

I-205 Toll Project

Meeting Summary

Subject	Equity and Mobility Advisory Committee Meeting #18
Date and Time	May 26, 2022/3:00 p.m.
Location	Online via Zoom (recording: https://www.youtube.com/watch?v=5cD6xYwppHU)

Attendees	Organization
Amanda Garcia-Snell	Washington County Community Engagement
Bill Baumann	Community in Motion
Dwight Brashear	SMART
Eduardo Ramos	At-large member
Fabian Hidalgo	Oregon Food Bank
James Paulson	WorkSystems Inc. Board
John Gardner	TriMet
Michael Espinoza	Portland Bureau of Transportation
Park Woodworth	Ride Connection
Dr. Philip Wu	Oregon Environmental Council
Sharon Smith	Oregon Transportation Commission

Not in attendance: Abe Moland, Clackamas County Health and Transportation; Germaine Flentroy, Beyond Black/Play, Grow, Learn; Kari Schlosshauer, At-Large, Ismael Armenta, At-Large, Oregon Walks

1 Project Team

Name	Meeting Role	Name	Meeting Role
Jessica Stanton	Facilitator	Chris Lepe	Project team
Garet Prior	Project team	Nicole McDermott	Project team
Daniel Porter	Project team	MJ Jackson	Project team
Nick Fazio	Zoom host	Amber Ontiveros	Project team

2 Welcome

Jessica Stanton, Facilitator, welcomed Equity and Mobility Advisory Committee (EMAC) members and led them through a centering exercise. Jessica then went over meeting logistics, proposed outcomes, and the agenda for the meeting.

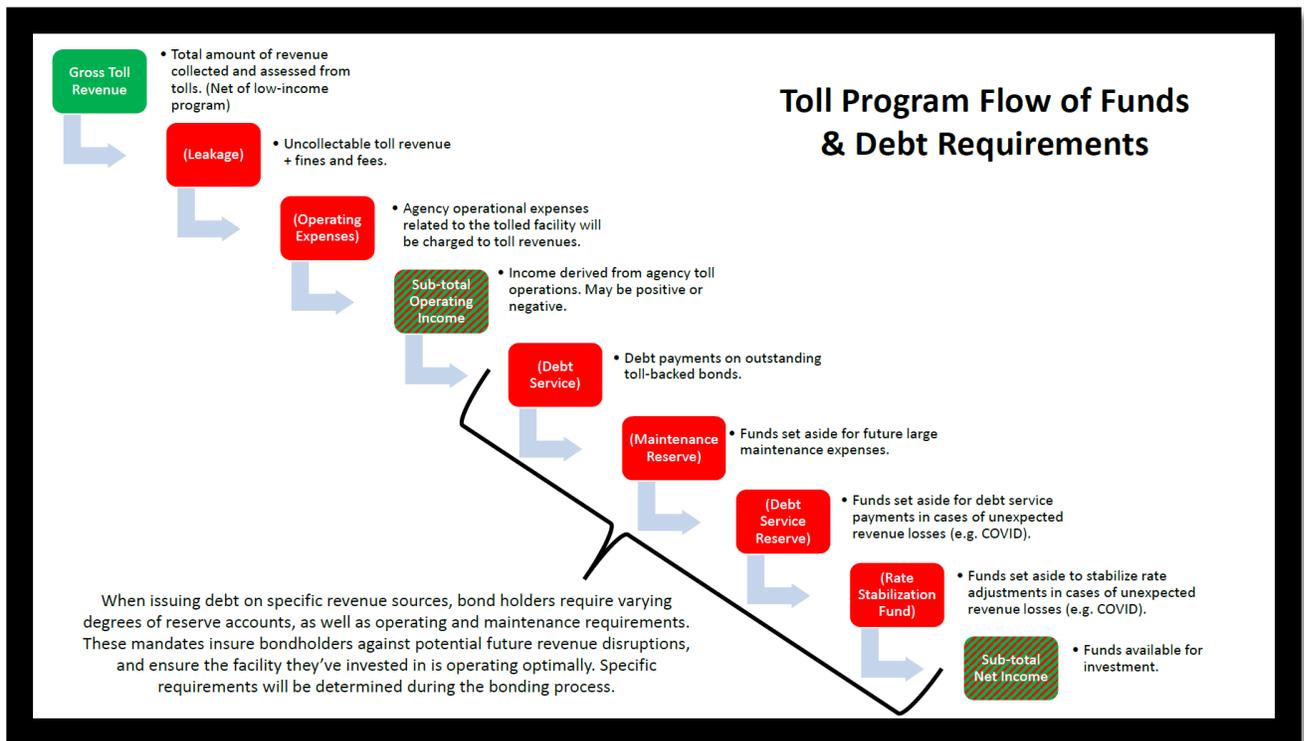
3 Navigators Report Out

Jessica provided an overview of the process the Navigators took in developing the current set of draft recommendations. She introduced Daniel Porter (ODOT Economic and Financial Analysis Manager) to talk about a conceptual flow of toll revenues, which was presented to the Navigators. This information is

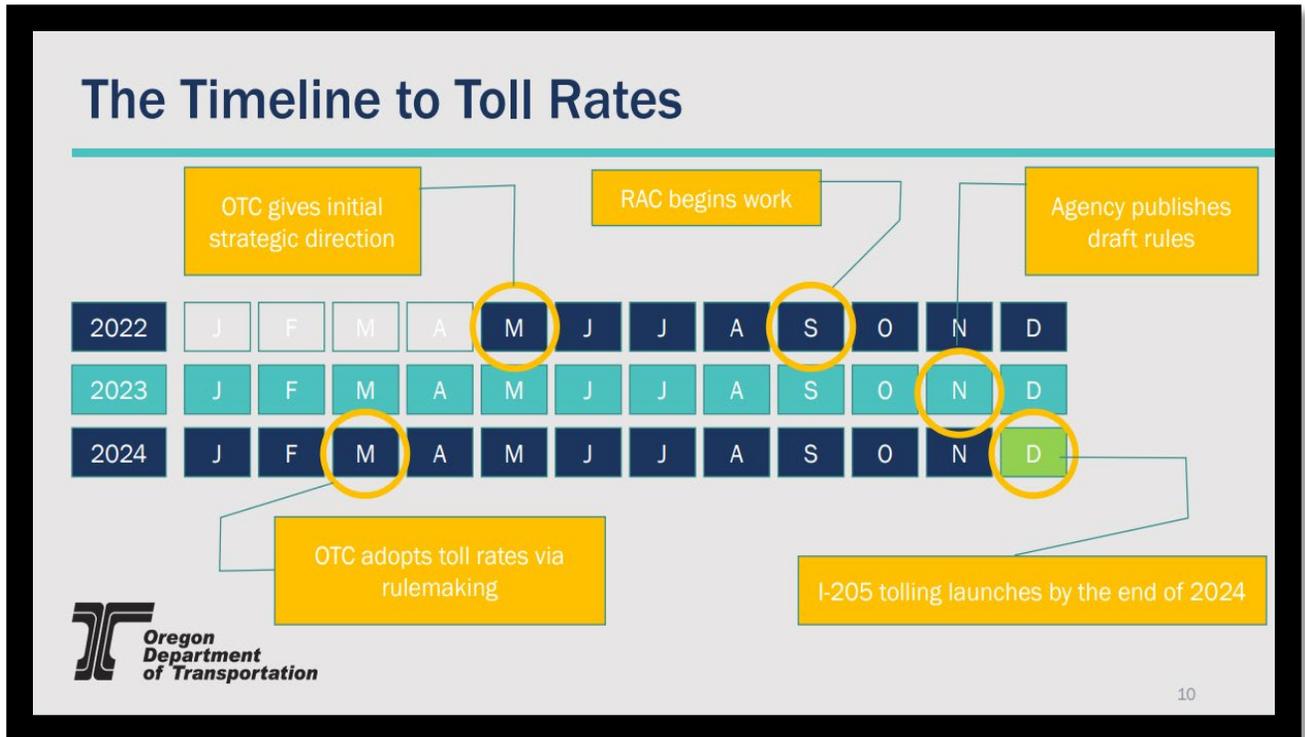
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intended to help identify what will be required regarding toll revenue allocation. Daniel walked through the flow of funds chart, included below, and briefly described each step (*meeting recording [video 09:44]*). Jessica then opened the conversation for questions from EMAC members.

- Commissioner Smith asked where NEPA mitigation fits into the flow of funds. Daniel said that revenue would come off the top, prior to getting into net income. Gareth Prior, ODOT Toll Program Policy Manager, added that if there is a mitigation that cannot be directly funded due to constitutional restrictions, ODOT is still responsible for providing those mitigations through other funding sources.



Garet provided an overview of the toll rate setting process and principles, which was also presented to the Navigators. Garet noted that a Rules Advisory Committee (RAC) will be starting in September 2022 (see the timeline below) and will advise ODOT and the OTC on setting toll rates on I-205 and the rulemaking that go along with setting the rates, including enforcement and how tolling customer service will work. Garet noted that EMAC will be involved in the process, including EMAC making a recommendation to the RAC, likely in mid-2023 (*meeting recording [video, 17:21]*).



4 EMAC Recommendations

Jessica introduced Chris Lepe (Project Team) and Navigators Dr. Philip Wu, Dwight Brashear, and Bill Baumann to discuss the following recommended actions.

Recommended Action – Accountability

- *Include an active EMAC member and former EMAC member.*
- *The majority of the Rules Advisory Committee should include voices that represent a similar diversity to how ODOT selected people to be on the Equity and Mobility Advisory Committee*
- *EMAC should be provided the investment-grade traffic and revenue analysis.*
- *Continue to support an advisory committee to review, confirm, provide feedback and help advance equity with tolling on I-5 and I-205.*
- *Our preliminary vision for the committee:*
 - *Monitor and evaluate ODOT's follow-through on all EMAC recommendations.*
 - *Evaluate and measure the impact of the Low-Income Toll Report.*
 - *Measure equity outcomes over time in the following areas: workforce development and contracting – jobs, climate resiliency, enforcement, developing local leadership in communities.*

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Recommended Action – Revenue

- *For I-5 and I-205, pursue a toll rate schedule that is as low as possible for everyone, especially for people experiencing low income.*
- *Pursue a large carve-out to support the low-income discounts, credits, or exemptions.*
- *Pursue a mix of investments:*
 - *Major highway projects*
 - *Project-required-mitigations that identify investments in transit and multimodal transportation options and address impacts of diversion on neighborhood health and safety*
 - *Ongoing funding for community-based organizations that serve equity populations*

Recommended Action – Congestion Management

- *Decisions related to congestion management, should be made with the following equity-oriented goals in mind:*
 - *Reduce congestion on the highways while limiting diversion into local communities.*
 - *Improve access to jobs, healthcare services, education facilities, recreational spaces, and natural spaces.*
 - *Improve air quality and meet targets for Greenhouse Gas (GHG) reduction.*
 - *Reduce vehicle miles traveled (VMT) and increase mode shift.*
 - *Avoid disproportionate cost burdens on lower income populations.*
 - *Price the system to maximize the efficiency of the highway(s), emphasizing moving as many people as possible in the existing lanes.*

Recommended Action – Business Investment

- *Tolling and investment must create more jobs for women, small, and minority-owned businesses and in equity communities. ODOT needs to identify and commit to a plan for the contracts for designing, building, and operating the toll system and projects supported by toll revenues*

Following review of the recommended actions, Jessica asked the larger group if EMAC is heading in the right direction (thumbs up or thumbs down). The majority of EMAC members gave a “thumbs up” to being 80% in the right direction.

4.1 Oregon Transportation Commission (OTC) and ODOT Feedback

Jessica introduced Commissioner Sharon Smith (OTC) to provide feedback on the recommendations.

Commissioner Smith said she wants a collaborative process in designing these recommendations, and to feel confident that the recommendations will be consistent with the scope of work requested by the OTC. She requested more dialogue around pricing, the composition of the RAC, and the long-term accountability committee. Garett provided additional context for areas where ODOT would like to continue the conversation.

- An EMAC member asked who is creating the Oregon Highway Plan Toll Amendment (referenced in PPT Slide 27). Garett responded that Amanda Pietz from ODOT's planning division is leading that amendment. The EMAC member asked to clarify if that amendment is also addressing how tolls will interact with future transportation projects. Garett responded that the Oregon Highway Plan has some guidance on general toll policies, but the language was written in 2012 – one of the main purposes of the amendment is to update language to clarify how policies should guide consistent decision-making at the state level.
- An EMAC member expressed concern about where EMAC has landed on revenue allocation. They said there's a lack of security for funding dedicated to multimodal investments, even though much time has been spent talking about those investments. The EMAC member wanted to know how these discussions can be made transparent and asked how tolling and rate setting can be used as a tool to go beyond the mitigation minimum. Garett said findings on impact from the NEPA studies should be disclosed first so decisions can be made accordingly. Some of those mitigations may be included with construction bonds, which puts those revenues in a different stage of the "flow of funds." The EMAC member said they want to continue thinking of ways to do things differently and to think of tolling holistically as part of a larger, multimodal system.
- An EMAC member said he's heard suggestions for stronger language under the "congestion management" recommended action from Clackamas County contacts. He urged EMAC to consider a set of suggestions he recently shared to improve that recommendation. This EMAC member also stated that the recommendations are something EMAC can take pride in, and that it is a good body of work. Jessica said she would share the suggested "congestion management" language updates with the group after the meeting. She clarified that this language is in line with earlier comments from an EMAC member about the need for stronger multimodal commitments.
- An EMAC member said that the revenue flow diagram exposes a lot of uncertainty; they said they want to be able to make stronger guarantees but do not feel there is a lot of transparency around who the decision-makers are. Garett said the RAC meetings will be coordinated with EMAC, so the committee would be able to provide recommendations and comments to the RAC before final decisions are made.
- An EMAC member said Washington County agrees with the language suggestions submitted from Clackamas County and offered to come to the next Navigators meeting to help guide that language.

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- Commissioner Smith said she heard a lack of trust that equity goals will be committed to in earlier comments, and that she wanted to make sure that the EMAC member raising concerns about multimodal investments was being heard. One of the goals is to address communities and community-based organizations impacted by diversion, and to do things differently than done in the past. Garett reminded the group that input from EMAC led to the Innovative Mobility Pilot program, which is hitting a lot of the key statements made about investment in carpool, vanpool, etc.
 - The EMAC member followed up that mitigation historically is automobile focused (i.e., a larger turn lane to address diversion). They want EMAC to make decisions that increase choices for people outside of individual automobiles and consider a more holistic view of the system. Garett proposed that the Navigators look at the recommendations that provide direction to the project teams related to project analysis in addition to the recommendations related to strategic direction on revenue allocation.
- An EMAC member said it's not clear enough in the recommendation language that alternate transportation options have been discussed; they're worried that EMAC has made assumptions that things will happen that aren't being planned for, and suggested stronger, more direct language. Another EMAC member agreed.

5 Business Investments

Jessica introduced Amber Ontiveros of Ontiveros and Associates to discuss tolling as an ally for Disadvantaged Business Enterprises (DBEs). Amber provided an overview of ODOT's DBE program, and some DBE estimates and goals currently being considered (*meeting recording [video, 1:12:35]*).

- An EMAC member said this work is exciting and that a 20% DBE goal is a huge deal; it would lead to more women and minority owned businesses.
- An EMAC member said Amber is doing great work and added that another aspect to pay attention to is the pipeline of people who could move from trade to starting their own businesses. Amber said she fully agrees and is really interested in doing a series of success stories to feature workers. This strategy could excite young people about these professional options and communicate that college isn't necessary to make an exceptional wage.
- Amber said she'll be back to provide updates. Jessica thanked her and asked the members if there were changes to the recommendations that they'd like to make with Amber's information in mind. The members had no additional comments/questions.

6 Direction for the Navigators

Jessica gave a rundown of the Navigators' charge in June to finalize EMAC's recommendations. One is to review how revenue is incentivizing a healthy transportation system that integrates alternate modes of transportation, including transit, carpool, and vanpool. This includes thinking about revenue that goes beyond funding for mitigation. Another is to consider eliminating the direction about expanding highways and rethink how EMAC wants to talk about congestion management. The third is to consider information from Clackamas County about investing in alternate modes. She said she also wants to make sure the Navigators take ODOT's and OTC's feedback into consideration.

- An EMAC member said the toll rate should be informed by demand, and that aspect of the rates should be more prevalent in the language of the recommended actions. The toll rate should be influenced by how many people use the system while still recognizing and protecting low-income drivers. Navigators generally agreed with this sentiment.
- Garet added "continuing the conversation on the RAC's composition" as a consideration for the Navigators' next meeting.

Jessica asked for 80% agreement with finalizing recommendations (considering the additions noted above). There was general agreement among the committee. One EMAC member said the recommended action on revenue needed to be improved before they felt 80% there.

7 SCUBA

Garet provided an update on the Scuba Team's deep dive into the Low-Income Toll Report, which will come out for public review in mid-summer before heading to the OTC in September.

- An EMAC member said addressing impacts on people with low incomes is a top priority for them and is enthusiastic that this work is happening.
- Another EMAC member followed up that they are looking at balancing larger goals with the daily needs of people in the region and agreed that the system shouldn't penalize people who don't have high incomes.

8 Public Comment

Jessica welcomed members of the public for the verbal public comment period.

- Chris Smith [No More Freeways]: Chris noted his support for the idea of a low-income program. He asked EMAC to consider multimodal benefits that aren't limited to the tolled facilities, such as providing incentives and options for people to use transit. He encouraged EMAC to think outside the box, such as helping families purchase an e-bike. He hopes that the low-income program doesn't limit people to using a car to receive benefits. (*meeting recording [video, 1:47:57]*)

9 Closing

One EMAC member said in their conversations with people in Clackamas County, both parties gained a better understanding of each other's position and worked through some language. The EMAC member said that in the end, their contacts began to feel like they were heard and that they do have a voice. The EMAC member encouraged other members to make themselves available to have these conversations to understand where people are coming from and realize that we all have some common goals, such as climate change.

Jessica noted the next EMAC meeting in June will possibly be on June 22nd and that the meeting team will reach out with details next week. Sub team meetings for Scuba and Navigators will also happen in June. Lastly, she asked EMAC members to fill out the meeting evaluation and opened the floor for any closing thoughts. Commissioner Smith said the committee's work matters a lot, and that if ODOT wants to do things differently going forward, it needs to hear the voices that it hasn't heard in the past.

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10 Meeting Evaluation Results

No committee members completed the meeting evaluation for Meeting 18.

11 Meeting Chat box record from zoom

15:02:53 From Brian Cory Dobbs to Hosts and panelists:
YouTube livestream started.

15:06:57 From Nick Fazio to Hosts and panelists:
Thanks Brian!

15:41:09 From Garet Prior, ODOT (he/him) to Everyone:
Oregon Highway Toll Amendment website:

<https://www.oregon.gov/odot/Planning/Pages/Oregon-Highway-Plan-Update.aspx>

15:53:02 From Jessica Stanton to Hosts and panelists:

Dwight and co. propose changing the last bullet point in the Recommended Action for Congestion Management with the following proposed language: Investment in alternative modes of transportation is essential to achieving the mobility, equity and climate goals. The system should be priced to maximize efficiency of the highway(s), emphasizing moving as many people as possible in the existing lanes, while at the same time investing in alternative modes, both on and off the highway system. □

15:55:37 From Garet Prior, ODOT (he/him) to Everyone:

Innovative Mobility Pilot Program: https://www.oregon.gov/odot/Get-Involved/OTCSupportMaterials/Agenda_E2_IJJA_IMP_PACKET.pdf

15:59:38 From Chris Lepe (he/him) to Hosts and panelists:

I also heard going beyond a mitigation minimum from Michael

16:01:44 From Chris Lepe (he/him) to Hosts and panelists:

Another way of putting it - mitigation as the floor, not the ceiling

16:09:14 From Jessica Stanton to Hosts and panelists:

Take a break and see you back at 4:13 pm.

16:14:12 From John Gardner to Everyone:

Amber is Amazing!

16:14:55 From Garet Prior, ODOT (he/him) to Everyone:

we are seeing it now, Nicole

16:15:04 From Jessica Stanton to Hosts and panelists:

We can see the slides now, thank you Nicole!

16:30:38 From Amber Ontiveros to Hosts and panelists:

Amber Ontiveros: amber@aoassociates.biz or 240-462-5407.

12 Written Public Comment

See attachment.

Equity and Mobility Advisory Committee Meeting 18 Public Comments

Date received	4/25/2022
Source	Project inbox
From	Joe Jensen
Subject	Committee Public Comment

I am OPPOSED to tolling in every shape and form. 1) It hurts the working class by driving up the cost of getting to and from work. 2) It will not significantly reduce traffic congestion.

Use Biden's infrastructure money to expand the freeways and or build another by-pass around the Portland metro area to accommodate the ever increasing amount of traffic traveling from points south to Seattle.

Date received	4/25/2022
Source	Project inbox
From	Lyle Wiese
Subject	Committee Public Comment

Call it a toll, a road use fee, a tax or whatever you would like. Simply put, it is just another expense coming out of the local residents pocket every time we want to cross the Willamette River and/or the Tualatin River with a goal to charge us for using all of I-5 and I-205 in the Portland metro area.

The residents of Clackamas County already pay an extra \$30 per year for road maintenance when renewing their license plates. I was charged the Clackamas County fee when I renewed the plate on my car hauler trailer which sits in the driveway most of the time. Why should we have to pay more in the form of tolls?

In addition to the County fee, there is the Oregon DEQ vehicle emissions test fee requirement when renewing vehicle licenses. This would be in addition to all the other taxes and fees we pay just to live in the area. There are numerous taxes and fees on our PGE bills, telephone/internet bills, water bills, heating bills, deposits on various bottles and cans, which are very difficult to get back in Oregon City due to the lack of parking at the bottle return center, in addition to property, fuel (both state and federal) and income taxes.

One of the expectations of the toll is for employers to vary the employee start times to reduce congestion. How many employers are willing or able to change shift start times? For those companies that ship their products out via trucks daily, there is no room for change; the trucks are only able to pick up products at certain times during the day.

M e m o r a n d u m

EMAC Public Comment / May 26, 2022

Another expectation is more people will work from home. As the pandemic has taught us, not everyone can work from home.

I recently drove from the local area to Seattle and back. The State of Washington is making massive improvements to their freeway system. The traffic noticeably improved after I crossed the I-205 bridge into Washington. When returning, the traffic was smooth until I came to the Glenn Jackson bridge where the traffic stopped. It is being said improving the freeway system will only cause more congestion. I disagree; the drive to and from Seattle proves differently. In addition, there were no tolls on the drive.

Part of the toll project is adding a third lane from Stafford to Oregon City. There was a third lane added from I-5 to Stafford without tolling.

The State of Oregon has received billions of dollars from the Federal Government. Use this money for the I-205 / I-5 improvements and do not toll the local residents.

Date received	4/25/2022
Source	Project inbox
From	MF Roberts
Subject	Committee Public Comment

No tolls no tolls no tolls. Get the picture? Put it on the ballot and you will see what kind of support you have for just another tax, right?

Date received	5/13/2022
Source	Project inbox
From	Kathy Rankin
Subject	Tolling / Fees and "Committee Public Comment"

Senior Citizens cannot afford this. Low income might mean less than \$12,000 a year as far as the guidelines are concerned. That is basically homeless, living in a tent! We are not that low income, but almost that low income. Barely scraping by as it is. Any more increases to property taxes, to cost of heating, cost of water increases and gas prices at the pump. Who can afford to drive anywhere anyways? And now the Gorge wants to charge a fee, in advance, to just go see Multnomah Falls. This is getting too greedy for me. It feels like California.

Is that the goal? To turn Oregon into California. Stop with the excessive money grabs. Senior citizens are on social security! That is not a lot. Change low income to \$45,000 for a married couple. I know that for the purpose of freebies for low income and tolls it will be set so low of an income you would have to be living in a tent to qualify, and who lives in a tent can afford to license and insure a vehicle to drive to pay the toll?

Memorandum

EMAC Public Comment / May 26, 2022

Date received	5/23/2022
Source	Project inbox
From	Mary Rigert
Subject	Tolls on Oregon Roads/Freeways/other ideas/Committee Public Comment

NO TOLLS!

I do not know how or when this "committee" has been formed and come to the conclusion that Oregon citizens want "tolls" on our roads.

WE DO NOT WANT TOLLS ON OREGON ROADS.

We expect gas taxes and money from other Oregon taxes to with upkeep and new roads strengthen our road system. Commerce needs to be encouraged, NOT discouraged.

Several family/friend members have left Oregon. I want to stay and keep it filled with prosperity which includes a thriving transportation system for vehicles.

You say:

"They help solicit feedback and participation from youth, older adults, Black, Indigenous, people of color, and multi-racial people, people who may speak a language other than English, and people living with a disability."

Each of us is a WHOLE person who pays taxes or just want the state to take care of the roads so that we will transport ourselves, no matter age, color, sex or other language! Grow up, please. We are each adults to prosper and take care of our environment very well, thank you.