

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE 2021-) RESOLUTION NO. 21-5219
26 METROPOLITAN TRANSPORTATION)
IMPROVEMENT PROGRAM (MTIP) TO ADD) Introduced by: Chief Operating Officer
PORTLAND'S 82ND AVE SAFETY UPGRADE) Marissa Madrigal in concurrence with
PROJECT FUNDED WITH \$80 MILLION FROM) Council President Lynn Peterson
THE AMERICAN RESCUE PLAN ACT OF 2021)
(NV22-04-NOV3))

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan (RTP) to receive transportation related funding; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved the 2021-24 MTIP via Resolution 20-5110 on July 23, 2020; and

WHEREAS, JPACT and the Metro Council must approve any subsequent amendments to add new projects or substantially modify existing projects in the MTIP; and

WHEREAS, the U.S. Department of Transportation (USDOT) has issued clarified MTIP amendment submission rules and definitions for MTIP formal amendments and administrative modifications that both ODOT and all Oregon MPOs must adhere to which includes that all new projects added to the MTIP must complete the formal amendment process; and

WHEREAS, on March 11, 2021, the American Rescue Plan Act was signed into law, and established the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Funds, which together make up the Coronavirus State and Local Fiscal Recovery Funds (“SLFRF”) program; and

WHEREAS, this program is intended to provide support to State, territorial, local, and Tribal governments in responding to the economic and public health impacts of COVID-19 and in their efforts to contain impacts on their communities, residents, and businesses; and

WHEREAS, the Oregon Department of Administrative Services (DAS) received a portion of the ARPA Oregon apportionment of which \$80 million has been approved for Portland’s 82nd Ave Safety Upgrade project; and

WHEREAS, the Oregon Department of Transportation (ODOT) will act as oversight manager for the timely and proper use, obligation and expenditure of the ARPA funds approved for the 82nd Ave Safety Upgrade project; and

WHEREAS, the unique structure of the ARPA program and appropriation to DAS results in the 82nd Ave funds being considered “local” funds and not federal; and

WHEREAS, the 82nd Ave Safety Upgrade project is considered regionally significant, and MTIP programming is occurring for informational purposes; and

WHEREAS, a review of the proposed project has been completed against the current approved Regional Transportation Plan (RTP) for consistency with the goals and strategies identified in the RTP; and

WHEREAS, RTP consistency check areas included financial/fiscal constraint verification, and eligibility and proper use of committed funds, which review confirmed that the MTIP's financial constraint finding is maintained a result of the November #3, Portland 82nd Ave Safety Upgrade MTIP Formal Amendment; and

WHEREAS, the 82nd Ave Safety Upgrade Project total project cost at \$80 million is under the \$100 million threshold, and includes only non-capacity scope improvements which are exempt from air transportation demand and air quality conformity modeling analysis negating the need to complete and include a special amendment performance evaluation beyond the regular MTIP consistency checks completed for formal/full amendments; and

WHEREAS, Metro's Transportation Policy and Alternatives Committee (TPAC) received their notification plus amendment summary overview, and recommended approval to Metro's Joint Policy Advisory Committee on Transportation (JPACT) on November 5, 2021; and

WHEREAS, JPACT approved Resolution 21-5219 consisting of the November #3 2021 Formal MTIP Amendment on November 18, 2021 and provided their approval recommendation to Metro Council; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT on December 2, 2021 through Resolution 21-5219 to formally amend the 2021-26 MTIP to include Portland's 82nd Ave Safety Upgrade ARPA funded project.

ADOPTED by the Metro Council this ____ day of _____ 2021.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney