

Meeting Minutes
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**Central Oregon Area Commission on Transportation  
COACT  
March 12, 2009**

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**Members:**

Lynn Lundquist (Crook County), Dennis Luke (Deschutes County), John Hatfield (Jefferson County), Lonny Macy (Confederated Tribes of Warm Springs), Peggy Fisher (Deschutes National Forest), Dana Cork (BLM), Mike Morgan (City of Madras), Alan Unger (Deschutes County), Mike Morgan (City of Madras), George Endicott (City of Redmond), Doug Ward (City of La Pine), Eileen Stein (City of Sisters), Jeff Eager (City of Bend), Jack Seley (City of Prineville), Bob Bryant (ODOT), and Gary Farnsworth (ODOT).

**Guests:**

Scott Smith (City of Prineville), Tyler Deke (Bend MPO), Jim Bryant (ODOT), Chris Doty (City of Redmond), Mike Lovely (Bend MPO CAC & SBNA), Brad Grimm (City of Sisters), Peter Russell and Tom Blust (Deschutes County).

**Staff:**

Andrew Spreadborough (Central Oregon Intergovernmental Council).

**Call to Order and Introductions**

Chair Lynn Lundquist called the meeting to order and introductions were made.

**General Public Comments**

No public comment was presented.

**Old Business**Meeting Minutes

**Dennis Luke moved to approve the minutes of January 8, 2009. George Endicott seconded. Minutes were approved by consensus.**

Approve Letter of Support – Forest Highway Program Application

Tom Blust provided an overview of the Skyliners Road Forest Highway Program grant application, stating that the requested funding is to reconstruct a 7 mile segment of county road that runs from the Bend city limits to where the pavement ends in the Deschutes National Forest. The road accesses the OMSI classroom facility, Tumalo Falls, and the City of Bend watershed. Dennis Luke asked if there was another Forest Highway Program application from Central Oregon Pending. Gary Farnsworth said that the Lava Butte-South Century project was also proposed, but now will be funded through the federal stimulus program.

**Dennis Luke moved to approve the letter of support for the Skyliners Road Forest Highway Program application. Mike Morgan seconded. The Letter of Support was approved by consensus.**

## New Business

### Federal Stimulus Funding Update

Gary Farnsworth distributed a spreadsheet of Central Oregon projects submitted to ODOT for “120 Day” stimulus funding. Gary said that the Oregon Transportation Commission held a hearing yesterday on the projects. Bob Bryant said that the spreadsheet only contains proposals from Region 4 – there were many more statewide. He said there were projects submitted by cities, counties, railroads and transit providers. He said ODOT staff will work with the Commission to formulate a proposal that will be considered next week. He said that ODOT’s intends to have a quick turnaround on project selection and get projects under way this summer. A goal will be job creation, and projects will have a year to be completed from when the funding was authorized (early March).

Gary provided a breakdown of the stimulus funding on the inkboard, including how the dollars were allocated to transit and the transportation enhancement program, including the “state” share that was divided between commission-approved projects and the “120 day” competitive statewide process. He discussed the requirement for 50% of the funding to be obligated in June.

Eileen Stein asked if the 120 day funding is exclusive of small cities- under 5,000 in population. Gary replied that this funding is open to anyone with projects that fit the criteria – including that the project must benefit the state. Eileen asked if the Metolius projects met the federal requirements. Bob Bryant said that ODOT has not determined that applicants have met the requirements, but it is an expectation. He said that ODOT would consider an exchange of funds for small cities under 5,000 in population. Gary said that the fund exchange applies to funds that were directly allocated to cities and counties, not through the competitive process. Mike Morgan said that he was told that city projects under \$200,000 can do the fund exchange. Tyler Deke said that the 50% obligation requirement was dropped and that cities and counties have a full year to obligate their funding.

Bob Bryant said that the OTC opened this process in an effort to be responsive to local communities who wanted more input into the use of the stimulus funding. He said that the Commission allocated up to \$120 million for this process, and are viewing this as an opportunity for discussion. He said that they could opt to not fund any of these proposals, and could return to their original project list. Gary said that there was a workshop scheduled for today on the local program. Scott Smith said that the recent teleconference with Travis Brouwer provided good information on the funding process.

Mike Morgan asked how many city and county projects were submitted for the competitive funding. Bob Bryant said there were 326 city and county projects, plus 40 additional rail and transit projects. Dennis Luke asked about funding for the Forest Highway program. Bob said that there was \$60 million in stimulus directed to this program, which is primarily focused on 7 or 8 states. Oregon does well in terms of funding, so we may expect \$7-\$8 million. Gary Farnsworth said that this funding program is for projects that benefit or provide access to federal lands. Lynn Lundquist asked how much is being requested by all of the applicants on the list. Bob said that the total requests equal just under \$600 million (with about \$100 million available).

### COACT Needs List Update

Gary Farnsworth said that the COACT needs list was reviewed and discussed at the January COACT meeting. The COACT TAC reviewed and updated the needs list; Gary reviewed the revised version which was included in the meeting materials. Gary said that we are looking for a COACT

endorsement of the updated needs list. Dennis Luke said that a bulk of the projects included on the list are currently un-funded. Gary agreed, and pointed out where the list included information about funding. He said that feedback and updates have been received from the jurisdictions.

Lynn Lundquist asked if the list is endorsed today, when would COACT again review and update? Gary said the process is ongoing; this is a point to take a “snapshot” and endorse. He said the list will be maintained on the web site. Dennis Luke said that there have been situations where funding has become available, and our region has been advantaged by knowing our needs. Eileen Stein said that the US 20 Bend-Sisters Refinement Plan was listed twice on the list. Gary said that this will be corrected.

**Dennis Luke moved approval of the COACT Needs List update. Mike Morgan seconded. The updated COACT Needs List was approved by consensus.**

Gary Farnsworth acknowledged the staff work that contributed to the update of the list.

#### Oregon Legislative Update

Lynn Lundquist said that Art Schlack from the Association of Oregon Counties is unavailable to connect to the meeting by phone. Art offered to participate in the May COACT meeting to provide a legislative update. Andrew Spreadborough read an email update submitted by Art Schlack prior to the meeting regarding the status of the transportation bill in the Oregon legislature:

- Not much agreement between the house and senate regarding process
- There is discussion among house members about the transportation bill process taking place on the house side - taking it from the transportation committee to revenue to ways and means.
- The house folks don't think it needs to go through senate committees
- The senate folks disagree with the house plan for handling the transportation bill, and are thinking that their committees will work through it.
- There are also questions about how to package the bill - the house folks think there should be a single bill with several elements, because it would be more likely that it would be broadly supported.
- The senate folks are leaning toward separate/segmented transportation bills, with various elements having their own bills.

George Endicott said that he and others met recently with Terry Beyer (who is the chair of the house Transportation Committee), Ted Ferrioli, and Chris Telfer to discuss transportation funding issues. All of them said that there will be a funding package. He said that the proposal that has legs is a 6 cent per gallon gas tax increase with no increases to license or registration fees. The gas tax increase would be phased in over three years. He said that they also discussed the Transportation Planning Rule, and that there is legislative proposed that would relax mobility standards. Dennis Luke asked if the Transportation Planning Rule (TPR) can only be changed legislatively. Bob Bryant said that there is a recognition that the TPR has impact on how communities develop; in times like these it makes sense to look at the TPR. The Oregon Transportation Commission wants to look at it, but they also recognize that if you lose ground on mobility, you never are able to make it up. George Endicott said that Matt Garrett is very aware of the TPR issue, and has said that economic development is central to the ODOT mission statement.

Proposal – Oregon Legislative Outreach Strategy

Andrew Spreadborough summarized the draft “Proposal for COACT Support of State Transportation Funding Package”. He said that the support paper was proposed by Lynn Lundquist at the January meeting. If approved by COACT, this paper would articulate COACT’s support of an increase to the state fuel tax. Andrew summarized the key points of the paper:

- The Oregon gas tax has not increased since 1993, and is insufficient to fund Oregon’s transportation needs
- COACT supports legislative approval of a gas tax increase
- The increase should be significant enough to provide sufficient funding for the state transportation system
- The increase should be indexed
- The increase should be exclusive of or in addition to user fees, such as registration or license fees.

Dennis Luke asked if COACT has an existing policy in support of a gas tax increase. Andrew said that COACT has not considered or acted on such a policy in the past.

**Dennis Luke moved approval of the “Proposal for COACT Support of State Transportation Funding Package”. Mike Morgan seconded. The COACT Support of State Transportation Funding Package was approved by consensus (Farnsworth abstain, Eager abstain).**

George Endicott said that the funding bill eliminates the opportunity for a regional gas tax. Eileen Stein said that the issue of a regional gas tax needs to be discussed further at COACT. Dennis Luke said that the approved support paper does not address regional gas tax authority. Lynn Lundquist stressed the need for indexing of the state gas tax. Eileen suggested considering a tradeoff – indexing for the regional tax option.

Lynn Lundquist said that visits with legislators at the right time can be useful in developing support. He said it would be appropriate to target three weeks from now for the visit. Andrew Spreadborough will arrange the date, and send the appointment schedule to COACT members. Eileen Stein asked if other ACTs are taking a position on the funding package, and said there would be more power with the ACTs acting together. Bob Bryant said it would be effective, and that the MPOs are working on a coordinated approach.

Lynn Lundquist asked if there is any interest in advocating for the continued local gas tax option. There was no expression of interest among COACT members, so Lynn stated that COACT will not be taking a position on local/regional gas tax authority.

ODOT Mobility Standards Discussion

Gary Farnsworth distributed a Mobility Standards handout, and said that ODOT is trying to gather feedback on the Transportation Planning Rule (TPR) and mobility standards. He said the issues around the TPR are most acute on Highway 97, though there are impacts in other areas as well. He said that they are seeking responses on three key questions:

1. How concerned are you about increased travel time and congestion on Highway 97?
2. Should providing jobs be a higher priority?
3. What other issues should be considered when making these decisions?

Gary said that the handout was presented to the COACT TAC for review and feedback. He said this is an opportunity for COACT feedback.

Dennis Luke said that congestion is relative; it is most severe at certain times of the day while at other times there is no congestion. He said that there are areas that have development restrictions due to congestion. He said that he'd like to have the same amount of congestion as I-5 in Portland, to allow for economic development. He said that there needs to be flexibility in the mobility standards to allow more congestion during peak hours. A lot of the traffic is local only, so there needs to be a tradeoff. In La Pine, there is prime industrial land that is not being developed.

Bob Bryant said that it would be helpful to have a letter expressing that it is acceptable to the communities to have higher levels of congestion. He said that ODOT has been hearing that congestion is not acceptable east of the mountains; surveys have shown that congestion is within the top three issues for residents. He said that the constituency may have different views than the elected officials. Gary said that the discussion at the TAC was around identifying measures to solve the problem while not allowing the system to fail. Dennis Luke asked for the definition of "failure". Bob said that the technical response is that the goal is to keep traffic within 80% of the system capacity. Above 80% at peak hours is failure. He said that they are bumping up to 100% capacity in some areas, and accident rates are above average.

Lynn Lundquist asked for an explanation of the third bullet from the summary of the COACT TAC feedback. Gary Farnsworth said that the TAC suggested a "corridor area approach". Rather than looking at an isolated spot, we would look at the commute-shed or routes. It means taking a broader perspective than a single intersection. Alan Unger said that the local governments need to plan the street networks better to reduce pressure on the state highways. He said that he would propose relieving the TPR, and making more efforts to accommodate traffic in other ways.

Eileen Stein asked if others use the "level of service" measurement for congestion. Peter Russell said that almost all of the jurisdictions use level of service, but ODOT does not. He said the problem is that the level of service provides "A" through "F" standards, but cannot show system degradation below "F", whereas volume/capacity can show degrees of congestion impacts beyond failure. Eileen suggested considering roadway designs that improve perceptions of congestion.

Mike Morgan said that changing congestion rules could set into motion outcomes that we do not want to see. We need to have policy in place that can find the solutions needed or the ability of ODOT to take a longer view on paying for projects. His concern is a policy change that leads to degrading of the system. George Endicott said that "time of travel" is a good way of measuring level of service and to determine what is acceptable congestion.

Jeff Eager thanked Bob Bryant and ODOT staff for their work with the City on Juniper Ridge; ODOT's flexibility is making a difference on this project. He said that government seems to over-react to things, including the economy. He said the goal should be to allow for local flexibility and modest modification to approaches in order to maximize the potential of infrastructure. The TRP needs adjustment, but legislation could lead to too big of a swing.

Chris Doty said that the TPR provides a 20-year target; if it is a standard that we are not meeting today, it will be that much harder to meet it in the future. The big issue is how we select land for growth. We can't just design and then expect the engineers figure a way to serve the growth. Transportation

capacity guides growth now. We need to look at the connection between infrastructure growth and demand, as summarized in the last bullet of the handout.

Dennis Luke said that the TPR is not the problem; the problem is the legislature's failure to act. ODOT can place a moratorium on projects, but they do not need to act to take it off. He said he'd like the legislature to be responsible for actions to remove a moratorium. Bob Bryant said that the TPR has been in place for over 20 years with no problem. He said what is different today is that there is insufficient funding to bring into any partnerships. ODOT has been successful in administering the rule, but the increased burden to fund projects that is placed on the private sector is not good for economic development. Flexibility is a reasonable goal, though more funding is also needed.

Mike Morgan said that we should avoid "balkanization" of the system; we cannot have different levels of service between communities. He agreed that maintaining political pressure on the legislature is important. Dennis Luke said that he wants to see the TPR changed at the Commission level, not at the legislature. Bob Bryant said that the TPR requires that the system meets ODOT mobility standards. He said that with community support, the mobility standards can be modified. He said that if there is universal support for modifying the mobility standards, then ODOT can format a question and bring it to the elected officials for discussion. Then the Commission can take action.

**Adjourn**

Meeting adjourned at 5:00 p.m.