

Council meeting agenda

Thursday, September 28, 2023

10:30 AM

**Metro Regional Center, Council chamber,
[https://www.youtube.com/live/MExjo4tkk6](https://www.youtube.com/live/MExjo4tkk6E?si=SzyWldErbyyeRGBj)**

E?si=SzyWldErbyyeRGBj

<https://zoom.us/j/615079992>, or

**877-853-5257 (toll free) (Webinar ID:
615079992)**

This meeting will be held electronically and in person at the Metro Regional Center Council Chamber.

You can join the meeting on your computer or other device by using this link:

<https://zoom.us/j/615079992>, or 877-853-5257 (toll free) (Webinar ID: 615079992)

<https://www.youtube.com/live/MExjo4tkk6E?si=SzyWldErbyyeRGBj>

1. Call to Order and Roll Call

2. Public Communication

Public comment may be submitted in writing. It will also be heard in person and by electronic communication (video conference or telephone). Written comments should be submitted electronically by emailing legislativecoordinator@oregonmetro.gov. Written comments received by 4:00 p.m. the day before the meeting will be provided to the council prior to the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-813-7591 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to legislativecoordinator@oregonmetro.gov. Those wishing to testify in person should fill out a blue card found in the back of the Council Chamber.

Those requesting to comment virtually during the meeting can do so by joining the meeting using this link: <https://zoom.us/j/615079992> (Webinar ID: 615079992) or 888-475-4499 (toll free) and using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at legislativecoordinator@oregonmetro.gov. Individuals will have three minutes to testify unless otherwise stated at the meeting.

3. Presentations

- 3.1 National Day of Remembrance for U.S. Indian Boarding
Schools

23-5932

Presenter(s): Katie McDonald (she/her), Tribal
Liaison, Metro

4. Consent Agenda

- 4.1 Resolution No. 23-5355, For the Purpose of Confirming the Members of the Metro Regional Waste Advisory Committee (RWAC) **RES 23-5355**
- Attachments: Resoution No. 23-5355
Staff Report

5. Resolutions

- 5.1 Resolution 23-5356, For the Purpose of Authorizing an Exemption from Competitive Bidding and Procurement of Construction Manager/General Contactor Services by Competitive Request for Proposals for the Arlene Schnitzer Concert Hall Roof Replacement [RES 23-5356](#)
- Presenter(s): Kim Paul (she/her), Procurement Analyst, Metro,
Nancy Strening (she/her), Senior Construction Project Manager, Metro
- Attachments: [Resolution 23-5356](#)
[Staff Report](#)
[Exhibit A](#)
[Attachment 1](#)

6. Ordinances (First Reading and Public Hearing)

- 6.1 Ordinance No. 23-1496, For the Purpose of Amending the 2018 Regional Transportation Plan (RTP) to Comply with Federal and State Law and Amending the Regional Framework Plan **ORD 23-1496**
- Presenter(s): Kim Ellis, RTP Project Manager, Metro
- Attachments: Ordinance-23-1496
Staff Report
Exhibit A
Attachment 1
Attachment 2

7. Ordinances (Second Reading)

- 7.1 Ordinance No. 23-1497 For the Purpose of Annexing to the Metro District Approximately 0.71 Acres Located West of NE Starr Blvd, North of NE Huffman St, and South of NE Constable St in Hillsboro

[ORD 23-1497](#)

Presenter(s): Glen Hamburg (he/him), Associate Regional Planner, Metro

Attachments: [Ordinance No. 23-1497](#)

[Staff Report](#)

[Exhibit A](#)

[Attachment 1](#)

8. Chief Operating Officer Communication
9. Councilor Communication
10. Adjourn

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ១ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការប្រកាសស្តីពីការមិនរើសអើងសូមទូរស័ព្ទទៅលេខ ៥០៣-៧៩៧-១៧០០ ឬ www.oregonmetro.gov/civilrights។
បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ មុនថ្ងៃប្រជុំដើម្បីអាចឱ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក។

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National Day of Remembrance for U.S. Indian
Boarding Schools
Presentation

Metro Council Meeting
Thursday, September 28, 2023

Resolution No. 23-5355, For the Purpose of
Confirming the Members of the Metro Regional
Waste Advisory Committee (RWAC)
Consent Agenda

Metro Council Meeting
Thursday, September 28, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING	)	RESOLUTION NO. 23-5355
MEMBERS OF THE METRO REGIONAL	)	
WASTE ADVISORY COMMITTEE	)	Introduced by Chief Operating Officer
	)	Marissa Madrigal in concurrence with
	)	Council President Lynn Peterson

WHEREAS, Metro is the solid waste system planning authority for the region and acts pursuant to its constitutional, statutory, and charter authority; and

WHEREAS, Metro Code Section 2.19.130 establishes the Metro Regional Waste Advisory Committee; and

WHEREAS, Metro Code Section 2.19.130(b) describes the membership of the Committee; and

WHEREAS, Metro Code Section 2.19.130(d) establishes the process by which members are nominated and confirmed; and

WHEREAS, under Metro Code Section 2.19.130(d) (1) (local government members), a jurisdiction's presiding officer nominates a member, subject to appointment by the Metro Council President and confirmation by the Metro Council; and

WHEREAS, one vacancy has occurred in the representation of the city or county government representatives; and

WHEREAS, the Council President has appointed Kathy Folsom, nominated by Washington County Assistant Administrator Marni Kuyl, and this appointment is subject to confirmation by the Metro Council; and

WHEREAS, one vacancy has occurred in representation of the interests of communities of color and other historically marginalized groups; and

WHEREAS, the Council President has appointed Teresa Gaddy, resident of Multnomah County, and this appointment is subject to confirmation by the Metro Council; and

WHEREAS, one vacancy has occurred in representation of users of the solid waste system; and

WHEREAS, the Council President has appointed Jackie Kirouac-Fram, resident of Multnomah County, and this appointment is subject to confirmation by the Metro Council; and

WHEREAS, the Metro Council desires to confirm these appointments; now therefore,

BE IT RESOLVED that the Metro Council confirms the appointment of Kathy Folsom, Teresa Gaddy, and Jackie Kirouac-Fram to the Regional Waste Advisory Committee for the two-year term ending on August 31, 2025.

ADOPTED by the Metro Council this 28 day of September 2023.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

IN CONSIDERATION OF RESOLUTION NO. 23-5355, FOR THE PURPOSE OF
CONFIRMING THE MEMBERS OF THE METRO REGIONAL WASTE ADVISORY
COMMITTEE

Date:	September 5, 2023	Prepared by: Carly Tabert, carly.tabert@oregonmetro.gov
Department:	Waste Prevention and Environmental Services	Length: Consent
Meeting Date:	September 28, 2023	

ISSUE STATEMENT

In March 2019, Metro Council adopted the 2030 Regional Waste Plan. As a part of the plan's oversight framework, the Metro Council established the new Regional Waste Advisory Committee to help guide the implementation of the plan's goals and actions. In September 2019, Metro Council confirmed the appointment of members to the committee, for two-year terms ending September 30th, 2021. Metro Code requires that committee members be either reappointed for an additional term or that new members be appointed.

ACTION REQUESTED

Staff requests approval of Resolution No. 23-5355, confirming the appointment of new members to the Regional Waste Advisory Committee:

New appointments for first term:

Teresa Gaddy, Community Member: term ending August 31, 2025
Jackie Kirouac-Fram, System User: term ending August 31, 2025
Kathy Folsom, Local government representative for Washington County: term ending August 31, 2025

IDENTIFIED POLICY OUTCOMES

Metro Council adopted the 2030 Regional Waste Plan to guide the development of the garbage and recycling system. The Regional Waste Advisory Committee helps advance two primary policy outcomes:

- Advancing racial equity by increasing access and representation in decision-making for historically marginalized communities
- Implementing the accountability framework set forth in the plan

PROPOSED MEMBER BIOGRAPHIES

Teresa Gaddy**Community member – 2-year term ending August 31, 2025**

Teresa is passionate about what happens with our waste & recycling in terms of environmental and health impacts. She is also interested in the careers associated with this industry and how these opportunities are shifting or expanding over the next several years. She cares about equitable access to services for those living in low-income neighborhoods, especially large apartment complexes which are predominantly immigrant and/or POC.

She is a mixed-race Native woman (Tewa and white), living in Multnomah County for most of the last 30 years. She manages a workforce readiness program for BIPOC adults called the Green Workforce Academy. They introduce folks to green career opportunities and teach them about the myriad of factors that have led to climate change including waste & recycling, thinking about the life cycle of commodities and how we might manage our waste stream better.

Jackie Kirouac-Fram**System user – 2-year term ending August 31, 2025**

Jackie Kirouac-Fram has more than 15 years of experience helping nonprofits thrive through stakeholder engagement, strategic collaboration, and striving toward justice through equity and inclusion. Since March 2019, she has served as Executive Director at the ReBuilding Center, a Portland, Oregon climate justice nonprofit that harnesses the power of reuse and repair of reclaimed building materials to reduce consumption and production of new materials, and to support home retention for low-income homeowners. Prior to this position, she was Vice President at FOCUS St. Louis, a nonprofit civic leadership organization, where she led efforts to increase community support and engagement around policy issues that impact the health and well-being of communities.

Jackie has a Ph.D. in American Studies from Saint Louis University, where she published on the intersection of urban policy and racial equity, specifically concerning racialized aspects of public transportation policy and funding. Her work has been published in the Journal of Urban History, Souls: A Critical Journal of Black Politics, Culture and Society, and Radical History Review, and she is a proud recipient of an Andrew W. Mellon/ACLS Dissertation Completion Fellowship. She has spent her entire career in the nonprofit sector and believes in the power of communities to drive policy change toward justice.

Kathy Folsom**Local government representative for Washington County – 2-year term ending August 31, 2025**

Kathy Folsom is a Senior Policy Coordinator with the Washington County Solid Waste & Recycling Division. With more than 17 years of experience in the materials management fields, Kathy has spent the past several years in various roles with Washington County Solid Waste & Recycling. She has managed administrative rules and regulation updates, monitored and evaluated compliance with existing rules and regulations, and reviewed and recommended regulatory proposals and models related to solid waste and recycling collection, solid waste disposal, nuisance and noise. She oversees the development and

renewal of Washington County's solid waste disposal site franchise agreements with the Hillsboro Landfill and Recology Organics - North Plains.

She currently serves as the project manager overseeing Washington County's Garbage and Recycling Advisory Committee. She is committed to supporting a safe, equitable and healthy Washington County community. Kathy has a strong commitment to incorporating equity considerations into any decision-making process and all work including rules and regulations. Kathy has an M.B.A and bachelor's degrees in Economics and Finance.

STAFF RECOMMENDATIONS

Staff recommends approval of Resolution No. 23-5355

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The 2030 Regional Waste Plan guides the greater Portland area's efforts to reduce the environmental impacts of the products we make, use and discard, provide a more equitable distribution of services and benefits to communities of color and other historically marginalized communities, and ensure a high quality, resilient garbage and recycling system. To help achieve this, the plan identifies an oversight structure to include:

- Metro Council
- Metro Committee on Racial Equity
- Metro Policy Advisory Committee
- Metro Regional Waste Advisory Committee

The Regional Waste Advisory Committee is intended to:

- Provide input on legislative and administrative actions that the Metro Council or Chief Operating Officer (COO) will consider related to implementing the Plan
- Provide input to staff on development of policies, programs and projects to implement actions in the Plan
- Review and provide input on the status of implementing the plan

The membership is structured to strengthen the likelihood that the committee will focus on outcomes that best achieve the public interest in terms of the plan's focus on equitable system benefits and services, and environmental and human health benefits. The membership is:

- Five city or county government representatives
- Three individuals representing the interests of communities of color and other historically marginalized groups
- One individual representing the interests of environmental or health advocates
- One user of the solid waste system
- One representative from the Oregon Dept. of Environmental Quality
- The Oregon Refuse and Recycling Association's (ORRA) Metro-area regional director
- A Metro staff person designated by the COO to serve as Chair of the committee

Resolution 23-5356, For the Purpose of Authorizing an Exemption from
Competitive Bidding and Procurement of Construction Manager/General
Contractor Services by Competitive Request for Proposals for the Arlene
Schnitzer Concert Hall Roof Replacement
Resolution

Metro Council Meeting
Thursday, September 28, 2023

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING AN	)	RESOLUTION NO. 23-5356
EXEMPTION FROM COMPETITIVE	)	
BIDDING AND PROCUREMENT OF	)	
CONSTRUCTION MANAGER/GENERAL	)	
CONTRACTOR SERVICES BY	)	
COMPETITIVE REQUEST FOR	)	Introduced by Chief Operating
PROPOSALS FOR THE ARLENE	)	Officer Marissa Madrigal in
SCHNITZER CONCERT HALL ROOF	)	concurrence with Council President
REPLACEMENT	)	Lynn Peterson

WHEREAS, Metro intends to replace the roof of the historic Arlene Schnitzer Concert Hall, (the “Arlene Schnitzer Concert Hall Roof Replacement”); and

WHEREAS, ORS 279C.335 and Metro Local Contract Review Board Administrative Rule ("LCRB Rule") 49-0130 require that all Metro public improvement contracts be procured based on competitive bids, unless exempted by the Metro Council, sitting as the Metro Contract Review Board; and

WHEREAS, Metro's LCRB Rule 49-0620 authorizes the Metro Contract Review Board to exempt a public improvement contract from competitive bidding and direct the appropriate use of alternative contracting methods that take account of market realities and modern innovative contracting and purchasing methods, so long as they are consistent with the public policy of encouraging competition, subject to the requirements of ORS 279C.335; and

WHEREAS, ORS 279C.335(2) and (5)(a), and LCRB Rules 49-0630 through 49-0690 require that the Metro Contract Review Board hold a public hearing and adopt written findings establishing, among other things, that the exemption of a public improvement contract from competitive bidding is unlikely to encourage favoritism or substantially diminish competition for public improvement contracts; and that said exemption will likely result in substantial cost savings to Metro; now therefore,

BE IT RESOLVED THAT THE METRO CONTRACT REVIEW BOARD:

1. Exempts from competitive bidding the procurement and award of a Construction Manager/General Contractor (“CM/GC”) public improvement contract for the construction of the Arlene Schnitzer Concert Hall Roof Replacement; and
2. Adopts as its findings in support of such exemption the justification, information and reasoning set forth on the attached Exhibit A, which is incorporated herein by reference as if set forth in full; and
3. Authorizes the Chief Operating Officer to:

- 3.1 Prepare a form of Request for Proposals for CM/GC Contractor services that includes the following evaluation criteria for contractor selection:
- Contractor's proposed fees for pre-construction services
 - Contractor's proposed overhead and profit for construction services
 - Contractor's Project understanding and proposed project approach
 - Contractor's record of completion of projects of similar type, scale and complexity, including demonstrated public improvement CM/GC project experience and expertise
 - Contractor's record of coordinating multi-disciplinary approaches to value engineering challenges
 - Contractor's experience with occupied, operational sites, limited staging space and phased construction
 - Contractor's Proposed milestone dates, including but not limited to substantial completion
 - Contractor's demonstrated quality and success with compressed schedules
 - Contractor's Financial capacity
 - Contractor's experience in incorporating sustainability construction practices and design into projects
 - Contractor's demonstrated commitment to workforce diversity and record of use of subcontractor businesses certified by the Certification Office of Business Inclusion and Diversity
 - Any other criteria that ensure a successful, timely, and quality project, in the best interest of Metro and in accord with ORS 279C.335(4)(c) and LCRB Rule 49-0640(2)(a) and (b);
- 3.2 Following the approval of said form of Request for Proposals and Contract by the Office of the Metro Attorney, to issue said form, and thereafter to receive responsive proposals for evaluation; and
- 3.3 Following evaluation of the responses to the Request for Proposals, authorizes the Chief Operating Officer to execute a CM/GC contract with the most advantageous proposer to construct the Arlene Schnitzer Concert Hall Roof Replacement.

ADOPTED by the Metro Council this _____ day of September 2023.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

EXHIBIT A

Findings in Support of an Exemption from Competitive Bidding and Authorizing the Procurement by RFP of General Construction Services for Arlene Schnitzer Concert Hall Roof Replacement

Pursuant to ORS 279C.335(2) and (4), and Metro Code Section 2.04.054(c), the Metro Contract Review Board makes the following findings in support of exempting the procurement of the Arlene Schnitzer Concert Hall Roof Replacement from competitive bidding, and authorizing use of an RFP solicitation for a Construction Manager General Contractor (CM/GC) public improvement construction contract:

A. The exemption is unlikely to encourage favoritism or substantially diminish competition.

The Metro Contract Review Board finds that exempting the procurement of the construction of the Arlene Schnitzer Concert Hall Roof Replacement from competitive bidding is “unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts” as follows: The RFP will be formally advertised with public notice and disclosure of the alternative contracting method and will be made available to all qualified contractors. Award of the contract will be based on the identified selection criteria and dissatisfied proposers will have an opportunity to protest the award. Full and open competition based on the objective selection criteria set forth in the Metro Contract Review Board resolution will be sought, and the contract will be awarded to the most advantageous proposer. Competition for the RFP will be encouraged by: Posting on Bid Locker, public advertisements placed in the Portland Business Tribune and other minority business publications; performing outreach to local business groups representing minorities, women, and emerging small businesses and by contacting contractors known to Metro to potentially satisfy the RFP criteria. The subcontractor selection process will be a low bid competitive method for contracts by requiring a minimum of three bids per scope, unless there is an approved exception. Competition among subcontractors will be encouraged by: contacting local sub-contractors, including COBID firms and notifying them of any opportunities within their area of expertise and by performing outreach to local business groups representing minorities, women, and emerging small businesses.

B. The exemption will likely result in substantial cost savings to Metro.

The Metro Contract Review Board finds that exempting the procurement of the construction of the Arlene Schnitzer Concert Hall Roof Replacement from competitive bidding will likely result in substantial costs savings to Metro, considering the “type, cost and amount of the Contract,” the 14 factors required by ORS 279C.335(2)(b), and the “additional findings” per Metro Local Contract Review Board (LCRB) Administrative Rule 49-0630(3)(B) as follows:

Type, Cost and Amount of the Contract: (type of project, budgeted/expected overall cost (of project), budgeted/expected contract amount)

The current rough-order-of-magnitude estimate for the entire project is \$3.5 million.

14 Statutory Factors

- 1. Number of Entities Available to Bid:** The complex site logistics and uncertainties involved in mobilizing work on SW Broadway in downtown Portland and work scheduling requirements related to the imperative to continue business/performances in the building during construction are likely to discourage bidders from participating in a traditional design-bid-build process. Additionally, these same complex site logistics present elevated risks that further discourage potential bidders. The opportunity to partner with the architecture and engineering team and perform investigative early work is likely to encourage more participation by contractors.
- 2. Construction Budget and Future Operating Costs:** Utilizing an RFP process to select a General Contractor will allow Metro to obtain cost reductions through pre-construction services by the contractor during the design phase, including a constructability review, value engineering, and other services. Involving the contractor early in the design process fosters teamwork that results in a better design, fewer change orders, and faster progress with fewer unexpected delays, resulting in lower costs to Metro. The ability to have the Contractor do early work prior to completion of design shortens the overall duration of construction, resulting in less disruption and risk to revenue generation Portland's and its clients. Faster progress and an earlier completion date will also help Metro avoid the risk of inflationary increase in materials and construction labor costs.

Contractor constructability review also allows for an ongoing review of the long-term operating costs of design options, allowing for midcourse design choices leading to a project having lower long-term operating maintenance and repair costs.

- 3. Public Benefits:** The execution of the project by using the CMGC process will allow the schedule to be compressed sufficiently to address current supply chain issues and labor challenges being addressed by the construction industry. In addition to the public benefits from the cost savings noted above, the procurement of a CM/GC construction contract through the RFP process will help realize Metro's goal of obtaining COBID participation by enabling a qualitative review of proposers' approach to COBID outreach and mentoring partnerships. The CMGC process also facilitates the implementation of the Metro's Construction Career Pathways initiative by establishing the submittal and evaluation of the contractors' workforce development plans as an evaluation criteria.
- 4. Value Engineering:** The process will enable the contractor to work with the project engineer and P's staff to help reduce construction costs by providing early input and constructability review to designers, avoiding costly redesign and change orders, and providing opportunities for the engineers and contractor to work together on both practical and innovative solutions to complex design issues. This type of contract will allow the engineers to more easily explore with the contractor the feasibility of innovative design solutions and incorporate ongoing value engineering.
- 5. Specialized Expertise Required:** In addition to prior experience with historic buildings and performing arts center roof installation, contractor and subcontractors must be able to demonstrate in their proposal that they have worked in a busy urban area and understand the logistics of traffic control, access, removing demolished materials, etc. The selection of a contractor with such specialized expertise to construct the project will result in a substantially lower risk to Metro, because it increases the likelihood of the project being completed on or ahead of schedule, resulting

in lower costs and increased benefit to the community. The ability to factor expertise and experience into contractor selection is inherent in the RFP process, but is not part of the traditional low bid process.

6. **Public Safety:** The work being done directly above the lobby, audience chamber and stage house could impact public safety if not performed with a level of expertise that can be ensured with a qualifications-based selection.
7. **Reduces Risk to Metro and the Public:** The risks to P'5's ongoing operations and contracting posed by the inability of the contractor to meet the schedule deadlines will be reduced by the selection of the contractor based on the demonstrated ability to perform the work as specified, rather than awarding the project to the low bidder.
8. **Exemption's Effect on Funding:** Does not apply.
9. **Better Control of Impact of Market Conditions on Cost and Time to Complete:** Engaging the contractor during the design and specification process will allow more nimble reaction to the current supply chain and labor shortage issues being experienced by the construction industry. Products under consideration can be evaluated based on availability and lead times. Subcontractors are more likely to bid and commit workforce to General Contractors who can demonstrate that they are already under contract for projects.
10. **Technical Complexity:** The exemption will allow the Contractor to pre-qualify/select subcontractors that have demonstrated technical expertise, knowledge, and experience with the logistical challenges of demolition and construction in a compressed urban site, all of which can be factored into the contractor selection in the RFP process. The selection of a contractor with demonstrated experience and success in implementing similar projects will result in a substantially lower risk to Metro, because it increases the likelihood of the project being completed on budget, with fewer construction delays and change orders, resulting in lower costs and increased benefit to the community. The RFP process will take into account each contractor's past performance and technical knowledge. Based on the necessary quality of the finished project, and the technical complexity of the undertaking, the Procurement Manager believes an alternative contracting process to be necessary and in the best interest of the agency.
11. **New Construction, Renovation or Remodel:** The scope of work has the potential to impact the comfort and safety of clients, customers and P'5 staff. Some of the design limitations and conditions are likely to be unknown until uncovered by exploratory demolition work performed under an early work amendment, which can be performed during design development to inform the design process.
12. **Occupancy During Construction:** The building will remain occupied during part of the construction period. Improper execution of the work could require cancellation of rehearsals, performances, and operational work, resulting in a loss of revenue for P'5, clients, & staff.

13. Phased Construction Work: Some parts of the work must be done during a period without performances or events, and this period has already been blocked out. Failure to complete the earlier phases by the committed “dark” period in July and August of 2024 will impact and potentially cause currently scheduled performances and events to be cancelled. Contractor integration with Metro and the architecture and engineering team during the preconstruction period to plan the phased work in light of the results of investigative early work is more likely to produce a project that avoids the risk of event cancellations.

14. Availability of Personnel, Consultant and Legal Counsel with CM/GC Expertise: The Office of Metro Attorney, Project Manager, and Project Engineer have the necessary qualifications and expertise to negotiate, administer, and enforce the terms of Metro’s CM/GC public improvement contract, including prior experience governing large CM/GC projects and managing them to a successful completion.

Additional Findings:

1. Industry Practices, Surveys, Trends. The industry-accepted benefits of the CM/GC method include:

- Results in a better design that meets the owner’s objectives.
- Encourages competition, especially for COBID subcontractors.
- Can be completed in a faster time frame.
- Costs less than a design-bid-build project that is designed and constructed in the traditional manner.
- Reduces the risks of delays, cost overruns, and disputes.
- Limits the number of change orders for unforeseen conditions.

2. Past Experience and Evaluation of Metro CM/GC Projects.

The Arlene Schnitzer Concert Hall Acoustic Enhancement Project. The benefits to the ASCH Acoustic Project achieved through the CM/GC process include:

- P’5 obtained cost reductions through pre-construction services by the contractor during the design phase, including a constructability review (e.g., materials, phasing, layout and design) and value engineering.
- Close cooperation between the architect and contractor allowed for rapid and successful solutions to challenges proposed by prior unknown conditions in the 92 year-old facility.

3. Benefits and Drawbacks of CM/GC to the Arlene Schnitzer Concert Hall Roof Replacement Project.

Benefits - The CM/GC method provides an invaluable means of addressing the risks to Metro presented by the project’s site conditions and timeline.

- Facility must remain open and operational, and the activity will take place above the audience chamber and stage house.
- Widespread public access and need to preserve a quality experience to maintain current revenues.
- Need to complete initial phases of the work in order to meet deadline posed by scheduled “dark” period.

- Potentially unknown conditions underneath existing roof system and in parapet walls can be discovered and addressed in the pre-construction period, avoiding schedule delays and costly change orders.

By involving the contractor extensively during the design process, P'5 will be able to better account for, plan around, and address the above factors prior to and during construction. This avoids project delays and expensive change orders, helps to reduce liability and revenue risks to Metro, and provides a foundation of cooperation upon which a high quality result may be achieved, on schedule and on budget. Pre-construction services provided during the process include a constructability review, value engineering, and other service during design. Involving a contractor during the design fosters teamwork that results in a better design, faster progress with fewer delays, and less costs.

Drawbacks - Given Metro's favorable experience with CM/GC, staff foresees no drawbacks to adopting the CM/GC method to implement the Arlene Schnitzer Concert Hall Roof Replacement Project.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO 23-5356 FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION FROM COMPETITIVE BIDDING AND AUTHORIZING PROCUREMENT OF GENERAL CONTRACTOR/CONSTRUCTION MANAGER SERVICES BY COMPETITIVE REQUEST FOR PROPOSALS FOR THE ARLENE SCHNITZER CONCERT HALL ROOF REPLACEMENT & STRUCTURAL UPGRADES

Date: September 5, 2023

Prepared by: Nancy Strening

Department: CPMO/P5

Presenter: Julie Hoffman, Nancy Strening

Meeting Date: September 28, 2023

Length: 15 minutes

BACKGROUND

The roof system at the Arlene Schnitzer Concert Hall has reached the end of its useful life. There are varying elevations and system needs across the various sections of the building (stage, audience chamber, lobby, etc.) A system of access ladders provides connections between the roof surfaces, and these ladders were not designed to modern structural codes and must be replaced. Additionally, the seismic bracing of the parapet walls is not up to modern structural code requirements, and much of the sheet metal cladding has failed and must be replaced.

An alternate, qualifications based procurement method, a Request for Proposals, enables Metro to specifically request and qualitatively evaluate proposers' prior experience with the unique parameters of the project including experience with tight city sites, exposure to and expertise in roof system installation, demonstrated successes with compressed schedules, keeping staff, clients and the public safe and comfortable during the project, and their approach to COBID outreach and partnership and workforce diversity. This delivery method offers a better ability for public agencies to increase the use of COBID firms in sub-contracting opportunities.

The attached resolution and findings in Exhibit A describe the specialized nature of this project. Based on these findings, the Metro procurement manager believes that a value-based selection process is more appropriate than a traditional, competitive bid (which solely considers lowest bid price). Portland's and cPMO staff, as well as the Office of the Metro Attorney concur.

Therefore, staff seeks Council authorization to pursue the alternative procurement of Construction Manager/General Contractor Services by a competitive Request for Proposals, for the Arlene Schnitzer Concert Hall City Roof Replacement. This will allow Metro to consider cost as well as experience and expertise in completing similar projects and in selecting the most advantageous contractor for this project.

ANALYSIS/INFORMATION

1. **Known Opposition** None
2. **Legal Antecedents** LCRB Rule 49-0620(1), 49-0130, 49-0630, 49-0640, and 49-0690; Oregon Revised Statutes 279C.335 and ORS 279C.337.
3. **Anticipated Effects** Public procurement process will be open and competitive, but items other than cost will be considered in the awarding of the contract. Increased use of COVID subcontractors is anticipated.
4. **Budget Impacts** The RFP process offers safeguards for schedule and cost control of the project, including early involvement by construction contractor in the design process, as well as limited change orders.

RECOMMENDED ACTION

Metro Council, acting as the Local Contract Review Board, approves an exemption from competitive bidding for the Arlene Schnitzer Concert Hall Roof Replacement, and authorizes procurement of a Construction Manager/General Contractor by request for competitive proposals, and authorizes the execution of the resulting CM/GC contract by the Chief Operating Officer in a form to be approved by the Office of Metro Attorney.

Ordinance 23-1496 For the Purpose of
Amending the 2023 Regional Transportation
Plan to Comply with Federal and State Law
(first reading and public hearing)
Ordinance

Metro Council Meeting
Thursday, September 28, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE 2018	)	ORDINANCE NO. 23-1496
REGIONAL TRANSPORTATION PLAN (RTP)	)	
TO COMPLY WITH FEDERAL AND STATE	)	Introduced by Chief Operating Officer
LAW AND AMENDING THE REGIONAL	)	Marissa Madrigal in concurrence with
FRAMEWORK PLAN	)	Council President Lynn Peterson

WHEREAS, Metro is the directly elected regional government responsible for regional land use and transportation planning under state law and the federally-designated metropolitan planning organization for the Portland metropolitan area; and

WHEREAS, the Regional Transportation Plan (RTP) is the federally recognized transportation policy for the Portland metropolitan region, and must be updated every five years to ensure continued compliance with federal planning regulations and funding eligibility of projects and programs using federal transportation funds in the region; and

WHEREAS, the RTP fulfills statewide planning requirements to implement Statewide Planning Goal 12, as implemented through the Transportation Planning Rule (Oregon Administrative Rules Chapter 660 Division 12) and the Metropolitan Greenhouse Gas Emissions Reduction Rule (Oregon Administrative Rules Chapter 660 Division 44); and

WHEREAS, the RTP is a central tool for implementing Metro's Region 2040 Growth Concept and Climate Smart Strategy and constitutes a policy component of the Regional Framework Plan; and

WHEREAS, the last update to the RTP was adopted by the Metro Council on December 6, 2018 and subsequently approved and acknowledged by the Land Conservation and Development Commission; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved the 2023 RTP work plan and public engagement plan on April 21 and May 5, 2022, respectively; and

WHEREAS, from May 2022 through November 2023, the Metro Council and Metro staff engaged the public, community, and business leaders, and local, regional and state partners to update the RTP, including its vision, goals, objectives, policies, performance measures, and projects; and

WHEREAS, Metro staff have conducted planning activities informed by extensive inclusive public engagement to support a regional policy discussion on the future of the region's transportation system and the role that investment can play in providing safe, reliable and affordable mobility options to access to jobs, education, healthcare and other services and opportunities and building healthy, climate-friendly and equitable communities and a strong economy; and

WHEREAS, central to the 2023 RTP is an overall emphasis on making progress toward the region's safety, equity, climate, economic and mobility goals, and state goals for reductions in per capita vehicle miles traveled and corresponding greenhouse gas emissions; and

WHEREAS, on July 10, 2023 Metro released the initial draft of the 2023 RTP and Appendices for public review and comment, providing a 45-day public comment period on the draft 2023 RTP

through August 25, 2023, and held a public hearing on July 27, 2023 to accept public testimony and comments; and

WHEREAS, Metro staff invited federally-recognized tribes, the Federal Highway Administration, the Federal Transit Administration and other federal, state and regional resource, wildlife, land management and regulatory agencies to consult on the 2023 RTP and Appendices in accordance with 23 CFR 450.316, and convened six separate consultation meetings in Fall 2021, Spring 2023 and on August 17 and 22, 2023; and

WHEREAS, the Metro Council, JPACT, the Metro Policy Advisory Committee (MPAC), the Metro Technical Advisory Committee, the Transportation Policy Alternatives Committee, TriMet, the South Metro Area Regional Transit, local government elected officials and staff, small and large businesses and economic development interests, business and community leaders, and the public, particularly underrepresented communities including Black, Indigenous and people of color communities, people with low income, people who speak limited English, people experiencing a disability, youth and older adults, assisted in the development of the 2023 RTP and provided comment throughout the planning process; and

WHEREAS, the 2023 RTP sets the foundation for local transportation plan updates, future region-wide planning efforts, regional efforts to seek transportation infrastructure funding, and defines specific activities for Metro and regional partners to take over the next few years to support the outcomes identified through the RTP update; and

WHEREAS, JPACT and MPAC have made recommendations to the Metro Council on adoption of the 2023 RTP and Appendices; and

WHEREAS, the Metro Council held two additional public hearings on the 2023 RTP and its components identified in Exhibit A, Exhibit B, Exhibit C, and Exhibit D on September 28 and November 30, 2023; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The 2018 Regional Transportation Plan is hereby amended to become the 2023 Regional Transportation Plan, as indicated in attached Exhibit A and Appendices, and the addendum to Exhibit A, which are all attached and incorporated into this ordinance.
2. Chapter 2 (Transportation) of Metro's Regional Framework Plan is hereby amended, as indicated in Exhibit B, attached and incorporated into this ordinance, to reflect the updated Transportation policies in the 2023 RTP in Exhibit A.
3. The "Summary of Comments Received and Recommended Actions," attached as Exhibit C, is incorporated by reference and any amendments reflected in the recommended actions are incorporated in Exhibit A.
4. The Findings of Fact and Conclusions of Law in Exhibit D, attached and incorporated into this ordinance, explain how these amendments comply with the Regional Framework Plan, statewide planning laws and the Oregon Transportation Plan and its applicable components.
5. Staff is directed to submit this ordinance and exhibits to the Land Conservation and Development Commission (LCDC).

6. The 2023 RTP is hereby adopted as the federally-recognized metropolitan transportation plan and shall be transmitted to the U.S. Department of Transportation.

ADOPTED by the Metro Council this 30th day of November 2023.

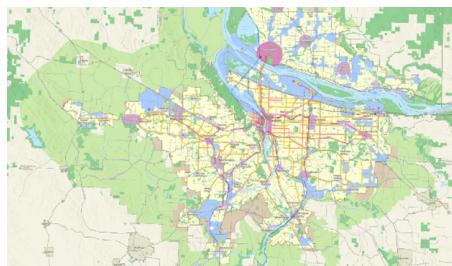
Lynn Peterson, Council President

Attest:

Approved as to Form:

Connor Ayers, Recording Secretary

Carrie MacLaren, Metro Attorney



PUBLIC REVIEW DRAFT 2023 Regional Transportation Plan

*A blueprint for the future of transportation in
the greater Portland region*

July 10, 2023

oregonmetro.gov/rtp

Metro respects civil rights

Metro fully complies with Title VI of the Civil Rights Act of 1964 that requires that no person be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination on the basis of race, color or national origin under any program or activity for which Metro receives federal financial assistance.

Metro fully complies with Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act that requires that no otherwise qualified individual with a disability be excluded from the participation in, be denied the benefits of, or be subjected to discrimination solely by reason of their disability under any program or activity for which Metro receives federal financial assistance.

If any person believes they have been discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, they have the right to file a complaint with Metro. For information on Metro's civil rights program, or to obtain a discrimination complaint form, visit oregonmetro.gov/civilrights or call 503-797-1536.

Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1700 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. For up-to-date public transportation information, visit TriMet's website at trimet.org.

Metro is the federally mandated metropolitan planning organization designated by the governor to develop an overall transportation plan and to allocate federal funds for the region.

The Joint Policy Advisory Committee on Transportation (JPACT) is a 17-member committee that provides a forum for elected officials and representatives of agencies involved in transportation to evaluate transportation needs in the region and to make recommendations to the Metro Council. The established decision-making process assures a well-balanced regional transportation system and involves local elected officials directly in decisions that help the Metro Council develop regional transportation policies, including allocating transportation funds.

Regional Transportation Plan website: oregonmetro.gov/rtp

The preparation of this strategy was financed in part by the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration. The opinions, findings and conclusions expressed in this strategy are not necessarily those of the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration.

2023 REGIONAL TRANSPORTATION PLAN | LIST OF CONTENTS

Executive Summary

This section provides an overview of the plan, how it was developed, key trends and challenges it will address and the outcomes it will deliver. The executive summary is a standalone document for the public review draft plan.

Chapter 1 | Toward a Connected Region

This chapter introduces the greater Portland region and Metro's role in transportation planning, how the plan addresses regional, state and federal requirements, its relationship to other adopted plans and strategies, and the public process that shaped development of the plan.

Chapter 2 | Our Shared Vision and Goals for Transportation

This chapter presents the plan's aspirational vision for the region's transportation system. The vision is further described through goals, objectives and performance targets that reflect the values and desired outcomes expressed by the public, policymakers and community and business leaders engaged in development of the plan. This outcomes-based policy framework guides future planning and investment decisions as well as monitoring plan implementation.

Chapter 3 | Transportation System Policies to Achieve Our Vision

This chapter defines overarching policies for safety, equity, climate, mobility and pricing as well as the vision and policies for the modal networks of the regional transportation system – motor vehicle, transit, freight, bike and pedestrian - and for transportation system management and operations (TSMO) and transportation demand management (TDM). The policies will help the region make progress toward the plan's vision and goals and implementation of the 2040 Growth Concept and Climate Smart Strategy. Together the policies will guide the development and implementation of the regional transportation system, informing transportation planning and investment decisions made by the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council.

Chapter 4 | Our Growing and Changing Region

This chapter provides a snapshot of current regional growth trends and existing conditions and outlines key transportation challenges the plan will address and opportunities for building a regional transportation system that reflects our values and vision for the future.

Chapter 5 | Our Transportation Funding Outlook

This chapter provides an overview of local, state and federal funding expected to be available to pay for needed investments.

Chapter 6 | Regional Programs and Projects to Achieve Our Vision

This chapter describes how the region plans to invest in the transportation system, with expected funding.

Chapter 7 | Measuring Outcomes

This chapter reports on the expected system performance of the region's investment priorities and documents whether the region achieves regional performance targets in 2045.

Chapter 8 | Moving Forward Together

This chapter describes ongoing and future efforts to implement the RTP, consistent with federal, state and regional requirements. The chapter summarizes ongoing regional programs, regional and state planning efforts and major project development activities underway in the region, and data and research activities to support Metro's performance-planning responsibilities and plan implementation.

Glossary

Common Acronyms

APPENDICES

Appendix A	Constrained Priorities – Near-term Constrained Project List (2023 to 2030); Long-term Constrained Project List (2031 to 2045)
Appendix B	Unconstrained Priorities – 2031 to 2045 Strategic Project List
Appendix C	Federal Air Quality Attainment Status Certification Letter (effective Oct. 2, 2017)
Appendix D	Public and Stakeholder Engagement and Consultation Summary <i>Note: This appendix is under development and will be included in final RTP Appendices.</i>
Appendix E	<i>not assigned</i>
Appendix F	Environmental Assessment and Potential Mitigation Strategies
Appendix G	Coordinated Transportation Plan for Seniors and People with Disabilities (adopted in June 2020 by the TriMet Board)
Appendix H	Financial Strategy Documentation
Appendix I	Performance Evaluation Documentation
Appendix J	Climate Smart Strategy Implementation and Monitoring
Appendix K	Performance Targets <i>Note: This appendix will be included in final RTP Appendices.</i>
Appendix L	Federal Performance-Based Planning and Congestion Management Process Documentation
Appendix M	Regional Analysis Documentation
Appendix N	Southwest Corridor Project Locally Preferred Alternative (adopted Dec. 6, 2018)
Appendix O	Earthquake Ready Burnside Bridge Preferred Alternative (adopted March 16, 2023)
Appendix P	East Metro Connections Plan (adopted in June 2013)
Appendix Q	Sunrise Project Locally Preferred Alternative (adopted in July 2009)
Appendix R	I-5/99W Connector Study Recommendations (adopted in Feb. 2009 by Project Steering Committee)
Appendix S	I-5/Columbia River Bridge Replacement Modified Locally Preferred Alternative (adopted in July 2022)
Appendix T	Clackamas to Columbia Corridor Plan (adopted in 2020)
Appendix U	Summary of Comments Received and Recommended Actions <i>Note: This appendix will be developed following the final public comment period and included in final RTP Appendices.</i>

LIST OF TOPICAL AND MODAL STRATEGIES AND PLANS*

	Adoption date
Regional Transportation System Management and Operations Strategy	Jan. 6, 2022
Regional Transportation Safety Strategy	Dec. 6, 2018
Regional Emerging Technology Strategy	Dec. 6, 2018
Regional Freight Strategy	Dec. 6, 2018
Regional Transit Strategy	Dec. 6, 2018
Regional Travel Options Strategy	May 24, 2018
Climate Smart Strategy (incorporated in the RTP in Dec. 2018)	Dec. 18, 2014
Regional Active Transportation Plan	July 17, 2014

* All strategies and plans were adopted by the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT).



Supplement to Exhibit A to Ordinance No. 23-1496: 2023 Regional Transportation Plan Appendices

Due to the size of the 2023 Regional Transportation Plan Appendices, it is being included in the packet electronically via this document. The appendices can be found at <https://www.oregonmetro.gov/public-projects/2023-regional-transportation-plan/public-comment> or click on the blue links below to view the individual documents. Printed copies are available on request.

- [**Appendix A - 2023 RTP Constrained Priorities Project List**](#) (2023 to 2045 project lists and [interactive map](#) and [interactive project list](#)). This appendix documents the projects that fit within “financially constrained” budget of federal, state and local funds the greater Portland region can reasonably expect through 2045, consistent with federal and state law. These projects are eligible for state and federal funding under federal law. *This appendix will be updated to reflect final recommendations in Exhibit C to Ordinance No. 23-1496.*
- [**Appendix B – 2023 RTP Unconstrained Strategic Priorities Project List**](#) (2023 to 2045 strategic project list and [interactive map](#) and [interactive project list](#)). This appendix documents additional priority projects that could be constructed with additional resources. *This appendix will be updated to reflect final recommendations in Exhibit C to Ordinance No. 23-1496.*
- [**Appendix C – Federal Air Quality Attainment Status Certification Letter**](#). This appendix contains a certification letter from the U.S. Environmental Protection Agency declaring the region’s attainment status for air quality and that transportation conformity requirements no longer apply for federally-funded transportation projects. The region remains responsible for implementation of transportation control measures contained in the Oregon State Implementation Plan.
- [**Appendix D – 2023 RTP Public and Stakeholder Engagement and Consultation Summary**](#). This appendix documents the engagement and consultation process to inform development of the 2023 RTP and comments received during the final public comment period. *This appendix is under development and will be finalized following adoption of the 2023 RTP and Appendices.*
- [**Appendix E – 2023 RTP Regional Mobility Policy Documentation**](#). This appendix documents the research, policy development and related engagement activities conducted to inform development of the 2023 RTP regional mobility policy and action plan for future work. *This appendix will be developed and reflect final recommendations in Exhibit C to Ordinance No. 23-1496.*
- [**Appendix F – 2023 RTP Environmental Assessment and Potential Mitigation Strategies**](#). This appendix documents the methods and data used to conduct a system-level environmental analysis of the 2023 RTP projects and discusses environmental requirements and potential environmental mitigation strategies. *This appendix will be updated to reflect final recommendations in Exhibit C to Ordinance No. 23-1496.*
- [**Appendix G – Coordinated Transportation Plan for Seniors and People with Disabilities**](#). Adopted in June 2020 by the TriMet Board, this appendix documents regional planning conducted to assess the transportation needs of seniors and people with disabilities, fulfilling federal requirements for a coordinated human services plan.
- [**Appendix H – 2023 RTP Financial Strategy Documentation**](#). This appendix documents the methods and data used to develop the financially constrained revenue forecast for the 2023 RTP. *This appendix will be updated to reflect final recommendations in Exhibit C to Ordinance No. 23-1496.*

Supplement to Exhibit A to Ordinance No. 23-1496: 2023 Regional Transportation Plan Appendices

- **[Appendix I – 2023 RTP Performance Evaluation Documentation.](#)** This appendix documents the regional system performance evaluation outputs. *This appendix will be updated to reflect final recommendations in Exhibit C to Ordinance No. 23-1496 and finalized once the final model runs are complete.*
- **[Appendix J – 2023 RTP Climate Smart Strategy Implementation and Monitoring.](#)** This appendix documents progress implementing the adopted Climate Smart Strategy and the analysis tools and technical assumptions used to forecast future greenhouse gas emissions and related vehicle miles traveled per capita. *This appendix will be updated to reflect final recommendations in Exhibit C to Ordinance No. 23-1496.*
- **[Appendix K – 2023 RTP Performance Targets Summary.](#)** This appendix documents the RTP performance targets. *This appendix will be finalized once the final model runs are complete following adoption of the 2023 RTP by Ordinance No. 23-1496. See Chapter 2 for information about performance measures and targets. See Chapter 7 for information performance of the draft plan.*
- **[Appendix L – 2023 RTP Federal Transportation Performance Management and Congestion Management Process Documentation.](#)** This appendix documents the region’s approach for addressing federal transportation performance management and congestion management monitoring and reporting requirements. *This appendix will be updated to reflect final recommendations in Exhibit C to Ordinance No. 23-1496.*
- **[Appendix M – 2023 RTP Regional Modeling and Analysis Documentation.](#)** This appendix documents travel model assumptions, regionally coordinated and adopted land use forecast and transportation analysis zone assumptions. *This appendix will be updated to reflect final recommendations in Exhibit C to Ordinance No. 23-1496 and finalized once the final model runs are complete.*
- **[Appendix N – Southwest Corridor Light Rail Locally Preferred Alternative.](#)** This appendix documents the locally preferred alternative for Southwest Corridor light rail project adopted by JPACT and the Metro Council by Resolution No. 18-4915.
- **[Appendix O – Earthquake Ready Burnside Bridge Locally Preferred Alternative.](#)** This appendix documents the locally preferred alternative for the Earthquake Ready Burnside Bridge Project adopted by JPACT and the Metro Council by Resolution No. 23-5306.
- **[Appendix P – East Metro Connections Plan.](#)** This appendix documents the adopted final action plan recommendations contained in the East Metro Connections Plan.
- **[Appendix Q – Sunrise Project Locally Preferred Alternative.](#)** This appendix documents the adopted locally preferred alternative for the Sunrise Project.
- **[Appendix R – I-5/99W Connector Study Recommendations.](#)** This appendix documents the locally-adopted I-5/99W Connector Study recommendations.
- **[Appendix S – I-5 Interstate Bridge Replacement Modified Locally Preferred Alternative.](#)** This appendix documents the modified locally preferred alternative for the I-5 Interstate Bridge Replacement Program endorsed by JPACT and the Metro Council by Resolution No. 22-5273.
- **[Appendix T – Clackamas to Columbia Corridor Plan.](#)** This appendix documents the final recommendations contained in the Clackamas to Columbia Corridor Plan.
- **[Appendix U – 2023 RTP Summary of Comments and Recommended Actions.](#)** *This appendix will be developed following adoption of the 2023 RTP by Ordinance No. 23-1496.*

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 23-1496, FOR THE PURPOSE OF AMENDING THE 2018 REGIONAL TRANSPORTATION PLAN (RTP) TO COMPLY WITH FEDERAL AND STATE LAW AND AMENDING THE REGIONAL FRAMEWORK PLAN

Date: September 14, 2023

Department: Planning, Development & Research

Meeting Date: September 28, 2023

Prepared by:

Kim Ellis, AICP, RTP Project Manager

Kim.ellis@oregonmetro.gov

ISSUE STATEMENT

A major update to the [Regional Transportation Plan](#) (RTP) has been underway since Fall 2021. Under federal law, the next update is due by Dec. 6, 2023, when the current plan expires. Providing continued compliance with federal planning regulations ensures continued federal transportation funding eligibility for projects and programs in the region. This includes funding from Federal grants and programmed funds that Metro distributes to partners through the Regional Flexible Funds Allocation (RFFA). It also includes seeking major federal actions and approvals of projects undergoing environmental review under the National Environmental Policy Act (NEPA). The region's High Capacity Transit (HCT) Strategy has also updated as part of the update to the RTP, and will be considered for adoption by the Joint Policy Advisory Committee on Transportation (JPACT) and Metro Council by a separate resolution.

Since Fall 2021, Metro Council and staff have extensively engaged with policymakers, jurisdictional staff, interested Tribes, transportation agencies, community-based organizations, business groups, businesses, and members of the public to update the region's vision, goals and policies for the transportation system and understand the region's transportation trends, needs and priorities for investment.

Two legislative hearings will be held as the 2023 RTP legislation is brought before the Metro Council for consideration, as required by state law. A hearing for the first read of this ordinance is scheduled for September 28, 2023. A second hearing and final Council legislative action is scheduled for November 30, 2023.

Approval of Ordinance No. 23-1496 by JPACT and Metro Council approves the 2023 RTP and appendices. The RTP will be effective immediately upon adoption by JPACT and Metro Council for federal purposes. The ordinance sets the foundation for:

- completion of work needed to support future implementation of the updated RTP regional mobility policy in future local transportation system plan updates and when evaluating the transportation impacts of local comprehensive plan

amendments;

- the next Regional Flexible Funds Allocation (RFFA) process, consideration of future amendments to the Metropolitan Transportation Improvement Program (MTIP), and development of the next MTIP;
- updating the Regional Transportation Functional Plan , guidance and tools (2024-25) to support subsequent local transportation system plan updates (2025-2028);
- future region-wide planning efforts and ongoing public engagement and consultation activities;
- regional efforts to seek future funding; and
- the 2028 RTP update.

The ordinance also defines specific activities for Metro, the Oregon Department of Transportation (ODOT), TriMet and other regional partners to take over the next few years to support the policy outcomes identified through the RTP update. These activities will result in a more comprehensive approach for implementing the 2040 Growth Concept and meeting regional and state goals for safety, mobility, equity, climate, and economy.

ACTION REQUESTED

Conduct a first read of Ordinance No. 23-1496 and hold a legislative public hearing as required by state law. A final hearing and Metro Council action on the RTP and HCT Strategy is scheduled for November 30, 2023.

QUESTIONS FOR COUNCIL CONSIDERATION

No Council discussion is scheduled for September 28, 2023. Staff will prepare policy questions and options for Council discussion and feedback at future work sessions and meetings, including October 10, November 7 and November 30.

STAFF RECOMMENDATIONS

Staff recommends Council conduct the first read of Ordinance No. 23-1496 and hold a legislative public hearing as required by state law. The Metro Council is scheduled to consider recommendations from MPAC and JPACT as part of final action on this Ordinance on November 30, 2023.

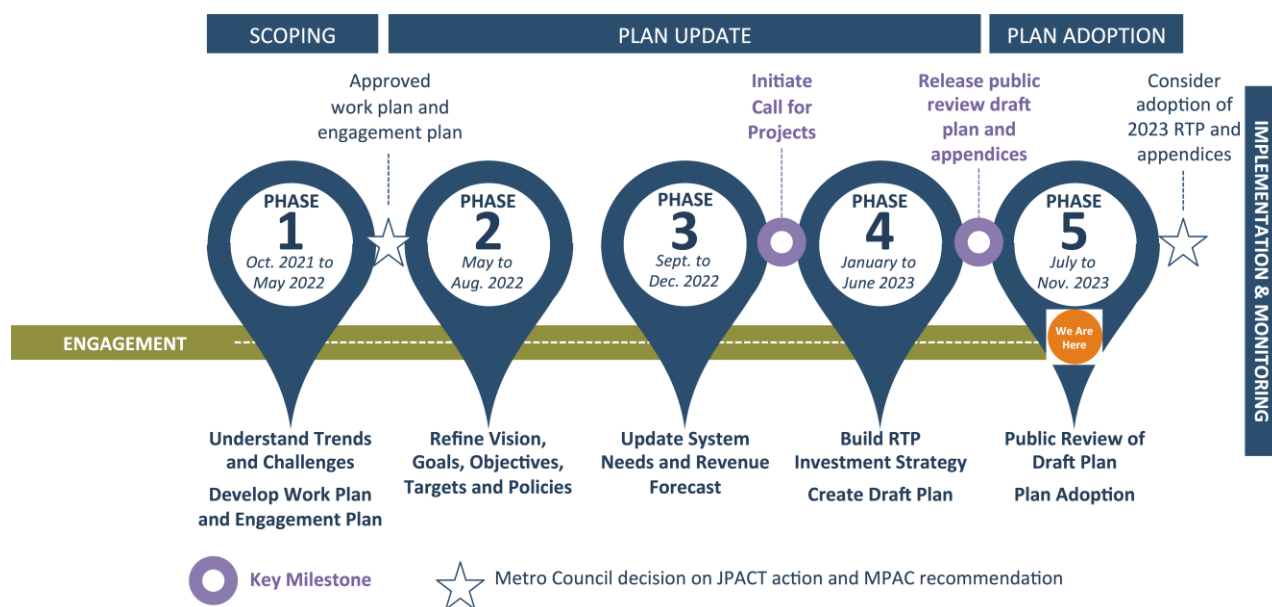
STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The [Regional Transportation Plan](#) (RTP) is the state- and federally-required long-range transportation plan for the greater Portland region. The greater Portland region's economic prosperity and quality of life depend on a transportation system that provides every person and business in the region with equitable access to safe, reliable, climate-friendly and affordable travel options. The RTP is the blueprint for transportation in our region and a key tool for implementing the region's [2040 Growth Concept](#) and [Climate Smart Strategy](#). Together, these plans will help ensure that greater Portland thrives by connecting people

to their jobs, families, schools and other important destinations and by allowing business and industry to create jobs and move goods to market.

Metro is the regional government responsible for regional land use and transportation planning under state law and the federally designated metropolitan planning organization (MPO) for the Portland metropolitan area. Metro is the only regional government agency in the U.S. whose governing body is directly elected by voters. Metro is governed by a council president elected region-wide and six councilors elected by district. The Metro Council provides leadership from a regional perspective, focusing on issues that cross local boundaries and require collaborative solutions. As the federally designated MPO, Metro is responsible for leading and coordinating updates to the RTP every five years. Metro is also responsible for developing a regional transportation system plan (TSP), consistent with the Regional Framework Plan, statewide planning goals, the Oregon Transportation Planning Rule (TPR), the Metropolitan Greenhouse Gas Reduction Targets Rule, the Oregon Transportation Plan (OTP), and by extension state modal plans. As a result, the RTP serves as both the Federal metropolitan transportation plan and the regional TSP for the region. The timeline for the RTP update is shown in **Figure 1**.

Figure 1. Timeline for the 2023 RTP Update



The region is at pivotal moment. The greater Portland region is facing urgent global and regional challenges, and the future is uncertain. The impacts of climate change, generations of systemic racism, economic inequities and the pandemic have made clear the need for action. Systemic inequities mean that communities have not equally benefited from public policy and investments, and our changing climate and the pandemic has exacerbated many disparities that Black, Indigenous and people of color (BIPOC) communities, people with low income, women and other marginalized populations already experience. Safety, housing affordability, homelessness, and public health and economic disparities have been intensified by the global pandemic; the affects of which the region continues to experience.

ANALYSIS/INFORMATION

Known Opposition. Concerns have been raised about the level of investment in road capacity relative to the level of investment in transit, walking and biking and mixed progress addressing safety and climate change. Comments received in opposition to individual projects focused on the I-5 Interstate Bridge Replacement Program, I-5 Rose Quarter Project, and I-205 Tolling Project. There is broad support for updating the RTP to better address urgent global and regional challenges related to safety, climate, equity, mobility and the economy, and variations of disparities and needs across the region and gaps in investment and funding.

How does this advance Metro's racial equity goals? The RTP update is guided by the [Metro Council's Strategic Plan to Advance Racial Equity, Diversity and Inclusion](#) and supporting Metro Racial Equity Framework and the [Planning and Development Department Strategy for Achieving Racial Equity](#) using a targeted universalism¹ approach. This will ensure that people situated in different positions in society because of institutionalized racism can access the same opportunities. The RTP advances equitable outcomes by eliminating disparities as a priority policy outcome. The project team has been partnering with Metro's DEI team to apply Metro's Racial Equity Framework throughout the planning, data collection and analysis and engagement process.

How does this advance Metro's climate action goals? The RTP is a key tool for implementing [2040 Growth Plan](#), adopted in 1995, and the [Climate Smart Strategy](#), adopted in 2014 and approved by the Land Conservation and Development Commission (LCDC) in 2015. The strategy was incorporated into the RTP in 2018. Together, these plans will help ensure that greater Portland thrives by connecting people to their jobs, families, schools and other important destinations and by allowing business and industry to create jobs and move goods to market. This RTP update provided an opportunity to review the strategy and consider how the plan's policies and investments can be recalibrated to accelerate reducing greenhouse gas emissions and support implementation of the [Governor's Executive Order 20-04](#) on Climate Change and the [Statewide Transportation \(STS\) Strategy for Reducing Greenhouse Gas Emissions](#). The update also addressed new statewide requirements adopted in 2022 through the [LCDC Climate Friendly Equitable Rulemaking process](#).

Explicit list of stakeholder groups and individuals who have been involved in policy development. The project team has engaged and consulted with the following governments, groups, public agencies and individuals throughout the update:

- **Tribal governments** were invited to consultation to inform the update to the Regional Transportation Plan. In alphabetical order, these Tribes included: Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, Cowlitz Indian Tribe,

¹ Targeted universalism means setting universal goals and pursuing those goals with targeted processes that are catered to the needs of each group.

and the Nez Perce Tribe. After this invitation to consultation, staff and representatives from multiple Tribes engaged formally and informally with Metro staff regarding the update to the RTP.

- **Community leaders and community-based organizations** for marginalized and underrepresented communities², health and equity interests, environmental protection, affordable housing, transportation, and social, climate and environmental justice.
- **Business, economic development and freight groups**, including Greater Portland Inc., large and small employers, freight shippers, business organizations, associations and chambers of commerce.
- **Local jurisdiction staff and elected officials representing counties and cities in the region** (through county coordinating committees, TPAC/MTAC workshops and regional technical and policy advisory committees).
- **Special districts**, including TriMet, SMART, C-TRAN, the Port of Portland and the Port of Vancouver (through TPAC, MTAC, JPACT and MPAC briefings and consultation activities).
- **Southwest Washington Regional Transportation Council (SW RTC) and other Clark County governments** (through Regional Transportation Advisory Committee (RTAC), SW RTC, TPAC, JPACT and MPAC briefings and consultation activities).
- **State agencies**, including the Oregon Department of Transportation, the Oregon Transportation Commission (OTC), the Oregon Department of Land Conservation and Development (DLCD), the Oregon Land Conservation and Development Commission (LCDC), and the Oregon Department of Environmental Quality (DEQ) (through TPAC, MTAC, JPACT and MPAC briefings and consultation activities).
- **Federal agencies**, including the Federal Highway Administration, Federal Transit Administration and the U.S. Environmental Protection Agency (through TPAC and consultation activities).

Summary reports of all engagement activities are available on the project website at: <https://www.oregonmetro.gov/public-projects/2023-regional-transportation-plan/engagement>.

Legal Antecedents. Several federal, state and regional laws and actions relate to this action, including:

Federal laws and actions include:

- 23 U.S. Code 134: Metropolitan Transportation Planning.
- 23 U.S.C. 150: National goals and performance management measures.
- 23 CFR 450 and 771: USDOT rules that govern updates to RTPs.
- Clean Air Act [42 U.S.C. 7401 and 23 U.S.C. 109(j)], as amended.
- US EPA transportation conformity rules (40 CFR, parts 51 and 93).

² Marginalized and underrepresented communities include Black, Indigenous and people of color (BIPOC) communities, people with low income, people with limited English proficiency, youth, older adults and people experiencing a disability.

- Moving Ahead for Progress in the 21st Century Act (MAP-21), signed into law in 2012.
- Fixing America's Surface Transportation Act (FAST Act), signed into law in 2015.
- Infrastructure Investment and Jobs Act (IIJA), signed into law in 2020.

State laws and actions include:

- Statewide planning goals.
- Oregon Transportation Planning Rules (OAR Chapter 660, Division 12).
- Oregon Transportation Plan and implementing modal plans.
- Oregon Clean Air Act State Implementation Plan (SIP).
- Oregon Metropolitan Greenhouse Gas Reduction Targets Rules (OAR Chapter 660, Division 44).
- [Governor's Executive Order 20-04](#) on Climate Change, signed in March 2020.
- House Bill 3055 (2021), enacted on July 7, 2021.
- House Bill 2017 (2017), enacted on Aug. 18, 2017.

Metro Council actions include:

- **Ordinance No. 14-1346B** (For the Purpose of Adopting the Climate Smart Communities Strategy and Amending the Regional Framework Plan to Comply with State Law), adopted by the Metro Council on December 18, 2014.
- **Resolution No. 16-4708** (For the Purpose of Approving the Strategic Plan to Advance Racial Equity, Diversity and Inclusion), adopted by the Metro Council on June 23, 2016.
- **Ordinance No. 18-1421** (For the Purpose of Amending the 2014 Regional Transportation Plan to Comply with Federal and State Law and Amending the Regional Framework Plan), adopted by the Metro Council on Dec. 6, 2018.
- **Resolution No. 19-5048** (For the Purpose of Adopting the Work Plan and Stakeholder Engagement Plan for Updating the Regional Transportation Plan (RTP) Mobility Policy), adopted by the Metro Council on December 5, 2019.
- **Ordinance No. 21-1457** (For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2045 to Local Governments in the Region Consistent with the Forecast Adopted by Ordinance No. 18-1427 in Fulfillment of Metro's Population Coordination Responsibility under ORS 195.036), adopted by the Metro Council in February 2021.
- **Ordinance No. 21-1467** (For the Purpose of Amending the 2018 Regional Transportation Plan to Include the Preliminary Engineering Phase of the I-205 Toll Project, and to Clarify the Financial Connection of the I-205 Toll Project to the I-205 Improvement Project), adopted by the Metro Council on April 26, 2022. Exhibit B to this ordinance contained I-205 Toll Project Commitments for ODOT and Portland Regional Partners that Metro Council and JPACT continue to look for ODOT to address as the NEPA process for the I-205 Toll Project continues.

- **Resolution No. 22-5255** (For the Purpose of Adopting the Work Plan and Engagement Plan for the 2023 Regional Transportation Plan Update), adopted by the Metro Council on May 5, 2022.
- **Resolution No. 22-5273** (For the Purpose of Endorsing the Modified Locally Preferred Alternative for the Interstate Bridge Replacement Program), adopted by the Metro Council on July 14, 2022.
- **Resolution No. 23-5306** (For the Purpose of Endorsing the Preferred Alternative for the Earthquake Ready Burnside Bridge Project), adopted by the Metro Council on March 16, 2023.
- **Resolution No. 23-5343** (For the Purpose of Releasing the Draft 2023 Regional Transportation Plan (RTP) and Project List for Public Review and Policy Discussion), adopted by the Metro Council on June 29, 2023.

ATTACHMENTS

Attachment 1. Draft Public Comment Report and Appendices

Attachment 2. Schedule of Key Dates for Finalizing the 2023 RTP and 2023 HCT Strategy for Adoption



2023 Regional Transportation Plan

Working draft

Public comment report

A summary of comments received during the final comment period for the development of the 2018 Regional Transportation Plan from July 10 to Aug. 25, 2023.

September 2023



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Metro fully complies with Title VI of the Civil Rights Act of 1964 that requires that no person be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination on the basis of race, color or national origin under any program or activity for which Metro receives federal financial assistance.

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If any person believes they have been discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, they have the right to file a complaint with Metro. For information on Metro's civil rights program, or to obtain a discrimination complaint form, visit oregonmetro.gov/civilrights or call 503-797-1536.

Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1700 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. For up-to-date public transportation information, visit TriMet's website at trimet.org.

Metro is the federally mandated metropolitan planning organization designated by the governor to develop an overall transportation plan and to allocate federal funds for the region.

The Joint Policy Advisory Committee on Transportation (JPACT) is a 17-member committee that provides a forum for elected officials and representatives of agencies involved in transportation to evaluate transportation needs in the region and to make recommendations to the Metro Council. The established decision-making process assures a well-balanced regional transportation system and involves local elected officials directly in decisions that help the Metro Council develop regional transportation policies, including allocating transportation funds. JPACT serves as the MPO board for the region in a unique partnership that requires joint action with the Metro Council on all MPO decisions.

Project web site: oregonmetro.gov/rtp

The preparation of this report was financed in part by the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration. The opinions, findings and conclusions expressed in this report are not necessarily those of the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration

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Appendix A. Online Survey Public Comment Report

Appendix B. Email Comments on Public Review Draft and Strategies through

Appendix C. Letters submitted on Public Review Draft and Strategies through

Appendix D. Voicemails submitted on Public Review Draft and Strategies through

Appendix E. Written and closed caption transcript of RTP Public Hearing (7/27/23)

Appendix F. Consultation meeting summaries

Appendix G. Online comments submitted

Appendix H. Public Comment Index

INTRODUCTION

Our region's economic prosperity and quality of life depend on a transportation system that provides every person and business with access to safe, reliable, healthy and affordable ways to get around. The Regional Transportation Plan provides a shared vision and investment strategy that guides investments for all forms of travel to keep people connected and commerce moving throughout the Portland metropolitan region. The plan is updated every five years to stay ahead of future growth and address trends and challenges facing the region.

The greater Portland region continues to grow and change, requiring new and expanded transportation options while maintaining the system of today. One-half million new residents are expected to live in the Portland region by 2045 – about half from growing families. Communities are becoming more racially and culturally diverse, and the aging population is growing. People are shopping and working in new ways that will require different transportation solutions.

The region is facing urgent global and regional challenges. Climate change is happening faster than predicted and the transportation system is not fully prepared for the expected Cascadia Subduction Zone earthquake. Technological changes in transportation, communication and other areas are radically altering our daily lives. The impacts of climate change, generations of systemic racism, economic inequities and the pandemic have made clear the need for action. Systemic inequities mean that communities have not equally benefited from public policy and investments, and our changing climate and the pandemic has exacerbated many disparities experienced by Black, Indigenous and people of color (BIPOC) communities, people with low income, women and other marginalized populations. Safety, housing affordability, homelessness and public health and economic disparities have been intensified by the global pandemic and continue to be of concern. As the greater Portland region continues to emerge from the disruptions of the pandemic and respond to other urgent trends and challenges, this RTP provides an opportunity for all levels of government, community members and businesses to work together to deliver a better transportation future.

This report summarizes the comments received for the final comment period held from July 10, 2023 through Aug. 25, 2023. Comments received will guide refinements to the 2023 Regional Transportation Plan for consideration by the Metro Policy Advisory Committee, the Joint Policy Advisory Committee on Transportation and the Metro Council.

PUBLIC COMMENT OVERVIEW

From July 10 to Aug. 25, 2023, Metro held a 45-day public comment period on the 2023 Regional Transportation Plan (RTP) and High Capacity Transit Strategy. The feedback received through the public comment period builds on the input received through public engagement since fall 2021, when Metro started engaging local, regional and state agencies, Tribes and the public to update the RTP.

During the public comment period, Metro invited comments and feedback from members of the public, community and business organizations, regional advisory committees, agency partners and policymakers. There were a variety of resources available to review and platforms to provide feedback and comments:

- **Public review draft materials:** The public review drafts of the 2023 RTP and High Capacity Transit Strategy and their appendices were posted on the 2023 RTP webpage at oregonmetro.gov/rtp. Supplemental materials were also posted to the webpage to provide interactive and accessible versions of these documents. Those materials included executive summaries of the 2023 RTP and High Capacity Transit Strategy and an interactive map and project list of the RTP investment priorities.
- **Online survey:** An online survey provided brief overviews of key elements of the 2023 RTP, including the project list, new and updated policies and High Capacity Transit Strategy priorities. The survey invited feedback on whether these key elements of the plan will move the greater Portland's transportation system in the right direction. They survey also provided opportunities for open-ended feedback. Nearly 700 people responded to the online survey.
- **Comment platforms:** There were several ways for people to provide specific comments and suggested changes to the plan, including an online comment form, email, letter and voicemail. More than 50 emails and 20 letters were received proposing specific changes to the draft RTP and strategies. The final public comment report documents all comments received.
- **Public hearing:** The Metro Council held a public hearing on July 27, 2023 and received testimony from 13 people on a range of topics. The closed caption transcript of hearing testimony is provided in Appendix E.
- **Consultation meetings:** Metro staff invited federal, state and local resource, land management and regulatory agencies to consult on the public review draft 2023 RTP and High Capacity Transit Strategy in accordance with [23 CFR 450.316](#). Metro convened two separate consultation meetings on Aug. 17 (resource agencies) and Aug. 22 (federal and state agencies). These consultation activities built on consultations with agencies earlier in the 2023 RTP process. Summaries of consultation meetings held during public comment are included in Appendix F.

Snapshot of participation

(Comment counts are subject to change as comments continue to be processed by staff.)

- **663 online survey participants** providing more than **500** comments
- **40** letters sent in by local jurisdictions, community-based organizations, business and community members
- **More than 50** emails
- **20** community members provide in-person or written testimony at the public hearing on July 27, 2023.
- **306** comments submitted through the **online comment form**

Throughout the 2023 RTP update, Metro invited consultation with the seven Tribes to inform Metro's 2023 update to the Regional Transportation Plan and staff and representatives from multiple Tribes engaged formally and informally. No formal consultation meetings were held with Tribes during the public comment period. Metro's Tribal Liaison engaged with Tribes informally during this time.

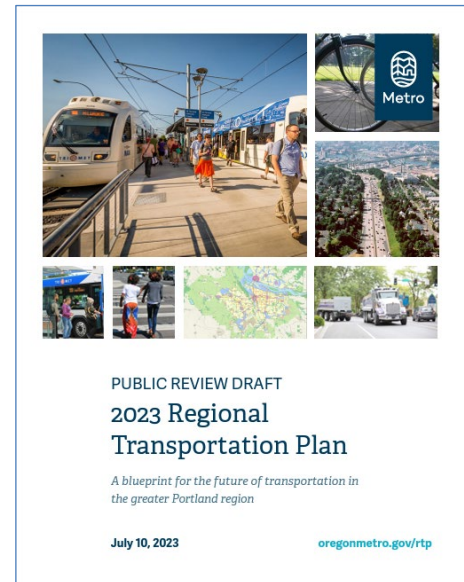
- **Notifications and notices:** Public notices of the comment period were provided to local neighborhood involvement and community outreach offices at jurisdictions across the region. Notices were published in newspapers across the region and on the Metro website. Metro also posted to social media throughout the public comment period. Notifications were sent to the RTP interested persons list (2,772 people) in addition to Metro's four regional advisory committees and their respective interested parties. Partner agencies and organizations engaged throughout the RTP update also posted the public comment opportunity.

ONLINE SURVEY SUMMARY

During the public comment survey, an online survey collected public feedback on the investments and policies in the 2023 Regional Transportation Plan and High-Capacity Transit Strategy. There were 663 survey participants.¹ A summary of the survey follows, and a complete report of the survey is included in Appendix A.

The survey included introduced the 2023 Regional Transportation Plan and included questions across five topic areas:

1. Priority types of transportation investments
2. High-capacity transit priorities
3. New and updated guiding policies: pricing and mobility policies
4. Moving forward together: feedback on what the region should work on in the next five years.
5. Demographic information



Survey respondents were asked to select the county where they live. This question was optional, and 283 survey participants responded. This summary includes results cross-tabulated by county of respondents.

Table 1: Survey participation by county

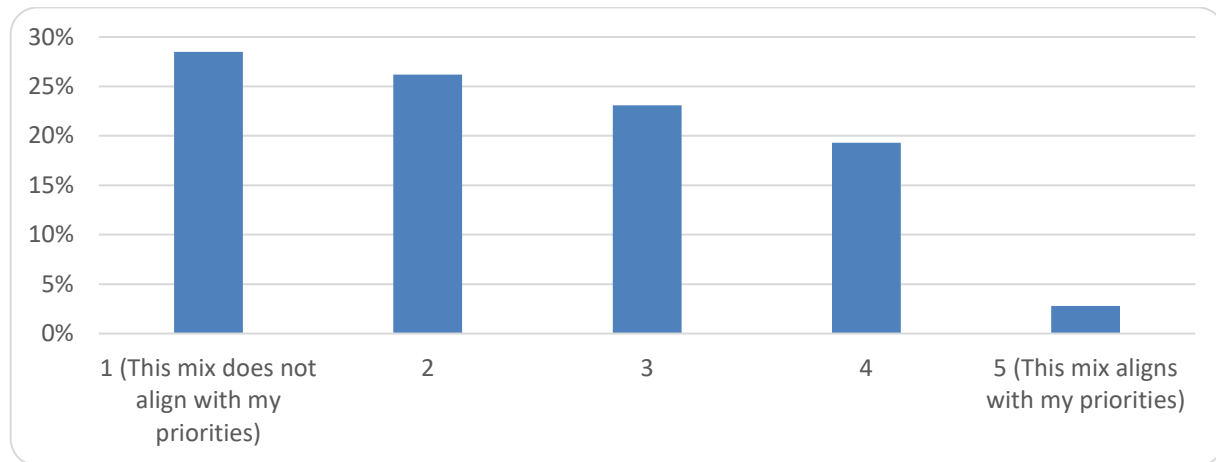
	Number of survey respondents who provided their county	Percent of survey respondents who provided their county	Percent of population within the MPA in each county
<i>Clackamas</i>	35	12%	18%
<i>Multnomah</i>	194	69%	48%
<i>Washington</i>	47	17%	34%
<i>Clark</i>	2	0.7%	
<i>Other – write in</i>	5	2%	

1. Priority transportation investments

The survey displayed the estimated costs of the RTP constrained list of capital projects by investment category and asked: On a scale of 1 to 5, how well does the mix of investment in the draft project list match your priorities? There were 389 respondents to this question. The most frequent response was 1 (28.5% of participants). The median score for this question was 3.

¹ This survey is an engagement tool for collecting feedback from the public; it is not intended to express a scientific, statistically valid representation of all of the region's residents.

Figure 1: On a scale of 1 to 5, how well does the mix of investment in the draft project list match your priorities? (All responses)



- Among Clackamas County participants (35), most people indicated that the mix of investments aligns with their priorities. The most frequently selected score was 4 (34.3% of respondents).
- Among Multnomah County participants (194), most people indicated that the mix of investments does not align with their priorities. The most frequently selected score was 1 (32.3% of respondents). Among
- Washington County participants (47), most people indicated that the mix of investments does not align with their priorities (scores of 1 or 2) but there were relatively more scores of 3 and 4 than among Multnomah County participants. The most frequently selected score among Washington County participants was 3 (26.7% of respondents).

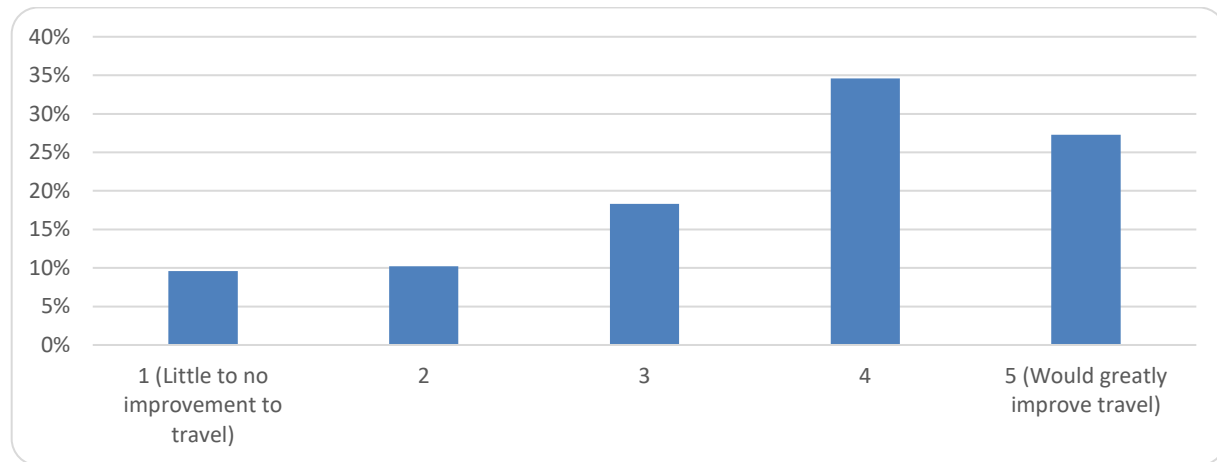
Participants were invited to share open-ended comments about their transportation investment priorities. Responses are included in Appendix A.

2. High capacity transit strategy

The survey displayed the High Capacity Transit Strategy Vision and asked: On a scale of 1 to 5, how well do you think the priorities for high capacity transit will improve travel in the greater Portland region? There were 344 responses to this question. The most frequently response to this question was a score of 4 (34.6%) and the second most frequently given response was a five (27.3%) indicating that most survey participants felt that the prioritized list of high capacity transit projects would improve travel throughout the region.



Figure 2: On a scale of 1 to 5, how well do you think the priorities for high capacity transit will improve travel in the greater Portland region? (All responses)



- Among Clackamas County participants (33), most people indicated priorities for high capacity transit will improve travel in the region. The most frequently selected score was 4 (33.3% of respondents).
- Among Multnomah County participants (188 responses), most people indicated priorities for high capacity transit will improve travel in the region. The most frequently selected score was 4 (35.1% of respondents).
- Among Washington County participants (46), the most frequently selected score was also 4 (34.8% of respondents). However, the next most frequently selected response was 3 (26.1% of respondents).

The survey provided information about the priority corridors in the High Capacity Transit Strategy, noting that tier 1 high capacity transit projects have been identified locally and regionally as priorities and asked: of the corridors identified in tiers 2-4 for high capacity transit investments, what corridors are most important to you and your community? (Select up to three.) The top three projects that received the highest response were:

- Central City Tunnel (36.7% of all participants)
- St. Johns to Milwaukie via Cesar Chavez (30.8% of all participants)
- Beaverton – Tigard – Lake Oswego – Milwaukie – Clackamas Town Center (18.4% of all participants)

Participant scoring of the high capacity transit corridors varied slightly between counties, but generally participants across counties prioritized the same corridors, with some variation Washington County's highest rated corridor was Beaverton - Tigard - Tualatin - Oregon City (40.5%) and Clackamas County's second highest rated corridor was Park Ave MAX Station to Oregon City in the vicinity of McLoughlin (41.9%).

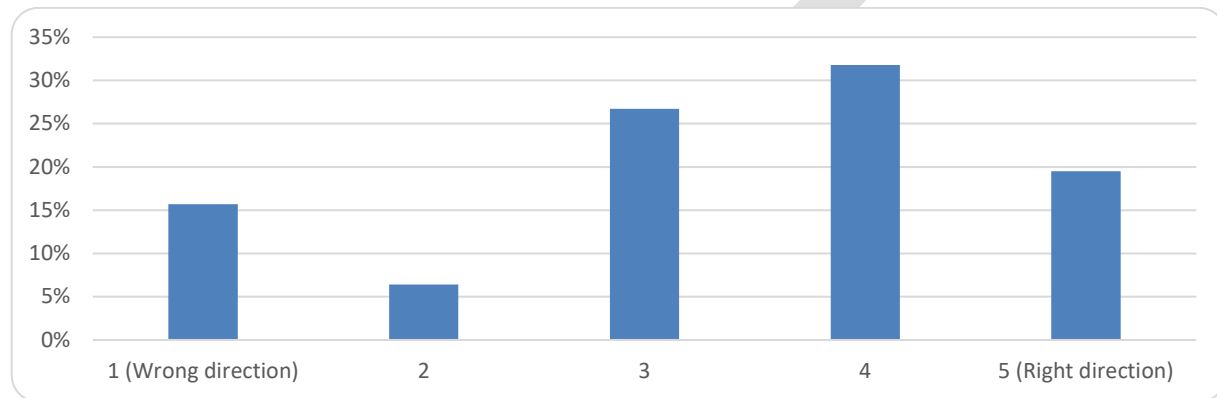
Participants were invited to share open-ended comments about what decision-makers should consider while the High Capacity Strategy is implemented. Responses are included in Appendix A.

3. Guiding policies

The survey provided an overview of the new and updated policies in the 2023 RTP, including the pricing policies and mobility policies, and asked: on a scale of one to five, how well these policies guide the region's transportation system in the right direction?

There were 236 responses to the question about the pricing policies. The median score for this question was 3, indicating there is generally support for the pricing policies included in the 2023 RTP.

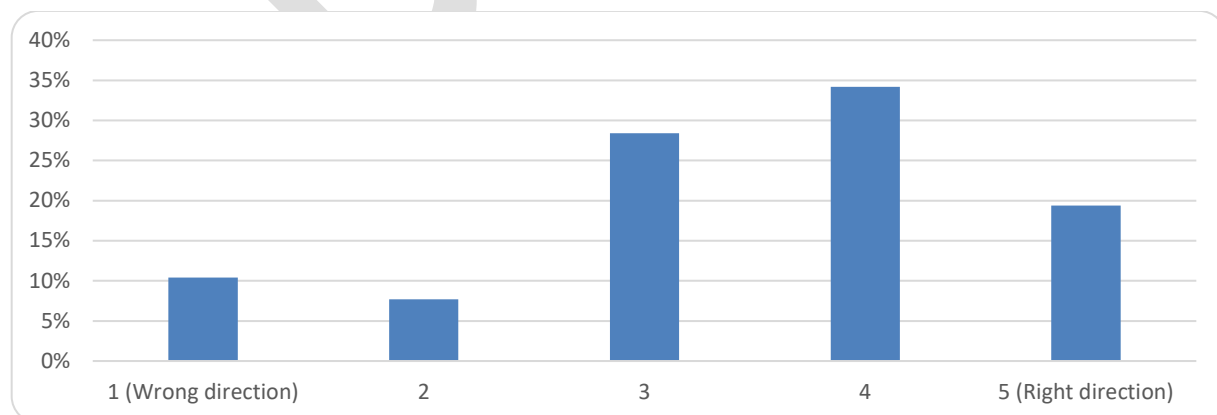
Figure 3: On a scale of 1 to 5, how well do you think the pricing policies guide the region's transportation system in the right direction? (All responses)



- Among Clackamas County participants (29), the most frequently selected score was 4 (27.6% of respondents).
- Among Multnomah County participants (149), the most frequently selected score was 4 (35.6% of respondents).
- Among Washington County participants (35), the most frequently selected score was 3 (28.6% of respondents).

There were 222 responses to the question about the mobility policies. The **median score was 4**.

Figure 4: On a scale of 1 to 5, how well do you think the mobility policies guide the region's transportation system in the right direction? (All responses)



- Among Clackamas County participants (29), the most frequently selected score was 5 (27.6% of respondents).
- Among Multnomah County participants (138), the most frequently selected score was 4 (34.3% of respondents).
- Among Washington County participants (35), the most frequently selected score was 3 (28.6% of respondents).

Survey participants were asked if there is anything that cities, counties, Metro, transit providers, and the state should consider as the policies are being implemented. Responses are included in Appendix A.

4. Moving Forward Together

Survey participants were asked to share their thoughts about the future of transportation in greater Portland by responding to two open-ended questions. Most frequently mentioned topics are summarized below. A more extensive analysis of responses and the complete list of survey responses is included in Appendix A.

The first question in this section asked: What's one big idea you have for improving greater Portland's transportation system? (242 responses) **The second question in this section asked:** *with decision-makers about transportation in greater Portland. (250 responses). Among the responses to these two questions, the top themes were the same.*

Transit (163) **service** (66) and **transit infrastructure** (68) were most frequently mentioned in comments. Most often, participants expressed a desire to see investments in transit frequency, longer operating hours, fewer transfers across the system, and overall improvements to network **connectivity** (23). Other participants described a need for better transit infrastructure including expansion of transit priority lanes, transit stop improvements like better lighting, trash cans, or seating.

"Pedestrian and bicycle safety should be the greatest priorities. There is too much emphasis on moving vehicles, while pedestrian deaths are increasing."

"More express services (that skip stops) along existing lines (both rail and bus)."

"Increased frequency across all public modes of transportation and minimum connection times."

"I am a single disabled parent with a young child, and every time we take public transportation there is some incident that makes us feel unsafe. Help us feel safe in our city again make Portland the city that everyone used to love. Fix our safety concerns."

Active Transportation (114) was mentioned by participants. Commenters frequently mentioned a need to shift mode choice to biking and walking, prioritize project implementation and funding for active transportation infrastructure and craft policies to better address the needs and safety of active transportation users. Several participants also acknowledged the connection between investing in active transportation and addressing climate change (48).

"Getting rid of all roadway expansions, increasing access to sidewalks and bike lanes and putting some type of local tolling in place to properly price access to the public right of way so these projects can be implemented more quickly."

"We need to adjust the entire transportation system to provide for greater reliance on active transportation, remote work, online shopping, and safer public transit."

"Keep pushing bikes, walking, and transit"

"Be radical in prioritizing non-drive along modes! Transit, walking, and biking should be the easiest, most efficient, and most attractive options. We need radical investment to shift away from the discouraging trend that is having significant impacts on quality of life in the region."

"We are in a climate and affordability crisis. All modes that help alleviate these issues (walking/biking/transit) should be receiving our support and investment."

Safety was a frequently mentioned theme with 100 comments. Several survey respondents mentioned a lack of perceived safety on transit as the primary reason for not using that mode. Many commenters raised concerns about the safety of biking and walking on existing infrastructure. Houselessness around transit stops and mixed-use trails was often cited as a barrier for using those modes. Several comments expressed a need to prioritize safety for vulnerable road users, in underserved communities, and for historically marginalized groups.

"Safety! I want to feel safe in any and all modes of transportation, and I do not."

"The main reason myself and many others I know don't use transit in Portland is because of safety concerns, and discomfort with so many homeless people sleeping or hanging out at the stations and on transit."

"Pedestrian and bicycle safety should be the greatest priorities. There is too much emphasis on moving vehicles, while pedestrian deaths are increasing."

EMAILS AND LETTERS

Almost 100 letters and emails were received suggesting recommendations to the policy chapters, project lists and more general comments on the plan and supporting strategies. All emails and letters received are included in Appendix B. Of these comments, all substantive comments are under consideration by Metro staff and amendments will be recommended, when feasible, to address the comments and edits provided. Comments about specific projects will be shared with the sponsoring agencies.

PUBLIC HEARING - JULY 27, 2023

A public hearing on the public review draft 2023 Regional Transportation Plan and High Capacity Transit Strategy was held at a Metro Council meeting on Thursday July 27, 2023 at the Metro Regional Center and online. The closed caption transcript of hearing testimony is included in Appendix E of the final comment report. Twenty people testified in-person or through written testimony on a range of topics, including:

- Highlighting the region's traffic safety crises with record pedestrian deaths and advocating for prioritizing safety.
- Highlighting the climate crisis and emphasizing the need to reduce vehicle miles traveled to meet climate goals. There's a need to adjust assumptions in climate modeling to reflect actual trends in vehicles and fleet.
- Support for policies in chapter 3 of the Regional Transportation Plan, with an emphasis on the need to align investment priorities with policies and implement the policies in the plan. Redefine chapter 8 to be an actionable plan that addresses concerns.
- Concerns related to equity, including the need to prioritize investments in communities of color and low-income communities that are most impacted by traffic crashes and most in need of travel options.
- Concerns about gentrification and the need for the RTP to invest in anti-displacement.
- Improve metrics that measure the RTP's impact on equity.
- Concerns about the limitations of transit, not being fast or reliable enough.
- Parking, including both support for reducing parking to meet climate goals and criticism of reduced parking requirements near affordable housing in transit oriented development.
- The region urgently needs to funding for transportation; look to the 2025 legislative package to align 2027 RTP.
- Support for pricing that is reinvested in transit, walking and biking and not widening freeways. Consider region-wide mitigations for pricing impacts to low-income communities so every city does not need to reinvent the wheel on how to mitigate impacts.
- Three of the written testimonies were in support of Frog Ferry as a desirable alternative to driving that would increase community connection and resilience.
- One written testimony endorsed the No More Freeways comments on the Regional Transportation Plan.

CONSULTATION MEETINGS

Metro staff invited federal, state and local resource, wildlife, land management and regulatory agencies to consult on the public review draft RTP and High Capacity Transit Strategy in accordance with [23 CFR 450.316](#). Metro convened a consultation meeting for resource agencies on Aug. 17 and a consultation meeting for state and federal agencies on Aug. 22. These meetings were the third round in a series of consultation meetings that Metro hosted with state, federal, local and resource agencies throughout the 2023 RTP update. Twenty staff from various agencies participated in the consultation meetings. Summaries of consultation meetings held during the public comment period are included Appendix F. Key themes and comments heard during the consultation meetings are summarized below.

Metro also invited consultation with the seven Tribes to inform Metro's 2023 update to the Regional Transportation Plan. In alphabetical order, these Tribes included: Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, Cowlitz Indian Tribe, and the Nez Perce Tribe. Metro's Tribal Affairs Program staff submitted a comment that provides an overview of the priorities, concerns, themes, and requests identified through tribal consultation and engagement with participating Tribes during the 2023 RTP process.

Aug. 17, 2023 consultation meeting

Metro hosted a consultation meeting on Aug. 17, focused on the 2023 RTP's environmentally focused policies and Environmental Assessment. The following agencies attended the Aug. 17 consultation meeting: City of Portland Bureau of Environmental Services (BES), Clean Water Services (CWS), Environmental Protection Agency (EPA), Metro Parks & Nature and Oregon Department of Fish & Wildlife (ODFW). Key topics from the discussion included:

- Consideration for emerging tools, data and policies related to habitat conservation and mitigation being developed by partner agencies.
- Early consideration for environmental impacts in transportation planning processes is increasingly important with new NEPA timelines.
- Early coordination with local agencies can help leverage transportation projects to implement other agencies' needed infrastructure updates.

Aug. 22, 2023 consultation meeting

Metro hosted a consultation meeting on Aug. 22, focused on discussing and receiving comments on the Public Review Draft of 2023 Regional Transportation Plan and process. The following agencies attended the Aug. 22 consultation meeting: Department of Land Conservation and Development (DLCD), Federal Highway Administration (FHWA), Federal Transportation Administration (FTA), Oregon Department of Transportation (ODOT), Southwest Washington Regional Transportation Council (SWRTC), City of Wilsonville South Metro Area Regional Transit (SMART) and TriMet. Key discussion topics included:

- Updated requirements under the Bipartisan Infrastructure Law.
- Appreciation for Metro's collaborative and transparent 2023 Regional Transportation Plan process.

- An interest from agency staff in supporting the work outlined in chapter 8 of the 2023 RTP, acknowledging that there is a significant amount of urgent work to do, especially related to local funding needs and an update of 2040.
-

DRAFT

ONLINE COMMENT FORM

An online comment form was available for people who wanted to suggest specific changes or edits to the text of the 2023 RTP and High Capacity Transit Strategy. Members of the public, transportation agencies and organizations used the comment form to provide comments, feedback and suggested edits to the Public Review Draft Regional Transportation Plan and High Capacity Transit Strategy.

There were ## commenters who provided their names. These comments are attached to this report, along with comments received by email, mail and voicemail. Of these comments, all substantive comments are under consideration by Metro staff and amendments will be recommended, when feasible, to address the comments and edits provided. Comments about specific projects have been shared with the sponsoring agencies. An additional ## people submitted comments using the online comment form and did not provide their names.

Of the comments received through the online comment form, most were submitted by community members or organizations. Of the 307 comments, 75 were submitted by ODOT staff and one by the City of Tualatin. City staff comments are not included in the following summary.

The following section summarizes the top reoccurring themes from online comment form submissions. Many comments included multiple topics. For example, many of the project specific comments were supporting or encouraging faster implementation of walking and biking investments. Some of the comment opposing freeway projects or road capacity also supported increased transit investments.

- Projects (92 comments)
- Support for transit investments (77 comments)
- Support for walking/biking investments (53 comments)
- Opposition to freeway projects and added road capacity (39 comments)

Additional recurring comments included concerns about climate change (17 comments) personal safety in public space and on transit (11 comments) and traffic safety concerns (14 comments). There were six (6) comments that called for increased investment in road maintenance and four (4) comments that supported increased capacity for cars.

Support for transit investment was the most frequently mentioned theme among the comments. (76 comments)

More than 55 comments suggested that the greater Portland region needs more transit. Some of these comments were in support of specific transit projects and others called for investing in transit generally. Additionally, 23 comments voiced the need for improved transit service.

A Max Green Line Extension to Oregon City or near to the Clackamas Community Collage would be nice. It's really tough just trying to get to Oregon City and getting out of Oregon City like before Midnight is a pain. The only thing reliable in and out of Oregon City are just the buses and most of the buses there don't run very often at late nights. – Tim Roth, Portland

I want to make a comment upon how slow it is for me to get from Beaverton to SE Portland. It takes

about 2 hours with Public Transportation and I think that is why people choose cars over taking public transportation. If there is anyway that could be looked upon that will be great. – Lei Lei Win, Portland, African Youth Community Organization

I live in Cornelius and plan to continue living there for some time. I drive to work right now but would likely switch back to taking Trimet if you were to build the blue line (or some MAX extension) out to Cornelius/Forest Grove area. – No name provided.

Support for investing in walking and bicycling. (53 comments) Many of these comments were in support of specific bicycle and pedestrian projects.

"I don't have time to read through all those plans to say that decent reliable transportation should be a right to everyone. Cars are destroying the planet and killing pedestrians and drivers alike. Transportation in the city of Portland should be more reliable and easy than taking a car." – John Peterman

"I would like to see more % invested in bike and walk infrastructure. I rely on Portland's bike and walk infrastructure every day and would be able to have a higher quality of life if it were improved." – Addie Olson

Opposition to adding capacity to freeways was mentioned in 28 comments. There were also a handful of comments that generally opposed investing in car infrastructure (11 comments).

"We need to stop blindly investing in increased car capacity. It is a never ending cycle that will consume our limited resources, exclude our most vulnerable, and decreases the livability of our communities. Cars have a place but we have enough infrastructure to support that place. We now need to focus on reducing car trips where possible to release the pressure on our existing system and build out other modes equitably. Focusing on bike, ped, and transit in the next facade is going to pay dividends in the long run." - Nic Westendorf, Portland

"This [Interstate Bridge Replacement Project] is exactly what the Portland area does not need. Providing more capacity for SOVs traveling through the city is a recipe for lowering the quality of life for a large part of Portland's citizens. In essence, that is the history of I-5. - Many of the goals of this project can be met much better via a different modes/route." – Sean Pliska, Portland

"Why are we spending 975 million dollars on the antiquated idea that auxiliary lanes and shoulders reduce traffic congestion? The highway cover is a nice idea, but discouraging car travel is the easiest way to combat congestion on the interstate. Think of how much that money could do for improving public transit, which is a much more climate conscious and equitable solution to the problem of traffic on highways." – Amythest Lee, Portland

Address climate change (16 comments). Many of these comments also voiced opposition for projects that add car capacity and/or these comments voiced support for investments in transit and walking and biking.

How is it that we're spending SO LITTLE on high impact climate strategies?? 32% for 2030 and 26% for 2045?? That is unacceptable to me for the metro transit system - transportation account for 30% of all GHG emissions, and the metro council is fully supporting the dirtiest mode of transportation

(cars) with HALF of our capital investment going towards car-based infrastructure (page 34). – Christian Bayless, Hillsboro

As an advocate for Lloyd, for climate, and for a densely livable Portland, I am fundamentally opposed to freeway expansion of any type, especially as it relates to the Lloyd, Lower Albina, and other historically black neighborhoods. I am for capping and reconnecting, however, a freeway widening project and capping/covering should not be included in the same conversation, especially as we have an extremely small window of time to tackle emissions and decarbonization goals. – Kristin Leiber, Lloyd EcoDistrict, Portland

Traffic safety concerns were woven throughout a range of comments, with references to unsafe driver behavior and/or the need for enforcement. (14 comments)

“By emphasizing pedestrian and bicycle safety in the most appropriate areas and fostering meaningful collaboration, Metro can play a pivotal role in reshaping transportation projects for the benefit of all community members, especially those who have long been overlooked.” - Community Cycling Center, Andando en Bicicletas Caminando (ABC)

“Install ITS and CCTV cameras (project Barbour Blvd ITS)” – Noor Sakawadin, Oregon Somali Bravaness Community

There was also a handful of comments that referenced not feeling safe in public spaces and/or on transit. (11 comments)

“Pre-pandemic I was a regular bus rider 5-days a week to downtown portland. Post-pandemic, I have not ridden the bus once. I still commute to downtown, but not on the bus.... I do not feel safe walking to or waiting for a bus near my office. the current system needs to be maintained and made safe before any additional regional transportation plans are made....” – No name provided, Vancouver

There were several comments that supported adding more capacity for cars. (6 comments)

“Build new roads! Maintain existing roads! Stop deliberately making life difficult for drivers! Gas tax pay for transportation!” – No name provided

“Please support private car infrastructure. Public transit is too slow and dangerous.” – Mike Pederson, Vancouver

NOTICES AND NOTIFICATIONS

Public notices of the comment period were provided to local neighborhood involvement and community outreach offices at jurisdictions across the region. Notices were published in the Portland Tribune, Clackamas Review, Hillsboro News Times, Forest Grove News Times, Valley Times News, Beaverton Valley Times, El Latino de Hoy and The Asian Reporter and on the Metro website. Metro also posted to social media throughout the public comment period.

Notifications were sent to the RTP interested persons list (nearly 2,772 people) in addition to Metro's four regional advisory committees, Metro Council, their respective interested parties and the Metro Public Engagement Review Committee. Partner agencies and community and business organizations engaged throughout the RTP update posted notifications of the comment period through social media and e-newsletters and other methods to inform their members and interested parties of the comment opportunity.



Promotion of the public comment period

Metro promoted the public comment period through the website, newsfeeds, Metro's transportation interested parties email list, technical and policy advisory and interested parties lists, social media and by requesting distribution by community involvement offices at jurisdictions across the greater Portland region:

- City of Beaverton
- City of Forest Grove
- City of Gresham
- City of Happy Valley
- City of Hillsboro
- City of Lake Oswego
- City of Milwaukie
- City of Oregon City
- City of Portland
- City of Tigard
- City of Tualatin
- City of West Linn
- City of Wilsonville
- Clackamas County
- Washington County
- Multnomah County

Metro also sent notices to community based and other organizational partners, through individual relationships built through ongoing partnerships and other engagement activities, asking them to distribute to their organization and constituencies.

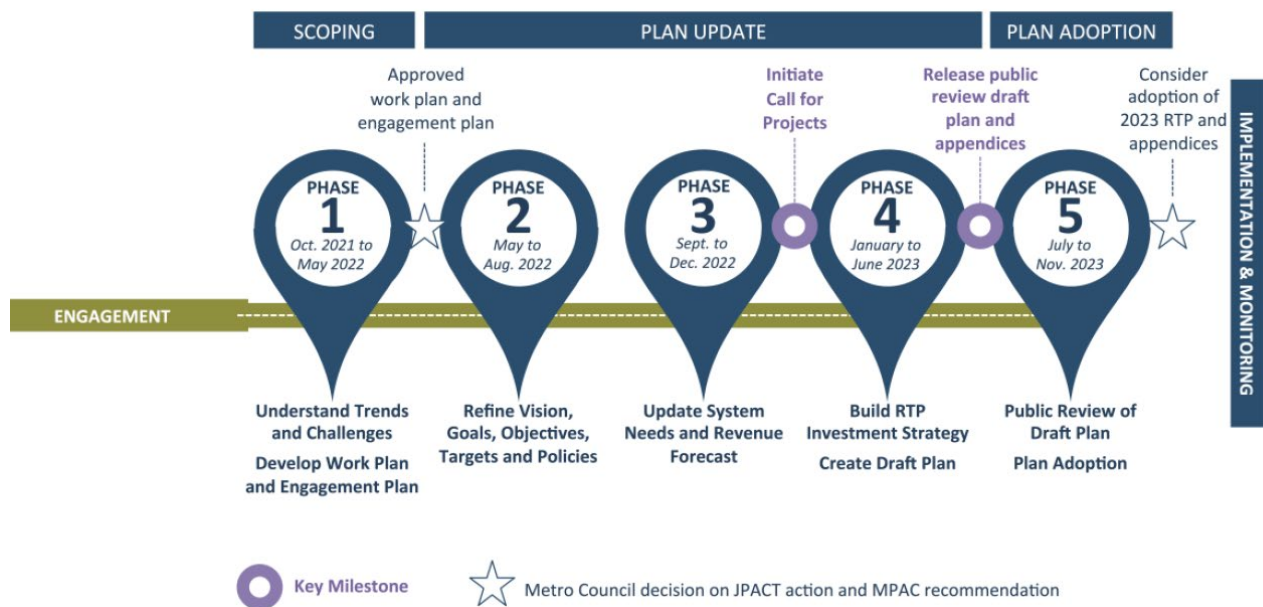
- 1000 Friends of Oregon

- AARP
- Asian Pacific American Network of Oregon
- Audubon
- Beyond Black
- Bike Loud
- Centro Cultural
- Climate Solutions
- Coalition of Communities of Color
- Community Cycling Center
- Disabilities Rights Oregon
- Division Midway Alliance
- East Portland Action Plan
- Forward Together Action
- Getting There Together
- Go Lloyd (TMA)
- Hacienda Community Development Corporation
- Immigrant & Refugee Community Organization
- Imagine Black
- Intertwine Alliance
- Join PDX
- League of Women Voters
- Momentum Alliance
- Metropolitan Alliance for Workforce Equity
- Native American Youth and Family Center
- Next Up
- OPAL
- Oregon Futures Lab
- Oregon Environmental Council
- Oregon Just Transition
- Oregon League of Conservation Voters
- Oregon Walks
- Ride Connection
- Street Roots
- Street Smart
- Sunrise Movement PDX
- The Street Trust
- Urban Greenspace Institute
- Urban League of Portland
- Verde
- Washington County Ignite
- Westside Transportation Alliance
- Youth Collective - The Cen

NEXT STEPS

Later this fall, MPAC and JPACT will recommend action on the 2023 RTP and High Capacity Transit Strategy to the Metro Council. Metro Council will consider final action on the 2023 RTP and High Capacity Transit Strategy on Nov. 30, 2023.

Figure 5. Timeline for 2023 Regional Transportation Plan update



If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

So, hello. We’re Metro – nice to meet you.

In a metropolitan area as big as Portland, we can do a lot of things better together. Join us to help the region prepare for a happy, healthy future.

Stay in touch with news, stories and things to do.
oregonmetro.gov/news

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Lynn Peterson

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Juan Carlos González, District 4
Mary Nolan, District 5
Duncan Hwang, District 6

Auditor
Brian Evans

600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1700

September 2023

Caution: This document is 700 pages and 72MB. Click [here](#) to download document electronically.



PUBLIC REVIEW DRAFT 2023 REGIONAL TRANSPORTATION PLAN Public Comment Report Appendices

September 6, 2023

Appendix A. Online Survey Public Comment Report

Appendix B. Email Comments on Public Review Draft and Strategies through 8/25/23

Appendix C. Letters submitted on Public Review Draft and Strategies through 8/25/23

Appendix D. Voicemails submitted on Public Review Draft and Strategies through 8/25/23

Appendix E. Written and closed caption transcript of RTP Public Hearing (7/27/23)

Appendix F. Consultation Meeting Summaries

Appendix G. Online Comments submitted on Public Review Draft and Strategies through 8/25/23

Appendix H. Public Comment Index

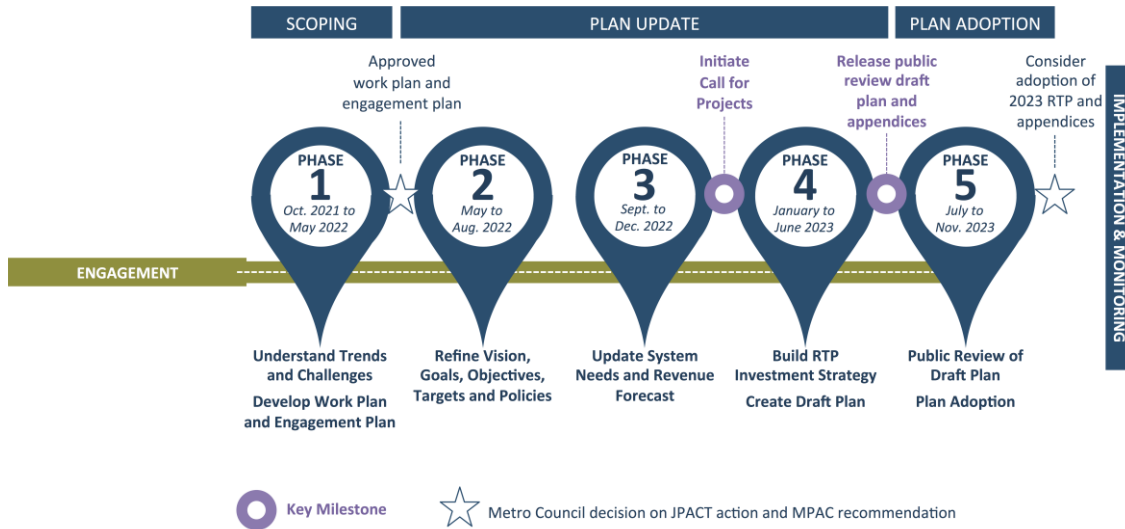


2023 REGIONAL TRANSPORTATION PLAN UPDATE

Key Dates for Finalizing the 2023 Regional Transportation Plan and 2023 High Capacity Transit Strategy for Adoption

September to November 2023

Dates are subject to change.



Note: Under Federal law, the current Regional Transportation Plan expires on Dec. 6, 2023.

September	9/1	TPAC	DISCUSSION: Overview of draft adoption legislation and update on draft Metro staff recommended actions in response to public comments
	9/12	Metro Council	DISCUSSION: Process update and feedback on draft RTP policies and implementation chapter (Ch. 8)
	9/13	TPAC Workshop	DISCUSSION: Discuss draft Metro staff recommended actions in response to public comments received - Review policy topics for JPACT discussion
	9/20	MTAC	DISCUSSION: Draft adoption legislation - Discuss draft Metro staff recommended actions in response to public comments received - Review policy topics for MPAC discussion
	9/21	JPACT	DISCUSSION: Overview of Public Comment, Key Topics to Address and Next Steps for Finalizing the 2023 RTP and High Capacity Transit Strategy for Adoption
	9/27	MPAC	DISCUSSION: Overview of Public Comment, Key Topics to Address and Next Steps for Finalizing the 2023 RTP and High Capacity Transit Strategy for Adoption
	9/28	Metro Council	Public hearing (first evidentiary hearing/first read) on Ordinance 23-1496

Attachment 2 to Staff Report to Ordinance No. 23-1496

2023 RTP Update: Key Dates for Finalizing the 2023 RTP
and 2023 HCT Strategy for Adoption - June to November 2023

9/14/23

October	10/6	TPAC	• DISCUSSION: Discuss draft Metro staff recommended actions in response to public comments and identify draft recommended actions for JPACT discussion
	10/10	Metro Council	• DISCUSSION: Discuss draft recommended actions in response to public comments (focus on key policy topics identified by Council for discussion)
	10/11	TPAC Workshop	• DISCUSSION: Discuss draft Metro staff recommended actions in response to public comments identified for JPACT discussion
	10/18	MTAC	• ACTION: Make final recommendation to MPAC on adoption of 2023 RTP (Ordinance 23-1496) and 2023 HCT Strategy (Resolution No. 23-5348), and recommended actions in response to public comments
	10/19	JPACT	• DISCUSSION: Discuss draft recommended actions in response to public comments (focus on key policy topics identified by TPAC for JPACT discussion)
	10/25	MPAC	• ACTION: Make final recommendation to Metro Council on adoption of 2023 RTP (Ordinance 23-1496) and 2023 HCT Strategy (Resolution No. 23-5348), and recommended actions in response to public comments (focus on key policy topics identified for MPAC discussion)
November	11/3	TPAC	• ACTION: Make final recommendation to JPACT on adoption of 2023 RTP (Ordinance 23-1496) and 2023 HCT Strategy (Resolution No. 23-5348), and recommended actions in response to public comments
	11/7	<i>Metro Council</i>	• DISCUSSION: <i>Discuss MPAC recommendation and TPAC recommendation to JPACT on adoption of 2023 RTP (Ordinance 23-1496) and 2023 HCT Strategy (Resolution No. 23-5348), and recommended actions in response to public comments</i>
	11/16	JPACT	• ACTION: Make final recommendation to Metro Council on adoption of 2023 RTP (Ordinance 23-1496) and 2023 HCT Strategy (Resolution No. 23-5348), and recommended actions in response to public comments
	11/30	Metro Council	• ACTION: Public hearing and consider final action on adoption of 2023 RTP (Ordinance 23-1496) and 2023 HCT Strategy (Resolution No. 23-5348), and recommended actions in response to public comments

Ordinance No. 23-1497 For the Purpose of
Annexing to the Metro District Approximately
0.71 Acres Located West of NE Starr Blvd,
North of NE Huffman St, and South of NE
Constable St in Hillsboro)
Ordinance

Metro Council Meeting
Thursday, September 28, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE	)	ORDINANCE NO. 23-1497
METRO DISTRICT BOUNDARY	)	
APPROXIMATELY 0.71 ACRES LOCATED IN	)	Introduced by Chief Operating Officer
HILLSBORO ON THE WEST SIDE OF NE	)	Marissa Madrigal with the Concurrence of
STARR BLVD	)	Council President Lynn Peterson

WHEREAS, the City of Hillsboro has submitted a complete application for annexation of 0.71 acres of Hillsboro (“the territory”) to the Metro District; and

WHEREAS, the Metro Council added the territory to the urban growth boundary (UGB) by Ordinance No. 05-1070A adopted on November 17, 2005; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on September 14, 2023; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated August 14, 2023, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this ____ day of September 2023.

Lynn Peterson, Council President

Attest:

Approved as to form:

Connor Ayers, Recording Secretary

Carrie MacLaren, Metro Attorney

Area to be
Annexed



Research Center
600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Taxlots
-  Urban growth boundary
-  Metro district boundary

Proposal No. AN0523



1:5,000
0 500 1,000 Feet

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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 23-1497, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 0.71 ACRES LOCATED IN HILLSBORO ON THE WEST SIDE OF NE STARR BLVD

Date: August 14, 2023
Department: Planning, Development & Research

Prepared by: Glen Hamburg
Associate Regional Planner

BACKGROUND

CASE: AN-0523, Annexation to Metro District Boundary

PETITIONER: City of Hillsboro
150 E Main St
Hillsboro, OR 97123

PROPOSAL: The petitioner requests annexation of land in Hillsboro to the Metro District Boundary.

LOCATION: The subject territory is a single tax lot on the west side of NE Starr Blvd, between NE Constable St to the north and NE Huffman St to the south. The subject territory is approximately 0.71 acres in area and can be seen in Attachment 1.

ZONING: The City of Hillsboro adopted Ordinance No. 6448 on April 18, 2023, to zone the subject territory Industrial Sanctuary (I-S).

The subject territory was added to the urban growth boundary (UGB) in 2005. The territory must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code (MC) Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The subject territory was brought into the UGB in 2005 through the Metro Council's adoption of Ordinance No. 05-1070A. Therefore, the territory is within the UGB and the application meets the criteria of MC Subsection 3.09.070(E)(1).

2. *The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The City of Hillsboro has already annexed the subject territory with approval of Ordinance No. 6447. The application meets the criteria of MC Subsection 3.09.070(E)(2).

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The subject territory has been approved by the City to be zoned for industrial use. The proposed boundary change would allow for industrial development of the subject territory. The subject territory is already within the UGB and is not in an urban reserve with a concept plan. Urban services will be provided by the City of Hillsboro and Clean Water Services (CWS). The application meets the criteria in MC Subsection 3.09.070(E)(3).

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 0.71 acres to the Metro District. The territory is currently within the UGB and approval of this request will allow for the urbanization of the territory to occur consistent with the City of Hillsboro Comprehensive Plan and Community Development Code.

Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request. Therefore, there is no budget impact.

RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 23-1497.



Research Center
600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Taxlots
-  Urban growth boundary
-  Metro district boundary

Proposal No. AN0523



1:5,000

0 500 1,000 Feet

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Materials following this page were distributed at the meeting.



Metro

Finalizing the 2023 Regional Transportation Plan and High Capacity Transit Strategy

Catherine Ciarlo, PD&R Director and Kim Ellis, RTP project manager

September 28, 2023

Today's purpose



First reading and public hearing for Ordinance No. 23-1496

Opportunity for the public to comment on:

- 2023 Regional Transportation Plan
- 2023 Regional High Capacity Transit Strategy

Regional Transportation Plan

Sets the course for moving the region safely, reliably and affordably for decades to come

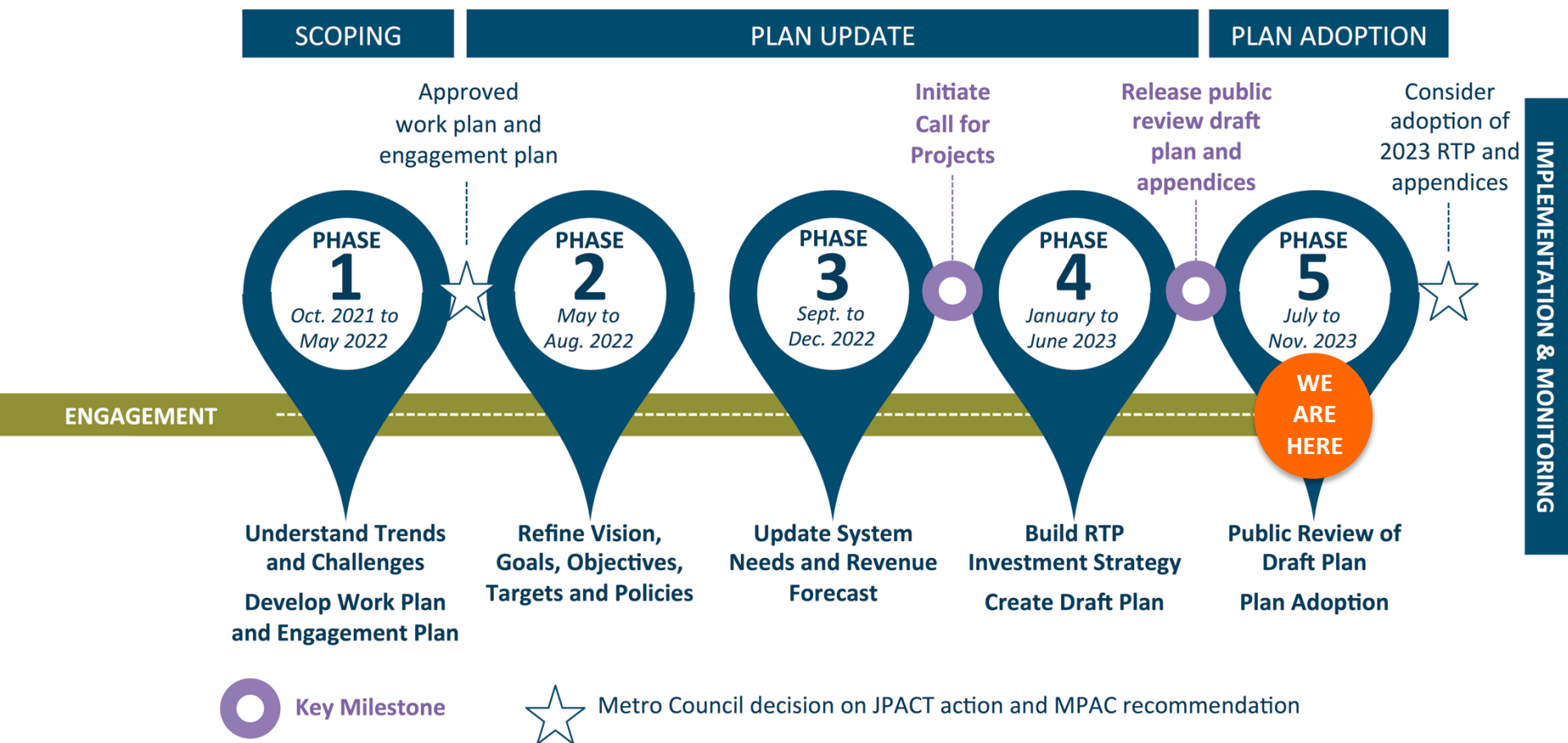
Uses projections of future population and employment growth to *identify travel needs and solutions* through 2045

Establishes priorities for federal, state and regional funding

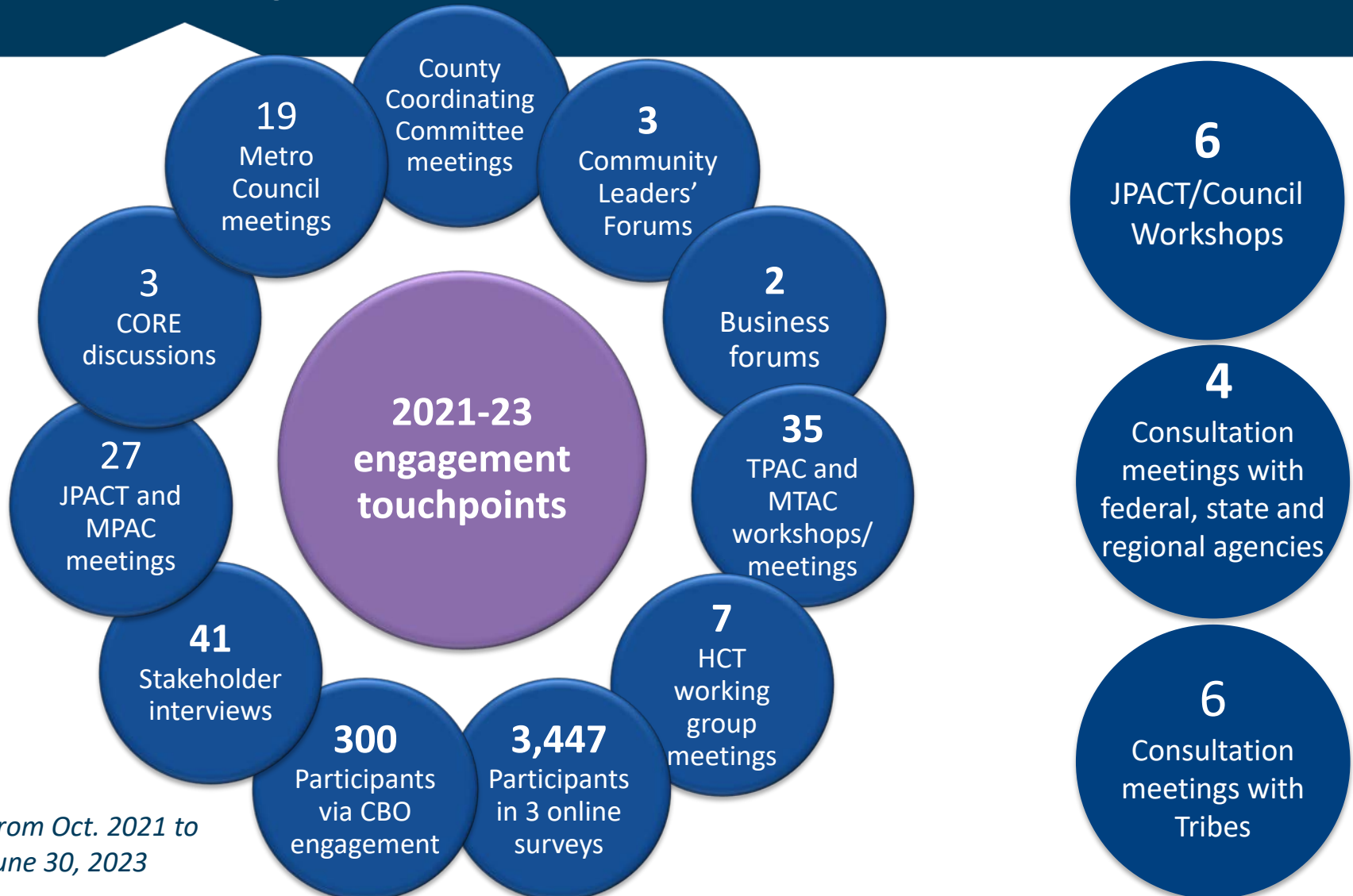
Resets clock – next update due in 2028



Timeline for the 2023 RTP update

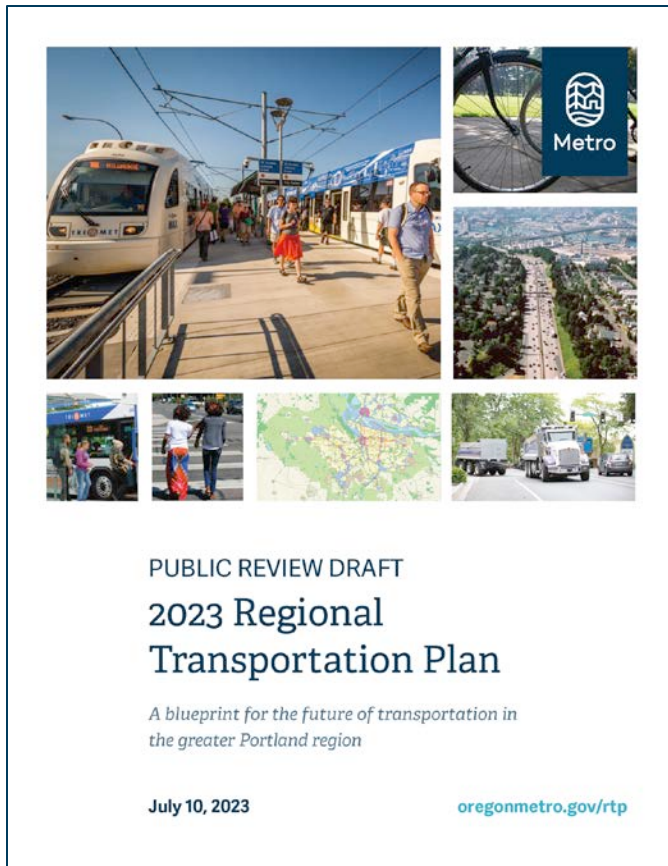


Many meaningful opportunities to listen, learn and collaborate



*From Oct. 2021 to
June 30, 2023*

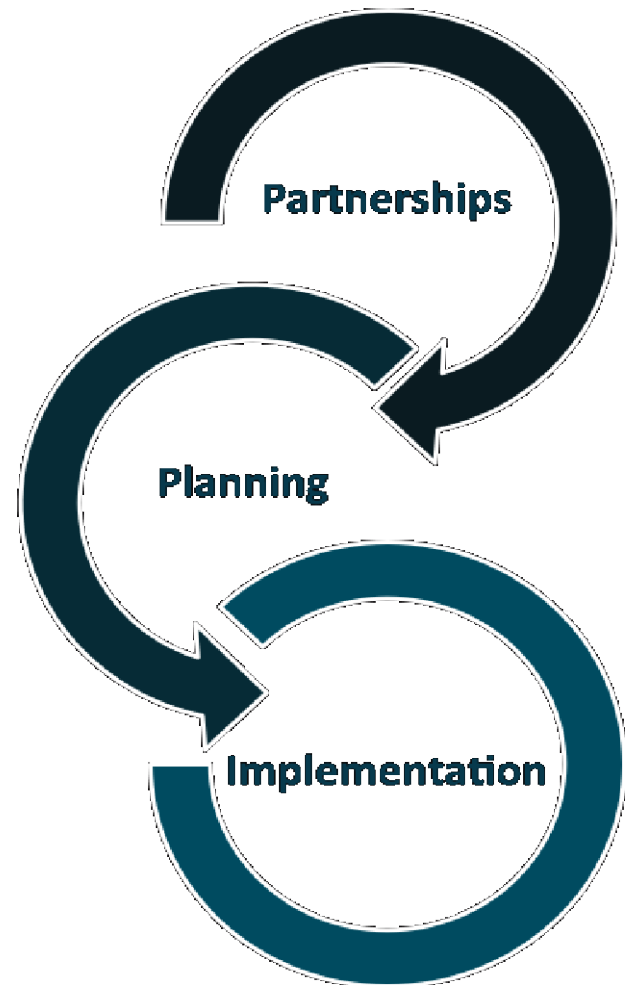
The result is an updated plan and high capacity strategy



and **Appendices**

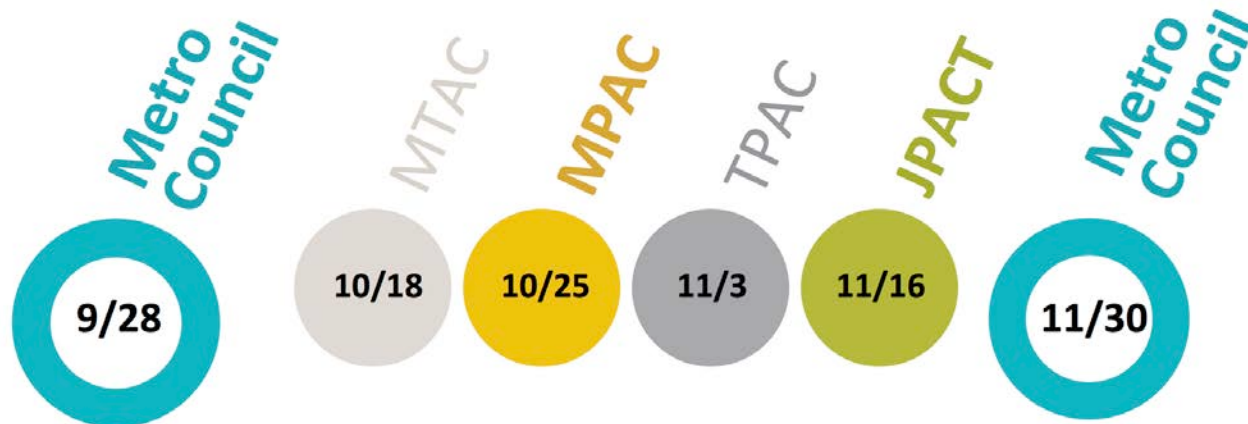
Sets the foundation for future work, investment and collaboration

- Continues flow of federal and state dollars to build toward our local and regional plans and visions
- Allows projects, large and small, to move forward
- Identifies areas where more study, analysis and discussion are needed



MPAC and JPACT are finalizing their recommendations to Council

- Ordinance No. 23-1496 (RTP)
- Resolution No. 23-5348 (HCT Strategy)



Learn more about the **Regional Transportation Plan** at:



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Your testimony I am concerned about the expansion of North Plains UGB for housing and industrial expansion; and how that and other small communities that are not cities want to expand but do not have the infrastructure to do so.

I am also concerned about the doubling and tripling in some instances of the Toxic/hazardous and green house gasses that Intel has applied to DEQ to increase.

Please read my Op-ed that the Pamplin papers published in most of their papers.

Dale Feik

Attach a file



[intels_attempts_to_increase_air_pollution_misread_the_moment_oped_by_dale_feik_sept_21_2023_published.docx](#)
21.23 KB · DOCX

Is your testimony related to an item on an upcoming agenda? *

I'm not sure

Published Thursday, September 21, 2023

Intel's attempts to increase air pollution misread the moment

MY VIEW by Dale Feik

https://www.forestgrovenewstimes.com/opinion/guest_opinion/opinion-intels-attempts-to-increase-air-pollution-misread-the-moment/article_09dfb410-558f-11ee-9c39-53060698e354.html

From Our Children's Trust: *"In an historic first, Judge Kathy Seeley... ruled wholly in favor of the 16 youth plaintiffs in Held v. State of Montana, declaring that the state of Montana violated the youth's constitutional rights, including their rights to equal protection, dignity, liberty, health and safety, and public trust, which are all predicated on their right to a clean and healthful environment..."*

"In a 103-page decision, Judge Seeley's Findings of Fact...set forth critical evidentiary and legal precedent for the right of youth to a safe climate, including these highlights:

- *'Each additional ton of GHGs [greenhouse gases] emitted into the atmosphere exacerbates impacts to the climate.'*
- *'Plaintiffs' injuries will grow increasingly severe and irreversible without science-based actions to address climate change.'*
- *'Plaintiffs have proven that as children and youth, they are disproportionately harmed by fossil fuel pollution and climate impacts.'*"

Considering that decision, how much more is Intel willing to spend to trap the doubling and tripling of the toxic air contaminants that are in the Intel DEQ permit application?

Gov. Tina Kotek appears to have OK'd \$90 million for the semiconductor company; it is reported that Intel will invest billions of dollars more in the Hillsboro and Aloha chip manufacturing plants. Intel's gross profits from 2020 through 2023 ranged from \$43 billion to \$20 billion.

Intel's current permit allows it to emit 819,000 tons of greenhouse gases per year, which is equal to 1.5 tons per minute. In 2012, that made Intel the fifth-largest greenhouse gas polluter in Oregon.

Three natural-gas-fired electricity producing plants' greenhouse gas emissions ranged from 888,000 to 1.12 million tons per year. The coal-fired Boardman plant could emit 2.51 million tons per year before it closed.

Intel is asking to more than double its greenhouse gas emissions to nearly 1.7 million tons per year, which would be more than 3 tons per minute. That would make Intel the largest greenhouse gas emitter in Oregon.

Intel's current air permit allows it to emit the following amounts of air toxic contaminants and are also asking to increase those amounts in tons per year:

- Nitrogen oxides from 197 to 402 tons;
- Carbon monoxide from 229 to 550 tons;
- Volatile organic compounds from 178 to 349 tons;
- Fluorides from 6.4 to 12.2 tons;
- Particulate matter (PM) from 41 to 67 tons;
- PM10 from 35 to 67 tons;
- PM2.5 from 31 to 55 tons.

The last two very small particulate matter emissions can go directly from your lungs into your bloodstream and induce adverse health effects.

The Department of Environmental Quality recently brought a legal action against Intel for an emission violation related to hydrogen fluoride, hydrogen chlorine and hydrogen bromide.

In a January violation notice to Intel, a DEQ environmental engineer wrote: “The health effects from exposure to these chemicals depend on the amount and length of exposure. However, short-term exposure to high enough air concentrations of these chemicals can cause severe respiratory damage in humans, including severe irritation and lung edema. Severe eye irritation and skin burns may occur following eye or skin exposure in humans.”

EPA states that sulfur dioxide can damage trees and plants, inhibit plant growth, damage sensitive ecosystems and waterways, contribute to respiratory illness, and aggravate existing heart and lung conditions.

EPA states that nitrogen oxides are irritating to the upper respiratory tract and lungs even at low concentrations, and Stanford Education News states that the impact of 1 pound of nitrogen oxides on warming the atmosphere is 265 times that of 1 pound of carbon dioxide.

In semiconductor manufacturing, hydrofluoric acid is widely used in the etching processes and for cleaning wafers and quartz tubes. According to the Semiconductor Industry Association, waste solutions of hydrofluoric acid account for more than 40% of the hazardous substances produced in the semiconductor industry.

EPA states that “fluorinated GHG emissions from semiconductor manufacturing can be reduced. Companies in the industry have implemented a variety of emission reduction strategies, such as optimizing (i.e., fine tuning) their production processes to use and emit fewer fluorinated GHGs and switching to alternative input gases (for example, NF₃), which are utilized more efficiently in the process, thereby emitting fewer fluorinated GHGs into the exhaust stream.”

Dale Feik is a Forest Grove resident.

From: [Lin Felton](#)

Subject: [External sender]Argay Parkrose Greenway/Cross Levee trail - RTP 11813
Thursday, September 28, 2023 10:21:05 AM

Hello Councillors,

My name is Lin Felton, Parks Chair for the Argay Terrace Neighborhood Association.

I am sending written testimony today to advocate for a project in the RTP 2023 - project # 11813 - the Cross Levee trail also known as the Argay/Parkrose Greenway. A much needed multi modal greenway in Outer East Portland. I am asking you to consider funding this project this decade.

The vision for the Regional Transport Plan is “Everyone in the greater Portland region will have safe, reliable, affordable, efficient, and climate- friendly travel options that allow people to choose to drive less and that support equitable, resilient, healthy and economically vibrant communities and region. “ This project fulfills that vision.

This greenway would be at NE 142nd in Portland. It was approved by Portland City Council in 1993. Next door, along NE Sandy blvd in the Argay Terrace, Wilkes neighborhoods of Portland there are multiple complexes of below market rate multifamily homes. In Parkrose there is a business district in desperate need of revitalization. Parkrose residents according to Multnomah County’s 2023 Environmental Justice Snapshot have one of the lowest life expectancy rates in the county, Argay Terrace has one of the lowest tree canopies and is one of the hottest areas in the city during a heat dome event according to studies by PSU Prof Vivek Shandas. According to the EPA both Parkrose and Argay Terrace are Environmental Justice communities. This project has the potential to bring much needed change to an environmentally overburdened area of METRO that has little climate resilience.

This greenway fulfills the RTP’s vision and goals: It creates safe, climate friendly travel options to access the many jobs in the Columbia South Shore industrial zone. It creates much needed green space for the many Oregonians who work in the industrial zone. It will improve health outcomes for the many METRO residents who live along Sandy Blvd by placing an opportunity for exercise and access to nature at their doorstep. The Argay/Parkrose Greenway offers gorgeous views of Mt Hood and Mt St Helen and access to paddling on the Columbia Slough in a traditionally marginalized community. Practically, it creates a much needed North South connection to the Marine dr trail/40 mile loop and thus the 205 bridge, Blue Lake Park and the Gateway Green. Presently the North South connector in the area is the PBOT designated high crash corridor of NE 122nd. Lastly, not my story to tell, but this greenway travels along land that was used for centuries by native people - it creates a learning opportunity about native stewardship of this land.

I will add, in 2018 METRO put Argay Terrace/Parkrose first in line when it came to locating the latest putrescible waste transfer station in METRO’s system. In 2023, METRO appears to be putting Argay Terrace/Parkrose last in line when it comes to funding a multi-modal greenway. Let’s change that. Please consider moving up the funding of this greenway to this decade. Thank you for your consideration of this project.

Lin Felton
Parks Chair - Argay Terrace Neighborhood Association