

REGION 1 AREA COMMISSION ON TRANSPORTATION

Meeting Minutes

May 2, 2016 Portland, Oregon

Attendees: Bill Avison, Steve Bickford, Bernie Bottomly (alternate), Sam Breyer, Tom Chamberlain, Mayor Krisanna Clark, Mayor John Cook, Councilor Peter Cornelison, Councilor Shirley Craddick (alternate), Mayor Doug Daoust, Mayor Lori DeRemer, Mayor Denny Doyle, Councilor Jeff Gudman, Mayor Brian Hodson, Susie Lahsene (alternate), Commissioner Diane McKeel, Bill Merchant, Brian Newman, Commissioner Steve Novick, Chair Ron Rivers, Commissioner Roy Rogers (Chair), Steph Routh, Joseph Santos-Lyons, Commissioner Paul Savas (Vice-Chair), Pam Treece, Julie Wehling, Pia Welch, Rian Windsheimer

Absent: Mayor Jef Dalin, Jess Groves, Chris Oxley

Commissioner Roy Rogers called the meeting to order and opened a round of introductions.

Region 1 Manager Updates

Rian Windsheimer provided the following ODOT Region 1 updates:

- The 2016 NW Oregon ODOT construction map is now available. There is quite a bit of paving and bridge work in the gorge this summer, as well as other projects around the region.
- Governor Kate Brown spent some time with ODOT bridge engineers at the I-205 Abernethy Bridge discussing the FASTLANE grant application to widen the structure and provide seismic upgrades. *The Portland Tribune* wrote a good article about the visit and the need for investing in infrastructure.
- May 2-14 bridges will be lit up orange for Work Zone Safety Month. One ODOT employee was rear-ended recently on OR-8 while on the side of the road. Road work is dangerous, so please be careful.

Councilor Jeff Gudman asked whether the Abernethy Bridge project is first on the list for a 2017 transportation funding package.

Rian Windsheimer responded that it was the only project submitted for the FASTLANE grant program. There are a number of these kinds of investments needed around the state. Governor Brown didn't say it was first on the list, but she made the broader point that the state needs to be investing in transportation.

Councilor Jeff Gudman asked if ODOT has a list of top projects.

Rian Windsheimer responded that no, ODOT doesn't have a set list of top priorities.

Public Comment

Commissioner Roy Rogers provided an opportunity for public comment.

Commission Administration

Motion: Councilor Jeff Gudman moved, and Steph Routh seconded, to approve the minutes from the April 4 meeting.

- ✓ The meeting minutes were approved unanimously.

Andrew Plambeck explained the date and location for the next ACT meeting, June 6 at 5:30 p.m. at the Gorge Pavilion in Cascade Locks.

ODOT Safety Action Plan Update

Nancy Murphy and Walt McAllister provided an overview of the Transportation Safety Action Plan update process.

Rian Windsheimer added that once the Oregon Transportation Commission (OTC) approves a draft there will be a timeline and structure for public comment. ODOT will keep the ACT updated on those opportunities. He also reminded that ODOT no longer spends its safety dollars only on the state system, but also on local systems in alignment with the goals of this plan.

Bill Avison asked how much autonomous vehicles play into the goals.

Walt McAllister answered that would speed us along. He explained that uptake will be low initially, but Oregon's fleet age is eight or ten years on average, so just to get those vehicles into the system is 20 years out or more. So important near-term culture changes are things like getting people to not drink and drive, for example.

Bernie Bottomly thanked ODOT and described TriMet and ODOT's long partnership on safety that has borne important fruit over the years. Distracted driving is a critical issue, but distracted walking and biking are on the rise, too. TriMet has video of all kinds of people walking in front of buses and trains. As safe as any vehicle is, it's hard to stop when someone walks out right in front of you.

Nancy Murphy added that distracted walking is addressed in the plan.

Walt McAllister mentioned that it's something Sweden is working on: the idea that "I have the responsibility to do no harm."

Commissioner Paul Savas asked about whether we have statistics from Colorado about impairment from marijuana.

Nancy Murphy responded that we don't exactly know what saturation was like before legalization, but research has some interesting results such as the finding that teenagers are actually smoking less.

Walt McAllister added that Colorado believes they've seen an uptick in impairment from marijuana, but they haven't proven a link.

2019-2021 STIP Enhance Non-Highway projects update

Kelly Brooks gave an update on scoping for STIP Enhance projects. All scoping information will be provided on an FTP site by May 16.

Councilor Shirley Craddick thanked ODOT for including the letter from the Joint Policy Advisory Committee on Transportation (JPACT), in which Metro staff did a good job of finding alignment with the Regional Transportation Plan.

***ConnectOregon* project rankings**

Andrew Plambeck gave an overview of the *ConnectOregon* process what the ACT is expected to do this evening.

Commissioner Roy Rogers asked for a motion to approve the rankings so that any amendments might then be discussed.

Motion: Mayor Denny Doyle moved, and Joseph Santos-Lyons seconded, to approve the draft rankings for *ConnectOregon*.

Commissioner Steve Novick introduced an amendment to move up the Flanders Crossing project. The Union Pacific project is more of a statewide project rather than just Region 1, and it is a lot of money to give to a private entity. He introduced a motion to reduce the ask of that project by half to create room for other projects such as the Flanders Crossing.

Commissioner Roy Rogers asked whether that would change anything because it would still be ranked a certain way.

Rian Windsheimer reminded the group that we don't have authority to change the cost of a project. If it costing too much means that it should be ranked lower, that's something this group can do.

Commissioner Steve Novick asked whether we could rank it lower and send a letter explaining that it's due to its large cost.

Rian Windsheimer responded that we can always provide additional comments.

Scott Turnoy reviewed the six statutory considerations provided by the legislature. With those in mind, the ACT is asked to prioritize based on the most benefit. He asked if anyone needs to disclose a conflict of interest.

Kelly Brooks defined a conflict of interest as an actual personal financial gain from a project. It would also be difficult to have a potential conflict, but if for public impression reasons you would like to declare something, now is the opportunity.

Commissioner Roy Rogers state that our options are to either change the rankings or to draft a letter that says there are some significant statewide projects on this list.

Rian Windsheimer added that we have so far created preliminary rankings, but today need to determine what the ranking will actually be. Now is the time to refine those rankings. We just don't have the power to change the projects themselves. We will also have a representative to the statewide review committee who will have an opportunity in that forum to make that case for statewide projects.

Commissioner Roy Rogers clarified that we can be as arbitrary as we want tonight.

Scott Turnoy replied that the ACT has the power to create a list of 16 rankings however it chooses, but recommended having an explanation about what led to those decisions so the statewide review committee understands that.

Motion: Steve Novick moved, and Tom Chamberlain seconded, to move project #4 to #8.

Brian Newman asked whether that would mean each project would then move up one space. He supported the motion and had a hard time with the Union Pacific application because of the enormous cost. All of the projects between #4 and #7 would now benefit.

Commissioner Paul Savas asked for clarification on the buckets of money for the program.

Rian Windsheimer answered that there is just one statewide pot of money. There is a guaranteed minimum amount that will go to each region, but the projects are supposed to all benefit the state. The funding isn't meant to be divided between region-benefitting projects and state-benefitting projects.

Commissioner Paul Savas asked whether the amount of money available to all regions combined is equal to the total amount of *ConnectOregon*.

Scott Turnoy responded that each region is guaranteed 10%, which adds up to about half of the total fund.

Commissioner Paul Savas asked where the other half goes.

Scott Turnoy replied that all projects are for state benefit.

Erik Havig clarified that there is one pot of money, of which the legislation says each ODOT region gets 10%. What happens then is we're ranking projects on how they scored and were ranked, and when the final review committee goes down the list they make sure that each region meets that minimum threshold. That committee will make the final call, and then we go back to ensure we met that criterion. It is still all one combined pot of money. You can move things around, but you need to justify that to the statewide review committee so they understand why that was done.

Rian Windsheimer added that just because this committee ranks things a certain way doesn't mean the final review committee will rank them the same way.

Erik Havig said this region has competed very well previously and hasn't ever been close to the minimum threshold.

Susie Lahsene asked for clarification on Commissioner Rogers being able to speak to modifying the costs of the project.

Rian Windsheimer answered that he meant Commissioner Rogers will have the opportunity to explain why the ACT ranks projects a certain way. That committee also doesn't have the power to change the costs of a project.

Steph Routh expressed support for the amendment. The active transportation piece is worthwhile, but in discussions with groups like the Swan Island Transportation Management Association and other places where freight interacts with biking and walking, they say that every bike and walk interaction that doesn't go right next to freight movement is a good one. For economic development, for commuting and for safety, she supports the amendment.

Councilor Jeff Gudman said that on the first page, there are three projects that have significance beyond just our region. The Port of Portland, Union Pacific and City of Portland projects. The nuance on the dollars we have available versus dollars in total is lost on him. He supports the amendment but wants to know the best way for the ACT to present this so that those three projects are clarified as statewide in impact and the remaining five are regionally important. Reluctant to have a big project move up or down when it appears we aren't comparing apples to apples.

Kelly Brooks replied that there is no Region 1 allocation the ACT is in control of. This is very different than Enhance in that way. On the table is a strategic decision to down-rank projects you think others will support elsewhere in the state. We have a strong bench in Region 1 traditionally, some of which are big, but they score very well and we typically do perform very well. It's not a separate regional list; it's a statewide list.

Rian Windsheimer added that there's a risk in saying a project is specifically for local benefit, because the program prioritizes statewide benefit.

Councilor Shirley Craddick asked whether there's another pot of money somewhere for projects of more statewide benefit.

Kelly Brooks answered that no, there is not. These projects are all supposed to be of statewide benefit. Is this the best of the best for rail projects? Is this the best of the best from aviation projects? The ACT simply provides the regional lens.

Steve Bickford asked whether if we lower a project in our ranking because it won't fit the funding, if that affects its performance statewide.

Kelly Brooks answered that this is just the regional lens for the program. If you move a project down, they see that as a lowered regional priority. You can explain why, but that's what you're telling them.

Bernie Bottomly expressed support for the amendment. If you have a big lumpy project in your priority rankings, and they say "too much to one region," are you then done for the projects after that and they go around to other statewide priorities elsewhere? So would that project eat up the political bandwidth even though it scores very high?

Kelly Brooks replied that she wouldn't underemphasize how much money Region 1 has previously been able to bring back. This wouldn't be ranked where it is if other committees and staff hadn't prioritized it.

Commissioner Paul Savas said that everybody gets \$4.5 million, but we're almost certainly going to get more than that. Absent a reasonable explanation of why we moved it down, our credibility is important to maintain.

Commissioner Steve Novick explained that we could say this project is for a private entity and would use up a large chunk of money, so it was moved down.

Pam Treece said that as a business community representative, freight is very important.

Mayor John Cook said that it's not jumping over another rail project if it's moved down; it's still the number one rail project. We have some bike and pedestrian projects that are more important to the region.

Mayor Brian Hodson asked whether we know other regions' rail asks and how this project tees up against those other rail projects.

Rian Windsheimer answered that we have the modal committee ranks but not yet the other regions' rankings.

Councilor Jeff Gudman said that the argument made was "how do we game the system to get what we want?" Given that Union Pacific received a high ranking, he's reluctant to move it down.

- ✓ The motion to move project #4 to #8 failed with 13 votes in favor.
- ✓ The motion to advance the draft rankings as written was approved unanimously.

Commissioner Roy Rogers reminded the group that the next meeting is June 6 at the Gorge Pavilion in Cascade Locks and adjourned the meeting.