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DRAFT MEETING SUMMARY-EMT

Project: I-5 to 99W Connector
Purpose: Executive Management Team Meeting
Location: Metro, Room 501

Attendees:

Andy Cotugno	Metro
Rob Dixon	Sherwood
Jeff Graham	FHWA
Mike McKillip	Tualatin
Greg Miller (EMT alternate for Kathy Busse)	Washington County
R. Scott Pemble	Clackamas County
Michael Ray (EMT alternate for Fred Eberle)	ODOT
Mike Stone	Wilsonville
Barry Hennelly	Washington County
Mark Turpel	Metro
Vaughn Brown	Jeanne Lawson Associates
Leslie Howell	Howell Consulting
Jef Kaiser	David Evans and Associates, Inc.
Scott Richman	DEA

Distribution: Attendees, File

The meeting began at 9:30 AM. The agenda items are represented in the following "bold" headings. Barry Hennelly welcomed the group and led the overall EMT meeting.

- **EMT Partnering Agreement**
 - Barry circulated the EMT Partnering Agreement for EMT signatures and each EMT member present or alternate (Greg Miller for Kathy Busse and Michael Ray for Fred Eberle) signed the Partnering Agreement.
 - Barry will create a pdf of the signed EMT Partnering Agreement and distribute it to the EMT. It will be copied to the DEA ftp site for the project.
 - Mike M. questioned whether or not the consultant team includes a legal counsel. Leslie replied that an attorney, Mark Greenfield, is on the consultant team. However, for this project, his role is a land use consultant. If we require a legal opinion outside that of participating agencies during the

course of the project (i.e., third party), we would need to look to ODOT or County legal counsel or procure other legal counsel.

- **PSC Debrief**

- Barry summarized several PMT observations from the PSC meeting held on July 11. These observations and major discussion points raised by EMT members and others are summarized as follows.
- Barry – PMT observations and concerns regarding the need to:
 - Raise the level of and establish consistent communication between EMT and PSC members;
 - Clarify and achieve consensus on the decision making process and the composition and roles of different committees proposed to be involved in this process;
 - Clarify the scope, purpose and available funding for the project; and
 - Reach PSC consensus on whether or not to form a citizens committee, and if so, the composition of a citizen and affiliation committee.
- Andy – He was surprised about the lack of clarity amongst the PSC about project funding. Approximately one year ago, during the OTIA III decision round, Washington County received regional funding support of \$10 million for the I-5 to 99W Connector project development through JPACT. No funds have been earmarked for construction. County Commissioner Rogers was part of JPACT.
- Rob - Some of the PSC members questioned why we should move forward if we do not have money to build anything. He has not heard this concern raised again since the PSC meeting. He indicated that successful projects, at their inception, commonly do not have funding and resources are found as the project is defined.
- Mike M. - Lack of sufficient funding has been an issue for the Tualatin Mayor. He is leery of recurring problems that were raised during the most recent County arterials study.
- Mike S. – Wilsonville Mayor expressed similar concern about repeating previous processes, and concern about committing City resources if the project does not advance. She agrees with the need to move forward and desires to gain clarification on the amount of funding required to develop and construct a project. She questions how the determination of the project as one of “statewide and regional significance” was made. Michael R. replied that the Oregon Transportation Commission (OTC) made this determination. It was agreed that ODOT would do some research to identify how the projects of statewide significance decision was made.
- Barry – previous construction estimates presented to the elected officials had been in the high \$270 millions. We are proceeding with the assumption that a portion of the available \$10 million may be used to get through the EIS

process, and that left over funding could be used for corridor preservation (R/W purchase).

- Michael R. - we could begin acquiring R/W without having construction funding. The closer we can be to implementation, the better position we will be in to leverage needed funds from Federal and other sources.
- The EMT agreed that that it is in the interest of the region to proceed with the development of the Connector project so that it can be programmed for future funding along with other major projects in the region. The EMT also agreed that the proposed RTP Amendment process followed by the design-level EIS process may be most effective at positioning the project to be eligible for construction funding.
- Andy – Metro’s finance committee will be working on developing funding plans for large projects, and he advised that a funding mechanism be committed prior to the Record of Decision on this project. The Sunrise project and this project need to be “nimble” and likely phased. Both will require Federal, State, and Regional funding. Serious consideration of tolls is needed - tolling may leverage and expedite the implementation process. We cannot wait 40 years to implement all needed major projects in the region.
- Barry - tolling needs to be considered at a region/system level.
- Scott P. - need to determine when a detailed tolling analysis is needed. This conversation is happening on the Sunrise project and we should include this and other major projects in this discussion.
- Barry - we did not have PSC agreement on a citizens/stakeholders committee and some questioned the needs/benefits.
- Rob - the Sherwood Mayor is almost completely opposed to a citizens committee. He views this as increasing potential for “the tail wagging the dog.” The elected officials’ purpose, the Mayor believes, is to accomplish what he views as the PIC charge.
- Mike M. – Tualatin Mayor is concerned about a citizen committee taking on a life of its own (“starting fires”) and undermining an effective process.
- Barry - We have enough public opinion diversity and challenges already, and we need a proactive and comprehensive PI program to support a successful project. We will also address the concern raised by the Wilsonville Mayor regarding the Study Area vs. Area of Influence. For example, the traffic analysis area will be greater than the study area shown to the PSC, including consideration of Yamhill Co. influence and effects.
- Leslie - one of the early work products would be to define the analysis area.
- Andy – Wilsonville Mayor’s concern regarding I-5 impacts are not exclusive to this project. The last RTP update did not address I-5 and Metro realizes I-5 south of OR 217 is a high priority. Ten years ago, it was generally serving Metro traffic, but now it is serving more growing areas south into the Willamette Valley.

- Mike S. - generally, what happens on I-5 does not affect city streets, but with more traffic it would. I-5 is “rapidly falling apart.”
 - Michael R. - I-5 needs to be addressed with or without a connector. The connector would distribute traffic differently.
 - Barry – PMT and EMT need to continuously improve communication with PSC. Lines of communication to voice concerns need to open.
 - Leslie - schedule issue with timing of PSC meetings (plant the seed for schedule discussion on the agenda for later in the meeting and project implications).
- **Decision Structure-**
 - Metro came up with a possible sequence of actions needed to get through the RTP and local plan amendment process (sketched on white board) and Mark T. walked through it.
 - Michael R. - Concurrence points are required to advance the project.
 - Jef – We propose having CETAS reach an agreement on their standing role in RTP process. CETAS participation in the RTP process provides a decision elevation mechanism. If CETAS identifies a problem in the RTP Process, it needs to be addressed in either the RTP or EIS process. The RTP process will emulate a Tier I EIS which should facilitate CETAS participation and milestone concurrence points similar to those that will occur at a project level during the EIS process.
 - Scott P. questioned the value of CETAS involvement in the RTP process and raised concern about “re-institutionalizing” the same CETAS involvement with potentially different CETAS group members through the RTP amendment and EIS processes. He also expressed concern about whether CETAS would agree to this role. Reminded EMT of the need to clearly communicate to the PSC how we see them being involved in the process. The plan amendment process may not be as sequential as shown.
 - Jef - The project record created would mitigate turnover of CETAS members between the two processes. And the RTP process has been designed to mirror a stage one EIS, and therefore should be familiar and consistent with CETAS interest in early project involvement.
 - Barry - The RTP amendment decision process following a PSC decision on the corridor could take up to a year.
 - Andy - Local governments should “endorse” the PSC recommendation. The Metro Council RTP amendment decision would be appealable, but local actions would not. Outside the Metro UGB, the County would adopt a TSP amendment. The local governments need to make sure that the process meets or could be adopted to meet their local citizen involvement requirements

- **Public Involvement in Decision Process**

- Vaughn - We need to get agreement from the PSC on the Public Involvement (PI) framework. He referred to the "Recommendation Process" diagram. The whole project, including the PI program has been designed such that deficiencies of the previous study should not repeat. He summarized the PI program elements. Input from a citizens/stakeholders committee would not outweigh feedback through other means. This proposed project, including technical work, is much more substantive than the previous County study, and will generate more useful information and reach a conclusion. This is likely to help reduce potential for a citizens committee confusion. The proposed Public Involvement Committee (PIC) will provide the opportunity to get a diverse group of stakeholders at the same table. This does not occur elsewhere.
- Barry – PI comprises a substantial portion of the project budget, and we are committed to going above and beyond with outreach. It is important for the EMT to help resolve the question of the PIC's charge with the PSC as soon as possible.
- Mike M. – The PIC could reduce the burden on elected officials. If the PIC is properly structured and managed, it could make their lives easier.
- Michael R. – It would help if the PSC were clear on the PIC's charge, including that the PIC would also be chartered through a Partnering Agreement.
- Vaughn asked the EMT if it would help if we identified things that we need to address with a PIC and clarified the expected benefits of including a PIC.
- Leslie suggested that we convey our view of how a PI program might work without a PIC as well.
- Greg suggested the PMT/EMT make a recommendation to the PSC – give them something to react to.
- Barry - We would run this recommendation by the EMT before presenting it to the PSC.
- Scott P. - The EMT should advance the proposal, but the PSC needs to sign off on it in August, if possible.
- Barry - An August PSC meeting does not seem plausible, but we may be able to resolve this prior to the next PSC meeting through the EMT presenting it to respective PSC members.
- Andy – We need to make it clear that that PIC can make recommendations and should provide reasons for their recommendations, but that they are not a decision-making body.
- Mike M. - The PIC will need to have adequate information to help them make informed recommendations.
- Greg - The strength of the PIC working within a Partnering Agreement and agreeing to the project Purpose and Need, and goals and objectives could be of great benefit to the project development process.

DRAFT MEETING SUMMARY

ODOT0000-0459

MS: 7

Meeting Date: 07/28/05

Issue Date: 08/09/05

- Scott P. – At the PSC meeting, the Tualatin Mayor requested that the PIC not be given a role to recommend an alternative corridor. Someone needs to follow up with the Mayor to clarify his comment.
 - Greg – We need to choose the right people for the PIC and make it clear that their role is not to develop alternatives, and that they cannot direct the consultants.
 - Andy - PSC has to retain authority to make/approve PIC appointments. Leave PIC nomination ability to PSC members, and leave to PSC whether or not they want to act as a body on appointments made by individual PSC members.
 - Scott P. - Address this issue in the PSC Partnering Agreement. Also address the concern raised by the PSC about non-affiliated PIC members representing a geographic area.
 - Vaughn – We can present a PIC structure and membership recommendation to the PSC, but we need the EMT to work with the PSC to get their concurrence.
 - Mike M. - At the PSC meeting, some members agreed to meet to reach agreement on their position with regard to a PIC. The Tualatin Mayor informed him that this has not happened yet.
 - Barry – Tigard requested a project briefing to their city council on August 16th and he told them that we are not ready. He suggested that we push this out. The EMT agreed.
 - Greg recommended that Tom Brian or Roy Rogers talk with the Tigard elected officials.
- **Next Steps -**
 - The next EMT meeting will be August 25th.
 - Leslie - By the next EMT meeting, we should have a more detailed project schedule. The PSC's decisions are key to moving the process forward. She pointed out that we are already behind the initial schedule because we do not have a decisions about the PIC.
 - Barry requested that the EMT review the most current draft PSC Partnering Agreement. He will distribute EMT and PMT membership list with the draft PSC Partnering Agreement.
 - Barry - We need to schedule the next PSC meeting. We can attempt to schedule this for late August or early September. This meeting needs to be scheduled shortly after the next EMT meeting.

DRAFT MEETING SUMMARY

ODOT0000-0459

MS: 7

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Action Items	Responsible Party	Target Date
Distribute signed EMT Partnering Agreement and save as pdf to ftp site	Barry/Scott R.	8/12
Mail EMT, PMT, and PSC membership list with draft PSC Partnering Agreement to EMT and PSC	Barry	8/12
Schedule late August or early September PSC meeting	Barry	8/12
Revise project schedule	Leslie/Scott R.	8/12
Review most current draft PSC Partnering Agreement and provide comments to PMT	EMT	8/25
Prepare a draft post PSC decision chart	Mark	8/9
Research how projects of statewide significance decisions were made	Michael	8/25