

Linn County
Transportation Advisory Committee
December 4, 2018
Albany City Hall (Santiam Room)
Albany, Oregon

MINUTES

Members Present: Tim McQueary; Ken Bronson; and Ted Frazier

Guests: Mark Bernard, ODOT Rail and Public Transit Division

Staff Present: Mark Volmert

Call to Order

Tim McQueary called the meeting of the Linn County Transportation Advisory Committee (TAC) to order at 1:30. The lack of a quorum was noted.

Public Comment Opportunity

No comments from the public.

Update on Regional Coordinated Plan Effort

Mark Volmert reminded TAC members that the “Central Willamette Valley Regional Coordinated Plan” includes the Coordinated Plans for the four jurisdictions and the regional chapter. Since the adoption of the Coordinated Plans in 2017 the partners have worked on the regional chapter.

Volmert indicated ODOT’s consultant did not talk with the STF Coordinators from the four jurisdictions (Linn County, Lincoln County, Benton County and the Confederated Tribes of the Siletz) since the July 2018 stakeholders meeting in Corvallis and prior to the release of what was titled the “final” regional chapter document. ODOT staff and AOC staff had also not spoken with the four STF Coordinators. This document includes several elements/recommendations that were not previously discussed by local partners; and includes recommendations about concepts that had previously been rejected by local partners.

Volmert indicated the consultant's transmittal indicates the plan is "ODOT's plan". The transmittal indicates the four jurisdictions are encouraged to approve the regional plan but are not required to approve the document. The four jurisdictions strongly object to this approach and indicate it is a complete reversal of the planning partnership effort that dates back to 2005. The regional chapter, and its approval by the individual governing board, is the responsibility of the four local partners. ODOT's role has been to support the local planning partnership effort, provide technical assistance including funding for the consultant and ensure that the planning effort addresses the human services-public transportation planning requirements of ODOT.

Volmert indicated the four jurisdictions will address this matter when STF Coordinator/TAC resources and time are available (after 2019-2021 grants are addressed and STIF applications are submitted to ODOT).

Mark Bernard said, as a new ODOT staff member, he was not aware of much of the history of this planning effort. He thought it had been agreed that Jim Owens, Jean Palmateer and Ann Hanus would "pull things together and wrap it up". Volmert said this was not correct.

At the July 9, 2018 regional assessment meeting with local stakeholders in Corvallis it was agreed that the four STF Coordinators would share the Assessment Report and the results of the convening meeting with their advisory committees. It was also agreed that the consultant would meet with the four STF Coordinators to develop the potential opportunities/recommendations part of the regional chapter. The consultant did not respond to requests to meet.

Bernard indicated he did not know how the document "became an ODOT product".

HB 2017/STIF Requirement/Procedures

Volmert started to discuss the definition of "areas with high percentage of low income households", noting that was a requirement in the TAC's bylaws that were amended earlier in the day by the Linn County Board of Commissioners.

Bernard indicated he had recently been given updated guidance from ODOT staff. ODOT now wants STIF Advisory Committee bylaws to include a specific definition of "areas with high percentage of low income households" rather than simply define the requirement/process in the bylaws. Volmert said the staff report on today's agenda essentially addresses the definition requirement. If Linn County had known about this

change a week ago the bylaws could have been updated before the Board of Commissioners took action earlier in the day.

The TAC members present discussed the definition of “areas with high percentage of low income households” and agreed that the definition should be “areas where the percentage of low income households exceeds the Oregon statewide average of low income households”. Volmert will share this information with the TAC members who are not present and then forward information to the County Attorney to prepare an amendment to the bylaws and then present it to the Board of Commissioners for review and approval.

Volmert presented a staff report regarding draft elements of a sub-allocation method. He indicated he has worked on this effort during the past two months with TAC members and Public Transportation Service Providers. He noted that three of the four managers of public transportation programs in Linn County have between 9 and 22 years of service on the TAC. Volmert reminded TAC members that ODOT’s administrative rules require Qualified Entities (in our case this is Linn County), working collaboratively with Public Transportation Service Providers, to develop a method for sub-allocating STIF formula funds. He said the administrative rules require, to the extent possible, that the sub-allocation method must be proportionate to the amount of employee payroll tax revenue generated within the geographic territory of each Public Transportation Service Provider. Volmert said it is very important to remember that the administrative rules indicate the sub-allocation is not an entitlement to the Public Transportation Service Provider and decision criteria may affect the prioritization of projects. He also noted that state law does not require a sub-allocation method. Although this requirement was included in HB 2017 the Legislative Assembly removed it from state law when it adopted HB 4057 in March 2018 (the HB 2017 “clean up” bill).

Volmert said Linn County should consider, as authorized in ODOT’s administrative rules, “other decision criteria” including suggestions included in his staff memo. This would provide all applicants and interested parties with a complete picture of the decision-making criteria that will be used in the review of STIF applications.

Bernard questioned the inclusion of a decision criteria element related to financial contributions from local agencies. He said this element was inappropriate since a city that was fiscally challenged could be excluded from funding for expanded transit service. Bernard warned that the inclusion of this element would create a challenge during the review of Linn County’s STIF plan.

Volmert clarified that the draft language was a part of six elements and as currently written was “an assessment of the interest that local communities have in expanding transit service including their interest in helping fund service”. Linn County has a very long history of strong partnership efforts which includes local “skin in the game”. A local financial commitment can help ensure the development and support of highest priority public transportation projects. He noted some local counties, in the past, have developed projects funded entirely by state grants that did not include local support and the projects were ultimately not successful.

Volmert said the Linn County Board of Commissioners, earlier today, were crystal clear that HB 2017/STIF projects needed to be of “very good value to taxpayers”; and the discussion included the importance of local partnerships. Volmert said the language in the staff report is a review consideration and a local program’s STIF application would not be rejected simply because a local city could not provide financial assistance. Tim McQueary agreed.

Bernard again cautioned about the inclusion of this language. Volmert said the Legislative Assembly assigns policy responsibilities to counties and transit districts and the elected officials who serve on these policy bodies. ODOT staff is responsible for administering elements of state law and administrative rules but staff cannot insert their personal opinions and positions on matters governed by state law and administrative rules.

TAC members were asked to provide comments and suggestions about the sub-allocation method to Volmert within 10 days. The item will be brought back to the TAC at its late January meeting.

Continued Discussion With Transportation Providers About Transportation Opportunities Related to HB 2017/STIF Resources

Ken Bronson and Ted Frazier outlined their continuing efforts. Volmert summarized Lebanon’s current efforts and concepts.

Bernard discussed new guidance regarding ODOT’s review of STIF plans including written guidance about STIF plan deficiencies and corrective action to address deficiencies.

Potential deficiencies can be avoided by ensuring: the establishment of an appropriate advisory committee (including bylaws and minutes); appropriate reference to pages in Coordinated Plans/other plans; appropriate definition of high percentage of low

income households; appropriate sub-allocation methodology; appropriate detail in description of projects; the placement of projects in appropriate categories in the application; and if 1% is not allocated to grades 9-12 transportation ensuring there is appropriate justification.

Bernard indicated ODOT staff wants 1% allocated each year to grades 9-12 transportation (rather than 1% of the total 2018-2021 allocation). Volmert questioned whether this was a part of ODOT's administrative rules and noted that many Qualified Entities not have an approved STIF plan in 2018-2019 and will therefore be unable to allocate 1% in 2018-2019).

Other Business

Volmert said he had again reminded transportation service providers about the February 1 deadline for the 5% STIF discretionary grant and the 4% STIF intercommunity discretionary grant.

Volmert indicated the next TAC meeting will be held on Tuesday January 29 at 1:30 in Albany.

The meeting adjourned at 3:32.

Submitted by:

Mark Volmert