

MINUTES

Metropolitan Policy Committee
Bascom/Tykeson Meeting Room—Eugene Public Library—100 W. 10th Avenue
Eugene, Oregon

February 10, 2011
11:30 a.m.

PRESENT: Hillary Wylie, Chair; Sid Leiken, Vice Chair; Christine Lundberg (City of Springfield), John Thiel (City of Coburg), Kitty Piercy, Alan Zelenka (City of Eugene), Jay Bozievich (Lane County), Savannah Crawford (Oregon Department of Transportation), Greg Evans, Mike Eyster, (Lane Transit District), members; Gino Grimaldi (City of Springfield), Mark Pangborn (Lane Transit District), Liane Richardson (Lane County), Jon Ruiz (City of Eugene) *ex officio* members.

George Kloeppe, Byron Vanderpool, Andrea Riner, Ann Mortenson, Kathi Wiederhold, Petra Schuetz, Paula Taylor, Paul Thompson (Lane Council of Governments); Kurt Corey, Rob Inerfeld, (City of Eugene), Tom Boyatt, Len Goodwin, (City of Springfield), Tom Schwetz, (Lane Transit District), Dave Jacobson, Sarah Strand, Edward Winter (Metropolitan Planning Organization Citizen Advisory Committee); Bob Cortright, Rob Zako, and Jamie Damon (Department of Land Conservation Development (DLCD)).

CALL TO ORDER, WELCOME AND INTRODUCTIONS

Ms. Wylie welcomed everyone to the meeting.

Mr. Kloeppe announced the public address system was not functioning. This meeting would be televised live on Cable 21 and rebroadcast on February 15, 2011. The meeting would be on the LCOG website on February 11, 2011.

Those present introduced themselves.

Ms. Wylie thanked people for coming to the February 8, 2011 joint public hearing. She commended Mr. Eyster for his facilitation of the public hearing.

APPROVE JANUARY 13, 2011 MINUTES

Mr. Zelenka, seconded by Mr. Eyster, moved that the minutes for January 13, 2011 be approved as submitted. The motion passed unanimously.

ADJUSTMENTS TO THE AGENDA/ANNOUNCEMENTS FROM MPC MEMBERS

There were none.

COMMENTS FROM THE AUDIENCE

There was no one who wished to offer public comment.

METROPOLITAN PLANNING ORGANIZATION (MPO) ISSUES

Report from the MPO Citizen Advisory Committee (CAC)

Sarah Strand, chair of the CAC, said Dave Jacobson was a hard act to follow and left big shoes to fill. She reviewed the written report. The CAC had worked with Stacy Clauson on the development of the Title VI plan. The recent review was very complimentary of the MPO Title VI program, and the MPO earned a finding of “No Deficiency”. The MPO had been notified of the STP-U funding exchange by Paul Thompson, which was a good example of interagency cooperation. She reported Ellen Currier was working on the MPO Website update project. The CAC had been the impetus behind the regional website.

STP-U Funding Request for MPO Work Program in Support of Local and Regional TSPs

Mr. Thompson briefly reviewed the staff report included in the agenda packet. He requested that the MPC reprogram existing Surface Transportation Planning-Urban (STP-U) federal MPO funding for the MPO’s work program on the Eugene, Springfield, Coburg and Regional Transportation System Plans (TSPs). Staff recommended that the MPC approve Resolution 2011-02 amending the MTIP and programming funding.

In response to a question from Mr. Zelenka, Mr. Thompson said when those funds were originally programmed for the household survey, there were timing and match issues, which resulted in ODOT funding the household survey on behalf of the MPO, using funds originally intended for TSPs that needed to be obligated within a certain timeframe. This action would result in a swap of funding, and direct the MPO funds to the TSPs.

Mr. Eyster, seconded by Ms. Piercy, moved that the MPC approve Resolution 2011-02 amending the MTIP and programming funding. The motion passed unanimously.

Oregon Department of Land Conservation and Development (DLCD)

Ms. Riner provided an overview of this agenda item and provided local context. She said that the Target Rulemaking was being guided by one of four committees established as a result of House Bill (HB) 2001 and Senate Bill (SB) 2059, passed by the 2009 and 2010 Oregon Legislatures, which resulted in formation of the Oregon Sustainable Transportation Initiative (OSTI). She emphasized that Eugene, Springfield and the Central Lane MPO had a unique position in relation to the legislation. The agencies were required to develop scenarios and cooperatively select one, but the agencies were not required to adopt a scenario, nor create a scenario that met the targets. She introduced Bob Cortright, lead DLCD staff, Rob Zako, and Jamie Damon.

Mr. Zelenka reviewed the history of the legislation. He said the targets for reducing greenhouse gas (GHG) emissions would guide Oregon metropolitan areas when undertaking scenario planning. He iterated the Eugene/Springfield area was required to develop scenarios, but not required to implement one or meet targets. He emphasized the focus was *what would be needed to reach the reduction targets?*

Mr. Cortright thanked the MPC for the opportunity to attend the meeting. He offered a PowerPoint presentation entitled *Scenario Planning and Targets for Reducing Greenhouse Gas Emissions*.

Mr. Thiel stated that it would not be unprecedented as a society for us to fix one thing and break another. He asked if Mr. Cortright foresaw a mechanism or sensitivity when looking at the environmental impact, noting not just GHG emissions should be considered.

Mr. Cortright said the objective was to estimate what it would take and what it would look like in the context of land use and transportation in the future, the related costs, what required additional investments would be needed, and unintended costs and consequences. Time would be built into the cycle for the Land Conservation and Development Commission (LCDC) to review the targets and determine whether they were realistic and if new information would impact the targets.

Mr. Zelenka said although the MPC could help accelerate some of the targets, the MPC's focus would be on the policy side of the issue. He asked for information about the policy tool kit that the MPC could use to create its customized plan for Central Lane MPO.

Mr. Cortright said the tool kit, a joint effort of DLCD and ODOT, was under development. It would provide examples of successful efforts around the country and actions by local governments to reduce GHG emissions.

Mr. Zelenka suggested an example of a goal of the tool kit would be to increase transit, which would suggest building another leg of the LTD EmX would reduce GHG emissions.

Ms. Lundberg said because light vehicles produced only 20 percent of the estimated GHG emissions, we would be doing ourselves a disservice to look only at the transportation piece in an isolated scenario. Land use plans were changed to provide higher density which resulted in concentration of GHG emissions into a concentrated area. She wanted to see what the big piece of the pie was. This would enable officials to make effective transportation decisions.

Mr. Zako said the legislature directed ODOT, DLCD and other agencies to focus on transportation. Thus transportation was ahead of other sectors. The targets were based on transportation meeting its proportionate share of the emissions. Meeting the targets was contingent on all sectors meeting their targets. He added that scenario planning was not making changes on the ground, but an exploratory exercise to determine what it would take. Jurisdictions were not being asked to reduce GHG emissions from the transportation sector without regard to cost. Jurisdictions were being asked to do exploratory planning to see what it would take to quantify costs and benefits, and use the information to answer questions raised.

Mr. Ruiz said that the subject of GHG emissions was a thread in the Envision Eugene process, which had initiated scenario planning. He was concerned with the scale of geographic distribution and its impact on scenario planning. As the City considered how it would accomplish some of the goals in Eugene, some of what it did may have unintended consequences of pushing development to neighboring communities, which would defeat the purpose. This resulted in Junction City, Veneta, and other jurisdictions becoming bedroom communities that were impacted.

Mr. Cortright said the ODOT transportation strategy provided an opportunity to look at what kind of travel occurred outside of and between the metropolitan areas.

Ms. Piercy appreciated the efforts to reduce the impacts as well as adapting to them. She said the MPC had a role in educating the public in this area. She noted that the ACT had a role in discussing the impact of metro area decisions on the surrounding communities, and the impact of the surrounding communities on the metro area.

Mr. Zako said the OSTI had a public education element which was scheduled to begin later this year.

Mr. Leiken opined the Medford MPO was the most challenged MPO in the state. He questioned why neither Medford nor Salem had been included in the discussions. He asserted planning could be within an MPO which would be of little help when other communities in the area welcomed growth, thus defeating the purpose. He noted reducing expansion of UGB's had been identified as a goal of the initiative, and asked if "development" was still part of DLCD. Oregon had a lot to offer, but he was concerned about success in the future with shrinking dollars in the Eugene/Springfield area compared to other areas. He was skeptical about whether the initiative would be successful, but was willing to continue to listen.

Mr. VanLandingham, as chair of the DLCD, was comfortable with the role of the State regulating local governments, but that was not the intent with this initiative. The MPOs had made it clear through SB 1059 that they wanted help from the State with addressing the GHG issue. The MPOs realized they were a part of the problem and wanted to be a part of the solution. The MPOs asked the State to help with the tool kit and identifying the target. DLCD was attempting to work with the local communities to educate the citizens about what dealing with GHG might mean. He added DLCD was doing rule making that required specific tasks only of the Portland metropolitan area. The rule making would not require the Eugene/Springfield area to do anything.

Mr. Zelenka stated the Eugene/Springfield area had been working for almost a year to secure funding from ODOT, the Transportation Commission and DLCD for planning. The City of Eugene had developed the Climate and Energy Action Plan, which was similar to what the Portland metropolitan area had done. He said most of the short term actions were cost effective measures that increased efficiency and lowered peoples' costs. He asserted the intent was not to decrease UGBs, but directed to promoting compact urban growth which had a lower carbon footprint. The intent was not to have a negative impact on development.

Mr. Cortright stated a detailed public outreach plan was being developed in conjunction with the Oregon University System (OUS) to prepare an outreach plan for taking the issues to the public. DLCD expected Oregon communities to receive credit for things they had already accomplished. He noted the targets measured reductions from 1990. He suggested that communities should audit their existing plans to determine how far they could go to meet the goals. In response to Mr. Thiel, he said the public outreach plan would be developed in consultation with the metropolitan areas.

Lane Transit District (LTD) West Eugene EmX Extension Locally Preferred Alternatives (LPA)

Mr. Thompson said the MPC, as one of three decision making bodies for the LTD EmX Locally Preferred Alternatives, was scheduled to make a decision on March 10, 2010. He distributed a packet of documents consisting of email comments submitted to the MPC and a packet of documents consisting of written comments received at the open houses and at the February 8, 2011 joint public hearing held by LTD, the MPC and the Eugene City Council.

Mr. Schwetz reviewed the work of the Joint LPA Committee. It had developed a draft recommendation for consideration by the three decision making bodies. The draft recommendation had been offered for public review at two open houses and the February 8 public hearing. He said the public hearing would be available on the City of Eugene's website and the written documentation would be available electronically

as soon as possible. He asked MPC members to forward their questions or concerns as well as those from the public to LTD staff for responses.

Mr. Eyster said he had spoken with Bob Macherione prior to the public hearing. Mr. Macherione has had questions throughout the process. Mr. Eyster had agreed to meet with him and the LTD staff at Mr. Macherione's convenience.

Ms. Piercy said a number of questions kept surfacing about the numbers changing. This was an iterative process that changed as the plans evolved. She thought there were many earnest people who were attempting to understand the facts compared with their own perspective.

Ms. Wylie felt there was an abundance of misinformation and miscommunication about the project, which contributed to many people feeling like they were being lied to. This came out repeatedly at the public hearing. This undermined the public process. She emphasized the importance for ensuring that correct information was available to the public via LTD's website.

Mr. Zelenka said LTD had done a good job of responding to issues. As issues were raised by the public, LTD had reviewed those concerns and revised the plan to reflect changes made to address those issues. It was not fair for people to accuse LTD of changing the numbers when the changes were a direct response to issues raised by the public. He said the MPC would identify a preferred alternative from the build options. That preferred alternative as well as the No-Build alternative, would be forwarded as a legal requirement. Thus, the No-Build option would automatically be forwarded as part of the final decision process.

Mr. Pangborn explained that each of the decision making bodies would identify a preferred build alternative for the corridor, and the process would work only if they all agreed on the same alternative. They could decide to discontinue the process. However, if a preferred build alternative was identified, an environmental analysis was required. LTD was applying for funds, through a competitive process, that were set aside by the FTA under the New Starts subcategory Small Starts. Small Starts funds were available for streetcar or BRT projects. The FTA application would be due in August or September. When the environmental analysis was done, the three bodies would vote for a build alternative or No-Build, based on the environmental analysis. If the build alternative was chosen, the application with the FTA would proceed. If the No Build alternative was chosen, LTD would withdraw the funding application, and that would be the end of the process for this corridor.

Mr. Zelenka averred the available funding could be used only for this project, contrary to inaccurate information contained in some newspaper advertisements that the money should be spent on schools.

Mr. Pangborn added the FTA money, available for *fixed guideways*, which included heavy rail, light rail, streetcars and BRT, was funded through an annual appropriation available to jurisdictions throughout the country. LTD also anticipated receiving State lottery funds intended for one time, capital expenditures.

Mr. Eyster stated that the FTA was impressed with the work LTD had already done on the project and hoped it would have a positive impact on the grant application.

In response to Mr. Leiken, Mr. Pangborn stated after the three decision making bodies decided which build alternative they preferred, LTD would review those decisions to resolve any differences.

Oregon MPO Consortium (OMPOC) Legislative Agenda

Ms. Wylie stated Ms. Piercy chaired OMPOC and represented the MPC on the consortium.

Mr. Eyster left at 1:00 p.m.

Ms. Riner reported there would be a legislative trip to Salem at the end of February.

Ms. Piercy said the OMPOC meetings had been robust meetings and there had been a high level of agreement among the MPOs. She reviewed the Draft OMPOC 2011 Legislative Priorities which were included in the agenda packet.

Mr. Zelenka supported the entire list, with transit funding, supporting high quality passenger rail service and the OSTI his top priorities.

Responding to Mr. Pangborn, Ms. Riner stated that HB 3379 was introduced in response to concerns of the City of Bend that required the City to address a range of long range transportation improvements related to development.

Ms. Crawford said HB 3379 outlined a process for extensions to implementing some TPR requirements for economic development projects related to transportation requirements.

In response to Mr. Thiel, Ms. Riner said HB 2001 included a preemption of local gas tax as a tool for funding pavement preservation improvements.

Mr. Bozievich asked why we were not supporting a mileage based user fee for electric vehicles.

Ms. Riner said the OMPOC felt it did not know enough about the mileage based user fee initiative and wanted to learn more about it. The Portland area MPO had presented a proposal and the other MPOs wanted to look at a range of proposals about capturing the costs associated with electric vehicles use of the transportation system.

Ms. Piercy encouraged MPC members to share their concerns since the OMPOC would be speaking on behalf of all of the MPOs.

Ms. Wylie said the City of Springfield Public Works Director was concerned about the condition of local roads. It would cost approximately \$2 million to fill the funding gap for road preservation. The new gas tax would raise only \$600,000 and it was unlikely that voters would fund road preservation. It was important to maintain existing roads before they crumbled.

Mr. Bozievich said he would not support the MPOs position or anything related to the OSTI. He said the State was anticipating a \$3.2 billion shortfall during the current biennium and spending money on the initiative was not the best use of the County's resources.

MPO Planning Calendars

Ms. Riner reviewed the MPO 3-Month Calendar and the 12 month Planning Calendars included in the agenda packet and posted on the meeting room wall. She noted the Lane ACT meetings would occur on the Wednesdays before MPC meetings.

Follow-up and Next Steps

- **ODOT Update**

Ms. Crawford reported the first ACT meeting had gone well. The stakeholder recruitment process would open soon for six to ten positions, four of which would be designated for specific representation. She asked MPC members to encourage their constituents to apply, noting information would be available on the ODOT website. She reported that ODOT's draft plan was available for comments which were due February 28, 2011. She directed MPC members to a memorandum included in the agenda packets dated January 25, 2011, to Region 2 Area Commissions on Transportation from Eryca McCartin, subject *Status of 2012-2015 STIP and HB 2001 funding*. Ms. McCartin's memorandum indicated ODOT did not anticipate funding for additional modernization projects in the near future. Ms. Crawford would keep the MPC informed of any changes. In response to a question from Mr. Zelenka, she said existing modernization funds would not be allocated until federal earmark funding issues, on which HB 2001 was based, were clarified.

- **Rail**

Ms. Piercy reported facilitators had been conducting stakeholder interviews leading up to formation of a committee to review the preferred alignment between Portland and Eugene. She had talked with Governor Kitzhaber's staff to schedule a rail meeting. She said the United Front delegation agenda included rail.

- **MTIP Administrative Amendments**

Mr. Zelenka stated Amendment 2010-54—Oregon 126: Veneta-Eugene Facility Plan and Amendment 2011-03—I-5 Bridge Vertical Clearance Improvements, did not fit his understanding that administrative amendments addressed only modest shifts or reallocation of funds when projects or circumstances changed. He said both of these amendments appeared to be for new projects, which he thought should get a different level of analysis when reporting to the MPC than offered through administrative amendments. He asserted new projects should receive an in-depth analysis that showed why projects were added, their purpose and costs. He formally objected to Amendment 2010-54 and Amendment 2011-03 being included in MTIP Administrative Amendments.

Ms. Crawford stated these were State funds that were being allocated to the projects.

Mr. Thompson asked if Mr. Zelenka was asking that the two amendments be withheld from action today and brought back for action in the future.

Mr. Zelenka said if withholding the amendments did not impact the opportunity, he asked that they be brought back to the next meeting. If they had a short timeframe, he would support approving them.

Mr. Thompson said staff would contact ODOT to determine if a delay of the final approval by the MPO until March 10 would be a problem. Staff would advise MPC members on the outcome of that conversation. He stated staff had regularly added new projects, noting the administrative language on page 11 of the MTIP included adding new projects to the MTIP when there was no MPO funding or MPO air quality constraints involved. He offered to bring the administrative language to the MPC for its review, noting it would be necessary to change the language to address those concerns.

Mr. Zelenka asserted that the overriding language in the administrative rule stated that when presented with administrative amendments, if the MPC objected, those amendments were brought back to a subsequent meeting. He suggested new projects went to a different level.

Mr. Kloepfel said the issue raised by Mr. Zelenka leads to a healthy MPC discussion of the page 11

language to ensure the body continued to concur on what defined administrative amendments.

Mr. Zelenka said that there wasn't enough information in the administrative amendment report to make an informed decision about whether the administrative amendment was appropriate or not.

- **Next Steps/Agenda Build**

The next meeting was scheduled for March 10, 2011, in Springfield, but was relocated to the Eugene Public Library – Bascom-Tykeson Room.

Mr. Bozievich left at 1:30 p.m.

Mr. Pangborn said the LTD EmX was on the March 10 agenda and would generate a lot of interest. He suggested relocating the meeting to a larger site.

Ms. Wylie said she would miss the March 10 meeting and Mr. Leiken would chair the meeting.

The meeting was adjourned at 1:35 p.m.

(Recorded by Linda Henry)