPO Citizen Advisory Committee (CAC)

Edward Winter, representing the MPO CAC, joined the MPC. Mr. Winter reported on the November 17, 2011 meeting at which time the CAC tabled nomination of officers due to the MPC's direction to open recruitment for Committee members whose terms were expiring on December 31, 2011. The CAC received a status report on the Regional Transportation Options Plan and the draft Regional Transportation Plan (RTP). The CAC recommended that the MPC approve the draft RTP. The CAC also received a West Eugene EmX update.

Mr. Fox arrived at 11:50 a.m.

Ms. Wylie commended the CAC for its work during the last year.

b. Adopt Draft 2035 Regional Transportation Plan (RTP) Update

Mr. Thompson offered the staff report. He noted the MPC had agreed to extend the comment period through December 5, 2011 at the November 2011 meeting. The agenda packet included comments that had been received by November 30, 2011 and staff responses to those comments. He reviewed and distributed copies of additional comments received after the agenda packet was prepared. The comments were posted on the MPC website. He asked the MPC to approve Resolution 2011-07 adopting the 2035 RTP.

Ms. Piercy noted comments had been received from people with strongly held, different perspectives on the RTP. A number of comments thought the MPC needed to drill down in the RTP. She noted the deeper drilling would take place in local Transportation System Plans (TSPs). She observed fewer transportation dollars would be available in the future which would result in fewer projects. People would use the roadways in the foreseeable future and they needed to be maintained to ensure they were safe.

Mr. Thompson said the RTP update addressed federal requirements for updating the plan and public outreach. Much of the drilling down would occur at the local level through local TSPs. The regional TSP would also be updated. He added the goals and objectives of the RTP reflected the work of the MPC.

Ms. Leiken said the need for good transportation would continue to move imported goods from American ports. He asked how adoption of the RTP would impact the LTD West Eugene EmX project.

Mr. Thompson said the RTP could be amended if the environmental assessment (EA) for the West Eugene EmX reflected an alternative other than the preferred alternative identified by the LTD Board and the Eugene City Council and subsequently included in the draft RTP.

Mr. Leiken did not want to delay other projects identified in the RTP. He noted the RTP was a “living, breathing document.”

Mr. Bozievich asked if there was a time issue if the MPC did not approve the RTP today.

Mr. Thompson said potential issues included:

- The local air quality conformity would lapse in January 2012, which could trigger potential consequences such as:
 - Not being able to amend the MTIP to accept new funding from the State or federal government.
 - The draft Air Quality Conformity Determination document could not be adopted until the RTP was adopted which would delay the adoption of the MTIP.

Mr. Bozievich was concerned with adopting the RTP in light of a major portion of the plan revolving around build out of the EmX. There was a significant budget issue in Washington, D.C. and a transportation bill had not yet been passed by Congress. Congress was considering a significantly reduced funding level and he was concerned anticipated funding for projects in the RTP would not be available.

Mr. Thompson questioned whether the EA or the federal transportation authorization would be available for a January or February RTP adoption. Financial assumptions in the constrained RTP were developed under Federal Highway Administration (FHWA) guidance based on the current situation, which was a continuation of existing funding levels. That may change, at which time the financial assumptions in the RTP would be revisited. He noted the public comments on the RTP contained relatively few comments in opposition to the EmX specific to adoption to the RTP.

Mr. Zelenka said the federal funding uncertainty was related to every project in the RTP and not only to the EmX project, which was a relatively small portion of the RTP. He was leery of not having an approved plan based on the uncertainty in Washington related to transportation for several years. He noted the state got skunked on rail funding because it did not have an adopted plan. The rail plan is currently under development.

Mr. Bozievich asserted it was not just a funding aspect, but also the EA aspect on the EmX line. The EmX was the most dependent on federal funding in the plan.

Mr. Schwetz reviewed the Federal Transit Administration (FTA) environmental process. The FTA was currently reviewing the EmX EA evidence and could make a finding of no significant impact. If they could not make that finding and determined there was a significant impact, the FTA could require LTD to complete an Environmental Impact Statement (EIS) through which LTD would need to identify the means by which it would mitigate and address those impacts.

Mr. Thompson opined the federal funding share for other large roadway projects could be greater than the federal share anticipated for EmX, which was looking at a mix of federal funds and Oregon State lottery funds.

Mr. Schwetz added the LTD proposal called for a large capital source for EmX and LTD was relying heavily on federal funding. However, with large projects, there was also a need for significant local funds. He explained TriMet received \$240 million in lottery funds from the Oregon Legislature for the construction of the Max line. LTD intended to request lottery funds for the local match portion from the Legislature for the EmX projects. Due to the high level of competition for FTA funding, FTA typically provided 65 percent of the funding, thus requiring a 35 percent local match.

Ms. Lundberg was reluctant not to approve the RTP at this time because she was concerned with putting all of the projects in the plan at risk. She agreed the RTP was living document that was driven from the bottom up.

Mr. Leiken, seconded, by Mr. Eyster, moved to approve Resolution 2011-07, adopting the 2035 Regional Transportation Plan. The motion passed unanimously.

c. Draft FY12-15 Metropolitan Transportation Improvement Program (MTIP)

Mr. Thompson stated the purpose of the public hearing was for the MPC to receive additional testimony on the draft MTIP. The public comment period was open through January 9, 2012.

Ms. Wylie opened the public hearing at 12:06 p.m.

Mark Robinowitz stated said it was disingenuous to hear highway supporters say we needed to worry about safety when the purpose was expansion. The rise in oil prices caused the end of traffic growth in Lane County, Oregon and the U.S. He saw no recognition of economic reality in rubber stamping plans with no discussion which wasted money. Most of the bridges in Lane County would not survive the Cascadia subduction zone. There was a backlog of unfunded maintenance. The State of Oregon recently approved widening I-5 to 16 lanes in the Portland area which was fiscally irresponsible. Lottery funds were intended for schools which were falling. We have reached peak oil, peak traffic and peak money but not peak denial. He noted there was not one vote against the RTP.

Duncan Rhodes appreciated the work of the MPC to gather local transportation requirements. He was a member of Gears and the Whiteaker Community Council, but was not speaking on their behalf. He said approximately 25 percent of the land use was for roads, and 25 percent was for residential use in Eugene. He encouraged the MPC to find more funding sources to increase the “bikeability” of the area. Eugene did a good job when compared to other communities and could do

more. Good roads were essential for safety. Wider bike lanes were less expensive to build than roads for vehicles. The cost of gas would increase while the supply would not increase. Alternative transportation included EmX and bicycles.

Ms. Wylie closed the public hearing at 12:20 p.m.

d. Draft Air Quality Conformity Determination (AQCD)

Ms. Payne offered the staff report. She said an AQCD was required whenever the RTP or MTIP was updated and a conformity determination must be adopted as part of the approval process for the draft 2035 RTP and the draft FY12-15 MTIP. The U.S. Department of Transportation (USDOT) must approve the conformity determination before the plans could be operative.

She said a draft AQCD had been prepared based on the financially constrained project lists of the 2035 RTP and the draft FY12-15 MTIP. Analysis indicated that CO emissions, based on estimated future vehicle miles traveled and congested speeds within the region would remain below the limit set by the Environmental Protection Agency (EPA).

Ms. Wylie opened the public hearing at 12:24 p.m.

Mark Robinowitz said it was appropriate that the MPC meeting was being held while we are under a pollution advisory from LRAPA and the National Weather Service. He asked if the big polluters in Lane County had to reduce their emissions or just the little people. Asthma, cancer and heart disease were caused by pollution. He asked if Seneca had to turn off its incinerator because they spewed tons of crap into the air that we all have to breathe. He noted the cost of gas had increased significantly more than estimated in by LCOG 2004. He asked where the accountability was. It was getting more expensive to get oil out of the ground. The MPC should not give speeches on climate change while it continued to vote for more highways.

Ms. Wiley closed the public hearing at 12:29 p.m.

e. Letters of Support for Funding Applications to FHWA Discretionary Grant Programs

Mr. Thompson stated there were three letters in the packet, and he distributed a fourth one for Lane County, to Victor Mendez, Administrator of the Federal Highway Administration, requesting support for applications for FHWA grants for the City of Eugene, City of Springfield and Lane County. He asked that the MPC approve the letters of support.

Mr. Evans, seconded by Mr. Fox, moved that the MPC approve the letters from the MPC to Victor Mendez. The motion passed unanimously.

f. Citizen Advisory Committee Recruitment Process

Ms. Wiederhold directed MPC members to the table in the staff memorandum entitled *Recruitment Options*. She had talked with MPO partners to solicit feedback on the recruitment process for advisory committees. She reviewed Option A, Option B and Option C in the memorandum and explained staff recommended Option B.

In response to Ms. Piercy, Ms. Wiederhold explained Option B would enable new members to attend the February 2012 meeting. She added display ads incurred the greatest costs.

Mr. Winter would support Option A or Option B, and preferred Option B.

Mr. Zelenka said the holidays were not a good time to recruit for advisory committees, particularly with Lane Community College and the University of Oregon on break during the proposed recruiting period.

Mr. Zelenka, seconded by Mr. Eyster, moved the Option C without display ads be used for MPO CAC recruitment. The motion passed unanimously.

Ms. Riner iterated that the terms for four CAC members were expiring at the end of the calendar year and the longer process selected by the MPC would not seat new members until March 2012. She inquired if the expiring terms should be extended until the new members were approved.

Ms. Wiederhold asked if the MPC would also extend the selection process into 2012.

Mr. Eyster, seconded by Mr. Zelenka, moved that the MPC extend the selection process into 2012, and extend the terms of the four MPO CAC members whose terms expire on December 31, 2011 until their positions are filled. The motion passed unanimously.

In response to Ms. Wylie, Ms. Wiederhold agreed to review the MPO CAC bylaws related to recruiting.

g. Annual Report to LCOG Board of Directors on MPO Activities

Ms. Wylie stated she would present the Annual Report to the LCOG Board of Directors at tonight's meeting. She commended Ms. Riner for her efforts in preparing the report.

Ms. Riner reviewed the report, a copy of which was included in the agenda packet.

h. GHG Planning Update

Mr. Vanderpool reviewed the staff memorandum. He noted the Central Lane MPO was required to develop two or more land use and transportation scenarios that accommodated growth while achieving a reduction in greenhouse gas emissions from light vehicles under Housing Bill (HB) 2001. In November 2011, staff had been directed to provide monthly updates on progress in developing these documents. He said consultant John Fregonese had met with staff from the Cities of Eugene, Springfield, and Coburg, Lane County, Housing and Community Service Agency (HACSA), LTD, Division of Land Conservation and Development (DLCD) and LCOG/Central Lane MPO on December 1, 2011 in an initial project scoping session to initiate the development of the draft project scope, budget and timeline. Mr. Vanderpool reviewed the information in the staff memorandum which explained the requirements for the Portland metropolitan area.

Ms. Lundberg asserted the process would require participation from the private sector. It was important to have good information to enable voluntary participation that did not become a burden to those volunteers.

Mr. Vanderpool said the State had reminded the MPO that it had the latitude to determine how GHG planning would take place. The options brought to the MPC would include the ability to use the process to examine economic development, job creation and public health opportunities.

Ms. Piercy stressed the importance of keeping people informed from the beginning of the project.

Ms. Wylie emphasized the importance of incremental changes that led to acceptable change by the community.

Ms. Riner reviewed the timeline:

- January 2013—scenarios identified.
- July 2013—modeling capabilities identified.
- January 2014—preliminary report to Legislature.
- 2015—final report due to the Legislature.

i. MPO Planning Calendars

Ms. Riner reviewed the MPO Planning Calendars included in the agenda packet.

j. Follow-up and Next Steps

Ms. Richardson left at 1:05 p.m.

- **ODOT Update**—Ms. Nell expected the Area 5 manager position would be filled by February 1, 2012, unless it was impacted by the State’s recent hiring freeze.
- **Rail Update**—Ms. Piercy reported that Mr. Evans, Ms. Wiley and herself had been appointed to the rail committee. A subcommittee had been formed to interview people for the project manager. She anticipated committee work to begin in January 2012.

Mr. Eyster left at 1:07 p.m.

- **MTIP Administrative Amendments**—There were no comments on the eight amendments approved by the TPC.
- **Next Steps/Agenda Build**—There were no additional comments.

Mr. Zelenka commended staff for the spectacular RTP maps.

Mr. Thompson suggested the LaneACT chair report on the group’s activities at the January 2012 MPC meeting.

The next meeting was scheduled for January 12, 2012 at the Bascom-Tykeson Room, Eugene Public Library.

The meeting was adjourned at 1:10 p.m.

(Recorded by Linda Henry)