



600 NE Grand Ave.
Portland, OR 97232-2736

Council meeting agenda

Thursday, July 11, 2024

10:30 AM

Metro Regional Center, Council Chamber,
<https://zoom.us/j/615079992> Webinar ID:
615 079 992 or 888-475-4499 (toll free)
[https://www.youtube.com/
live/8uHApjDxrTk?si=iC9hjPDs5aM_ZGFR](https://www.youtube.com/live/8uHApjDxrTk?si=iC9hjPDs5aM_ZGFR)

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:
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1. Call to Order and Roll Call

2. Public Communication

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3. Consent Agenda

- 3.1 Resolution No. 24-5422 For the Purpose of Amending or [RES 24-5422](#)
Adding a Total of Five Projects in the 2024-27 MTIP to
Meet Federal Transportation Project Delivery
Requirements

Attachments: [Resolution No. 24-5422](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)

- 3.2 Resolution No. 24-5423 For the Purpose of Authorizing [RES 24-5423](#)
the Chief Operating Officer to Enter into a Grant
Agreement with the State of Oregon for a Heavy Freight
Rail Assets Study

Attachments: [Resolution No. 24-5423](#)
[Exhibit A](#)
[Staff Report](#)

4. Resolutions

- 4.1 Resolution No. 24-5414 For the Purpose of Directing the [RES 24-5414](#)
Allocation of \$13.6 Million of Federal Transportation
Redistribution Funds to Projects and Programs

Presenter(s): Catherine Ciarlo (she/her), Planning, Development, and
Research Director, Metro
Ted Leybold (he/him), Resource Development Manager,
Metro
Grace Cho (she/her), Senior Transportation Planner, Metro

Attachments: [Resolution No. 24-5414](#)
[Exhibit A](#)
[Staff Report](#)

- 4.2 Resolution No. 24-5415 For the Purpose of Adopting [RES 24-5415](#)
2028-2030 Regional Flexible Fund's Program Direction for
the Portland Metropolitan Area

Presenter(s): Catherine Ciarlo (she/her), Planning, Development, and
Research Director, Metro
Ted Leybold (he/him), Resource Development Manager,
Metro
Grace Cho (she/her), Senior Transportation Planner, Metro

Attachments: [Resolution No. 24-5415](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1](#)

- 4.3 Resolution No. 24-5420 For the Purpose of Approving [RES 24-5420](#)
Funding for Nature in Neighborhoods Capital Grants

Presenter(s): MG Devereux, Metro,
Crista Gardner (she/her), Metro

Attachments: [Resolution No. 24-5420](#)
[Exhibit A](#)
[Staff report.pdf](#)

5. Ordinances (first reading and public hearing)

- 5.1 Ordinance No. 24-1516 For the Purpose of Annexing to [ORD 24-1516](#)
the Metro District Approximately 1.15 Acres of NE Sewell
Ave Right-of-Way in Hillsboro Between NE Evergreen Rd
and NW Meek Rd

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

Attachments: [Ordinance No. 24-1516](#)
[Staff Report](#)

6. COO Communications

7. Councilor Communications

6. Adjourn

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការប្រឹក្សាស្តីពីការរើសអើងសូមទូរស័ព្ទទៅលេខ 503-797-1700 ។ www.oregonmetro.gov/civilrights ។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេបកប្រែសម្រាប់លោកអ្នក ។

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3. Consent Agenda

**Resolution No. 24-5422 For the Purpose of
Amending or Adding a Total of Five Projects in the
2024-27 MTIP to Meet Federal Transportation
Project Delivery Requirements**
Consent

Metro Council Meeting
Thursday, July 11th, 2024

BEFORE THE METRO COUNCIL

**FOR THE PURPOSE AMENDING OR
ADDING A TOTAL OF FOUR PROJECTS IN
THE 2024-27 MTIP TO MEET FEDERAL
TRANSPORTATION PROJECT DELIVERY
REQUIREMENTS**) RESOLUTION NO. 24-5422
)
) Introduced by: Chief Operating
) Officer Marissa Madrigal in
) concurrence with Council President
) Lynn Peterson

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

WHEREAS, the U.S. Department of Transportation requires federal funding for transportation projects located in a metropolitan area to be programmed in an MTIP; and

WHEREAS, in July 2023, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved Resolution No. 23-5335 to adopt the 2024-27 MTIP; and

WHEREAS, the 2024-27 MTIP includes Metro approved RTP and federal performance-based programming requirements and demonstrates compliance and further progress towards achieving the RTP and federal performance targets; and

WHEREAS, pursuant to the U.S. Department of Transportation's MTIP amendment submission rules, JPACT and the Metro Council must approve any subsequent amendments to the MTIP to add new projects or substantially modify existing projects; and

WHEREAS, a revised construction phase cost estimate for Gresham's NW Division St Complete Street project requires \$3,366,927 of local overmatching funds be added to address the funding shortfall and enable the construction phase to obligate before the end for FFY 2024; and

WHEREAS, the Oregon Department of Transportation's (ODOT) OR217 – OR10 to OR99W improvement project requires additional funds to support the construction phase of which \$11,865,009 will be transferred from their Interstate 5 – Capitol Highway to OR217 Active Traffic Management project by canceling the construction phase; and

WHEREAS, the City of Portland received a \$38,394,000 USDOT Neighborhood Access and Equity (NAE) -program/ Reconnecting Communities Pilot (RCP) Program discretionary grant award to complete multiple complete street upgrades, plus enhanced access to Rose Quarter Transit Center and is being programmed now to enable preliminary engineering to be obligated early in FFY 2025; and

WHEREAS, an updated construction phase cost estimate for the City of Sherwood's Ice Age Drive new collector road project requires a further commitment of \$7,417,900 of local overmatching funds to resolve the construction phase funding shortfall; and

WHEREAS, the programming updates to the four projects are stated in Exhibit A to this resolution; and

WHEREAS, on June 7, 2024, Metro's Transportation Policy and Alternatives Committee recommended that JPACT approve this resolution; and

WHEREAS, on June 20, 2024, JPACT approved and recommended the Metro Council adopt this resolution; now therefore

BE IT RESOLVED that the Metro Council adopts this resolution to amend or add the four projects as stated within Exhibit A to the 2024-27 Metropolitan Transportation Improvement Program to meet federal project delivery requirements.

ADOPTED by the Metro Council this ____ day of _____ 2024.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Exhibit A
June #1 FFY 2024 Formal/Full MTIP Amendment Summary
Formal Amendment #: JN24-09-JUN1

The June #1 Federal Fiscal Year 2024 Formal MTIP Amendment amends or adds a total of five projects in the MTIP. MTIP and STIP programming is required to meet federal transportation delivery requirements. A summary of the changes includes the following:

- **Key 16986 - NW Division Complete St Phase I: Wallula Ave – Birdsdale Ave (Gresham):** The formal amendment complete a cost increase to the construction phase for the project. The amendment action adds local overmatch funding to the construction phase
- **Key 22719 - I-5: Capitol Highway - OR217 (ODOT):** The formal amendment increases the construction phase by adding local overmatching funds.
- **Key 23656 - Hayden Island Building Demolition (ODOT):** The formal amendment adds the new child project to the I-5 Interstate Bridge Replacement project to complete demolition actions on Hayden Island.
- ~~**Key 23646 – Broadway Main Street and Supporting Connections (Portland):** The formal amendment adds the new USDOT Neighborhood Access and Equity (NAE) Program/Reconnecting Communities Pilot (RCP) Program grant awarded project to the MTIP for Portland.~~ Update: Per Portland’s request, this project is being removed from the June 2024 MTIP Formal Amendment bundle and will be incorporated into the July 2024 Rose Quarter Improvement Project MTIP Formal Amendment bundle for JPACT approval consideration. The project has received a TPAC approval recommendation to process with the Rose Quarter amendment bundle from JPACT to Metro Council.
- **Key 23524 - Ice Age Drive: SW Oregon St-SW Dahlke Ln (Tonquin) (Sherwood):** The project requires an additional \$5,077,900 of local funds to be added to the construction phase. The Utility Relocation phase is now no longer required. UR phase funds are being shifted to Construction and the Construction phase is being slipped to FFY 2025.

The June #1 MTIP Formal Amendment bundle represent the regular monthly formal MTIP amendment Metro completes. During June 2024, Metro is processing two formal MTIP amendment bundle. This bundle is under amendment # JN24-09-JUN1. As a result of the removal of Key 23646, the June #1 MTIP Formal Amendment bundle under Resolution 24-5422 is reduced from five to four projects. Final requested approval from Metro Council will be for four projects.

The planned special separate formal amendment for the Rose Quarter Improvement Project bundle was canceled for June due to additional reviews needed and will be submitted in July. The Rose Quarter Improvement

The Exhibit A Tables that follow contain the specific project changes for the fives in the June #1 Formal MTIP Amendment Bundle., See the Exhibit A/MTIP Worksheets for the detailed changes and consistency review areas.

2024-2027 Metropolitan Transportation Improvement Program
Exhibit A to Resolution 24-5422

June #1 FFY 2024 Formal Amendment Bundle Contents
Amendment Type: Formal/Full
Amendment #: JN24-09-JUN1
Total Number of Projects: 4

Key Number & MTIP ID	Lead Agency	Project Name	Project Description	Amendment Action
Category: Amended Existing Projects in the 2024-27 MTIP				
(#1) ODOT Key # 16986 MTIP ID 70542	Gresham	NW Division Complete St Phase I: Wallula Ave – Birdsdale Ave	Phase 1 (of 2 phases) to extend NW Division St between NW Wallula Ave and NW Birdsdale Ave with active transportation improvements to include ADA improvements, sidewalks (gap fills), curbs, curb ramps, and bike lanes	<u>COST INCREASE:</u> The formal amendment increases the construction phase. The latest construction phase cost estimate increases the construction phase from \$4,170,636 to \$7,846,597. The city of Gresham is contributing \$3,700,961 of additional local overmatch to eliminate the construction phase funding shortfall
(#2) ODOT Key # 22719 MTIP ID 71339	ODOT	I-5: Capitol Highway - OR217	Repaint the west bridge ramps to prevent corrosion of the steel structures. Install electronic signs to provide advance warning of traffic up ahead on the highway to improve congestion, queuing and potential collisions.	<u>CANCEL PHASE:</u> The formal amendment cancels the construction phase. This leaves only the PE phase programmed. The PE phase is being delayed and pushed out to FFY 2027. ODOT will transfer the funds to the OR217 construction phase in Key 18841 to support this project. OTC has approved the change.
(#3) ODOT Key # 23656 MTIP ID TBD <i>New Project</i>	ODOT	Hayden Island Building Demolition	Preparation for and demolition of two ODOT-owned buildings located on North Center Ave in Portland to reduce operation and maintenance costs for the agency.	<u>ADD NEW PROJECT:</u> Add the new child project to I-5 Interstate Bridge Replacement Project to the MTIP that will complete required demolition actions on Hayden Island.

<p>(#4) ODOT Key # 23646 MTIP ID TBD <i>New Project</i></p>	<p>ODOT</p>	<p>Broadway Main Street and Supporting Connections</p>	<p>The project will complete enhanced sidewalks including ADA curb ramps and reduced crossing distances for safer pedestrian crossings, enhanced access to Rose Quarter Transit Center, Portland Streetcar, and other transportation services</p>	<p><u>ADD NEW PROJECT:</u> The formal amendment adds the new USDOT Neighborhood Access and Equity (NAE) Program/Reconnecting Communities Pilot (RCP) Program grant awarded project to the MTIP for Portland.</p>
<p>TPAC received their notification and overview of this project at their June 7, 2024 meeting. TPAC provided an approval recommendation to move forward to JPACT with the rest of the June amendment bundle. However, this project has a connection the upcoming Rose Quarter Improvement Project in Key 19071. The Rose Quarter Improvement Project amendment bundle will be submitted as part of the July 2024 Formal Amendment bundle. Assuming TPAC provides an approval recommendation to JPACT for this amendment bundle, ODOT then will present a formal presentation to JPACT as part of approval action. Portland’s new Broadway Main Street and Supporting Connections will be incorporated into the Rose Quarter Improvement Project amendment bundle that is now estimated to include five total projects. The project shift to the Rose Quarter amendment bundle will allow both ODOT and PBOT to be present together and address questions raised about either project. It also may help streamline and reduce possible confusion about both projects from FHWA in providing the final amendment approval for both projects.</p>				
<p>(4) ODOT Key # 23524 MTIP ID TBD</p>	<p>Sherwood</p>	<p>Ice Age Drive: SW Oregon St-SW Dahlke Ln (Tonquin)</p>	<p>Design and construct new industrial collector, Ice Age Drive between SW Oregon Street and SW Dahlke Ln to ease traffic flow on SW Tualatin-Sherwood Rd, improve I-5 access, and support companies relocation to the Sherwood Tonquin Employment Area.</p>	<p><u>CANCEL PHASE:</u> The project has completed an updated cost estimate which requires an additional \$5,077,900 of local funds to be added to the construction phase. The Utility Relocation phase is now no longer required. UR phase funds are being shifted to Construction and the Construction phase is being slipped to FFY 2025.</p>

Proposed Amendment Review and Approval Steps:

- Tuesday, June 4, 2024: Post amendment & begin 30-day notification/comment period.
Status: The 30-day public comment period for the June 2024 MTIP Formal Amendment bundle under Resolution 24-5422 has been initiated.
- Friday, June 7, 2024: TPAC meeting (Required Metro amendment notification)
Status: TPAC convened and provided a unanimous approval recommendation to JPACT that also supported removal Key 23646 to be processed at the JPACT with the July 2024 Rose Quarter Formal Amendment bundle.

- Thursday, June 20, 2023: JPACT meeting.
- Thursday, July 5, 2024: End 30-day Public Comment period.
- Thursday, July 11, 2024: Final approval from Metro Council anticipated.
- Mid-August 2024: Estimated final FHWA amendment approvals occur.



Metro
 2024-27 Metropolitan Transportation Improvement Program (MTIP)
 PROJECT AMENDMENT DETAIL WORKSHEET

MTIP Formal Amendment
COST INCREASE
 Add local overmatch funding to
 the construction phase

Project #1

Project Details Summary							
ODOT Key #	16986	RFFA ID:	N/A	RTP ID:	10433	RTP Approval Date:	11/30/2023
MTIP ID:	70542	CDS ID:	N/A	Bridge #:	N/A	FTA Flex & Conversion Code	No
MTIP Amendment ID:		JN24-09-JUN1		STIP Amendment ID:		TBD	

Summary of Amendment Changes Occurring:
 The latest construction phase cost estimate increases the construction phase from \$4,170,636 to \$7,846,597. The city of Gresham is contributing \$3,700,961 of additional local overmatch to eliminate the construction phase funding shortfall. As a result the total project cost increases to \$9,841,550 which represents a 60% increase to the project. The MTIP Amendment Matrix limits cost increases to occur administratively at 20% of the total project cost for projects above \$5 million dollars. The cost increase for this project is 60% and exceeds the 20% threshold, plus impacts the fiscal constraint finding which then triggers the need for a formal/full amendment to the MTIP.

Project Name:	NW Division Complete St Phase I: Wallula Ave – Birdsdale Ave						
Lead Agency:	Gresham	Applicant:	Gresham	Administrator:	ODOT		
Certified Agency Delivery:	Yes	Non-Certified Agency Delivery:	No	Delivery as Direct Recipient:	No		

Short Description:
 Phase 1 (of 2 phases) to extend NW Division St between NW Wallula Ave and NW Birdsdale Ave with active transportation improvements to include ADA improvements, sidewalks (gap fills), curbs, curb ramps, and bike lanes

MTIP Detailed Description (Internal Metro use only):
 In Gresham on NW Division St between NW Wallula Ave and NW Birdsdale Ave, Construct Phase 1 active transportation improvements to include ADA improvements, sidewalks, curbs, curb ramps, and bike lanes to add 800’ of new sidewalks (gap fills) & bicycle lanes to connect with new transit stations being developed on the north and south sides of NW Division St separately with Phase II planned to extend NW Division St with similar active transportation improvements from NW Birdsdale Ave and the Gresham-Fairview Trail

STIP Description:
 Extend NW Division St between NW Wallula Ave and NW Birdsdale Ave with active transportation improvements to include sidewalks, curb ramps and bike lanes. These improvements will increase safety and accessibility, and fill significant gaps in the active transportation network along NW Division St.

Project Classification Details			
Project Type	Category	Features	System Investment Type
Active Transportation/ Complete Streets ODOT Work Type:	Active Trans - Pedestrian	Sidewalk New	Capital Improvement
		Sidewalk Reconstruction	
	Active Trans - Bicycle BIKEPED, CMAQ	On-Street Striped	

Phase Funding and Programming									
Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation (UR)	Construction (Cons)	Other	Total
Federal Funds									
TCSP	L68E	2013		\$ 179,460					\$ -
CMAQ	Z400 L400	2013		\$ 757,402					\$ 757,402
CMAQ	L400 Z40E	2022			\$ 741,047				\$ 741,047
CMAQ	Y400	2024					\$ 3,742,312		\$ 3,742,312
Federal Totals:			\$ -	\$ 936,862	\$ 741,047	\$ -	\$ 3,742,312	\$ -	\$ 5,240,761
State Funds									
Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
									\$ -
									\$ -
State Totals:			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Local Funds									
Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Local (L68E)	Match	2013		\$ 20,540					\$ 20,540
Local (CMAQ)	Match	2013		\$ 86,688					\$ 86,688
Other	OTH0	2013		\$ 100,000					\$ -
Other	OTH0	2013		\$ 125,000					\$ 125,000
Local (CMAQ)	Match	2022			\$ 84,816				\$ 84,816
Local (Y400)	Match	2024					\$ 428,324		\$ 428,324
Other	OTH0	2024					\$ 331,034		\$ -
Other	OTH0	2024					\$ 3,675,961		\$ 3,675,961
Local Totals:			\$ -	\$ 232,228	\$ 84,816	\$ -	\$ 4,104,285	\$ -	\$ 4,421,329

Phase Totals	Planning	PE	ROW	UR	Cons	Other	Total
Existing Programming Totals:	\$ -	\$ 1,144,090	\$ 825,863	\$ -	\$ 4,170,636	\$ -	\$ 6,140,589
Amended Programming Totals	\$ -	\$ 1,169,090	\$ 825,863	\$ -	\$ 7,846,597	\$ -	\$ 9,841,550
Total Estimated Project Cost:							\$ 9,841,550
Total Cost in Year of Expenditure:							\$ 9,841,550

Programming Summary	Yes/No	Reason if short Programmed					
Is the project short programmed?	No	The project is not short programmed					
Programming Adjustments Details	Planning	PE	ROW	UR	Cons	Other	Totals
Phase Programming Change:	\$ -	\$ 25,000	\$ -	\$ -	\$ 3,675,961	\$ -	\$ 3,700,961
Phase Change Percent:	0.0%	2.2%	0.0%	0.0%	88.1%	0.0%	60.3%
Amended Phase Matching Funds:	\$ -	\$ 107,228	\$ 84,816	\$ -	\$ 428,324	\$ -	\$ 620,368
Amended Phase Matching Percent:	N/A	10.27%	10.27%	N/A	10.27%	N/A	10.27%

Phase Programming Summary Totals							
Fund Category	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Federal	\$ -	\$ 936,862	\$ 741,047	\$ -	\$ 3,742,312	\$ -	\$ 5,420,221
State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local	\$ -	\$ 232,228	\$ 84,816	\$ -	\$ 4,104,285	\$ -	\$ 4,421,329
Total	\$ -	\$ 1,169,090	\$ 825,863	\$ -	\$ 7,846,597	\$ -	\$ 9,841,550

Phase Composition Percentages							
Fund Type	Planning	PE	ROW	UR	Cons	Other	Total
Federal	0.0%	80.14%	89.73%	0.0%	47.69%	0.0%	55.1%
State	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Local	0.0%	19.86%	10.27%	0.0%	52.31%	0.0%	44.9%
Total	0.0%	100.0%	100.0%	0.0%	100.0%	0.0%	100.0%

Phase Programming Percentage							
Fund Category	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Federal	0.0%	9.5%	7.5%	0.0%	38.0%	0.0%	55.1%
State	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Local	0.0%	2.4%	0.9%	0.0%	41.7%	0.0%	44.9%
Total	0.0%	11.9%	8.4%	0.0%	79.7%	0.0%	100.0%

Project Phase Obligation History							
Item	Planning	PE	ROW	UR	Cons	Other	Federal
Total Funds Obligated		\$ 1,169,090	\$ 825,863				Aid ID
Federal Funds Obligated:		\$ 936,862	\$ 741,047				
EA Number:		PE002199	R9820000				FHWA or FTA
Initial Obligation Date:		1/29/2013	2/14/2022				FHWA
EA End Date:		10/27/1902	6/30/2025				FMIS or TRAMS
Known Expenditures:		\$ 591,947	\$ 729,757				FMIS

						Estimated Project Completion Date:	12/31/2027
Completion Date Notes:							

Are federal funds being flex transferred to FTA?	No	If yes, expected FTA conversion code:	N/A
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Notes: Expenditure Authorization (EA) information pertains primarily to projects under ODOT Local Delivery oversight.

Fiscal Constraint Consistency Review

1. What is the source of funding? **FHWA TCSP and RFFA awarded CMAQ**
2. Does the amendment include changes or updates to the project funding? **Yes. Additional local overmatch is being committed to the project.**
3. Was proof-of-funding documentation provided to verify the funding change? **Yes, per review by the ODOT LAL and completed PCR.**
4. Did the funding change require OTC, ODOT Director, or ODOT program manager approval? **PCR approval by ODOT Local Delivery.**
5. Has the fiscal constraint requirement been properly demonstrated and satisfied as part of the MTIP amendment? **Yes.**

Project Location References					
On State Highway	Yes/No	Route	MP Begin	MP End	Length
	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Cross Streets		Route or Arterial	Cross Street		Cross Street
		Division Street	Wallula Ave		Birdsdale Ave

Summary of MTIP Programming and Last Formal/Full Amendment or Administrative Modification							
1st Year Programmed	2012	Years Active	13	Project Status	5	(RW) Right-of Way activities initiated including R/W acquisition and/or utilities relocation.	
Total Prior Amendments	11	Last Amendment	Administrative	Date of Last Amendment	May 2023	Last MTIP Amend Num	AM23-14-MAY1
Last Amendment Action	FUND PHASE SHIFT: Cancel UR phase and re-allocate the \$100k among PE, ROW, and the Construction phase.						

Anticipated Required Performance Measurements Monitoring								
Metro RTP Performance Measurements	Provides Congestion Mitigation	Provides Climate Change Reduction	Provides Economic Prosperity	Located in an Equity Focus Area (EFA)	Provides Mobility Improvement	Safety Upgrade Type Project	Located in a Safety High Injury Corridor	Equity Notes
				X	X	X	X	Crosses into multiple EFAs. Overall, POC, LEP, and LI = YES
Added notes: The project is located in an identified High Injury Corridor.								

RTP Air Quality Conformity and Transportation Modeling Designations	
Is this a capacity enhancing or non-capacity enhancing project?	Non-capacity enhancing project
Is the project exempt from a conformity determination per 40 CFR 93.126, Table 2 or 40 CFR 93.127, Table 3?	Yes. The project is exempt per 40 CFR 93.126, Table 2
Exemption Reference:	Air Quality - Bicycle and pedestrian facilities.
Was an air analysis required as part of RTP inclusion?	No. Not Applicable
If capacity enhancing, was transportation modeling analysis completed as part of RTP inclusion?	No. Not applicable. The project is not capacity enhancing
RTP Constrained Project ID and Name:	ID# 10433 - Division - Kelly to Burnside: Boulevard Improvements
RTP Project Description:	Complete boulevard design improvements, medians for safety, wider sidewalk and buffered bicycle lanes.

Project Location in the Metro Transportation Network		
Yes/No	Network	Designation
Yes	Motor Vehicle	Division St within the project limits is designated as a Minor Arterial
Yes	Transit	Division St within the project limits is designated as a Frequent Bus
No	Freight	No designation in the Freight network
Yes	Bicycle	Division St within the project limits is designated as a Regional Bikeway
Yes	Pedestrian	Division St within the project limits is designated as a Pedestrian Parkway

National Highway System and Functional Classification Designations			
System	Y/N	Route	Designation
NHS Project	Yes	Division St	Map-21 Principal Arterials
Functional Classification	Yes	Division St	3 = Other Principal Arterial
Federal Aid Eligible Facility	Yes	Division St	Urban Other Principal Arterial

Additional RTP Consistency Check Areas
1. Is the project designated as a Transportation Control Measure? No.
2. Is the project identified on the Congestion Management Process (CMP) plan? Yes.
3. Is the project included as part of the approved: UPWP? No. Not Applicable
3a. If yes, is an amendment required to the UPWP? No.
3b. Can the project MTIP amendment proceed before the UPWP amendment? Yes.
3c. What is the UPWP category (Master Agreement, Metro funded stand-alone, Non-Metro funded Regionally Significant)? Not applicable.
4. Applicable RTP Goals: <u>Goal #1 - Mobility Options:</u> Objective 1.2 - System Completion: Complete all gaps in planned regional networks. <u>Goal #2 - Safe System:</u> Objective 2.1 - Vision Zero: Eliminate fatal and severe injury crashes for all modes of travel by 2035. <u>Goal #3 - Equitable Transportation:</u> Objective 3.1 - Transportation Equity: Eliminate disparities related to access, safety, affordability and health outcomes experienced by people of color and other marginalized communities.

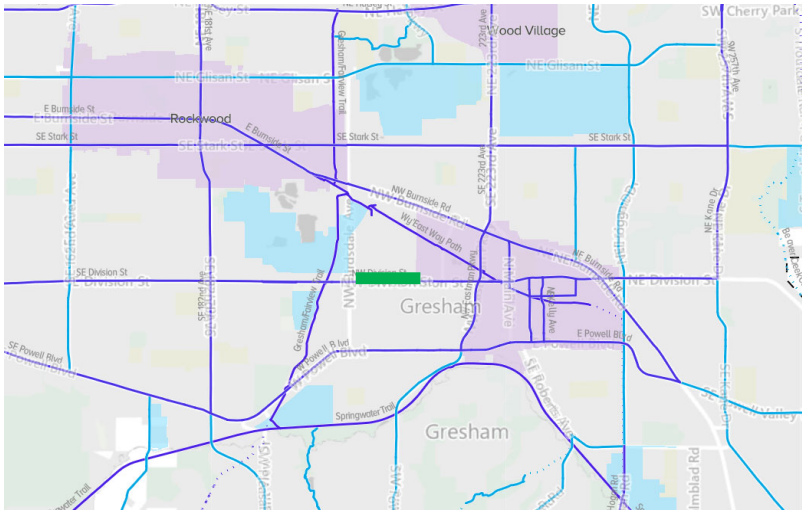
5. Does the project require a special performance assessment evaluation as part of the MTIP amendment? **No. The project is not capacity enhancing nor does it exceed \$100 million in total project cost.**

Public Notification/Opportunity to Comment Consistency Requirement

1. Is a 30-day/opportunity to comment period required as part of the amendment? **Yes.**
2. What are the start and end dates for the comment period? **Estimated to be June 4, 2024 to July 5, 2024**
3. Was the comment period completed consistent with the Metro Public Participation Plan? **Yes.**
4. Was the comment period included on the Metro website allowing email submissions as comments? **Yes.**
5. Did the project amendment result in a significant number of comments? **Not expected.**
6. Did the comments require a comment log and submission plus review by Metro Communications staff and to Council Office? **Not expected.**

Fund Codes References

Local	General Local funds committed by the lead agency that normally cover the minimum match requirement to the federal funds
CMAQ	Congestion Mitigation Air Quality (CMAQ) funds. CMAQ funds are a federal funding source (FHWA based) that provide a flexible funding source to State and local governments for transportation projects and programs to help meet the requirements of the Clean Air Act. Funding is available to reduce congestion and improve air quality for areas that do not meet the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter (nonattainment areas) and for former nonattainment areas that are now in compliance (maintenance areas). The funds are normally apportioned to the eligible states and then potentially sub-allocated to MPOs or other eligible agencies based on a formula allocation.
Other	General local funds committed to the project beyond the minimum match requirement. Also referred to as "overmatch".
TCSP	Federal Transportation Community and Systems Preservation Pilot Program funds. TCSP funds tie transportation, economic growth, and quality of life goals by encouraging the development of innovative strategies and creating new partnerships to strengthen the planning process. TCSP funds are used to help achieve locally determined goals such as improving transportation efficiency; reducing the negative effects of transportation on the environment; providing better access to jobs, services and trade centers; reducing the need for costly future infrastructure; and revitalizing underdeveloped and brownfield sites. Grants also can be used to examine urban development patterns and create strategies that encourage private companies to work toward these goals in designing new developments. Currently, the TCSP program within FHWA is not active.



REGION 1 PROJECT CHANGE REQUEST (PCR)

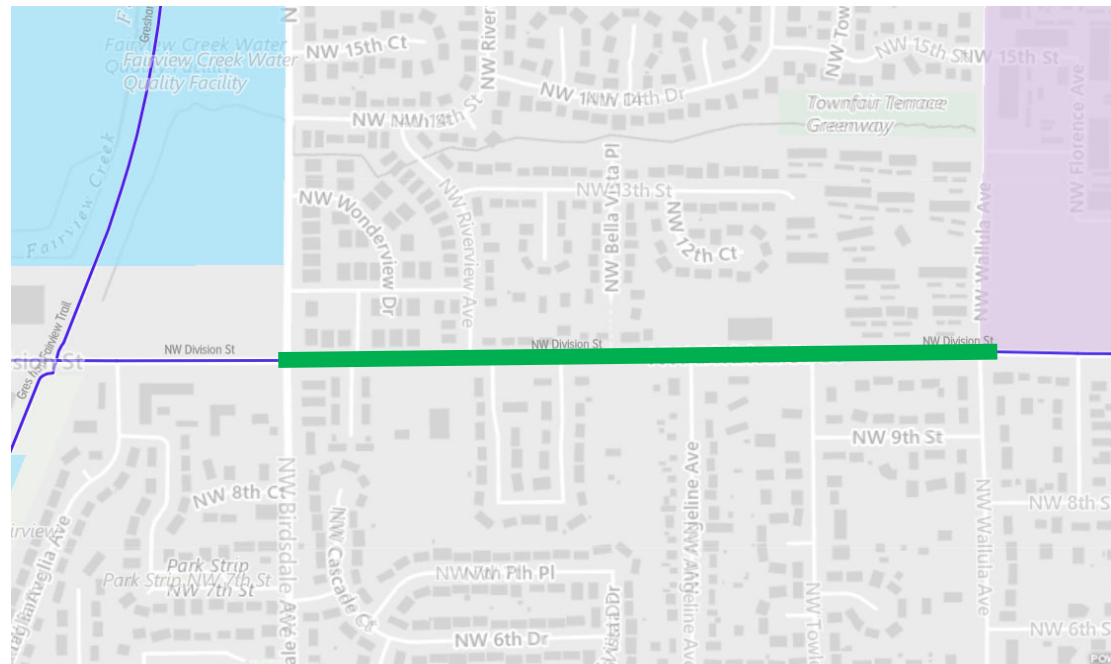
Project Budget Table

Actual expenditures should be entered in first column if available. The need column (last) auto calculates; to avoid confusion, please enter 'Current STIP' and 'Desired Total' numbers for all phases (even if they are the same) in both columns.

Budget Change Comments:					
Expended	Phase	FFY*	Current STIP Total	Desired Total	Need (Difference +/-)
	Planning (PL)				\$0.00
	Preliminary Engineering (PE)	2013	\$1,169,090.00	\$1,169,090.00	\$0.00
	Right-of-Way (RW)	2022	\$825,863.00	\$825,863.00	\$0.00
	Utility Relocation (UR)	2023	\$0.00	\$0.00	\$0.00
	Construction (CN)	2024	\$4,501,670.00	\$7,846,597.03	(\$3,344,927.03)
	Other (OT)				\$0.00

*Federal Fiscal Year (FFY) is from Oct.1 to Sept. 30 of each year. From Oct.1 forward, the FFY is the following calendar year.

Additional Information:





Metro
2024-27 Metropolitan Transportation Improvement Program (MTIP)
PROJECT AMENDMENT DETAIL WORKSHEET

MTIP Formal Amendment
CANCEL PHASE
 Cancel the Construction phase
 and delay PE to FFY 2027

Project #2

Project Details Summary							
ODOT Key #	22719	RFFA ID:	N/A	RTP ID:	11304	RTP Approval Date:	11/30/2023
MTIP ID:	71339	CDS ID:	N/A	Bridge #:	N/A	FTA Flex & Conversion Code	No
MTIP Amendment ID:		JN24-09-JUN1		STIP Amendment ID:		24-27-1100	

Summary of Amendment Changes Occurring:
 The formal amendment cancels the construction phase for the project. This leaves only the PE phase programmed. The PE phase is being delayed and pushed out to FFY 2027. ODOT will transfer the funds to the OR217 construction phase in Key 18841 to support this project. OTC reviewed the request and approved it at their September 2024 meeting. The OTC staff report item is included as an attachment. A revised funding plan most likely will result for this project as part of the next STIP cycle. Under the rules of the MTIP and STIP Amendment Matric, canceling the construction to an active programmed project requires the completion of a formal amendment.

Note for Key 18841: OR217 - OR10 to OR99W. Key 18841 has obligated all its federal funds and the project is well into the construction phase. The construction phase was obligated as part of the 2021-24 MTIP. The was not carried over into the active 2024-27 MTIP as all federal fund obligations had been completed. The project is considered "prior obligated" , but still ongoing to be completed. The fund transfer from Key 22719 to Key 18841 does not require a formal amendment to complete. The funds will be added to Key 18841 as separate technical correction to Key 18841.

Project Name:	I-5: Capitol Highway - OR217						
Lead Agency:	ODOT	Applicant:	ODOT		Administrator:	ODOT	
Certified Agency Delivery:	No	Non-Certified Agency Delivery:	No	Delivery as Direct Recipient:	Yes		

Short Description:
~~Repaint the west bridge ramps to prevent corrosion of the steel structures.~~
Install electronic signs to provide advance warning of traffic up ahead on the highway to improve congestion, queuing and potential collisions.

MTIP Detailed Description (Internal Metro use only):

~~Repaint the west bridge ramps to prevent corrosion of the steel structures.~~

On I-5 from Capitol Highway south to OR 217, MP 291.23 to MP 296.0, install electronic signs to provide advance warning of traffic up ahead on the highway to improve congestion, queuing and potential collisions.

STIP Description:

Install electronic signs to provide advance warning of traffic up ahead on the highway to improve congestion, queuing and potential collisions.

Project Classification Details			
Project Type	Category	Features	System Investment Type
Highway	Highway - Motor Vehicle	System Management and Operations	Systems Management, ITS, and Operations
ODOT Work Type:	OP-SSI		

Phase Funding and Programming

Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation (UR)	Construction (Cons)	Other	Total
Federal Funds									
State STBG	Y240	2024		\$ 3,736,754					\$ -
NHFP	Y460	2027		\$ 3,736,754					\$ 3,736,754
State STBG	Y240	2026					-\$ 10,941,911		\$ -
Federal Totals:			\$ -	\$ 3,736,754	\$ -	\$ -	\$ -	\$ -	\$ 3,736,754

State Funds									
Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
State	Match	2024		-\$ 315,246					\$ -
State	Match	2027		\$ 315,246					\$ 315,246
State	Match	2026					-\$ 923,098		\$ -
State Totals:			\$ -	\$ 315,246	\$ -	\$ -	\$ -	\$ -	\$ 315,246

Local Funds									
Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
									\$ -
									\$ -
Local Totals:			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Phase Totals		Planning	PE	ROW	UR	Cons	Other	Total
Existing Programming Totals:		\$ -	-\$ 4,052,000	\$ -	\$ -	-\$ 11,865,009	\$ -	-\$ 15,917,009
Amended Programming Totals		\$ -	\$ 4,052,000	\$ -	\$ -	\$ -	\$ -	\$ 4,052,000
Total Estimated Project Cost								\$ 15,917,009
Total Cost in Year of Expenditure:								\$ 15,917,009

Programming Summary	Yes/No	Reason if short Programmed					
Is the project short programmed?	Yes	The project's construction phase funding is being transferred to Key 18841. PE is delayed to start until FFY 2027.					
Programming Adjustments Details	Planning	PE	ROW	UR	Cons	Other	Totals
Phase Programming Change:	\$ -	\$ -	\$ -	\$ -	\$ (11,865,009)	\$ -	\$ (11,865,009)
Phase Change Percent:	0.0%	0.0%	0.0%	0.0%	-100.0%	0.0%	-74.5%
Amended Phase Matching Funds:	\$ -	\$ 315,246	\$ -	\$ -	\$ -	\$ -	\$ 315,246
Amended Phase Matching Percent:	N/A	7.78%	N/A	N/A	N/A	N/A	7.78%

Phase Programming Summary Totals

Fund Category	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Federal	\$ -	\$ 3,736,754	\$ -	\$ -	\$ -	\$ -	\$ 3,736,754
State	\$ -	\$ 315,246	\$ -	\$ -	\$ -	\$ -	\$ 315,246
Local	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ -	\$ 4,052,000	\$ -	\$ -	\$ -	\$ -	\$ 4,052,000

Phase Composition Percentages

Fund Type	Planning	PE	ROW	UR	Cons	Other	Total
Federal	#DIV/0!	92.22%	0.0%	0.0%	0.0%	0.0%	92.22%
State	#DIV/0!	7.78%	0.0%	0.0%	0.0%	0.0%	7.78%
Local	#DIV/0!	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	#DIV/0!	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%

Phase Programming Percentage

Fund Category	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Federal	0.0%	92.22%	0.0%	0.0%	0.0%	0.0%	92.2%
State	0.0%	7.78%	0.0%	0.0%	0.0%	0.0%	7.8%
Local	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%

Project Phase Obligation History							
Item	Planning	PE	ROW	UR	Cons	Other	Federal
Total Funds Obligated							Aid ID
Federal Funds Obligated:							TBD
EA Number:							FHWA or FTA
Initial Obligation Date:							FHWA
EA End Date:							FMIS or TRAMS
Known Expenditures:							FMIS
						Estimated Project Completion Date:	Not Specified
Completion Date Notes:	A revised funding and delivery schedule will emerge later with PE starting in FFY 2027 now.						
Are federal funds being flex transferred to FTA?	No	If yes, expected FTA conversion code:			N/A		
Notes: Expenditure Authorization (EA) information pertains primarily to projects under ODOT Local Delivery oversight.							

Fiscal Constraint Consistency Review	
1. What is the source of funding? PE phase = ODOT appropriated federal National Highway Freight Program (NHFP) funds.	
2. Does the amendment include changes or updates to the project funding? Yes. The construction phase committed funds are being removed to support the construction phase in Key 18841.	
3. Was proof-of-funding documentation provided to verify the funding change? Yes. OTC Staff Report item which is included as an attachment	
4. Did the funding change require OTC, ODOT Director, or ODOT program manager approval? OTC approval was required and occurred during their	
5. Has the fiscal constraint requirement been properly demonstrated and satisfied as part of the MTIP amendment? Yes.	

Project Location References					
On State Highway	Yes/No	Route	MP Begin	MP End	Length
	Yes	Interstate 5	291.23	296.0	4.77
Cross Streets	Route or Arterial		Cross Street		Cross Street
	Interstate 5		Capitol Hwy		OR217

Summary of MTIP Programming and Last Formal/Full Amendment or Administrative Modification							
1st Year Programmed	2024	Years Active	1	Project Status	1	Pre-first phase obligation activities (IGA development, project scoping, scoping refinement,	
Total Prior Amendments	0	Last Amendment	Not Applicable	Date of Last Amendment	Not Applicable	Last MTIP Amend Num	Not Applicable
Last Amendment Action	Not Applicable						

Anticipated Required Performance Measurements Monitoring							
Metro RTP Performance Measurements	Congestion Mitigation	Climate Change Reduction	Economic Prosperity	Equity	Mobility Improvement	Safety	EFA Notes: Only a portion of the project borders on a designated Equity Focus Area. POC = Yes, LEP = No, LI = Yes
				X		X	
Note: The project is located in an 2023 RTP defined High Injury Corridor (2016 to 2020)							

RTP Air Quality Conformity and Transportation Modeling Designations	
Is this a capacity enhancing or non-capacity enhancing project?	Non-capacity enhancing project
Is the project exempt from a conformity determination per 40 CFR 93.126, Table 2 or 40 CFR 93.127, Table 3?	Yes. The project is exempt per 40 CFR 93.126, Table 2
Exemption Reference:	Safety - Traffic control devices and operating assistance other than signalization projects.
Was an air analysis required as part of RTP inclusion?	No. Not Applicable
If capacity enhancing, was transportation modeling analysis completed as part of RTP inclusion?	No. Not applicable. The project is not capacity enhancing
RTP Constrained Project ID and Name:	ID# 11304: I-5 South Operational Improvements
RTP Project Description:	Construct improvements to address recurring bottlenecks on I-5 south of the central city. Specific improvements as identified in operational analysis, Mobility Corridor analysis and refinement planning.

Project Location in the Metro Transportation Network		
Yes/No	Network	Designation within the Project Limits
Yes	Motor Vehicle	I-5 is designated as a Throughway
Yes	Transit	I-5 is designated as a Frequent Bus area
Yes	Freight	I-5 is designated as a Main Roadway Route
No	Bicycle	None
No	Pedestrian	None

National Highway System and Functional Classification Designations			
System	Y/N	Route	Designation
NHS Project	Yes	I-5	Interstate (Eisenhower Interstate System)
Functional Classification	Yes	1	Urban Interstate
Federal Aid Eligible Facility	Yes	1	Interstate

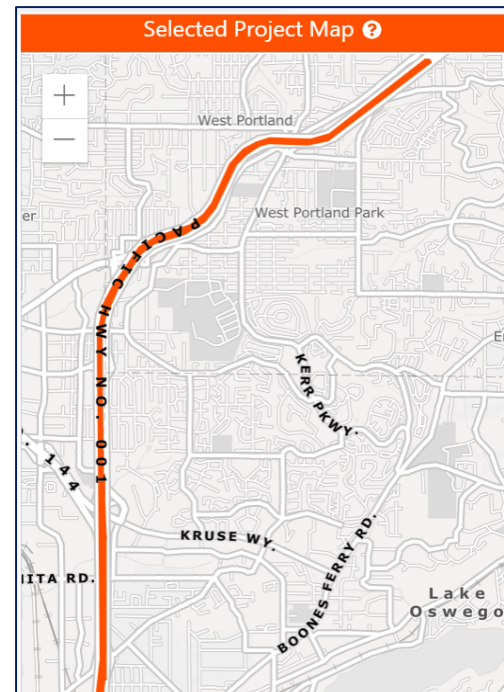
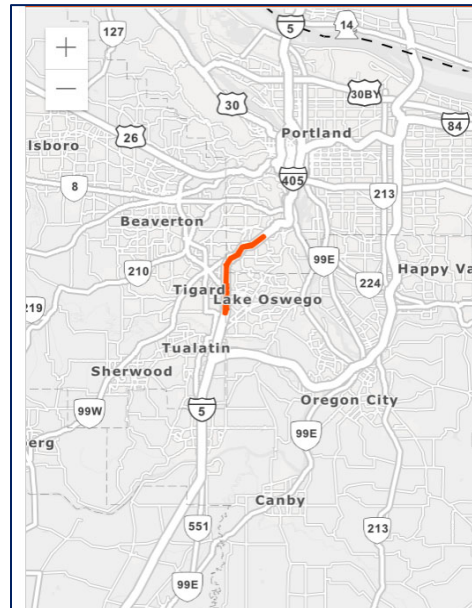
Additional RTP Consistency Check Areas	
1.	Is the project designated as a Transportation Control Measure? No.
2.	Is the project identified on the Congestion Management Process (CMP) plan? Yes.
3.	Is the project included as part of the approved: UPWP? No.
3a.	If yes, is an amendment required to the UPWP? No.
3b.	Can the project MTIP amendment proceed before the UPWP amendment? Yes.
3c.	What is the UPWP category (Master Agreement, Metro funded stand-alone, Non-Metro funded Regionally Significant)? Not applicable.
4.	Applicable RTP Goal: <u>Goal #2 - Safe System:</u> Objective 2.1 Vision Zero: Eliminate fatal and severe injury crashes for all modes of travel by 2035. <u>Goal: #3 - Equitable Transportation:</u> Objective 3.1 - Transportation Equity: Eliminate disparities related to access, safety, affordability and health outcomes experienced by people of color and other marginalized communities.
5.	Does the project require a special performance assessment evaluation as part of the MTIP amendment? No. The project is not capacity enhancing nor does it exceed \$100 million in total project cost.

Public Notification/Opportunity to Comment Consistency Requirement	
1.	Is a 30-day/opportunity to comment period required as part of the amendment? Yes.
2.	What are the start and end dates for the comment period? Estimated to be June 4, 2024 to July 5, 2024
3.	Was the comment period completed consistent with the Metro Public Participation Plan? Yes.
4.	Was the comment period included on the Metro website allowing email submissions as comments? Yes.
5.	Did the project amendment result in a significant number of comments? Possible. A comment log will be established to monitor submitted comments
6.	Did the comments require a comment log and submission plus review by Metro Communications staff and to Council Office? Possible.

Fund Codes References

NHFP	<p>Federal National Highway Freight Program funds appropriated to the state DOT. The federal funds have a purpose to improve the efficient movement of freight on the National Highway Freight Network (NHFN) and support several goals, including:</p> <ul style="list-style-type: none"> - Investing in infrastructure and operational improvements that strengthen economic competitiveness, reduce congestion, reduce the cost of freight transportation. - Improve reliability, and increase productivity. - Improving the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas. - Improving the state of good repair of the NHFN, using innovation and advanced technology to improve NHFN safety, efficiency, and reliability; improving the efficiency and productivity of the NHFN. - Improving State flexibility to support multi-State corridor planning and address highway freight connectivity. - Reducing the environmental impacts of freight movement on the NHFN. [23 U.S.C. 167(a) and (b)].
State	General State funds committed to a project in support of the required minimum match to the federal funds.
STBG	Surface Transportation Block Grant funds. A federal funding source (FHWA based) appropriated to the State DOT. The Surface Transportation Block Grant Program (STBG) promotes flexibility in State and local transportation decisions and provides flexible funding to best address State and local transportation needs.
State STBG	Appropriated STBG that remains under ODOT's management and commitment to eligible projects.

Project Location References:
Regional and Local Views



Key 22719 as Currently Programmed in the STIP

Name: I-5: Capitol Highway - OR217						Key: 22719		
Description Install electronic signs to provide advance warning of traffic up ahead on the highway to improve congestion, queuing and potential collisions.						Region: 1		
MPO: Portland Metro MPO				Work Type: OP-SSI				
Applicant: ODOT				Status: PROJECT SCHEDULED FOR CONSTRUCTION				
Location(s)-								
Mileposts	Length	Route	Highway	ACT	County(s)			
291.00 to 291.22	0.22	I-5	PACIFIC HIGHWAY	REGION 1 ACT	WASHINGTON			
291.00 to 293.42	2.42	I-5	PACIFIC HIGHWAY	REGION 1 ACT	WASHINGTON			
291.23 to 292.07	0.84	I-5	PACIFIC HIGHWAY	REGION 1 ACT	CLACKAMAS			
292.08 to 292.27	0.19	I-5	PACIFIC HIGHWAY	REGION 1 ACT	CLACKAMAS			
292.28 to 292.42	0.14	I-5	PACIFIC HIGHWAY	REGION 1 ACT	WASHINGTON			
293.43 to 296.00	2.57	I-5	PACIFIC HIGHWAY	REGION 1 ACT	MULTNOMAH			
Current Project Estimate								
	Planning	Prelim. Engineering		Right of Way	Utility Relocation	Construction	Other	Project Total
Year		2024				2026		
Total		\$4,052,000.00				\$11,865,009.00		\$15,917,009.00
Fund 1		Y460	\$3,736,754.40			Y460 \$10,941,911.30		
Match			\$315,245.60			\$923,097.70		
Footnote: \$14,678,665.70 in federal funds								

Key 22719 Proposed Funding Adjustment with Construction Phase Canceled

Fund Codes										
Phase	Fund Code	Description	Percent of Phase	Total Amount	Federal Percent	Federal Amount	State Percent	State Amount	Local Percent	Local Amount
PE	Y460	National highway freight program IIJA	100.00%	4,052,000.00	92.22%	3,736,754.40	7.78%	315,245.60	0.00%	0.00
	PE Totals		100.00%	4,052,000.00		3,736,754.40		315,245.60		0.00
CN	Y460	National highway freight program IIJA	0.00%	0.00	92.22%	0.00	7.78%	0.00	0.00%	0.00
	CN Totals		0.00%	0.00		0.00		0.00		0.00
Grand Totals				4,052,000.00		3,736,754.40		315,245.60		0.00

Confirmation the Funding Adjustment Request Has Been Sent to the Oregon Transportation Commission (OTC)



Oregon

Tina Kotek, Governor

Oregon Transportation Commission

Office of the Director, MS 11

355 Capitol St NE

Salem, OR 97301-3871

DATE: April 25, 2024

TO: Oregon Transportation Commission

FROM: Kristopher W. Strickler
Director

SUBJECT: **Agenda Item J3** – Increase Construction Authorization for the OR217: OR10 – OR99W project

Requested Actions:

Approve an increase in the Construction Authorization for the OR217: OR10 - OR99W project from \$129,693,018 to \$147,081,690 for a total increase of \$17,388,672. The funding for the increase will be provided from \$3,523,663 from the state bridge program funding reserves, \$11,865,009 from cancelling the construction phase of the I-5: Capitol Highway – OR217 project and \$2,000,000 already accounted for in the project bottom line from canceling the utility relocation phase in a previous OTC action.

OTC Requested Funding Adjustments to Support Key 18841
OR217: OR10 to OR 99W

Requested Actions:

Approve an increase in the Construction Authorization for the OR217: OR10 - OR99W project from \$129,693,018 to \$147,081,690 for a total increase of \$17,388,672. The funding for the increase will be provided from \$3,523,663 from the state bridge program funding reserves, \$11,865,009 from canceling the construction phase of the I-5: Capitol Highway – OR217 project and \$2,000,000 already accounted for in the project bottom line from canceling the utility relocation phase in a previous OTC action.

Project to modify funding:

OR217: OR10 - OR99W (K18841)				
PHASE	YEAR	COST		
		Current Estimate	Proposed	Delta
Preliminary Engineering	2014	\$22,490,267	\$22,490,267	\$0
Right of Way	2020	\$3,000,000	\$3,000,000	\$0
Utility Relocation	N/A	\$0	\$0	\$0
Construction	2021	\$131,693,018	\$147,081,690	\$15,388,672
Other	2019	\$1,600,000	\$1,600,000	\$0
TOTAL		\$158,783,285	\$174,171,957	\$15,388,672

Funding plan:

Source of funding	Funding Program	Funds
Cancel the CN phase of I-5: Capitol Highway - OR217 (K22719)	SW Enhance	\$ 11,865,009
Bridge Program Funds	Fix-It SW Bridge/ HB2017 Bridge Seismic	\$3,523,663
TOTAL		\$15,388,672

Current MTIP Database Programming Levels for Key 18841
 OR217: OR10 to OR99W
 The canceled I-5 Capitol Hwy Construction funding will be transferred to the Construction phase in Key 18841

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[details](#) | [costs](#) | [programming](#) | [map](#) | [amendments](#) | [obligations](#) | [earmarks](#) | [comments](#)

ODOT Key: 18841 | MTIP ID: 70782

OR217: OR10 to OR99W - Cycle 2021-26

Project(s) in this cycle are not editable

Current Programming

phase	year	fund type	federal amount	minimum local match	other amount	total	hold from mtip
Preliminary engineering	2019		\$17,656,822	\$1,797,021	\$3,046,157	\$22,500,000	<input type="checkbox"/>
	2013	HSIP (100%)	\$1,934,451	\$0	\$0	\$1,934,451	
	2019	STBG - STATE	\$5,658,646	\$647,657	\$18,253	\$6,324,556	
	2020	AC-STBGS	\$9,243,114	\$1,057,916	\$0	\$10,301,030	
	2019	RPFO	\$80,610	\$9,226	\$0	\$89,836	
	2019	HSIP (90%)	\$740,001	\$82,222	\$3,027,904	\$3,850,127	
Construction	2021		\$117,729,609	\$13,474,681	\$488,729	\$131,693,019	<input type="checkbox"/>
	2021	STBG - STATE	\$115,935,009	\$13,269,281	\$488,729	\$129,693,019	
	2020	AC-STBGS	\$1,794,600	\$205,400	\$0	\$2,000,000	
Purchase right of way	2020		\$2,691,900	\$308,100	\$0	\$3,000,000	<input type="checkbox"/>
	2020	AC-STBGS	\$2,691,900	\$308,100	\$0	\$3,000,000	
Other (explain)	2019		\$762,705	\$87,295	\$750,000	\$1,600,000	<input type="checkbox"/>
	2017	HB2017	\$0	\$0	\$750,000	\$750,000	
	2020	AC-STBGS	\$762,705	\$87,295	\$0	\$850,000	
Totals >>			\$138,841,036	\$15,667,097	\$4,284,886	\$158,793,019	



Metro
2024-27 Metropolitan Transportation Improvement Program (MTIP)
PROJECT AMENDMENT DETAIL WORKSHEET

MTIP Formal Amendment
ADD NEW PROJECT
 Add the new child project to I-5
 IBR to the MTIP

Project #3

Project Details Summary							
ODOT Key #	23656	RFFA ID:	N/A	RTP ID:	10866	RTP Approval Date:	11/30/2023
MTIP ID:	TBD	CDS ID:	N/A	Bridge #:	N/A	FTA Flex & Conversion Code	No
MTIP Amendment ID:		JN24-09-JUN1		STIP Amendment ID:		24-27-1199	

Summary of Amendment Changes Occurring:

This new project is related to the larger I-5 Columbia River (Interstate) Bridge replacement (IBR) project currently progressing through Preliminary Engineering in Key 21570. The project is considered a child-type project to the full I-5 IBR project and will proceed independently from I-5 IBR project under its own STIP Key number upon its final STIP approval. The PE phase for the I-5 IBR project was obligated back in FFY 2022. As part of reaching the eventual construction phase for the bridge replacement, ODOT will need to complete demolition of two unused ODOT-owned buildings located on North Center Ave in Portland. ODOT and FHWA have determined that the demolition work occurring now will provide a cost savings to ODOT maintenance and the project. MTIP and STIP programming is occurring now to enable the funds to be obligated before the end of FFY 2024 which will allow the demolition activities to move forward immediately.

Project Name:	Hayden Island Building Demolition						
Lead Agency:	ODOT	Applicant:	ODOT		Administrator:	ODOT	
Certified Agency Delivery:	No	Non-Certified Agency Delivery:	No	Delivery as Direct Recipient:	Yes		

Short Description:

Preparation for and demolition of two ODOT-owned buildings located on North Center Ave in Portland to reduce operation and maintenance costs for the agency.

MTIP Detailed Description (Internal Metro use only):

On Hayden Island at North Hayden Island Drive and south to the I-5 SB entry and between North Center Ave and I-5, complete preparation for and demolition of two ODOT-owned buildings to reduce operation and maintenance costs.(Related child project to the larger I-5 IBR project in Key 21570)

STIP Description:

Preparation for and demolition of two ODOT-owned buildings located on North Center Ave in Portland to reduce operation and maintenance costs for the agency.

Project Classification Details			
Project Type	Category	Features	System Investment Type
Highway	Highway - Bridge	Other	Other
ODOT Work Type:	OPERAT		

Phase Funding and Programming

Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation (UR)	Construction (Cons)	Other	Total
Federal Funds									
									\$ -
									\$ -
Federal Totals:			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

State Funds

Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Other	OTH0	2024					\$ 504,030		\$ 504,030
									\$ -
State Totals:			\$ -	\$ -	\$ -	\$ -	\$ 504,030	\$ -	\$ 504,030

Local Funds

Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
									\$ -
									\$ -
Local Totals:			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Phase Totals	Planning	PE	ROW	UR	Cons	Other	Total
Existing Programming Totals:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Amended Programming Totals	\$ -	\$ -	\$ -	\$ -	\$ 504,030	\$ -	\$ 504,030
Total Estimated Project Cost							\$ 504,030
Total Cost in Year of Expenditure:							\$ 504,030

Programming Summary	Yes/No	Reason if short Programmed					
Is the project short programmed?	No	The project is not short programmed					
Programming Adjustments Details	Planning	PE	ROW	UR	Cons	Other	Totals
Phase Programming Change:	\$ -	\$ -	\$ -	\$ -	\$ 504,030	\$ -	\$ 504,030
Phase Change Percent:	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
Amended Phase Matching Funds:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Amended Phase Matching Percent:	N/A	N/A	N/A	N/A	0.00%	N/A	0.00%

Phase Programming Summary Totals

Fund Category	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State	\$ -	\$ -	\$ -	\$ -	\$ 504,030	\$ -	\$ 504,030
Local	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ 504,030	\$ -	\$ 504,030

Phase Composition Percentages

Fund Type	Planning	PE	ROW	UR	Cons	Other	Total
Federal	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
State	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
Local	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%

Phase Programming Percentage

Fund Category	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Federal	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
State	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
Local	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%

Project Phase Obligation History							
Item	Planning	PE	ROW	UR	Cons	Other	Federal
Total Funds Obligated							Aid ID
Federal Funds Obligated:							
EA Number:							FHWA or FTA
Initial Obligation Date:							FHWA
EA End Date:							FMIS or TRAMS
Known Expenditures:							FMIS?
						Estimated Project Completion Date:	12/31/2026
Completion Date Notes: The completion date is an soft estimate only to determine if the project will require carryover.							
Are federal funds being flex transferred to FTA?		No	If yes, expected FTA conversion code:			N/A	

Fiscal Constraint Consistency Review
1. What is the source of funding? ODOT State funds.
2. Does the amendment include changes or updates to the project funding? Yes. New State funds are being added to the MTIP for this project.
3. Was proof-of-funding documentation provided to verify the funding change? Yes, per the STIP Impacts Worksheet.
4. Did the funding change require OTC, ODOT Director, or ODOT program manager approval? ODOT approval using HB5005 funding
5. Has the fiscal constraint requirement been properly demonstrated and satisfied as part of the MTIP amendment? Yes.

Project Location References					
On State Highway	Yes/No	Route	MP Begin	MP End	Length
	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Cross Streets	Route or Arterial		Cross Street		Cross Street
	North Hayden Island Dr		North Hayden Island Dr and south to North Tomahawk Island Dr/I-5 ramps		Center St on the west side and east to I-5

Summary of MTIP Programming and Last Formal/Full Amendment or Administrative Modification							
1st Year Programmed	2024	Years Active	0	Project Status	6	Pre-construction activities (pre-bid, construction management oversight, etc.).	
Total Prior Amendments	0	Last Amendment	Not Applicable	Date of Last Amendment	Not Applicable	Last MTIP Amend Num	Not Applicable
Last Amendment Action	Not Applicable. This is the first programming action for the project in the MTIP and STIP.						

Anticipated Required Performance Measurements Monitoring								
Metro RTP Performance Measurements	Provides Congestion Mitigation	Provides Climate Change Reduction	Provides Economic Prosperity	Located in an Equity Focus Area (EFA)	Provides Mobility Improvement	Safety Upgrade Type Project	Safety High Injury Corridor	Notes
					X			

Note: This is a special child project to the larger I05 IBR project in 21570. Performance measures apply to Key 21570

RTP Air Quality Conformity and Transportation Modeling Designations	
Is this a capacity enhancing or non-capacity enhancing project?	Non-capacity enhancing project (Hayden Island Demolition Project aspect)
Is the project exempt from a conformity determination per 40 CFR 93.126, Table 2 or 40 CFR 93.127, Table 3?	Yes. The project is exempt per 40 CFR 93.126, Table 2. The project is a child project to the larger full I-5 IBR project.
Exemption Reference:	Other - Engineering to assess social, economic, and environmental effects of the proposed action or alternatives
Was an air analysis required as part of RTP inclusion?	No. Not Applicable
If capacity enhancing, was transportation modeling analysis completed as part of RTP inclusion?	No. Not applicable. The project is not capacity enhancing
RTP Constrained Project ID and Name:	ID# 10866 - I-5 Interstate Bridge Replacement Program
RTP Project Description:	Replace I-5/Columbia River bridges, add auxiliary lanes and improve interchanges on I-5, extend light rail transit from Expo Center to Vancouver, WA., add protected/buffered bikeways, cycle tracks and a new trail/multiuse path or extension and implement variable rate tolling.

Key 21570 is the parent project to Key 23656.

Project Location in the Metro Transportation Network		
Yes/No	Network	Designation (Hayden Island Project Limit Area)
No	Motor Vehicle	No designation
Yes	Transit	The project area is within a transit frequent bus designation
No	Freight	No designation
Yes	Bicycle	The project area is within a Bicycle Parkway designation
Yes	Pedestrian	The project area is within a Pedestrian Parkway designation

National Highway System and Functional Classification Designations			
System	Y/N	Route	Designation (Hayden Island Demolition area)
NHS Project	Yes	I-5	Linked to the NHS as an Interstate

Functional Classification	Yes	1	Eisenhower Interstate System
Federal Aid Eligible Facility	Yes	Not Applicable	Urban Interstate

Additional RTP Consistency Check Areas

1. Is the project designated as a Transportation Control Measure? No.
2. Is the project identified on the Congestion Management Process (CMP) plan? I-5, Yes.
3. Is the project included as part of the approved: UPWP? No.
3a. If yes, is an amendment required to the UPWP? No.
3b. Can the project MTIP amendment proceed before the UPWP amendment? Yes.
3c. What is the UPWP category (Master Agreement, Metro funded stand-alone, Non-Metro funded Regionally Significant)? Not applicable.
4. Applicable RTP Goal: Goal # 1 - Mobility Options: Objective 1.4 - Regional Mobility: Maintain reliable person-trip and freight mobility for all modes in the region’s mobility corridors, consistent with the designated modal functions of each facility and planned transit service within each corridor.
5. Does the project require a special performance assessment evaluation as part of the MTIP amendment? No. This child project is not capacity enhancing nor does it exceed \$100 million in total project cost.

Public Notification/Opportunity to Comment Consistency Requirement

1. Is a 30-day/opportunity to comment period required as part of the amendment? Yes.
2. What are the start and end dates for the comment period? Estimated to be June 4, 2024 to July 5, 2024
3. Was the comment period completed consistent with the Metro Public Participation Plan? Yes.
4. Was the comment period included on the Metro website allowing email submissions as comments? Yes.
5. Did the project amendment result in a significant number of comments? Not expected.
6. Did the comments require a comment log and submission plus review by Metro Communications staff and to Council Office? Not expected.

Fund Codes References

Other	General state funds committed to the project. For this project, there are no federal funds. Only sate funds are being used to complete the construction/demolition work. In this case, the Other funds do not refer to overmatch funding
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Reference to Key 21570 containing the prior obligated programming for the I-5 Interstate Bridge Replacement

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[details](#) | [costs](#) | [programming](#) | [map](#) | [amendments](#) | [obligations](#) | [earmarks](#) | [comments](#)

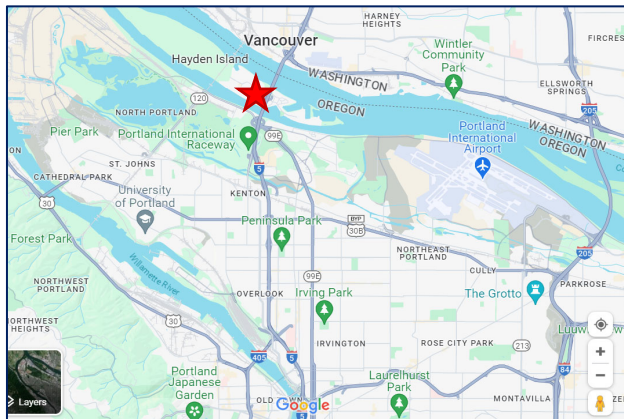
ODOT Key: 21570 | MTIP ID: 71083

I-5: Columbia River (Interstate) Bridge - Cycle 2021-26

Project(s) in this cycle are not editable

Current Programming

phase	year	fund type	federal amount	minimum local match	other amount	total	hold from mtip
Planning	2020		\$7,288,246	\$834,172	\$989,989	\$9,112,407	<input type="checkbox"/>
	2020	STBG - STATE	\$7,288,246	\$834,172	\$989,989	\$9,112,407	
Preliminary engineering	2022		\$39,800,000	\$6,844,545	\$47,355,455	\$94,000,000	<input type="checkbox"/>
	2014	NHPP (Z001)	\$10,000,000	\$1,144,545	\$0	\$11,144,545	
	2018	OTHER - LOCAL	\$0	\$0	\$44,855,455	\$44,855,455	
	2020	NHPP (100%)	\$10,000,000	\$0	\$2,500,000	\$12,500,000	
	2022	NHFP (80%) Z460	\$18,800,000	\$4,700,000	\$0	\$23,500,000	
	2022	AC-STBGS (50/50)	\$1,000,000	\$1,000,000	\$0	\$2,000,000	
Totals >>			\$47,088,246	\$7,678,717	\$48,345,444	\$103,112,407	



Project Location References



Project Scope Summary





Metro
 2024-27 Metropolitan Transportation Improvement Program (MTIP)
 PROJECT AMENDMENT DETAIL WORKSHEET

MTIP Formal Amendment
CANCEL PHASE
 Cancel UR phase, increase Cons,
 and slip Cons to 2025

Project #4

Project Details Summary							
ODOT Key #	23524	RFFA ID:	N/A	RTP ID:	N/A	RTP Approval Date:	11/30/2023
MTIP ID:	TBD	CDS ID:	N/A	Bridge #:	N/A	FTA Flex & Conversion Code	No
MTIP Amendment ID:		JN24-09-JUN1	STIP Amendment ID:		24-27-1128		

Summary of Amendment Changes Occurring:
 The original funding and delivery plan was to locally fund the entire project. The city of Sherwood received a Congressional earmark which federalized the project. The project has completed an updated cost estimate which requires an additional \$5,077,900 of local funds to be added to the construction phase. The Utility Relocation phase is now no longer required. UR phase funds are being shifted to Construction and the Construction phase is being slipped to FFY 2025. The net cost change to the project is 32% which is above the 20% threshold for administrative cost changes for projects above \$5 million dollars. This triggers the formal/full amendment requirement.

Project Name:	Ice Age Drive: SW Oregon St-SW Dahlke Ln (Tonquin)						
Lead Agency:	Sherwood	Applicant:	Sherwood	Administrator:	ODOT		
Certified Agency Delivery:	No	Non-Certified Agency Delivery:	Yes	Delivery as Direct Recipient:	No		

Short Description:
 Design and construct new industrial collector, Ice Age Drive between SW Oregon Street and SW Dahlke Ln to ease traffic flow on SW Tualatin-Sherwood Rd, improve I-5 access, and support companies relocation to the Sherwood Tonquin Employment Area.

MTIP Detailed Description (Internal Metro use only):
 In the city of Sherwood between SW Oregon St and SW Dahlke Ln, design and construct a new east/west industrial collector Ice Age Dr, 1-throug-lane in each direction to ease traffic flow on SW Tualatin-Sherwood Rd, improve I-5 access, and support business relocation to the Sherwood’s Tonquin Employment Area.

STIP Description:
 Planned one-mile east/west industrial collector road between SW Oregon Street and SW Dahlke Ln in Sherwood to ease traffic flow on SW Tualatin-Sherwood Road, improve access to I-5, and make it easier for companies to locate in Sherwood’s Tonquin Employment Area.

Project Classification Details			
Project Type	Category	Features	System Investment Type
Roadway	Roadway - Motor Vehicle	New Capacity - General Purpose	Capital Improvement
ODOT Work Type:	Operations		

Phase Funding and Programming									
Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation (UR)	Construction (Cons)	Other	Total
Federal Funds									
HIPCDS23	Y926	2024		—			3,000,000		\$ -
HIPCDS23	Y926	2025					\$ 3,000,000		\$ 3,000,000
Federal Totals:			\$ -	\$ -	\$ -	\$ -	\$ 3,000,000	\$ -	\$ 3,000,000
State Funds									
Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
									\$ -
State Totals:			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Funds									
Fund Type	Fund Code	Year	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Other	OTH0	2024		\$ 1,275,000					\$ 1,275,000
Other	OTH0	2024			\$ 873,500				\$ 873,500
Other	OTH0	2024				2,340,000			\$ -
Local	Match	2024					343,363		\$ -
Local	Match	2025					\$ 343,363		\$ 343,363
Other	OTH0	2024					7,556,637		\$ -
Other	OTH0	2025					\$ 14,974,537		\$ 14,974,537
Other	OTH0	2024						\$ 179,000	\$ 179,000
Local Totals:			\$ -	\$ 1,275,000	\$ 873,500	\$ -	\$ 15,317,900	\$ 179,000	\$ 17,645,400
Phase Totals			Planning	PE	ROW	UR	Cons	Other	Total
Existing Programming Totals:			\$ -	\$ 1,275,000	\$ 873,500	2,340,000	10,900,000	\$ 179,000	15,567,500
Amended Programming Totals			\$ -	\$ 1,275,000	\$ 873,500	\$ -	\$ 18,317,900	\$ 179,000	\$ 20,645,400
Total Estimated Project Cost									\$ 20,645,400
Total Cost in Year of Expenditure:									\$ 20,645,400

Programming Summary	Yes/No	Reason if short Programmed					
Is the project short programmed?	No	The project is not short programmed					
Programming Adjustments Details	Planning	PE	ROW	UR	Cons	Other	Totals
Phase Programming Change:	\$ -	\$ -	\$ -	\$ (2,340,000)	\$ 7,417,900	\$ -	\$ 5,077,900
Phase Change Percent:	0.0%	0.0%	0.0%	-100.0%	68.1%	0.0%	32.6%
Amended Phase Matching Funds:	\$ -	\$ -	\$ -	\$ -	\$ 343,363	\$ -	\$ 343,363
Amended Phase Matching Percent:	N/A	0.00%	0.00%	0.00%	10.27%	0.00%	10.27%

Phase Programming Summary Totals

Fund Category	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Federal	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000	\$ -	\$ 3,000,000
State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local	\$ -	\$ 1,275,000	\$ 873,500	\$ -	\$ 15,317,900	\$ 179,000	\$ 17,645,400
Total	\$ -	\$ 1,275,000	\$ 873,500	\$ -	\$ 18,317,900	\$ 179,000	\$ 20,645,400

Phase Composition Percentages

Fund Type	Planning	PE	ROW	UR	Cons	Other	Total
Federal	0.0%	0.0%	0.0%	0.0%	16.4%	0.0%	14.5%
State	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Local	0.0%	100.0%	100.0%	0.0%	83.6%	100.0%	85.5%
Total	0.0%	100.0%	100.0%	0.0%	100.0%	100.0%	100.0%

Phase Programming Percentage

Fund Category	Planning	Preliminary Engineering (PE)	Right of Way (ROW)	Utility Relocation	Construction	Other	Total
Federal	0.0%	0.0%	0.0%	0.0%	14.5%	0.0%	14.5%
State	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Local	0.0%	6.2%	4.2%	0.0%	74.2%	0.9%	85.5%
Total	0.0%	6.2%	4.2%	0.0%	88.7%	0.9%	100.0%

Project Phase Obligation History							
Item	Planning	PE	ROW	UR	Cons	Other	Federal
Total Funds Obligated							Aid ID
Federal Funds Obligated:							
EA Number:							FHWA or FTA
Initial Obligation Date:							FHWA
EA End Date:							FMIS or TRAMS
Known Expenditures:							FMIS
					Estimated Project Completion Date:		12/31/2027
Completion Date Notes:							
Are federal funds being flex transferred to FTA?		No	If yes, expected FTA conversion code:			N/A	

Fiscal Constraint Consistency Review
1. What is the source of funding? Congressionally Directed Spending earmark and local funds.
2. Does the amendment include changes or updates to the project funding? Yes. Additional local funds are being added to the construction phase.
3. Was proof-of-funding documentation provided to verify the funding change? Yes through ODOT Local Delivery
4. Did the funding change require OTC, ODOT Director, or ODOT program manager approval? ODOT Local Delivery provided concurrence.
5. Has the fiscal constraint requirement been properly demonstrated and satisfied as part of the MTIP amendment? Yes.

Project Location References					
On State Highway	Yes/No	Route	MP Begin	MP End	Length
	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Cross Streets	Route or Arterial		Cross Street		Cross Street
	Ice Age Dr		SW Oregon Street		SW Dahlke Ln (Tonquin)

Summary of MTIP Programming and Last Formal/Full Amendment or Administrative Modification							
1st Year Programmed	2024	Years Active	1	Project Status	4	(PS&E) Planning Specifications, & Estimates (final design 30%, 60%,90% design activities initiated).	
Total Prior Amendments	0	Last Amendment	Not Applicable	Date of Last Amendment	Not Applicable	Last MTIP Amend Num	Not Applicable
Last Amendment Action	Not Applicable						

Anticipated Required Performance Measurements Monitoring								
Metro RTP Performance Measurements	Provides Congestion Mitigation	Provides Climate Change Reduction	Provides Economic Prosperity	Located in an Equity Focus Area (EFA)	Provides Mobility Improvement	Safety Upgrade Type Project	Safety High Injury Corridor	Notes No hits on EFA areas
	X		X		X			
Added notes:								

RTP Air Quality Conformity and Transportation Modeling Designations	
Is this a capacity enhancing or non-capacity enhancing project?	Non-capacity enhancing project
Is the project exempt from a conformity determination per 40 CFR 93.126, Table 2 or 40 CFR 93.127, Table 3?	The project is not included under the CFR, but will not be modeled.
Exemption Reference:	The new collector will be modeled and added to any Metro network
Was an air analysis required as part of RTP inclusion?	No. Not Applicable
If capacity enhancing, was transportation modeling analysis completed as part of RTP inclusion?	No. Not applicable. The project is not capacity enhancing
RTP Constrained Project ID and Name:	Not Applicable as the project is not included as part of the regional system
RTP Project Description:	Not Applicable

Project Location in the Metro Transportation Network		
Yes/No	Network	Designation
No	Motor Vehicle	Not Applicable
No	Transit	Not Applicable
No	Freight	Not Applicable
No	Bicycle	Not Applicable
No	Pedestrian	Not Applicable

National Highway System and Functional Classification Designations			
System	Y/N	Route	Designation
NHS Project	No	Not Applicable	Not Applicable
Functional Classification	No	Not Applicable	Not Applicable
Federal Aid Eligible Facility	No	Not Applicable	Not Applicable

Additional RTP Consistency Check Areas

1.	Is the project designated as a Transportation Control Measure? No.
2.	Is the project identified on the Congestion Management Process (CMP) plan? No.
3.	Is the project included as part of the approved: UPWP? Yes
3a.	If yes, is an amendment required to the UPWP? No.
3b.	Can the project MTIP amendment proceed before the UPWP amendment? Yes.
3c.	What is the UPWP category (Master Agreement, Metro funded stand-alone, Non-Metro funded Regionally Significant)? Not applicable.
4.	<p>Applicable RTP Goal:</p> <p>Goal #1: Mobility Options: Objective 1.1 - Travel Options: Plan communities and design and manage the transportation system to increase the proportion of trips made by walking, bicycling, shared rides and use of transit, and reduce per capita vehicle miles traveled</p> <p>Goal #4 - Thriving Economy: Objective 4.1 Connected Region: Focus growth and transportation investment in designated 2040 growth areas to build an integrated system of throughways, arterial streets, freight routes and intermodal facilities, transit services and bicycle and pedestrian facilities, with efficient connections between modes and communities that provide access to jobs, markets and community places within and beyond the region.</p>
5.	Does the project require a special performance assessment evaluation as part of the MTIP amendment? No. The project is not capacity enhancing nor does it exceed \$100 million in total project cost.

Public Notification/Opportunity to Comment Consistency Requirement

1.	Is a 30-day/opportunity to comment period required as part of the amendment? Yes.
2.	What are the start and end dates for the comment period? Estimated to be June 4 2024 to July 5, 2024
3.	Was the comment period completed consistent with the Metro Public Participation Plan? Yes.
4.	Was the comment period included on the Metro website allowing email submissions as comments? Yes.
5.	Did the project amendment result in a significant number of comments? Not expected.
6.	Did the comments require a comment log and submission plus review by Metro Communications staff and to Council Office? Not expected.
7.	Added notes:

Fund Codes References

HIPCDS23	HIPCDS23 represents a Congressionally approved Congressional Directed Spending award (i.e. earmark). This earmark was authorized from the FFY 2023 Congressional CDS award approvals. The funds are federal.
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Local	General local funds committed by the lead agency to meet the minimum match requirement against the federal funds award.
Other	General local funds committed to the project above and beyond the local fund minimum match requirement. Also referred to as "overmatching funds"

Key Number: 23524

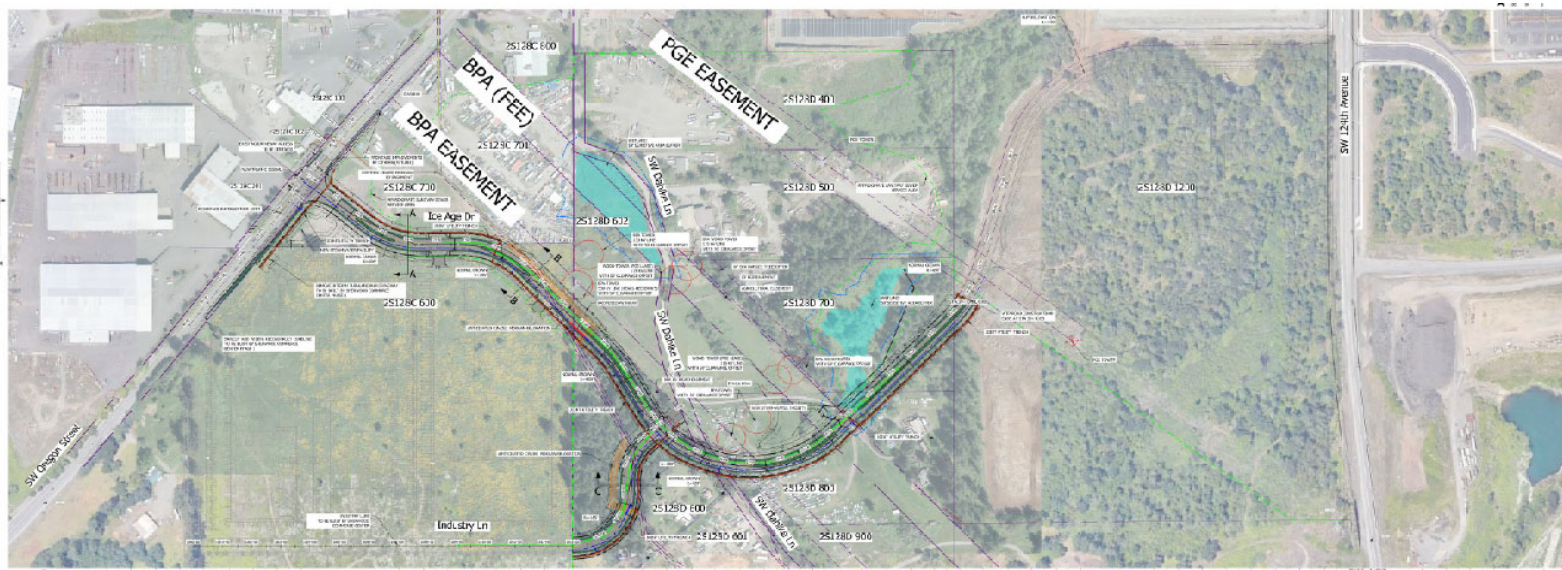
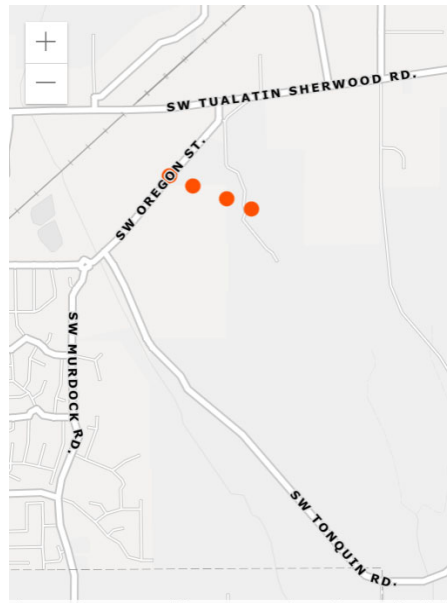
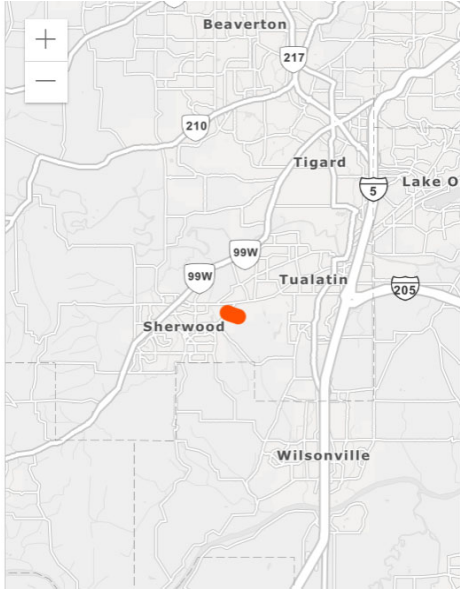
2024-2027 STIP

Project Name: Ice Age Drive: Oregon St-SW Dahlke Ln (Tonquin)

(DRAFT AMENDMENT)

Fund Codes										
Phase	Fund Code	Description	Percent of Phase	Total Amount	Federal Percent	Federal Amount	State Percent	State Amount	Local Percent	Local Amount
PE	OTH0	OTHER THAN STATE OR	100.00%	1,275,000.00	0.00%	0.00	0.00%	0.00	100.00%	1,275,000.00
	PE Totals		100.00%	1,275,000.00		0.00		0.00		1,275,000.00
RW	OTH0	OTHER THAN STATE OR	100.00%	873,500.00	0.00%	0.00	0.00%	0.00	100.00%	873,500.00
	RW Totals		100.00%	873,500.00		0.00		0.00		873,500.00
UR	OTH0	OTHER THAN STATE OR	0.00%	0.00	0.00%	0.00	0.00%	0.00	100.00%	0.00
	UR Totals		0.00%	0.00		0.00		0.00		0.00
CN	OTH0	OTHER THAN STATE OR	81.75%	14,974,536.58	0.00%	0.00	0.00%	0.00	100.00%	14,974,536.58
	Y926	HIP - community project congressionally directed	18.25%	3,343,363.42	89.73%	3,000,000.00	0.00%	0.00	10.27%	343,363.42
	CN Totals		100.00%	18,317,900.00		3,000,000.00		0.00		15,317,900.00
OT	OTH0	OTHER THAN STATE OR	100.00%	179,000.00	0.00%	0.00	0.00%	0.00	100.00%	179,000.00
	OT Totals		100.00%	179,000.00		0.00		0.00		179,000.00
Grand Totals				20,645,400.00		3,000,000.00		0.00		17,645,400.00

Project Location References





Memo

Date: June 24, 2024
To: Metro Council and Interested Parties
From: Ken Lobeck, Funding Programs Lead
Subject: June #1 FFY 2024 MTIP Formal Amendment & Resolution 24-5422 Approval Request – JN24-09-JUN1

FORMAL MTIP AMENDMENT STAFF REPORT

Amendment Purpose Statement

FOR THE PURPOSE AMENDING OR ADDING A TOTAL OF FOUR PROJECTS IN THE 2024-27 MTIP TO MEET FEDERAL TRANSPORTATION PROJECT DELIVERY REQUIREMENTS

BACKGROUND

What This Is - Amendment Summary:

The June #1 2024-27 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment is one of two MTIP formal amendments moving forward through the Metro approval process. The June #1 bundle is under amendment number JUN24-09-Jun1. The new Portland Broadway Main Street and Supporting Connections project has been pulled from the June 2024 MTIP Formal Amendment bundle and will proceed to JPACT as part of the July Rose Quarter MTIP Formal Amendment bundle. TPAC has provided their approval recommendation for the project to proceed to JPACT this way. This reduces the June formal amendment bundle to four projects: One new project and three existing projects require cost changes and phase cancelations.

The new project is the following:

- Key 23656 – ODOT Hayden Island Building Demolition project:
The project is considered a child-type project to the full I-5 IBR project and will proceed independently from I-5 IBR project under its own STIP Key number. To reduce costs, ODOT will complete the demolition of two unused ODOT owned buildings located on North Center Ave in Portland.

What is the requested action?

JPACT approved Resolution 24-5422 on June 20, 2024, and requests Metro Council provide the final approval now for the four-project bundle within Resolution 24-5422 to amend the 2024-27 MTIP with the four projects.

Additional details about each new project are included on the next pages after the meeting summary updates.

MEETING SUMMARY UPDATES:

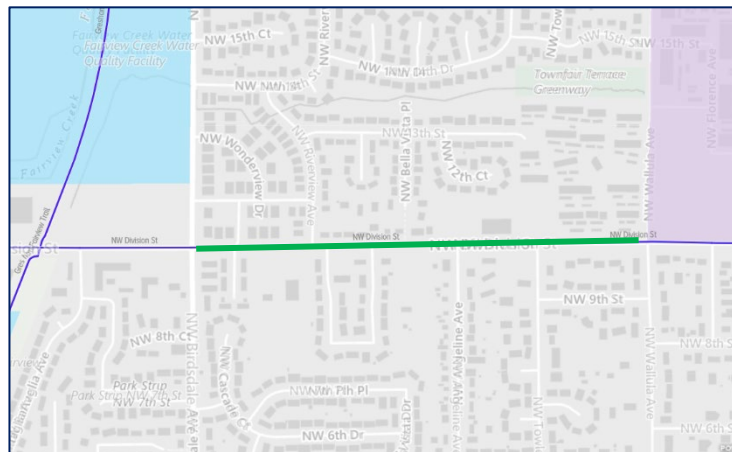
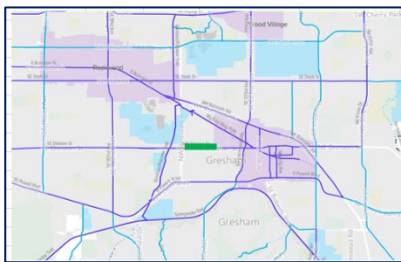
- TPAC June 7, 2024 Meeting Summary:
 - TPAC Met on June 7, 2024 and received their official notification and overview of the June 2024 Formal Amendment bundle under Resolution 24-5422. Ken Lobeck, Metro Funding Programs Lead provide the amendment overview. He discussed each project, what changes were occurring and why they were occurring. He also included a reminder to TPAC members that virtually federal funded projects progressing through the federal transportation delivery process are experiencing significant cost increases. He cited multiple reasons for the ongoing cost increases from lack of scoping to inflation updates. He asked TPAC member to consider maintaining additional contingency funds for their projects. He reminded committee members that project phase normally cannot move forward and be obligated and expended unless the phase is fully funded. The phase funding shortfalls not only result in a cost issue for the lead agency but can significantly delay the project until the funding shortfall is resolved.
 - Ken also identified a needed processing change that the city of Portland requested for their new Portland Broadway Main Street and Supporting Connections which received a USDOT \$38 million dollar grant to provide complete street/active transportation upgrades on Broadway and Weidler Streets. The project has been assigned an ODOT Key 23646. The project has a connection to ODOT's Rose Quarter Improvement project in Key 19071. This also received a \$450 million from the same USDOT discretionary grant program. ODOT will submit the required amendment updates for Key 19071 as part of the July 2024 MTIP Formal Amendment cycle. ODOT will also provide a project presentation to JPACT at their July 2024 meeting.
 - Portland's new Broadway Main Street and Supporting Connections project has a connection with the Rose Quarter Improvement Project. Since ODOT will be presenting an overview of the programming changes to JPACT in July, and a connection exists with the Project, Portland has requested that their new project be incorporated into the July 2024 Rose Quarter Improvement Project Formal Amendment bundle for JPACT and Metro Council approval. This way if questions emerge about project at JPACT, Portland staff will be present to address them as well.
 - The TPAC agenda had already been posted and consensus was not reached for the processing adjustment until a day before TPAC met. Rather than try to adjust the June 2024 MTIP Amendment bundle with a revised approval recommendation, Ken requested TPAC approve the bundle as submitted which included the new Portland project. He would then split the bundle and remove Portland new Broadway St project and add it into the Rose Quarter Improvement Project July 2024 formal amendment bundle under the logic of a public comment requested adjustment.

- TPAC members discuss the programming adjustment and did not raise any issues with the proposed change. The final approval recommendation TPAC unanimously passed provided the approval recommendation to JPACT for Resolution 24-5422 as submitted (includes all five projects), and includes the understanding that Portland's new Broadway Main Street and Supporting Connections will be split off the June 2024 Formal amendment bundle and incorporated into the July 2024 Rose Quarter MTIP Formal Amendment bundle which is expected now to contain a total of five projects.
- As a result of this action, the June 2024 MTIP Formal Amendment bundle under Resolution 24-2422 will be reduced to four projects and proceed on schedule to the June 20, 2024 JPACT meeting for their approval consideration. Assuming JPACT approves Resolution 24-5422 will then move for final Metro approval at the July 11, 2024 Metro Council Meeting.
- Portland's new Broadway Main Street and Supporting Connections will progress to JPACT on July 18, 2024 with the Rose Quarter MTIP Formal Amendment bundle as an action item. Assuming JPACT provides approval for the amendment resolution, the formal amendment will move on for final Metro approval at the August 1, 2024 Metro Council meeting.
- JPACT June 20, 2024, Meeting Summary:
 - JPACT met on Thursday, June 20, 2024. The June #1 MTIP Formal Amendment bundle with four projects was included on the Consent Agenda. The new Portland Broadway Main Street and Supporting Connections project has been removed from being a component of Resolution 24-5422 and will proceed as part of the Rose Quarter MTIP Formal Amendment in July as noted previously.
 - JPACT approved the Consent Calendar including Resolution 24-5422 without discussion.

A summary of the June 2024 MTIP Formal Amendment bundle under Resolution 24-5422 now follows:

- **Key 22636 - NW Division Complete St Phase I: Wallula Ave - Birdsdale Ave:**
 - Lead Agency: Gresham.
 - Description: The project will complete Phase 1 (of 2 phases) to extend NW Division St between NW Wallula Ave and NW Birdsdale Ave with active transportation improvements to include ADA improvements, sidewalks (gap fills), curbs and ramps, plus bike lanes.

- **Funding Summary:** The amendment adds local overmatch to the construction phase. Gresham is adding \$3,675,971 to the construction phase. The total project cost increases from \$6,140,589 to \$9,841,550.
- **Action:** The formal amendment increases the construction phase. The latest construction phase cost estimate increases the construction phase from \$4,170,636 to \$7,846,597. The city of Gresham is committing additional local overmatching funds to address the construction phase funding shortfall. This will ensure the construction phase can obligate the phase funds before the end of FFY 2024 (before 9/30/2024).
- **Added Notes:** The funding change to the project represents a 60% cost increase to the project. The approved MTIP Amendment Matrix allows for allows for cost changes up to 20% for projects above \$5 million. Cost changes above the administrative threshold are considered an impact to the fiscal constraint finding. This triggers the need to complete the formal/full amendment.



● **Key 22719 - I-5: Capitol Highway - OR217:**

- **Lead Agency:** ODOT
- **Description:** The project will install electronic signs to provide advance warning of traffic up ahead on the highway to improve congestion, queuing, and potential collisions.
- **Funding Summary:** The full project programming of \$15,917,009 decreases to \$4,052,000 as a result of the construction phase being canceled and the funding transferred over to the OR 217 – OR1- to OR99W in Key 18841 to address a funding shortfall.

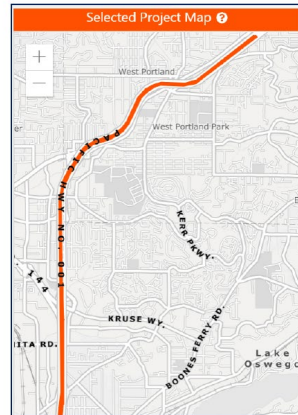
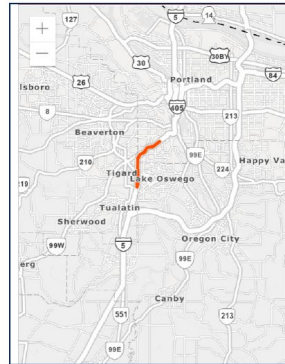
- Action: The formal amendment cancels the construction per OTC action and transfers the funds to Key 18841. OTC approval was required to approve the transfer.
- Added Notes. Twp attachments are included with the staff report:
 - Attachment 1 – Key 22719 OTC Staff Report Item
 - Attachment 2 – Key 22719 Project Overview

Project to modify funding:

OR217: OR10 - OR99W (K18841)		COST		
PHASE	YEAR	Current Estimate	Proposed	Delta
		Preliminary Engineering	2014	\$22,490,267	$22,490,267	$0
Right of Way	2020	\$3,000,000	\$3,000,000	\$0
Utility Relocation	N/A	\$0	\$0	\$0
Construction	2021	\$131,693,018	\$147,081,690	\$15,388,672
Other	2019	\$1,600,000	\$1,600,000	\$0
TOTAL		\$158,783,285	\$174,171,957	\$15,388,672

Funding plan:

Source of funding	Funding Program	Funds
Cancel the CN phase of I-5: Capitol Highway - OR217 (K22719)	SW Enhance	\$ 11,865,009
Bridge Program Funds	Fix-It SW Bridge/ HB2017 Bridge Seismic	\$3,523,663
TOTAL		\$15,388,672



• **Key 23656 - Hayden Island Building Demolition (New Project):**

- Lead Agency: ODOT.
- Description: The project will complete preparation for and demolition of two ODOT-owned buildings located on North Center Ave in Portland to reduce operation and maintenance costs for the agency.
- Funding Summary: ODOT has committed \$504,030 of state funds to complete the project.
- Action: The formal amendment adds the new project to the MTIP. The project is related to the larger I-5 Columbia River (Interstate) Bridge replacement

(IBR) project currently progressing through Preliminary Engineering in Key 21570. This project is considered a child-type project to the full I-5 IBR project and will proceed independently from I-5 IBR project under its own STIP Key number upon its final STIP approval. ODOT will complete the demolition of two unused ODOT owned buildings located on North Center Ave in Portland. The overall action is in support of ODOT's cost reduction efforts.

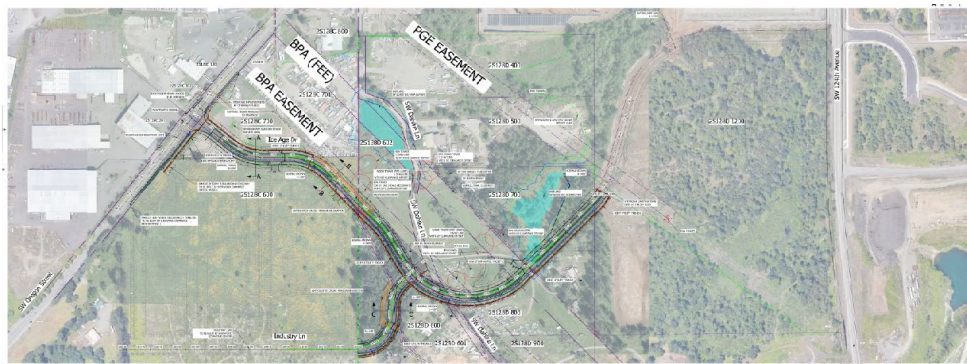


- **Key 23524 - Ice Age Drive: SW Oregon St-SW Dahlke Ln (Tonquin):**

- Lead Agency: Sherwood.
- Description: The project Design and construct new industrial collector, Ice Age Drive between SW Oregon Street and SW Dahlke Ln to ease traffic flow on SW Tualatin-Sherwood Rd, improve I-5 access, and support companies relocation to the Sherwood Tonquin Employment Area.
- Funding Summary: The project includes a \$3,000,000 FFY 2023 Congressionally Directed Spending (CDS) award with local funds representing the remaining funds for the project being local funds. The UR

phase cancellation frees up \$2,340,000 of local funds for the Construction phase with Sherwood adding another \$5,077,900 to cover the revised construction phase estimate of \$18,317,900. The total new total project cost from the amendment is now \$20,645,400.

- **Action:** The formal amendment cancels the Utility Relocation phase and transfers the funding forward to the Construction phase. The construction phase receives added local overmatching funds and is being slipped to FFY 2025 based on the revised construction phase estimate.



METRO REQUIRED PROJECT AMENDMENT REVIEWS

In accordance with 23 CFR 450.316-328, Metro is responsible for reviewing and ensuring MTIP amendments comply with all federal programming requirements. Each project and their requested changes are evaluated against multiple MTIP programming review factors that originate from 23 CFR 450.316-328. They primarily are designed to ensure the MTIP is fiscally constrained, consistent with the approved RTP, and provides transparency in their updates, changes, and/or implementation. The programming factors include ensuring that the project amendments:

- Are eligible and required to be programmed in the MTIP.
- Properly demonstrate and fiscal constraint as a result of the required changes.

- Pass the RTP consistency review which requires a confirmation that the project(s) are identified in the current approved constrained RTP either as a stand- alone project or in an approved project grouping bucket.
- Are consistent with RTP project costs when compared with programming amounts in the MTIP.
- If a capacity enhancing project, the project is identified in the approved Metro modeling network and has completed required air conformity analysis and transportation demand modeling.
- Supports RTP goals and strategies consistency: Meets one or more goals or strategies identified in the current RTP.
- Contains applicable project scope elements that can be applied to Metro’s performance requirements.
- Verified to be part of the Metro’s annual Unified Planning Work Program (UPWP) for planning projects that may not be specifically identified in the RTP.
- Verified that the project location is part of the Metro regional transportation network, and is considered regionally significant, or required to be programmed in the MTIP per USDOT direction.
- Verified that the project and lead agency are eligible to receive, obligate, and expend federal funds.
- Does not violate supplemental directive guidance from FHWA/FTA’s approved Amendment Matrix.
- Reviewed and evaluated to determine if Performance Measurements will or will not apply.
- Successfully complete the required 30-day Public Notification/Opportunity to Comment period.
- Meets other MPO responsibility actions including project monitoring, fund obligations, and expenditure of allocated funds in a timely fashion.

APPROVAL STEPS AND TIMING

Metro’s approval process for formal amendments includes multiple steps. The required approvals for the June #1 FFY 2024 Formal MTIP amendment (JN24-09-JUN1) will include the following actions:

<u>Action</u>	<u>Target Date</u>
• TPAC Agenda mail-out.....	May 31, 2024
• Initiate the required 30-day public notification process.....	June 4, 2024
• TPAC notification and approval recommendation.....	June 7, 2024
• JPACT approval and recommendation to Council.....	June 20, 2024
• Completion of public notification process.....	July 5, 2024
• Metro Council approval.....	July 11, 2024

Notes:

- * The above dates are estimates. JPACT and Council meeting dates could change.
- ** If any notable comments are received during the public comment period requiring follow-on discussions, they will be addressed by JPACT.

USDOT Approval Steps (The below timeline is an estimation only):

<u>Action</u>	<u>Target Date</u>
• Final amendment package submission to ODOT & USDOT.....	July 16 ,2024
• USDOT clarification and final amendment approval.....	Mid-August 2024

ANALYSIS/INFORMATION

1. **Known Opposition:** None known at this time.
2. **Legal Antecedents:**
 - a. Amends the 2024-27 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 23-5335 on July 20, 2023 (FOR THE PURPOSE OF ADOPTING THE 2024-2027 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA)
 - b. Oregon Governor approval of the 2021-24 MTIP on September 13, 2023.
 - c. 2024-2027 Statewide Transportation Improvement Program (STIP) Approval and 2024 Federal Planning Finding on September 25, 2023.
3. **Anticipated Effects:** Enables the new projects to be added into the MTIP and STIP. Follow-on fund obligation and expenditure actions can then occur to meet required federal delivery requirements.
4. **Metro Budget Impacts:** There are no direct or indirect impacts to the approved Metro budget through the actions of this amendment. The identified funding for the new projects does not originate from Metro.

RECOMMENDED ACTION:

What is the requested action?

JPACT approved Resolution 24-5422 on June 20, 2024, and requests Metro Council provide the final approval now for the four-project bundle within Resolution 24-5422 to amend the 2024-27 MTIP with the four projects.

Two attachments.

- Attachment 1: Key 22719 OTC Staff Report Item
- Attachment 2: Key 22719 Project Overview



Oregon

Tina Kotek, Governor

Oregon Transportation Commission

Office of the Director, MS 11

355 Capitol St NE

Salem, OR 97301-3871

DATE: April 25, 2024
TO: Oregon Transportation Commission

FROM: Kristopher W. Strickler
Director

SUBJECT: **Agenda Item J3** – Increase Construction Authorization for the OR217: OR10 – OR99W project

Requested Actions:

Approve an increase in the Construction Authorization for the OR217: OR10 - OR99W project from \$129,693,018 to \$147,081,690 for a total increase of \$17,388,672. The funding for the increase will be provided from \$3,523,663 from the state bridge program funding reserves, \$11,865,009 from cancelling the construction phase of the I-5: Capitol Highway – OR217 project and \$2,000,000 already accounted for in the project bottom line from canceling the utility relocation phase in a previous OTC action.

Project to modify funding:

OR217: OR10 - OR99W (K18841)				
PHASE	YEAR	COST		
		Current Estimate	Proposed	Delta
Preliminary Engineering	2014	\$22,490,267	\$22,490,267	\$0
Right of Way	2020	\$3,000,000	\$3,000,000	\$0
Utility Relocation	N/A	\$0	\$0	\$0
Construction	2021	\$131,693,018	\$147,081,690	\$15,388,672
Other	2019	\$1,600,000	\$1,600,000	\$0
TOTAL		\$158,783,285	\$174,171,957	\$15,388,672

Funding plan:

Source of funding	Funding Program	Funds
Cancel the CN phase of I-5: Capitol Highway - OR217 (K22719)	SW Enhance	\$ 11,865,009
Bridge Program Funds	Fix-It SW Bridge/ HB2017 Bridge Seismic	\$3,523,663
TOTAL		\$15,388,672

Background:

The purpose of the OR217: OR10 – OR99W project is to address long-standing bottlenecks on the highway from too many closely-spaced interchanges. The project scope includes adding auxiliary lanes, replacing two freeway ramps with a new frontage road, replacing a freeway overpass, installing sound walls, repaving multiple overpasses, retrofitting bridge railing, widening an overpass to add sidewalks and bike lanes and additional targeted improvements in partnership with the City of Beaverton and Washington County to complete the OR217 North/South bicycle and pedestrian connections. The project started construction in early 2022 and is scheduled for completion in 2025.

Since elements of this project were first programmed back in 2014, ODOT performed two value engineering studies (2018 & 2019), from which the team actively reduced scope and performed a Cost Risk Assessment workshop in 2020 to contain costs prior to beginning construction. While these efforts did reduce project costs and reduce overall risk to the project plan for on-time and on-budget delivery, the following factors were not fully accounted for and are contributing to the construction authorization increase request:

1) Contractor Staging and Contract Inspection Services:

More inspectors were required than anticipated when the construction budget was originally established and more consultant resources were needed to align with the contractor staging of the work area. In addition, retirements, hiring challenges, and shifting ODOT resources to other high priority projects within the Portland Metro area, required the utilization of consultant inspectors at a 25% cost premium over ODOT in-house inspection costs.

2) Extent of Traffic Control Plan Revisions for Public Safety:

Significant revisions to the traffic control staging plan required designers to evaluate the proposed changes and develop new traffic control plans to safely accommodate the traveling public through the project area, included working with TriMet to ensure bus travel through the corridor and temporary routing for pedestrians at highway interchanges was accommodated.

3) Bridge Retrofits:

This project has thirteen bridge retrofits. Significant challenges were encountered with conditions not matching as-built plans requiring redesign. This led to additional cost to retrofit the structures and make the necessary modifications so that improvements could be matched up to the existing structures.

4) Managing Hazardous Materials:

Project designers identified the need to manage hazardous material that needed to be relocated as part of this project. As construction continued, more hazardous material was identified than anticipated requiring additional coordination between ODOT, the Department of Environmental Quality (DEQ), and the contractor, to locate an appropriate disposal site, resulting in higher hauling and disposal costs. In addition, the discovery of construction debris (wood, metal,

guardrail, and asbestos) left over from the original construction of Highway 217, buried near the Allen Boulevard Interchange, resulted in additional specialty disposal costs.

5) Regulatory Changes:

New DEQ regulations went into effect after construction was underway. These changes increased the contractor's costs to manage erosion within the project site and increased the level of effort for ODOT to monitor and provide the appropriate reporting. New diesel emissions reporting requirements (OAR 340-261-0010, revised 11/17/2021) also required additional effort by both ODOT and the contractor to manage.

6) Challenges of a Five-Year Contract

Multi-year construction projects have unique challenges that were not adequately accounted for, including the long-term availability of subcontractors, increased material costs, and inflationary impacts on contract changes.

ODOT continues to monitor project costs as this project through construction completion in 2025.n. ODOT is also developing lessons learned from this project to inform and make improvements statewide, specifically to improve risk management processes, contract management of multi-year projects, and cost forecasting for inspection services.

Cost reduction efforts and opportunities during the project:

Some unanticipated work was completed by ODOT staff at a lower cost than negotiating a change order with the contractor. This work included producing and installing public-facing banners at the soil disposal site, tree removal and culvert repair.

In addition, working with Clean Water Services, ODOT moved \$2 million of work originally intended to be delivered in a separate utility phase into the main construction contract. Doing this work as part of the project saved time and eliminated the potential for multiple contractors being on site at the same time. This change resulted in a net savings of \$200,000.

Opportunities to reduce costs and reduce the overall request amount:

ODOT considered removing mainline re-paving work over the entire project limits, a potential savings of \$4.5 million. The team did not move forward with that option due to poor pavement conditions, increased maintenance costs and safety risks to ODOT Maintenance staff making critical repairs, the opportunity to utilize on-site contractor resources now and the likelihood of higher costs and traffic disruption to repave in the future.

ODOT also considered removing some bridge deck overlays with a potential savings of \$1.8 million. However, doing so would have resulted in higher future costs for the same work, lost opportunity to utilize our contractor already on-site and increased maintenance costs.

Outcomes:

With approval, ODOT will continue to deliver the full scope of the project.

Without approval, scope will need to be adjusted to fit the available budget.

Attachments:

- Attachment 01 – Location Map
- Attachment 02 – Vicinity Map

STIP PROJECT LOCATION

Agenda Item J3, Attachment 01

K18841

OR217: OR10 - OR99W

Key 22719 - OTC Staff Report Item

PROJECT LOCATION



REGION



COUNTY



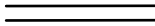
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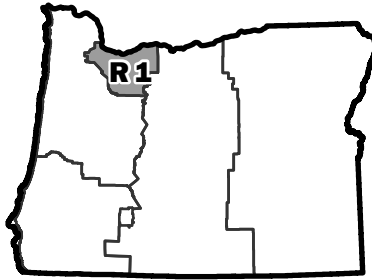
STATE ROAD



LOCAL ROAD

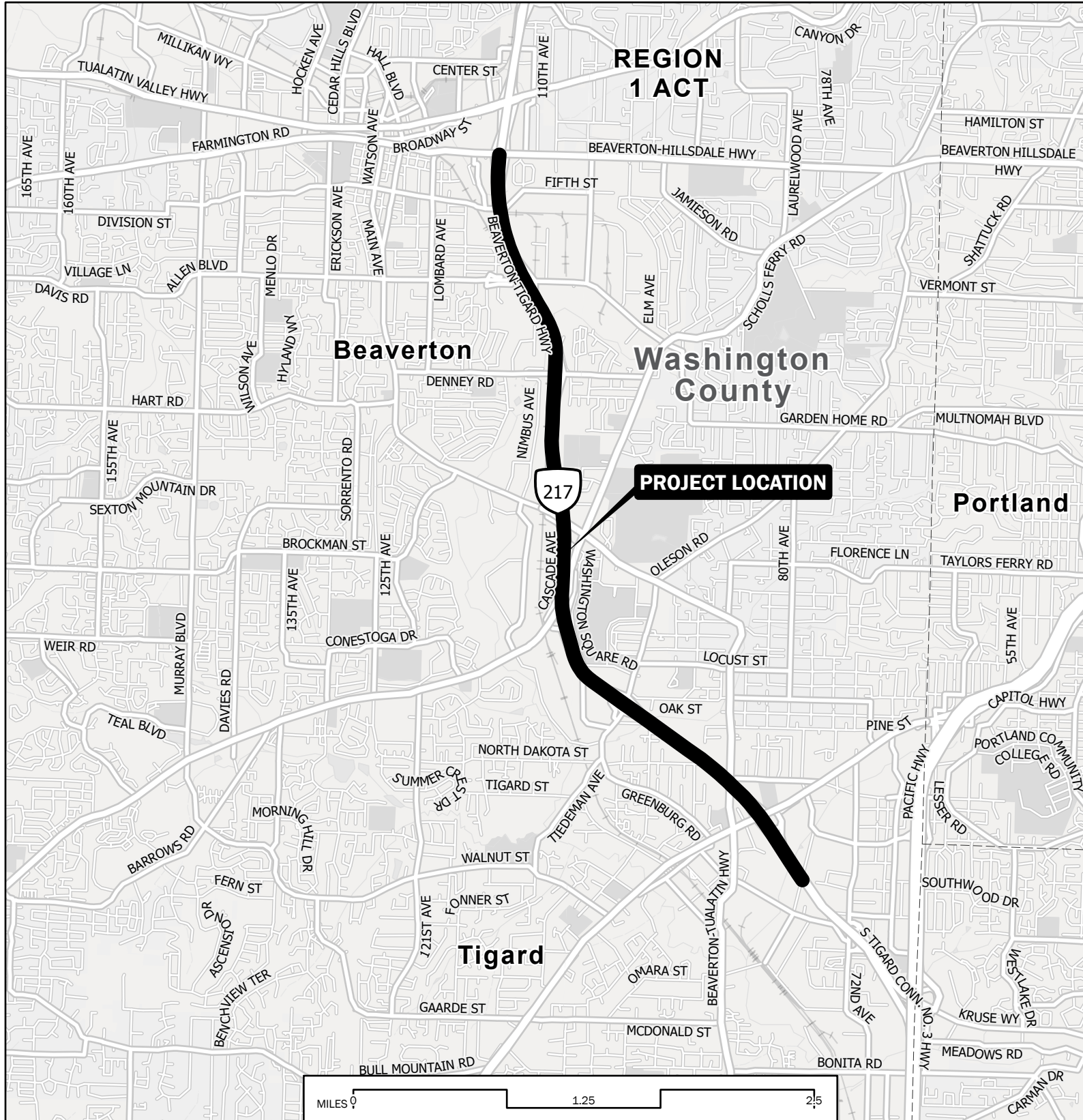


RAILROAD



DATE: 11/6/2023
PROJECT NO. 23-52
ODOT | GIS UNIT

This product is for informational purposes and may not be suitable for legal, engineering, or surveying purposes. Users of this product should review and consult the primary data sources to determine the usability of the information. Conclusions drawn from this information are the responsibility of the user.
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STIP PROJECT VICINITY

Agenda Item J3, Attachment 02

K18841

OR217: OR10 - OR99W

Key 22719 - OTC Staff Report Item

PROJECT LOCATION



REGION



COUNTY



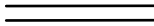
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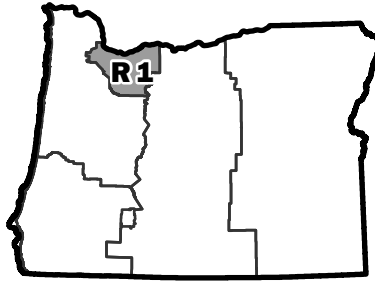
STATE ROAD



LOCAL ROAD

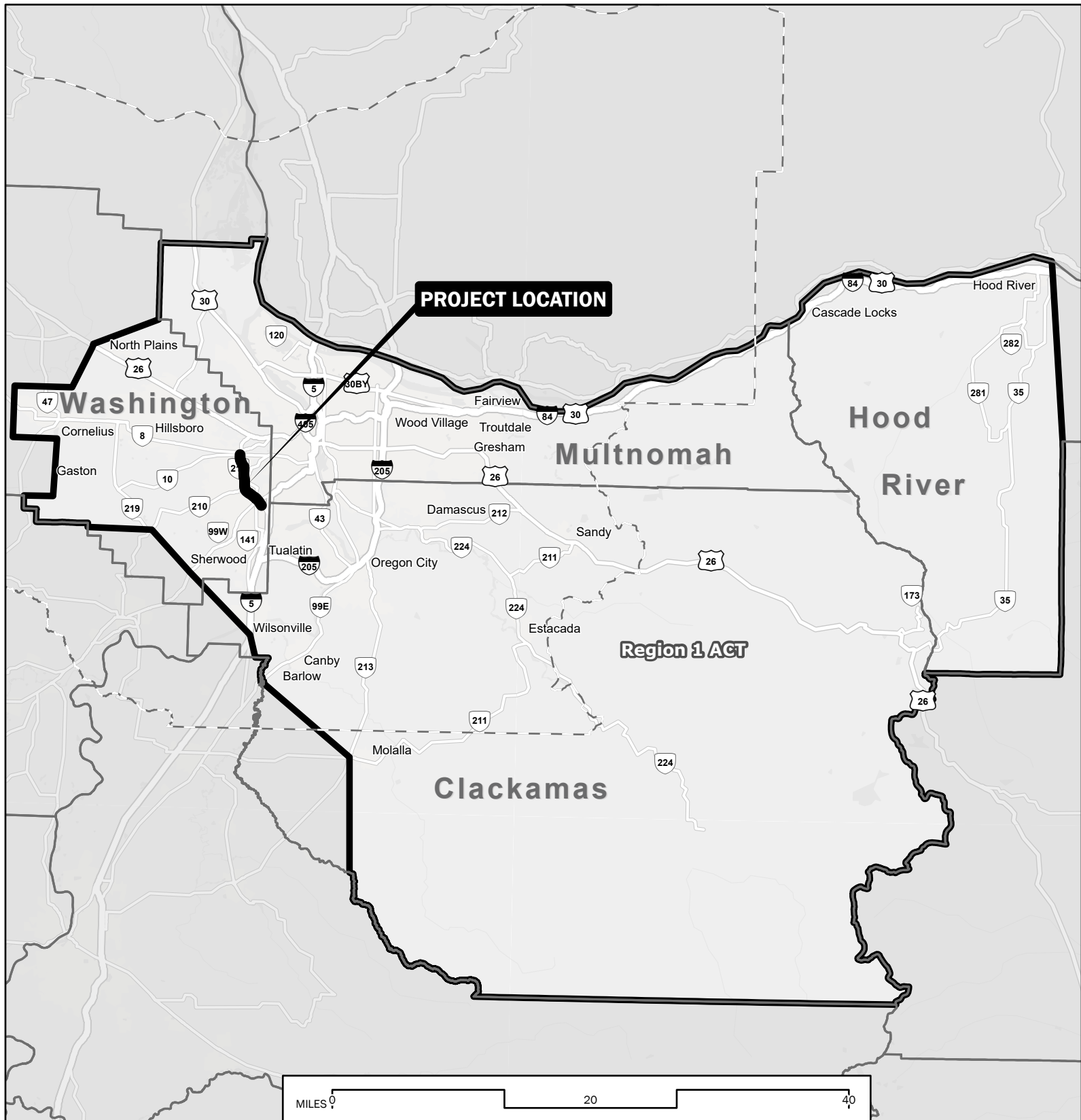


RAILROAD



DATE: 11/6/2023
PROJECT NO. 23-52
ODOT | GIS UNIT

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I-5: Capitol Hwy - OR 217

Multnomah County

Project Description

Install 18 new ODOT RealTime signs at key locations in both directions of Interstate 5 in Tigard and Southwest Portland. The new signs will consist of variable advisory speed signs (VAS) and variable message signs (VMS) across new sign bridges.

Purpose And Need

Travelers experience high congestion and high-crash rates during peak periods in this section of I-5 due to unexpected congestion and conditions in the Terwilliger curves and the I-5/I-405 split at the Marquam Bridge. RealTime signs have proven to help manage congestion in addition to improving safety, reliability, and green house gas emissions.

Proposed Solutions

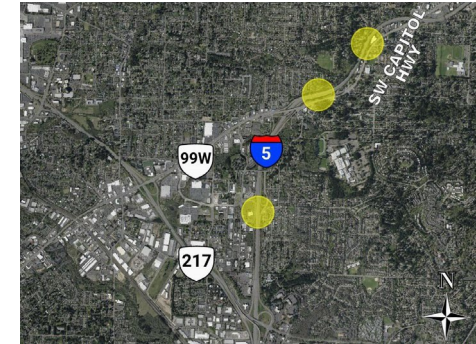
Install 18 new RealTime traveler information signs at key locations on I-5 through Tigard and Southwest Portland to improve safety and travel time predictability. Update outdated fiber optic cable network and repair and connect damaged or missing sections.

Anticipated Benefits

- Increases safety in the corridor by reducing the number and frequency of crashes.
- Improves operations by providing queue warning, traveler information and variable advisory speeds to better inform and prepare drivers.
- Increases travel time reliability during peak travel times.
- May accommodate future bus-on-shoulder service
- Variable message signs (VMS) alert drivers about crashes, congestion, road conditions, closures and other traffic-related information.
- VMS display estimate travel times to key destinations, so drivers can plan their arrival time or consider taking an alternate route.
- VAS signs display advisory speed based on the traffic ahead. The advisory speeds will change as real-time driving conditions change.

Estimated Project Cost

Estimated cost	\$15,917,009.
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Location of new ODOT RealTime signs on I-5



Example of variable speed signs on OR 217



**Resolution No. 24-5423 For the Purpose of Authorizing the
Chief Operating Officer to Enter into a Grant Agreement
with the State of Oregon for a Heavy Freight Rail Assets
Study
*Consent***

Metro Council Meeting
Thursday, July 11th, 2024

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 24-5423
CHIEF OPERATING OFFICER TO ENTER INTO)	
A GRANT AGREEMENT WITH THE STATE OF	)	Introduced by Chief Operating Officer
OREGON FOR A HEAVY FREIGHT RAIL	)	Marissa Madrigal in concurrence with
ASSETS STUDY	)	Council President Lynn Peterson

WHEREAS, Metro is a metropolitan service district authorized under the Metro Charter and ORS 268 as the transportation planning authority for the Portland Metropolitan area; and

WHEREAS, Oregon Senate Bill 5701 (2024) section 503 appropriates \$500,000 from the Oregon Department of Transportation (ODOT) General Fund to distribute to Metro to study the use of existing heavy freight rail assets in the Portland metropolitan area for passenger rail alternatives to existing transportation modes; and

WHEREAS, ODOT has provided to Metro a Grant Agreement for distribution of the \$500,000 to Metro for a heavy freight rail assets study; and

WHEREAS, Metro will use these funds to study the use of existing heavy freight rail assets in the greater Portland area and explore passenger rail alternatives to existing transportation modes; and

WHEREAS, the Grant Agreement requires authorization from the Metro Council; now therefore,

BE IT RESOLVED that the Metro Council authorizes the Chief Operating Officer to enter into the Grant Agreement in a form substantially like the document attached as Exhibit A.

ADOPTED by the Metro Council this 11th day of July 2024.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

GRANT AGREEMENT

Title: Senate Bill 5701 (2024 Regular Session) General Fund Grant

Agreement Number: 73000-00032488

This grant agreement (“Agreement”) is made by the State of Oregon, acting by and through its Department of Transportation (“ODOT” or “State”), and Metro (“Recipient”). This Agreement becomes effective only when fully signed and approved as required by applicable law (the “Effective Date”) and, unless earlier terminated, expires on June 30, 2025 (the “Expiration Date”). The period from the Effective Date through the Expiration Date is hereinafter referred to as the “Grant Term.” **Certain terms of the Agreement survive its termination or expiration as set forth in Section 8.K below.**

Pursuant to the Oregon Laws 2024, chapter 114, section 503 (the “Authorization”), the Oregon Legislature appropriated \$500,000 from the General Fund for a grant to Recipient to fund a study to explore the use of existing heavy freight rail assets in the Portland Metropolitan area for passenger rail alternatives to existing transportation modes project (the “Project”).

SECTION 1 – GRANT

ODOT shall provide Recipient, and Recipient shall accept from ODOT, a grant (the “Grant”) in the amount of \$500,000.

Conditions Precedent. ODOT’s obligations are subject to the receipt of the following items, in form and substance satisfactory to ODOT and its counsel:

- (1) This Agreement duly signed by an authorized officer of Recipient; and
- (2) Such other certificates, documents, opinions and information as ODOT may reasonably require.

SECTION 2 – DISBURSEMENT

- A. Full Disbursement. Upon satisfaction of all conditions precedent, ODOT shall disburse the full Grant to Recipient.
- B. Condition to Disbursement. ODOT has no obligation to disburse funds unless, in the reasonable exercise of its administrative discretion, it has sufficient funding, appropriations, limitations, allotments and other expenditure authority to make the disbursement.

SECTION 3 - USE OF GRANT

- A. Use of Grant Moneys. Recipient shall use the Grant only to fund the Project.
- B. Costs Paid for by Others. Recipient may not use any of the Grant to cover costs to be paid for by another State of Oregon agency or any third party.
- C. Unexpended Grant Moneys. No later than five (5) business days after the Expiration Date, Recipient shall return to ODOT all Grant moneys disbursed to Recipient, and any interest earned by Recipient on the Grant moneys, that remain unexpended on the Expiration Date.

SECTION 4 - REPRESENTATIONS AND WARRANTIES OF RECIPIENT

Recipient represents and warrants to ODOT:

A. Organization and Authority.

- (1) Recipient is a metropolitan service district validly organized and existing under the laws of the State of Oregon.
- (2) Recipient has all necessary right, power and authority under its organizational documents and under Oregon law to (a) execute and deliver this Agreement, (b) incur and perform its obligations under this Agreement, and (c) receive the Grant funds.
- (3) This Agreement has been authorized by an ordinance, order or resolution of Recipient's governing body.
- (4) This Agreement has been duly executed by Recipient, and when executed by ODOT, is legal, valid and binding, and enforceable in accordance with their terms.

B. Full Disclosure. Recipient has disclosed in writing to ODOT all facts that materially adversely affect its ability to perform all obligations required by this Agreement. Recipient has made no false statements of fact, nor has it omitted information necessary to prevent any statements from being misleading. The information contained in this Agreement is true and accurate in all respects.

C. Pending Litigation. Recipient has disclosed in writing to ODOT all proceedings pending (or to the knowledge of Recipient, threatened) against or affecting Recipient, in any court or before any governmental authority or arbitration board or tribunal, that, if adversely determined, would materially adversely affect the ability of Recipient to perform all obligations required by this Agreement.

D. No Defaults. No Defaults or Events of Default exist or occur upon authorization, execution or delivery of this Agreement.

E. Compliance with Existing Agreements and Applicable Law. The authorization and execution of, and the performance of all obligations required by, this Agreement will not: (i) cause a breach of any agreement or instrument to which Recipient is a party; (ii) violate any provision of the charter or other document pursuant to which Recipient was organized or established; or (iii) violate any laws, regulations, ordinances, resolutions, or court orders related to Recipient or its properties or operations.

F. Compliance with Tax Laws. Recipient is not in violation of any Oregon tax laws, including but not limited to a state tax imposed by ORS 320.005 to 320.150 and 403.200 to 403.250 and ORS chapters 118, 314, 316, 317, 318, 321 and 323 and local taxes administered by the Department of Revenue under ORS 305.620.

SECTION 5 - COVENANTS OF RECIPIENT

Recipient covenants as follows:

A. Notice of Adverse Change. Recipient shall promptly notify ODOT of any adverse change in the activities, prospects or condition (financial or otherwise) of Recipient related to the ability of Recipient to perform all obligations required by this Agreement.

B. Compliance with Laws. Recipient shall comply with all applicable laws, rules, regulations and orders of any court or governmental authority that relate to this Agreement and Recipient's use of the Grant funds.

Exhibit A to Metro Resolution No. 24-XXXX

C. RESERVED.

D. Books and Records. Recipient shall keep accurate books and records of the uses of the Grant and maintain them according to generally accepted accounting principles.

E. Inspections; Information. Recipient shall permit ODOT and any party designated by ODOT to inspect and make copies, at any reasonable time, of any accounts, books and records, including, without limitation, its records regarding receipts, disbursements, contracts, investments and any other related matters. Recipient shall supply any related reports and information as ODOT may reasonably require.

F. Records Maintenance. Recipient shall retain and keep accessible all books, documents, papers, and records that are directly related to this Agreement for a minimum of six years beyond the later of the final and total expenditure or disposition of the Grant. If there are unresolved issues at the end of such period, Recipient shall retain the books, documents, papers and records until the issues are resolved.

G. Notice of Default. Recipient shall give ODOT prompt written notice of any Default as soon as any senior administrative or financial officer of Recipient becomes aware of its existence or reasonably believes a Default is likely.

H. Contribution.

- 1) If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against State or Recipient with respect to which the other Party may have liability, the notified Party must promptly notify the other Party in writing of the Third Party Claim and deliver to the other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Each Party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by a Party of the notice and copies required in this paragraph and meaningful opportunity for the Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to that Party's liability with respect to the Third Party Claim.
- 2) With respect to a Third Party Claim for which State is jointly liable with Recipient (or would be if joined in the Third Party Claim), State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by Recipient in such proportion as is appropriate to reflect the relative fault of the State on the one hand and of Recipient on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of State on the one hand and of Recipient on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if State had sole liability in the proceeding.
- 3) With respect to a Third Party Claim for which Recipient is jointly liable with State (or would be if joined in the Third Party Claim), Recipient shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by State in such proportion as is appropriate to reflect the relative fault of Recipient on the one hand and of State on the other hand in connection with the events which

Exhibit A to Metro Resolution No. 24-XXXX

resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of Recipient on the one hand and of State on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. Recipient's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if it had sole liability in the proceeding.

SECTION 6 - DEFAULTS

Any of the following constitutes an "Event of Default":

- A. Any false or misleading representation is made by or on behalf of Recipient, in this Agreement or in any document provided by Recipient related to this Grant.
- B. Recipient fails to perform any obligation required under this Agreement, other than those referred to in subsection A of this section 6, and that failure continues for a period of 10 business days after written notice specifying such failure is given to Recipient by ODOT. ODOT may agree in writing to an extension of time if it determines Recipient instituted and has diligently pursued corrective action.

SECTION 7 - REMEDIES

- A. Remedies. Upon any Event of Default, ODOT may pursue any or all remedies in this Agreement and any other remedies available at law or in equity to enforce the performance of any obligation of Recipient. Remedies may include, but are not limited to any one or more of the following:
 - (1) Terminating ODOT's commitment and obligation to make the Grant.
 - (2) Barring Recipient from applying for future awards.
 - (3) Withholding amounts otherwise due to Recipient for application to the payment of amounts due under this Agreement.
 - (4) Requiring repayment of the Grant and all interest earned by Recipient on those Grant funds.
- B. Application of Moneys. Any moneys collected by ODOT pursuant to section 7.A will be applied first, to pay any attorneys' fees and other fees and expenses incurred by ODOT; then, as applicable, to repay any Grant proceeds owed; then, to pay other amounts due and payable under this Agreement, if any.
- C. No Remedy Exclusive; Waiver; Notice. No remedy available to ODOT is intended to be exclusive, and every remedy will be in addition to every other remedy. No delay or omission to exercise any right or remedy will impair or is to be construed as a waiver of such right or remedy. No single or partial exercise of any right, power or privilege under this Agreement will preclude any other or further exercise thereof or the exercise of any other such right, power or privilege. ODOT is not required to provide any notice in order to exercise any right or remedy, other than notice required in section 7 of this Agreement.

Exhibit A to Metro Resolution No. 24-XXXX

If to Recipient: Metro
ATTN: Rachael Lembo
600 NE Grand Avenue Portland, Oregon 97232
rachael.lembo@oregonmetro.gov

- E. No Construction against Drafter. This Agreement is to be construed as if the parties drafted it jointly.
- F. Severability. If any term or condition of this Agreement is declared by a court of competent jurisdiction as illegal, invalid or unenforceable, that holding will not invalidate or otherwise affect any other provision.
- G. Amendments, Waivers. This Agreement may not be amended without the prior written consent of ODOT (and when required, the Department of Justice) and Recipient. This Agreement may not be amended in a manner that is not in compliance with the Authorization. No waiver or consent is effective unless in writing and signed by the party against whom such waiver or consent is sought to be enforced. Such waiver or consent will be effective only in the specific instance and for the specific purpose given.
- H. Attorneys' Fees and Other Expenses. To the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, the prevailing party in any dispute arising from this Agreement is entitled to recover its reasonable attorneys' fees and costs at trial and on appeal. Reasonable attorneys' fees cannot exceed the rate charged to ODOT by its attorneys.
- I. Choice of Law; Designation of Forum; Federal Forum. The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Agreement, including, without limitation, its validity, interpretation, construction, performance, and enforcement.

Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County (unless Oregon law requires that it be brought and conducted in another county). Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.

Notwithstanding the prior paragraph, if a claim must be brought in a federal forum, then it must be brought and adjudicated solely and exclusively within the United States District Court for the District of Oregon. This paragraph applies to a claim brought against the State of Oregon only to the extent Congress has appropriately abrogated the State of Oregon's sovereign immunity and is not consent by the State of Oregon to be sued in federal court. This paragraph is also not a waiver by the State of Oregon of any form of defense or immunity, including but not limited to sovereign immunity and immunity based on the Eleventh Amendment to the Constitution of the United States.

- J. Integration. This Agreement (including all exhibits, schedules or attachments, if any) constitutes the entire agreement between the parties on the subject matter. There are no unspecified understandings, agreements or representations, oral or written, regarding this Agreement.
- K. Survival. The following provisions survive expiration or termination of this Agreement: Sections 3.C., 5.E., 5.F., 5.H., 6, 7, 8.H., 8.I and 8.K.
- L. Execution in Counterparts. This Agreement may be signed in several counterparts, each of which is an original and all of which constitute one and the same instrument.

Exhibit A to Metro Resolution No. 24-XXXX

Recipient, by its signature below, acknowledges that it has read this Agreement, understands it, and agrees to be bound by its terms and conditions.



STATE OF OREGON
acting by and through its
Department of Transportation

RECIPIENT
Metro

By: _____

By: _____

Date: _____

Date: _____

APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:

//s// Samuel B. Zeigler on 5.6.24
Senior Assistant Attorney General

IN CONSIDERATION OF RESOLUTION NO. 24-5423, FOR THE PURPOSE OF
AUTHORIZING THE CHIEF OPERATING OFFICER TO ENTER INTO A GRANT
AGREEMENT WITH THE STATE OF OREGON FOR THE REGIONAL RAIL FUTURES
STUDY

Date: June 20, 2024

Prepared by: Kelly Betteridge, Investment
Areas Manager

Department: Planning, Development and
Research

kelly.betteridge@oregonmetro.gov

Meeting Date: July 11, 2024

ISSUE STATEMENT

The State of Oregon allocated \$500,000 for Metro's Investment Areas Team to undertake a Regional Rail Futures Study. The proposed resolution will allow Metro to enter into a grant agreement with the State of Oregon to convey these funds to Metro.

The purpose of the Fund is to study the use of existing heavy freight rail assets in the greater Portland area for passenger rail alternatives to existing transportation modes.

The Fund will be reserved for the study. The study scope will be developed by Metro staff and a consultant with subject matter expertise in freight rail and passenger rail.

Staff will engage Council throughout the course of this study.

ACTION REQUESTED

Consider a resolution that allows Metro to receive a grant from the State of Oregon to fund the Regional Rail Futures Study.

IDENTIFIED POLICY OUTCOMES

The RTP establishes a strong vision for transit to help the region meet its transportation goals and support local and regional outcomes that address equity, support the economy, improve safety and achieve climate benefits. However, there are still gaps due to implementation constraints illustrated by the fact that the Regional Transportation Plan constrained set of investments ensures that 8% of jobs are accessible by transit in 2045 when our goal is 37%. Reuse of existing freight rail lines is one solution that has already been leveraged in the region (e.g., WES, Council Creek) and this study would provide more information and definition of additional opportunities for future planning efforts.

POLICY QUESTION(S)

The study would assess community needs and readiness of existing freight rail corridors for passenger rail, considering barriers to and opportunities for upgrading and/or

converting existing freight rail assets for commuter and passenger rail use (particularly cost/benefit). The study may also look at supportive infrastructure, such as operations and maintenance facilities.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Metro's Investment Areas Team has the flexibility and expertise to manage a rail futures study for the region. Metro's regional approach and experience convening partner conversations will support this work in defining potential further investments to improve passenger rail transit to achieve local and regional goals in the greater Portland region.

The current State of Oregon grant is the only identified funding for the Regional Rail Futures Study.

STAFF RECOMMENDATIONS

Staff recommends approving a resolution authorizing Metro to enter into a grant agreement with the State of Oregon in the amount of \$500,000 for the Regional Rail Futures Study.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

This study falls within the scope of the regional transit and corridor planning programs and provides budget to consider future opportunities for expanding the high capacity transit and/or intercity rail regional visions in the future. Transit provides an alternative to driving that is more climate-friendly and equitable to help us meet local and regional transportation and climate goals.

This study would provide insight into opportunities to use existing rail infrastructure to provide additional travel options for the region. With the help of consultants and input from partners, the study must be completed by December 2025. Information from the study, could build support for creative solutions for repurposing existing rail infrastructure such as at Council Creek where a vacated rail line could provide a future light rail extension and trail connection opportunity.

The funding for the Regional Rail Futures Study is included in FY25 Budget Amendments before the Metro Council for consideration.

BACKGROUND

This is the first time that the Regional Rail Futures Study grant has been before the City Council.

ATTACHMENTS

- Resolution 24-5423
- Exhibit A – Grant Agreement

**Resolution No. 24-5414 For the Purpose of Directing
the Allocation of \$13.6 Million of Federal
Transportation Redistribution Funds to Projects
and Programs**
Resolutions

Metro Council Meeting
Thursday, July 11th , 2024024

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DIRECTNG THE	)	RESOLUTION NO. 24-5414
ALLOCATION OF \$13.6 MILLION OF)	
FEDERAL TRANSPORTATION	)	Introduced by Chief Operating Officer
REDISTRIBUTION FUNDS TO PROJECTS AND	)	Marissa Madrigal in concurrence with
PROGRAMS	)	Council President Lynn Peterson
)	

WHEREAS, 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; and

WHEREAS, the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) are authorized per Code of Federal Regulations Title 23, Section 450.324 to allocate certain federal surface transportation funding to projects and programs in the metropolitan region; and

WHEREAS, the Oregon Department of Transportation (ODOT) on occasion applies for and receives federal redistribution funds; and

WHEREAS, ODOT makes available a portion of the redistribution funds ODOT receives to MPOs that have met performance targets for contractually obligating the federal surface transportation funds the MPOs allocate; and

WHEREAS, Metro has successfully met its recent obligation targets and has received federal redistribution funds from ODOT; and

WHEREAS, the amount of funds received are more than previously forecasted to be received and are immediately available; and

WHEREAS, the federal redistribution funds allocated by JPACT and the Metro Council will be programmed in the Metropolitan Transportation Improvement Program (MTIP) or the Unified Planning Work Program (UPWP); and

WHEREAS, TPAC recommended direction for the allocation of federal redistribution funds as described in Exhibit A to Resolution 24-5414 to JPACT for approval, and JPACT, in their June 20, 2024 meeting approved TPAC’s recommendation; now therefore,

BE IT RESOLVED that the Metro Council adopt the direction for the allocation of federal redistribution funds as described in Exhibit A.

ADOPTED by the Metro Council this 11th day of July 2024.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Exhibit A to Metro Resolution No. 24-5414

Direction for the Allocation of Federal Redistribution Funds

Background: As a reward for meeting the Metro area's Metropolitan Planning Organization (MPO) federal transportation funding obligation target schedule, The Oregon Department of Transportation (ODOT) has made available additional funds for allocation to Metro area transportation projects and programs. Approximately \$13.6 million is available for allocation.

To help the region meet its funding obligation targets, several initiatives have been undertaken in recent years improve on-time local project delivery. These efforts have contributed to the region's initial success in meeting our obligation targets and qualifying for the additional redistribution funding. These efforts include:

- better project monitoring and active management of project development progress
- an updated approach to programming of funds for local projects that emphasize local agency demonstration of readiness to proceed
- a more rigorous application question and assessment process for candidate projects regarding risks to project readiness
- improved reporting tools on project progress

It will be necessary to continue to utilize and refine these initial efforts and to instigate new efforts to achieve a sound project delivery pipeline and continue to qualify for additional redistribution funding.

Funding Allocation Direction: The funding program direction is to invest these funds to:

- advance the region's priority goals as defined in the Regional Transportation Plan (RTP)
- ensure the region continues to meet our obligation targets to
 - remain eligible for future additional redistribution funds
 - not subject the region to funding penalties for not meeting our obligation targets
- be able to obligate these funds quickly as they are currently available

Allocation of federal redistribution funding: Following is how \$13.6 million of federal redistribution funds are to be allocated to meet the allocation direction described above.

Supplemental funding to current capital projects: \$10 Million to address higher than normal inflationary impacts to projects from the 2019-24 RFFA funding cycles that have not yet completed construction delivery contracts for implementation. Metro staff will identify eligible projects and then request project lead agencies to nominate a funding proposal. Metro will evaluate the requests to factors attributable to inflation or changes outside agency control (e.g., changes in ODOT administrative practices or in regulations), for whether the additional funding will or is part of a funding strategy that will close the gap of revenues to project costs, and whether the project would be ready to obligate its funding on an updated schedule. With this information, staff will recommend an allocation package for TPAC consideration and recommendation to JPACT and the Metro Council. In addition to project funding need, the existing RFFA program direction will guide the staff recommendation package. This includes providing the redistribution funding to projects throughout the region.

This portion of the allocation meets the Funding Allocation Direction by advancing projects that have already been evaluated and prioritized as investments that advance the RTP goals. It will also help resolve a significant risk to meeting the region's obligation targets in the future: the unexpected high levels of inflation that impacted projects during the time between their project award and project implementation.

Early project development assistance: \$3 Million for project development assistance needed to adequately complete the Technical Scoping Sheet (TSS) and Environmental Prospectus (EP) for all 2028-30 RFFA projects recommended for funding. The TSS and EP are documents that must be completed for all federal aid projects before instigating the Preliminary Engineering phase of a project. Not having enough support and project information to complete these activities has been a major source of project delay.

Staff anticipates utilizing these funds for approximately 10 to 12 RFFA Step 2 capital projects awarded funding for project completion. A portion of the funds is proposed to be utilized by ODOT technical staff to assist with completion of the TSS and EP. All funds remaining after budgeted ODOT support costs would be made available proportionately to the awarded projects. Depending on ODOT costs and the number of funded projects, it is anticipated somewhere between \$150,000 to \$250,000 per project will be made available.

Immediately following RFFA awards, Metro and ODOT staff would work with local project management staff to determine an appropriate scope of work and budget necessary to adequately complete the TSS and EP. Adequate scope means completing tasks that will provide for a project to enter Preliminary Engineering (PE) with a refined cost estimate, project scope description, and schedule that has a high level of confidence for implementation and contingency plans for known risk factors. The findings of the project risk assessments completed during the RFFA project evaluation process will be used as a starting point for identification of the scope of work for this early project development assistance for each project. Timeframe for this initial project development work would occur by federal fiscal year 2026.

To continue to incentivize well prepared applications that have completed sufficient project development work, funds not needed to do additional project development work to complete the TSS and EP are proposed to be made available to such projects as additional contingency funds. These contingency funds can be programmed in a future project phase to address unidentified risks or for additional project elements that would advance priority RFFA goals. Awarded RFFA funds remaining after project completion return to the regional funding pool for distribution in the next allocation process.

New tools and assistance: The following tools and assistance will increase the ability of local agencies to complete applications for funding that are better prepared to be implemented on time and on budget, and for Metro to better prepare and manage the programming of funds to realistic and accurate obligation schedules. The tools and assistance elements and anticipated budget include:

\$225,000 for on-call consultant technical assistance in completing project applications as resources for consultant services allow. Metro staff will work with a consultant service provider to aid applicant agencies to reduce agency barriers to applying for Regional Flexible Funds and to improve the accuracy of candidate project scope descriptions and estimates of project costs and implementation timelines.

\$125,000 for project delivery risk assessment of applications for upcoming 2028-30 RFFA process.

\$250,000 for improvements to data management systems to track project development and progress toward obligation and implementation.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 214-5414, FOR THE PURPOSE OF DIRECTING THE ALLOCATION OF \$13.6 MILLION OF FEDERAL TRANSPORTATION REDISTRIBUTION FUNDS TO PROJECTS AND PROGRAMS

Date: June 21, 2024

Department: Planning, Development, and Research

Meeting Date: July 11, 2024

Prepared by: Ted Leybold,
Ted.Leybold@oregonmetro.gov

Presenter(s): Ted Leybold,
Length: 20 minutes

ISSUE STATEMENT

As a reward for meeting our Metropolitan Planning Organization (MPO) transportation funding obligation target schedule, The Oregon Department of Transportation (ODOT) has made available additional funds for allocation to Metro area transportation projects and programs. Approximately \$13.6 million is available for allocation.

This resolution directs the allocation of these funds to transportation projects and program activities.

ACTION REQUESTED

Adopt Resolution No. 24-5414.

IDENTIFIED POLICY OUTCOMES

The region's policy for priority of investments in the transportation system is identified in the Metro Council adopted Regional Transportation Plan. Resolution No. 24-5414 directs the investment of federal redistribution funds in the region's transportation system in a manner to advance the five RTP goal areas: Equitable Transportation, Safe System, Climate Action and Resilience, Mobility Options, and Thriving Economy.

POLICY QUESTION(S)

This direction on the allocation of federal redistribution funds is an opportunity to advance the region's priority transportation investment goals as identified above, and to ensure the region remains eligible to receive future federal redistribution funds through investments that help the region continue to meet targets for obligating existing federal transportation funds on schedule.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

At the May 7, 2024, Metro Council work session, Council received an update on the regional discussion occurring with TPAC and JPACT on direction for the allocation of federal redistribution funds.

In that work session, Metro staff briefed Council on the proposed options and received general feedback in support to move forward with the allocation direction of:

- advance the region's priority goals as defined in the Regional Transportation Plan (RTP)

- ensure the region continues to meet our obligation targets to
 - remain eligible for future additional redistribution funds,
 - to avoid funding penalties for not meeting our obligation targets
- be able to obligate these funds quickly as they are currently available

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The funding allocation provided in Exhibit A to Resolution 24-5414 is recommended by TPAC, JPACT as best implementing the allocation direction described above. It was also reviewed and supported by Metro Council at the May 7th Council work session.

1. **Known Opposition:** None known at this time.
2. **Policy Development Stakeholders:** Input has been received during briefings with Metro Councilors, TPAC and JPACT. By request, Metro staff also briefed and gathered input at county transportation coordinating committees. The RFFA program direction supports and implements the 2023 RTP goals, which were determined through an extensive public process undertaken throughout the development of the Plan.
3. **Legal Antecedents:** Implements the 2023 RTP adopted on November 30, 2023 by Metro Council Ordinance 23-1496.
4. **Anticipated Effects:** Adoption of this resolution directs the allocation of \$13.6 million of federal transportation redistribution funds to projects and programs in the region.
5. **Financial Implications:** There may be a small, required match of 10.27% for a portion of the \$250,000 allocation for data management and project tracking systems. The Planning, Development, & Research Department will provide that from existing local funds over the course of one to three years.

BACKGROUND

As a reward for meeting the Metro area’s Metropolitan Planning Organization (MPO) federal transportation funding obligation target schedule, The Oregon Department of Transportation (ODOT) has made available additional funds for allocation to Metro area transportation projects and programs. Approximately \$13.6 million is available for allocation.

To help the region meet its funding obligation targets, several initiatives have been undertaken in recent years improve on-time local project delivery. These efforts have contributed to the region’s initial success in meeting our obligation targets and qualifying for the additional redistribution funding. These efforts include:

- better project monitoring and active management of project development progress
- an updated approach to programming of funds for local projects that emphasize local agency demonstration of readiness to proceed
- a more rigorous application question and assessment process for candidate projects regarding risks to project readiness
- improved reporting tools on project progress

It will be necessary to continue to utilize and refine these initial efforts and to instigate new efforts to achieve a sound project delivery pipeline and continue to qualify for additional redistribution

funding. Meeting the federal funding obligation target schedule also keeps the region from being subject to funding penalties against existing federal transportation funds.

JPACT, at its meeting on June 20, 2024, unanimously recommended adoption of Resolution 24-5414.

**Resolution No. 24-5415 For the Purpose of
Adopting 2028-2030 Regional Flexible
Fund's Program Direction for the Portland
Metropolitan Area**
Resolutions

Metro Council Meeting
Thursday, July 11th , 2024

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE 2028-	)	RESOLUTION NO. 24-5415
2030 REGIONAL FLEXIBLE FUNDS PROGRAM)	
DIRECTION FOR THE PORTLAND	)	Introduced by Chief Operating Officer
METROPOLITAN AREA	)	Marissa Madrigal in concurrence with
	)	Council President Lynn Peterson
)	

WHEREAS, the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) are authorized per Code of Federal Regulations Title 23 Section 450.306 and 450.326 to develop and implement a long-range metropolitan transportation plan and four-year investment program in a cooperative manner with the regions stakeholders; and

WHEREAS, the Portland metropolitan region conducts a process to select projects and programs of regional significance in which to invest the region’s allotment of federal surface transportation funds, known as the Regional Flexible Funds Allocation (RFFA); and

WHEREAS, the RFFA is one element of the Metropolitan Transportation Improvement Program (MTIP), which reports on the performance and programming of all federal surface transportation funds to be spent in the Portland metropolitan region; and

WHEREAS, the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) are authorized per Code of Federal Regulations Title 23, Section 450.324 to allocate Regional Flexible Funds to projects and programs in the metropolitan region and preceding the allocation, developed a program direction defining broad categories for how the region invests these funds for federal fiscal years 2028-2030; and

WHEREAS, the Metro Council and JPACT adopted an updated Regional Transportation Plan (RTP) in November 2023; and

WHEREAS, the multi-year process to create the 2023 RTP engaged stakeholders throughout to the region to develop the goals, objectives, and policies for the long-range transportation plan and the associated transportation investment priorities; and

WHEREAS, the adopted 2023 RTP specified five regional goals to focus on in the near-term with the region’s transportation funding, which include: Transportation Equity, Safe System, Climate Action and Resilience, Mobility Options, and Thriving Economy; and

WHEREAS, the 2028-2030 Regional Flexible Fund Allocation Program Direction receives its policy direction from the 2023 Regional Transportation Plan and looks to invest into transportation projects and programs which makes progress towards the five regional goals; and

WHEREAS, through February through May 2024, input was sought and received from the Transportation Policy Alternatives Committee (TPAC) as well as JPACT to update the Program Direction for the 2028-2030 Regional Flexible Fund Allocation cycle; and

WHEREAS, TPAC recommended the draft 2028-2030 RFFA Program Direction as outlined in Exhibit A to Resolution 24-5415 to JPACT for approval, and JPACT, in their June 20, 2024 meeting approved TPAC's recommendation; now therefore,

BE IT RESOLVED that the Metro Council adopt Exhibit A, the 2028-2030 Regional Flexible Funds Allocation Program Direction.

ADOPTED by the Metro Council this 11th day of July 2024.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney



Resolution 24-5415

2028-2030 Regional Flexible Fund Allocation program direction

June 2024

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INTRODUCTION

As the federally designated Metropolitan Planning Organization (MPO) for the greater Portland, Oregon area, Metro is responsible for allocating and administering federal transportation dollars. Every three years, Metro conducts a process to select specific investments to make in the region's transportation system with these dollars. This process is known as the Regional Flexible Funds Allocation (RFFA). Allocating these funds is one of several activities required of MPOs, others being the development of the Regional Transportation Plan (RTP), the Metropolitan Transportation Improvement Program (MTIP), and the Unified Planning Work Plan (UPWP).

As part of the RFFA process, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council consider how the available funding can be used strategically to address needs identified through the RTP. The RTP establishes the vision, goals, and objectives for the Portland region's transportation system, as well as defines performance measures and an investment strategy to ensure progress is made towards creating the envisioned system. In particular, the RTP provides the policy framework to guide how specific sources of transportation funds should be coordinated in order to invest in all parts of the planned system.

JPACT and Metro Council adopted the most recent update of the RTP at the end of 2023. In the time spent developing the 2023 RTP, an extensive two-year outreach process resulted in nearly multiple touch points with community leaders, elected officials, racial justice advocates, business leaders, community organizations, and federal and state agency partners.

Through this work with the community and policymakers, the region reaffirmed the need to continue near-term capital and program investments to advance the previous RTP goals of : Equitable Transportation, Safe System, Climate Action and Resiliency, and Mobility Options.¹ In addition, a fifth goal area was added to the 2023 RTP focusing on Thriving Economy. These five goals directs how funding is to be prioritized through the 2028-2030 RFFA.

Along with adopting the 2023 RTP, JPACT and Metro Council also adopted a new model strategy for High Capacity Transit. The updated High Capacity Transit strategy more fully articulates the multi-modal regional transportation system and investments needed to improve the existing system, and complement the Regional Transportation Safety Strategy (2018), Region Transit Strategy (2018), Regional Freight Strategy (2018), Emerging Technology Strategy (2018), Regional Travel Options Strategy (2018), Regional Active Transportation Plan (2014), Climate Smart Strategy (2014) and Regional Transportation System Management and Operations (2021). Collectively, these planning policy documents provide guidance for how the region can thoughtfully direct funding through the RFFA process to advance the five goals outlined in the 2023 RTP.

The 2028-2030 RFFA Program Direction builds upon previous RFFA policy established by JPACT and Metro Council. It has been updated to align with new regional policy from the 2023 RTP and the supportive modal and topical strategies, specifically focusing on the five goals noted above. It continues the two-step funding approach adopted in 2011 for the 2014-2015 allocation cycle, which directs funding towards region-wide investments and supports construction of capital projects in specific focus areas.

¹ Metro Ordinance 23-1496

Funding allocated in Step 1 represents the region’s ongoing commitments to fund portions of the transportation system that are critical to following through on RTP-identified goals and objectives. Step 1 is represented by two components: Step 1A represents the region’s commitment to repay bonds used to build portions of the region’s transit system; Step 1B represents investments to support transportation programs and planning activities coordinated region-wide. These programs and planning activities advance federal, state, and regional requirements for building a multi-modal transportation system, meeting federal air quality regulations, and reducing greenhouse gas emissions from vehicles, per mandates from the state.

Funding allocated in Step 2 is for local capital projects with regional impacts. After significant deliberation, the allocation of Step 2 Regional Flexible Funds updates to the Step 2 framework, maintaining the single capital projects category and focuses on projects that improve the system in multiple ways, which was first utilized in the 2025-2027 RFFA cycle.

2023 REGIONAL TRANSPORTATION PLAN GOALS

The 2023 RTP serves as the blueprint for the regional transportation system for the next 25 years. It identifies on five interconnected goals – equitable transportation, climate action and resilience, safe system, mobility options, and thriving economy – in which 17 supporting objectives and 16 performance measures and targets define and measures progress towards the region’s aspirational system.

The 2023 RTP goals, objectives, and performance measures provide the policy directives for the 2028-2030 RFFA in shaping the process, setting key objectives for the allocation, establishing project eligibility and selection criteria.

2023 RTP Chapter 2 lays out this vision and includes 16 system performance measures to provide a basis for measuring expected performance of the plan in the long-term. Chapter 3 provides specific policy direction and priorities to guide investments to demonstrate the region’s actions are following its commitments and demonstrate progress towards the Plan’s implementation. The Plan’s priorities for investment to achieve the five interconnected goals of the RTP are outlined in Chapter 6. In taking the policy and plan direction from the RTP, projects funded through the 2028-2030 RFFA are to align with the RTP prioritization of investments identified in Chapter 6.2.

The aim is at the end of the 2028-2030 RFFA process, the allocation of the approximate \$150 million available in Regional Flexible Funds meets the objectives, policy directives, and investment prioritization of the RTP.

The RTP goals emerged from a multiyear discussion and identification of the region’s most urgent transportation needs by regional policymakers. They guided the development and refinement of the 2023 RTP projects and programs financially constrained list and reflect direction from JPACT and Metro Council to prioritize near-term investments to address these priorities.

The five RTP Goals are:

- **Equitable Transportation:** Transportation system disparities experienced by Black, Indigenous and people of color and people with low incomes, are eliminated. The disproportionate barriers people of color, people with low incomes, people with disabilities, older adults, youth and other marginalized communities face in meeting their travel needs are removed.

- **Safe System:** Traffic deaths and serious crashes are eliminated and all people are safe and secure when traveling in the region.
- **Climate Action and Resilience:** People, communities and ecosystems are protected, healthier and more resilient and carbon emissions and other pollution are substantially reduced as more people travel by transit, walking and bicycling and people travel shorter distances to get where they need to go.
- **Mobility Options:** People and businesses can reach the jobs, goods, services and opportunities they need by well-connected, low-carbon travel options that are safe, affordable, convenient, reliable, efficient, accessible, and welcoming.
- **Thriving Economy:** Centers, ports, industrial areas, employment areas and other regional destinations are accessible through a variety of multimodal connections that help people, communities, and businesses thrive and prosper.

STRATEGIC REGIONAL FUNDING APPROACH (INTERIM)

Since May 2009, the region has followed a strategic regional funding approach to direct how the transportation needs of the region are to be addressed by existing or potential transportation funding sources. JPACT developed this regional funding approach to provide a starting point for the various funding programs or sources that are addressed in the MTIP and State Transportation Improvement Program (STIP).

The strategic approach identifies funding mechanisms agencies use and a regional strategy for sources to be pursued to address unmet needs of the different elements of transportation system in the region. Utilized in the development of RFFA policies since the 2010-2013 MTIP cycle, the strategic approach is updated as needed to reflect current funding sources and planning policy. Additionally, as other available funding opportunities emerged since the 2010-2013 MTIP cycle, the strategic regional funding approach serves as a starting point for informing a regionally coordinated set of priorities to pursue those other funding opportunities. Recognizing the strategic regional funding approach has influenced the development of a coordinated regional list of capital investment priorities, tailored to the context of the funding opportunity – such as the 2020 regional transportation funding measure and the congressional request of regional priorities for appropriations earmarks – the 2028-2030 RFFA Program Direction follows the core principles of the strategic regional funding approach.²³

Uses for regional flexible funds, as defined in the strategic regional funding approach include:⁴

- Active Transportation
- Arterial Expansion, Improvements, and Reconstruction⁵
- Throughway Expansion⁶
- High-capacity Transit Expansion
- Transportation System Management and Operations
- Regional Travel Options
- Transit Oriented Development

REGIONAL FLEXIBLE FUNDS ALLOCATION OBJECTIVES

In addition to directives from the Regional Transportation Plan and the strategic regional funding approach, the Regional Flexible Funds is obligated to meet necessary federal eligibility and administrative requirements, as they are fully comprised of federal surface transportation funds. Additionally state mandates, particularly centered around greenhouse gas emissions reduction and improving air quality also provide direction on the use of Regional Flexible Funds. As a result, the

² See Metro Council Resolution 16-4702.

³ The strategic regional funding approach remains an interim approach as JPACT and the Metro Council begin discussions pertaining to transportation funding and revenues throughout 2024 with the intent of developing a set of transportation funding priorities.

⁴ Most recent strategic regional transportation funding approach is from the 2027-2030 MTIP program direction.

⁵ Limited to arterial freight facilities for ITS, small capital projects, and project development.

⁶ Limited to project development with large discretionary funding leverage opportunities to address multiple transportation issues around the mainline facilities, focusing on the multi-modal portions of these projects that are on the regional arterial network adjacent to the freeway interchange.

following objectives define how to conduct the RFFA process and define what outcomes to achieve with the overall allocation process to meet all necessary requirements.

1. Select projects from throughout the region; however, consistent with federal rules, there is no sub-allocation formula or commitment to a particular distribution of funds to any sub-area of the region.
 - a. To further support selecting projects from throughout the region, those projects awarded construction funding in Step 2 in the 2025-2027 cycle are ineligible to apply for funds in the 2028-2030 cycle.
2. Honor previous funding commitments made by JPACT and the Metro Council.
3. Address air quality requirements by ensuring State Implementation Plan for air quality requirements are met and that an adequate pool of CMAQ-eligible projects is available for funding.
4. Achieve multiple transportation policy objectives.
5. Allow use of funding for project development and local match of large-scale projects (greater than \$10 million) that compete well in addressing policy objectives when there is a strong potential to leverage other sources of discretionary funding.
6. Encourage the application of projects that efficiently and cost-effectively make use of federal funds.
7. Recognize the difference in transportation infrastructure investment needs relative to an areas stage of development (developed, developing, undeveloped) consistent with RTP Table 3-2.
8. Identify project delivery performance issues that may impact ability to complete a project on time and on budget.
 - a. Which may lead to different recommendations from the project delivery risks assessment that play a role in awarding funding and conditions of approval.
9. Identify opportunities for leveraging, coordinating, and collaboration.

Per RTP Equitable Transportation Policy 7 (Table 3.2.2.3), projects and programs funded through the RFFA should demonstrate support of family-wage job opportunities and a diverse construction workforce through inclusive hiring practices and contracting opportunities for investments in the transportation system.

2028-2030 REGIONAL FLEXIBLE FUNDS STRUCTURE

The 2028-2030 RFFA follows the two-step framework the region has followed starting with the 2014-2015 allocation process. This framework was adopted to ensure the region is investing in the system in accordance with RTP direction and the RFFA objectives.

A total of \$153 million is projected to be allocated in the 2028-2030 federal fiscal years. Funding amounts for each of the funding areas is as shown in Table 2 below.

Table 2: Total 2025-2027 Regional Flexible Funds

Step 1A: Transit & Project Development Bond Repayment Commitment	\$51.78 million
Step 1A: New Bond Commitment (pending approval)	\$ TBD

Step 1B: Region-wide Program Investments, Planning	\$40,557,783
Step 2: Capital Investments	\$ TBD based Step 1A New bond commitment
Total 2028-2030 RFFA	\$153 million (estimate as of spring 2024)

Step 1 consists of two funding focus areas. Step 1A repays bonds issued to develop and construct key elements of the region’s multi-modal system, with particular emphasis on the transit network. Step 1B targets funding towards key system investment needs and ensures the region has capacity to follow federal planning requirements and can respond to and plan for future system opportunities. The region is interested in pursuing a new project bond for Step 1A for the 2028-2030 RFFA cycle. Further described in the following section, the nature of the new project bond will determine the final amounts allocated between Step 1A and Step 2. The allocation for Step 1B remains.

Step 2 provides capital project funding to develop and construct improvements to the regional system. The focus of these project funds is on completing gaps or improving the active transportation system, address crashes and safety hazards, and making strategic improvements to support a healthy economy

Step 1A – Bond Repayment Commitments



Regional flexible funds have been used to help construct the region’s high-capacity transit system. Since 1998, TriMet has issued bonds to pay for project development and capital construction costs of high-capacity transit line construction, based on a regional commitment of flexible funds to repay the bonded debt. The region’s current obligation to repay bond debt extends to 2034. This bond obligation covers investments in Green, Orange, and Southwest Corridor MAX lines, Division Transit Project, and the Eastside Streetcar Loop.

In the 2019-2021 RFFA process, JPACT and Metro Council directed regional funding to be used to develop a selected package of improvements to address regional active transportation needs, and freeway interchanges or arterials that were identified as significant system deficiencies, particularly in the areas of safety and freight delay. This decision was in advance of the

Oregon State Legislature adopting House Bill 2017, which placed further investment statewide in the transportation network.

Regional flexible funds were used in a manner consistent with the Regional Transportation Finance Approach that targets these funds to the connecting arterial portions of freeway interchange projects and Active Transportation projects. For projects coordinated with freeway mainline and associated interchange elements, flexible funds were invested as a part of a multi-agency approach to addressing multiple transportation issues around the mainline facilities and focused on the multi-modal portions of these projects that are on the regional arterial network adjacent to the freeway interchange.

The past decisions on the Regional Flexible Fund Allocation committed future Regional Flexible Fund dollars to project bond repayment in effort to advance financial resources to delivery larger capital projects earlier and capitalize on federal funding opportunities. As a result, the region remains committed to bond repayment through 2034 for transit and project development are shown below in Table 3. Pending funding to be allocated in the 2028-2030 RFFA cycle is highlighted in blue.

Table 3: Regional bond repayment commitment schedule

Federal Fiscal year	Amount (millions)
2025	\$21.78*
2026	\$21.76*
2027	\$21.74*
2028	\$17.28
2029	\$17.26
2030	\$17.24
2031	\$17.22
2032	\$17.19
2033	\$17.17
2034	\$17.15

** Amount due in each of the three years of the 28-30 RFFA cycle*

For the 2028-2030 timeframe, the region’s scheduled bond repayments are \$51.78 million in total. This is a decrease from the 2025-2027 RFFA timeframe where the total scheduled bond repayments are \$65.28 million. The net difference between the two RFFA cycles is \$13.5 million newly unencumbered towards project bond repayments.

Recognizing the transportation needs of the region, the increased funding capacity starting in 2028 opened a discussion as to whether the region should consider a new project bond commitment of Regional Flexible Funds to implement regional or corridor scale projects to advance Regional Transportation Plan goals and outcomes. Over the course of the 2028-2030 RFFA program direction development, input and feedback from regional partners indicated a desire to pursue a new project bond in exchange for committing future Regional Flexible Funds. However, regional partners also expressed caution as committing future funding provides less flexibility in latter cycles to invest into emerging transportation needs. To address this feedback and additional

direction, the purpose and principles was developed as described in Table 4. The development of the list of projects and programs to receive bond proceeds are set to be developed in parallel with the Step 2 process. A proposal to identify and select candidate projects for the new project bond will come forward with regional partners after the adoption of the 2028-2030 RFFA program direction.

Table 4. Purpose, Principles, and Project Category Themes for a New Project Bond (beginning the 2028-2030 Regional Flexible Fund Allocation)

Purpose	A method to utilize regional revenues on regional or corridor scale projects.
	Advance the ability to construct projects earlier than would otherwise be possible.
	Leverage significant discretionary revenue that will otherwise be allocated to other metropolitan areas.
	Continuing the past practice to use bonded RFFA revenues to advance transportation projects that improve equitable access to jobs and services, reduce climate impacts, and improve safe travel on the transportation system.
Principles	The allocation of a new project bond proceeds to regional projects is made in consideration of other transportation spending in the region by other agencies and the Metro allocation of Carbon Reduction Program funds.
	<ul style="list-style-type: none"> • The new project bond size is to be guided by: <ul style="list-style-type: none"> - Ability of future revenues to maintain support of the primary elements of the Regional Flexible Fund, which include: <ul style="list-style-type: none"> ▪ Contributions to the development and implementation of regional or corridor-scale projects of high impact on priority regional outcomes (Step 1A) ▪ On-going support for programmatic regional transportation investments (Step 1B) ▪ Support for local capital projects that are impactful on regional outcomes (Step 2) - Attempts to maintain prior funding levels of existing Step 1B programmatic allocations and Step 2 capital project funding (with the previously established 3% annual growth rate for both) for forecasted revenues in 2028-2030. - Keeps a debt payment to forecasted revenue ratio at a level that minimizes the risks of severe reductions to other Step 1B programmatic investments and Step 2 capital projects in the case of revenues being less than forecasted in all future years impacted by the bonding. - Attempts to contain extension of bond commitment beyond the next four RFFA cycles (through the year 2039) to preserve the ability of future JPACT and Metro Council bodies the ability to direct spending to priority projects and to minimize risk to the agency guaranteeing the bonding of these revenues.
	The projects identified for a new project bond proceeds are a reasonable trade-off between the advantages of funding priority projects earlier than

	would otherwise be possible with the reduction in purchasing authority for future allocation cycles.
	The identified projects significantly and comprehensively advance the RTP goals of safe system, equitable transportation, mobility options, thriving economy, and climate action and resilience.
	Leverages significant discretionary federal and state and/or local funding, including support for a pipeline of Federal Transit Administration (FTA) Capital Investment Grant projects.
	Candidate projects proposed with bond proceeds for construction activities are well advanced through project development activities and have an achievable funding strategy to complete the project.
	The list of identified projects for bond proceeds is made available for public comment during the 2028-2030 RFFA cycle comment and decision period.

Furthermore, to achieve and implement the purpose and principles described above, regional and/or corridor-scale projects to be supported through the new project bond must be one or more of the following project types:

- Capital Investment Grants (CIG) projects or transit projects leveraging other federal funding
 - Regional contribution to funding plans of existing priority projects
 - Next Corridor funding
- First/last mile transit investments
 - includes safe access to transit
- Transit vehicle priority investments, such as Better Bus or transit signal priority improvements

Bond repayment commitments for the 2028-2030 RFFA cycle are:

Bond Repayment Commitment	\$51,780,000
New Project Bond Repayment Commitment	\$ To be determined

Step 1B – Region-wide program investments, MPO and regional planning

Region-wide program investments

Three region-wide programs have been defined over time by their regional scope, program administration, and policy coordination, and a consistent allocation of regional flexible funds to support them. The three programs are:

- **Regional Travel Options/Safe Routes to School –** Grant program that supports local jurisdictional and non-governmental organization partners’ public outreach and encouragement work that helps people of all ages reduce automobile use and increase travel by transit, ridesharing, bicycling, and walking. Funding also supports research, measurement and partner coordination activities.
- Grants to local partners that support public outreach and encouragement, to help people reduce automobile use and travel by transit, ridesharing, bicycling or walking, and to build a coordinated regional Safe Routes to School program



- **Transit Oriented Development –** Grant program to help stimulate private development of higher-density, affordable and mixed-use projects near transit, invest into urban living infrastructure - such as early childhood learning centers, grocery stores, community cultural spaces, and employment resource centers – that benefit low-income community members and people of color, and to acquire land for future affordable housing development all within proximity to frequent service transit to increase the use of the region’s transit system and advance the Region 2040 Growth Concept.
- **Transportation System Management and Operations –** Funding focused on projects and coordination activities to improve the region’s transportation data, traffic signals, traveler information and other technological solutions to help move people and goods more safely, reliably, and efficiently.

Funding targets are set for the existing region-wide programs in this cycle based on their historical allocation levels which includes an annual 3% increase to address increasing program costs and maintain purchasing power. The region-wide programs are reviewed in each RFFA cycle. TPAC was presented an overview and highlights at the February and April 2024 workshop meetings.

Region-wide program investments for the 2028-2030 RFFA cycle are:

Regional Travel Options/Safe Routes to School (RTO/SRTS)	\$12,131,862
Transit Oriented Development (TOD)	\$12,900,856
Transportation System Management and Operations (TSMO)	\$7,586,478

c. MPO, Freight, Economic Development, Corridor and System Planning

Regional funds are used to support planning, analysis and management work required of an MPO. JPACT and Metro Council have directed Regional Flexible Funds to be spent instead of collecting dues from each partner jurisdiction in the region as was done prior to 1992. Regional funds have also been directed towards continued planning work to further develop regional corridors, transit and freight networks, and to better understand the economic impacts of the region’s transportation investments.

Planning-related funding commitments for the 2028-2030 RFFA cycle are:

MPO Planning (in lieu of dues)
Corridor and System Planning

\$5,169,460
\$2,791,973

Step 2 – Capital Investments

The 2028-2030 RFFA program direction retains the single Step 2 capital projects category and maintains the same focus on local projects with regional impact that improve the region’s active transportation network and supporting freight mobility and economic outcomes.

JPACT and Metro Council continue to direct a strategic approach is followed to allocating Step 2 funds, including:

- A topically or geographically focused impact rather than an array of disconnected projects
- Achieves appreciable impacts on implementing a regional scale strategy given funding amount available
- Addresses specific outcomes utilizing the 2023 Regional Transportation Plan goals
- Prioritizes catalytic investments
 - leveraging large benefits or new funding
- Positions the region to take advantage of federal and state funding opportunities as they arise



In the development of the 2028-2030 RFFA program direction, participants largely supported the structure for Step 2 utilized in the 2025-2027 RFFA cycle. However, members of TPAC indicated a need some refinements to the Step 2 process and evaluation criteria. Already knowing the Step 2 evaluation criteria would require refinements to align to the 2023 RTP, the emphasis and focus on Step 2 has largely centered on refinements. From February through April 2024, Metro staff gathered input to

help inform the refinements necessary for Step 2. After assessing the feedback and comments, the three main themes emerged: 1) a desire for more technical assistance throughout the Step 2 application process; 2) greater context sensitive consideration in the evaluation of Step 2 applications; and 3) ensuring Step 2 Regional Flexible Funds are awarded across the region.

The two themes provided through the April 2024 combined with input heard with the adoption of the Regional Transportation Plan comprises the refinements for Step 2 in the 2028-2030 RFFA cycle. The refinements are described further in the following sections.

These refinements are to support result in projects that achieve multiple outcomes and lead to better outcomes in implementing the five goals outlined in the 2023 RTP.

Step 2 Evaluation Criteria

The criteria shown below in Table 4 (center column) serve as the evaluation standards for the applications received and in consideration for Step 2 funding. The criteria illustrate the region’s

commitment to invest to advance the 2023 RTP goals and priorities. Projects that perform well in the outcomes evaluation will demonstrate significant and measurable improvements in each of these criteria.

Table 5: Step 2 Project Evaluation Criteria

RTP Goal Area*	28-30 RFFA Evaluation Criteria	Draft Performance Measures for Consideration
<p>Equitable Transportation – Transportation system disparities experienced by Black, Indigenous and people of color and people with low incomes, are eliminated. The disproportionate barriers people of color, people who speak limited English, people with low incomes, people with disabilities, older adults, youth and other marginalized communities face in meeting their travel needs are removed.</p>	<ul style="list-style-type: none"> • Increased accessibility • Increased access to affordable travel options • Meets a transportation need identified by the community 	<ul style="list-style-type: none"> • Project makes improvements in an Equity Focus Area (EFA) • Improves access to community places for Black, Indigenous, and People of Color (BIPOC), and underserved communities <ul style="list-style-type: none"> ○ E.g. Closes active transportation gaps or substandard facilities along frequent transit lines and stations in EFAs ○ E.g. Active transportation and/or regional trail network system completeness contribution in EFA • Makes active transportation improvements in area with poor community health outcomes • Improves access to low and middle wage jobs • Removes, reduces disparities and barriers (jobs, transit, services for equity communities) • Demonstrated transportation project was/is identified by community as a priority • Improves access in area with high lack of access to vehicle/high housing + transportation burden

RTP Goal Area*	28-30 RFFA Evaluation Criteria	Draft Performance Measures for Consideration
<p>Safe System – Traffic deaths and serious crashes are eliminated and all people are safe and secure when traveling in the region.</p>	<ul style="list-style-type: none"> • Reduced fatal and serious injury crashes for all modes of travel 	<ul style="list-style-type: none"> • Project location is designated as a priority for safety improvements • Scope of project is to address a known safety issue and uses proven safety countermeasures or higher quality design • Improve safety and mitigates for potential traffic congestion occurred through incident management in an area identified as a high crash location • Design elements prioritize safety with a hierarchy of users based on the project facility’s designated design classification • Project is within 1 mile (or designated walking zone) of a K-12 school
<p>Climate Action and Resilience – People, communities and ecosystems are protected, healthier and more resilient and carbon emissions and other pollution are substantially reduced as more people travel by transit, walking and bicycling and people travel shorter distances to get where they need to go.</p>	<ul style="list-style-type: none"> • Reduced emissions from vehicles • Reduced drive alone trips • Reduces impacts/mitigates for weather events (e.g. flood, heat) • Increases stability of existing critical transportation infrastructure 	<ul style="list-style-type: none"> • Provides/increases transit option, biking/walking • Improves system management via technology • Improves/adds street connectivity • Integrates transportation demand management strategies (outside of TSMO) • In/supports development patterns of a designated 2040 priority Land Use center or corridor • Addresses environmental hazard (e.g. stormwater)

RTP Goal Area*	28-30 RFFA Evaluation Criteria	Draft Performance Measures for Consideration
		<p>runoff/wetness index, tree canopy)</p> <ul style="list-style-type: none"> • Addresses an Emergency Transportation Route • Decreases impervious surface • Increases tree canopy
<p>Mobility Options – People and businesses can reach the jobs, goods, services and opportunities they need by well-connected, low-carbon travel options that are safe, affordable, convenient, reliable, efficient, accessible, and welcoming</p>	<ul style="list-style-type: none"> • Increased reliability • Increased travel and land use efficiency • Increased travel options • Reduced drive alone trips 	<ul style="list-style-type: none"> • Increases reliability and efficiency for all travel modes • Improves transit reliability • Increases reliability by removing a barrier on regional freight system • Improves/adds street connectivity • Provides/increases transportation option
<p>Thriving Economy – Centers, ports, industrial areas, employment areas, and other regional destinations are accessible through a variety of multimodal connections that help people, communities, and businesses thrive and prosper.</p>	<ul style="list-style-type: none"> • Increased access to jobs • Increased access to centers • Increased access to industrial and transport facilities 	<ul style="list-style-type: none"> • Supports/increases industrial/commercial developability • In/supports development patterns of a designated 2040 priority Land Use center or corridor • Provides/increases access to Target Industries (see Economic Value Atlas) • Increases multimodal mobility and access to industrial and transport facilities
<p>Design* - Supporting the implementation of livable streets and trails that advance the region towards the 2040 Growth Concept vision and</p>	<ul style="list-style-type: none"> • Design clearly demonstrates prioritized values/objectives of the project appropriate to context and 	<ul style="list-style-type: none"> • In/supports future desired development of a designated 2040 priority Land Use center or corridor • Design elements prioritize pedestrian and bicycle access,

RTP Goal Area*	28-30 RFFA Evaluation Criteria	Draft Performance Measures for Consideration
regional transportation system vision.	facility/design classification <ul style="list-style-type: none"> • Design implements 2040 Growth Concept • Design reflects outcomes of performance-based planning and design 	mobility and safety and other functions based on the project facility's designated design classification <ul style="list-style-type: none"> • Project design represents the best possible improvement in project area, based on functional and design classification and contextual constraints.

*Indicates the evaluation criteria is not specifically a goal area identified by the 2023 Regional Transportation Plan.

Further staff work will take place during the summer of 2024 to finalize the Step 2 performance measures (furthest right column in Table 4) and provide additional guidance to applicants prior to the Call for Projects in September 2024. The performance measures listed above are examples and may not completely reflect the final performance measures utilized in the evaluation of candidates for Step 2 funding. Metro will present proposed performance measures at an upcoming TPAC workshop for further comment and clarification.

The evaluation will measure how completely, and thoroughly proposed projects address the criteria. The analysis will include both quantitative and qualitative measures to provide decision-makers with a well-rounded understanding of the proposed project's attributes and improvements to the regional system.

Depending on the pool of candidate projects submitted for consideration, additional emphasis of select performance measures or criteria may be required to ensure there is an adequate pool of eligible projects to utilize the different sources of federal funding which comprises the Regional Flexible Funds, particularly the use of Congestion Mitigation/Air Quality (CMAQ) funds.

Step 2 Cycle Objectives and Process Refinements

Upon action taken by JPACT and the Metro Council to allocate federal Redistribution funding in Summer 2024, the region will develop a process to provide application assistance to local jurisdictions for the Step 2 allocation. The details of the application assistance are in development, but based on staffing and funding availability to date, the known eligibility process elements for the application assistance include:

- Instituting a pre-application window prior and letter of intent to apply prior to the opening of the Step 2 application.
 - All eligible jurisdictions or agencies intending to apply for funding in the Step 2 application process are required to submit a letter of intent to apply.
 - Those jurisdictions eligible for application assistance must indicate during the pre-application window request for assistance.

In efforts to respond to the feedback from the RTP and regional partners desire to see Regional Flexible Funds invested across the region, the following cycle objectives and eligibility requirements are new to the 2028-2030 RFFA Step 2 cycle:

- Projects which received funding for construction in the 2025-2027 RFFA cycle are ineligible for applying for the upcoming cycle.
 - Projects which received project development funding in the 2025-2027 RFFA cycle would remain eligible.
- Increase the minimum funding request for project development work from \$500,000 to \$700,000
- Increase the minimum funding request for capital projects from \$3 million to \$4 million

Further staff work will take place during the summer of 2024 to define further the process for the Step 2 allocation. The proposer’s handbook available prior to the opening of the Step 2 Call for Projects will provide the details for the Step 2 process and provide further information on the outcomes evaluation and project delivery risk assessment for the purposes of supporting applicants in developing competitive applications.

TOTAL Step 2: **\$ To Be Determined**
(dependent upon new project bond outcome, but estimated range from \$47 - \$60 million)

STEP 2 PROJECT SELECTION PROCESS

All project funding proposals received in the Step 2 Capital Project category will be considered for selection using the following process:

Pre-Application Window – A pre-application window will take place prior to the Proposer Workshop(s) and Call for Projects (see below). Interested local jurisdictions and agencies will be asked to submit a letter of intention to apply during the pre-application window. One letter submitted by the jurisdiction or agency will suffice. As part of the letter, jurisdictions and agencies are to include a small number of details, such as project title and short description, draft project cost estimate and funding request, and whether the project seeks full funding through construction or project development funding only. More than one candidate project can be indicated in the letter.

In addition, those local jurisdictions and agencies eligible for application assistance will be asked to nominate themselves during the pre-application window.

Further detail outlining the Pre-Application Window and next steps for Step 2 are to be released in July 2024. The Pre-Application Window is tentatively scheduled for August 2024.

Proposer Workshop – Prior to the Call for Projects, Metro will hold at a minimum of one, but possibly more proposer’s workshop(s). The purpose of the workshop is to clarify the application and evaluation approach to help proposers prepare thorough project proposals that fully demonstrate project benefits and system improvements. Additional workshops may be held on specific areas of the application. An example may include a workshop focused on the questions to inform the Project Delivery Risk Assessment. The desired outcome is to ensure proposers understand how criteria will be used to evaluate their

project and understand what factors will be reviewed in determining the thoroughness of the project's scope, budget and timeline.

Call for Projects – Metro will issue the call for project proposals in September 2024. Applicants will have approximately nine weeks to complete proposals, which are due in November 2024.

Outcomes Evaluation – A work group will review and rate the submitted proposed projects. Proposals will receive an evaluation score reflecting how well the project addresses the criteria. In addition to this quantitative analysis, the evaluation will also include qualitative information to reflect attributes about each project that may not be reflected in a strict numerical score.

By presenting both quantitative and qualitative information, decision-makers and the public can better understand the technical merits of projects, which will help to better inform the regional decision-making process.

Project Delivery Risk Assessment – To ensure that RFFA-funded projects can be delivered as proposed, on time, within budget, and make it through the federal aid process, Metro will conduct a project delivery risk assessment on each candidate and issue a report documenting the findings. Candidates will be evaluated on how completely the project has been planned, developed and scoped, and measure the risk of project completion within the 2028-2030 timeframe. An opportunity for clarifications on questions will be provided to candidates before issuing final findings. Recommendations from the Project Delivery Risk Assessment will inform conditions of approval and/or required early project development activities if the candidate project is awarded Regional Flexible Funds.

This report will be made publicly available and used as a part of the regional decision-making process.

The Outcomes Evaluation and Project Delivery Risk Assessment processes will occur concurrently in December 2024 – March 2025.

Public Comment – Following issuance of the Outcomes Evaluation and Project Delivery Risk Assessment reports, Metro will conduct a 30-day public comment period in period between March through April 2025, focusing on outreach to community and neighborhood organizations, county coordinating committees and other stakeholders. A joint public meeting of JPACT and Metro Council is planned to give decision-makers the opportunity to hear public testimony on project proposals. A summary of input received through the public comment period will be made available along with the Outcome Evaluation and Project Delivery Risk Assessment reports to inform the final 2028-2030 RFFA decision making process.

County Coordinating Committee/City of Portland Recommendations – Each county coordinating committee and the City of Portland will have the opportunity to provide recommendations to decision-makers on which projects submitted from their jurisdictions best reflect their local priorities. Recommendations are to be provided to TPAC and JPACT in advance of the TPAC action to recommend a package of projects to JPACT.

TPAC/JPACT Discussion and Action – Following the above information gathering steps, TPAC will be asked to consider and discuss the input received, and to provide a recommendation to JPACT on a package of projects to be funded, including both Step 1 and Step 2 investments.

JPACT will consider and discuss the TPAC recommendation and will be requested to take action to refer a package of projects to Metro Council in July 2025.

Council Action – Metro Council will consider and take action on the JPACT-referred package in July 2025.

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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.

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STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 24-5415, FOR THE PURPOSE OF ADOPTING THE 2028-2030 REGIONAL FLEXIBLE FUNDS ALLOCATION PROGRAM DIRECTION FOR THE PORTLAND METROPOLITAN AREA

Date: June 13, 2024

Department: Planning, Development, and Research

Meeting Date: July 11, 2024

Prepared by: Grace Cho,
grace.cho@oregonmetro.gov

Presenter(s): Catherine Ciarlo, Ted Leybold,
Grace Cho
Length: 30 minutes

ISSUE STATEMENT

The Joint Policy Advisory Committee on Transportation (JPACT) and Metro Council, jointly in their role as the federally designated Metropolitan Planning Organization (MPO) board, conduct an allocation process to select transportation projects and programs to receive the MPO allocation of federal surface transportation funds, known as the Regional Flexible Funds (RFF). These funds are required to be used for projects and programs which advance the policy set forth in the most recently adopted Regional Transportation Plan (RTP).

This resolution codifies the specific program direction for how the region is to invest these flexible funds for federal fiscal years 2028 through 2030 in accordance with federal rules, regional policy direction and investment priorities established in the RTP, an interim regional funding approach, and objectives identified for the upcoming allocation cycle.

ACTION REQUESTED

Adopt Resolution No. 24-5415.

IDENTIFIED POLICY OUTCOMES

Resolution No. 24-5415 directs the investment of Regional Flexible Funds in the region's transportation system in a manner to advance the five RTP goal areas: Equitable Transportation, Safe System, Climate Action and Resilience, Mobility Options, and Thriving Economy. The 2023 RTP development and adoption process, reaffirmed the need to continue making near-term progress on the first four goals listed while also considering a strengthened economy. These priorities were identified by stakeholders and elected officials as the most critical outcomes to achieve through investments in the regional transportation system. Therefore, they form the foundation for the RFFA program direction and focus the funding on transportation projects and programs which demonstrate demonstrable progress in these areas.

POLICY QUESTION(S)

The Regional Flexible Funds provide the opportunity for the region:

- 1) To make investments in the regional transportation system which have a direct impact towards advancing regional goals and objectives.
- 2) To focus investment on areas of the system which are critical but do not have other dedicated sources of funding; and

- 3) To leverage other sources of funding from other federal, state, and other local sources.

Through this resolution, the 2028-2030 RFFA program direction identifies an approach to allocate Regional Flexible Funds which strategically utilize these funds to fulfill RTP policy direction. As a limited source of funding, comprising of approximately 5% of the region's investment in the transportation system, the policy question presented is whether to support the recommended program direction for the 2028-2030 RFFA cycle, knowing that the 2023 RTP identified an enormous amount of need for the regional transportation system in efforts to achieve the region's transportation goals.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

At the May 7, 2024, Metro Council work session, Council received an update presentation on the regional discussion occurring with JPACT on the 2028-2030 RFFA program direction. In that work session, Metro staff walked Council through the proposed options for the program direction through early May. Input and feedback received to date established the following proposed major elements for the 2028-2030 RFFA program direction to move forward.

1. The elements of the 2025-2027 RFFA program direction will carry over unless modified through action on the adoption of the 2028-2030 RFFA program direction. In summary, the elements carry over include:
 - a. The Regional Flexible Funds both in its allocation and investment will follow all commiserate federal rules and regulations. This includes undertaking a policy driven allocation and there is no suballocation of funding to geographic areas.
 - b. The existing two-step framework continues in the 2028-2030 RFFA. Council recognizes the purposes for and affirms the importance of continuing regional investments made through Step 1B. These investments respond to various federal, state, and regional obligations and commitments identified in planning documents and investment into areas of the system which lack a dedicated funding stream, but crucial to achieving the region's goals for the transportation system.
 - c. Center the allocation and investment of the Regional Flexible Funds in a manner that directly advances the implementation of the 2023 RTP. As a result, advancing the five interconnected RTP goals are the priority for all Regional Flexible Funds investment.
2. In efforts to make impactful progress and advance implementation of the 2023 RTP, the Council agrees with regional partners desire to commit future Regional Flexible Funds into a new project bond for regional transportation projects. The proposed emphasis is to make various capital and supportive investments in the region's transit system in efforts to meet multiple RTP goals while also responding to the input received during the adoption of the 2023 RTP of where to prioritize next steps. In taking action to adopt the program direction for the 2028-2030 RFFA, *Council and regional partners direct Metro staff to develop and undertake a process to identify the candidate regional projects to receive proceeds from the new project bond and build a bond proposal for consideration by the region.* As part of the directive, a set of principles included as part of the 2028-2030 RFFA program direction outlines objectives and framework in which to develop a proposal for which projects are eligible and identified to receive bond proceeds. The principles for the new project bond are listed in the Strategic Framing and Discussion section of this staff report.
3. Council and regional partners reaffirmed the revisions and refinements for the Step 2 capital grant allocation the Regional Flexible Funds. The Step 2 capital project funding is an important means of ensuring the vision defined in the RTP comes to fruition at the community scale. Over the years, these funds contributed to transformational community

projects throughout the region. Continuing to provide funding for local jurisdiction projects that support the RTP goals locally is a key component of achieving the regional vision. After discussions with regional partners, Council supports adjustments to the existing Step 2 evaluation criteria, process, and cycle objectives in efforts to maintain the allocation of Regional Flexible Funds remain focused on RTP implementation. The proposed evaluation criteria, cycle objectives, and selection process for Step 2 applications reflects a balance of different considerations, including input received by partners, maintaining federal requirements, readiness for the federal aid process, and the RTP goals.

The 2028-2030 RFFA Program Direction to be adopted by Resolution No. 24-5415 follows the direction outlined and developed with Council and regional partner input.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Resolution No. 24-5415 supports Metro's goals to address racial equity, climate action, safe streets, mobility, and economy by making the most strategic investments into the region's transportation system. It continues the development of the region's multimodal transportation network, particularly on complete streets and investment into the region's transit system. By contributing future Regional Flexible Funds into a new project bond to invest in all aspects of the transit network, regional partners look to address the significant feedback heard during the adoption of the 2023 RTP to make greater progress towards the regional vision by expediting the implementation of the regional transit strategy. Demonstrated through the Climate Smart analysis, investment in the transit system has shown the greatest impact towards meeting the region's climate goals while also advancing other regional goals and policies including advancing equitable transportation, providing more mobility, and implementation of the region's 2040 growth strategy. The investments in regional transit projects also help provide jobs, support important economic sectors – such as construction – and opens the opportunity to advance complimentary Metro efforts, including the Construction Careers Pathway Program. Nonetheless, the transportation funding landscape is limited and making meaningful investment in the transit system requires major capital investments, which can be provided through a new project bond commitment of Regional Flexible Funds.

Experience from previous bond commitments and lessons learned demonstrate that through thoughtful planning and strong administrative practices, a new project bond has the ability to achieve positive outcomes and address multiple transportation needs despite taking on greater debt. As 2028-2030 RFFA program direction instructs Metro staff to develop a new project bond proposal for consideration by the region, it is necessary to outline parameters for the development of the new project bond agreed to by JPACT and the Metro Council. In efforts to outline the parameters, the following establishes the purposes a new project bond serves, consistent with previous project bond commitments undertaken with Regional Flexible Funds:

- A method to utilize regional revenues on regional or corridor scale transportation projects.
- Advance the ability to construct projects earlier than would otherwise be possible.
- Leverage significant discretionary federal revenue that will otherwise be allocated to other metropolitan areas.
- Continuing the past practice to use bonded RFFA revenues to advance transportation projects that improve equitable access to jobs and services, reduce climate impacts, and improve safe travel on the transportation system.

Principles for a New Project Bond

Based on input received, previous experience, and good administrative practices, development of a new bond proposal must address and balance the following principles:

- The allocation of new project bond proceeds to regional projects is made in consideration of other transportation spending in the region by other agencies and the Metro allocation of Carbon Reduction Program funds.
- The new project bond size is to be guided by:
 - Ability of future revenues to maintain support of the primary elements of the Regional Flexible Fund, which include:
 - Contributions to the development and implementation of regional or corridor-scale projects of high impact on priority regional outcomes (Step 1A)
 - On-going support for programmatic regional transportation investments (Step 1B)
 - Support for local capital projects that are impactful on regional outcomes (Step 2)
 - Attempts to maintain prior funding levels of existing Step 1B programmatic allocations and Step 2 capital project funding (with the previously established 3% annual growth rate for both) for forecasted revenues in 2028-2030.
 - Keeps a debt payment to forecasted revenue ratio at a level that minimizes the risks of severe reductions to Step 1B programmatic investments and Step 2 capital projects in the case of revenues being less than forecasted in all future years impacted by the bonding.
 - Attempts to contain extension of bond commitment beyond the next four RFFA cycles (through the year 2039) to preserve the ability of future JPACT and Metro Council bodies the ability to direct spending to priority projects and to minimize risk to the agency guaranteeing the bonding of these revenues.
- The projects identified for new project bond proceeds are a reasonable trade-off between the advantages of funding priority projects earlier than would otherwise be possible with the reduction in purchasing authority for future allocation cycles.
- The projects identified significantly and comprehensively advance the RTP investment priority outcomes of safe system, equitable transportation, mobility options, thriving economy, and climate action and resilience.
- Leverages significant discretionary federal and state and/or local funding, including support for a pipeline of Federal Transit Administration (FTA) Capital Investment Grant projects.
- Candidate projects proposed for bond proceeds for construction activities are well advanced through project development activities and have an achievable funding strategy to complete the project.
- The list of identified projects for bond proceeds is made available for public comment during the 2028-2030 RFFA cycle comment and decision period.

Furthermore, to achieve and implement the purpose and principles described above, regional and/or corridor-scale projects to be supported through the new project bond must be one or more of the following project types:

- Capital Investment Grants (CIG) projects or transit projects leveraging other federal funding
 - Regional contribution to funding plans of existing priority projects
 - Next Corridor funding
- First/last mile transit investments
 - includes safe access to transit
- Transit vehicle priority investments, such as Better Bus or transit signal priority improvements

A draft summary work program for the new project bond development process for the 2028-2030 Regional Flexible Fund Allocation is attached.

- 1. Known Opposition:** None known at this time. Some regional partners are cautious taking on a new bond commitment because of possible lack of flexibility to take advantage of opportunities in the future. Otherwise partners await the details on the process to identify which projects would be in contention to receive bond proceeds from a new project bond. But regional partners are in agreement with the effort to move forward with the program direction and begin both the new bond development process and Step 2 capital grant allocation.
- 2. Policy Development Stakeholders:** Starting with input received during briefings with Metro Councilors, TPAC and JPACT developed the 2028-2030 RFFA program direction, using input received throughout winter to spring 2024. Additionally individual briefings with TPAC community representatives and non-profit partners were also undertaken. As requested, Metro staff also briefed and gathered input at coordinating committees. The RFFA program direction supports and implements the 2023 RTP goals, which were determined through an extensive public process undertaken throughout the development of the Plan.

TPAC deliberated the 2028-2030 RFFA Program Direction asking procedural questions for the next steps and clarifications on the new project bond principles. After significant discussion, TPAC members put forward small amendments to clarify language and address minimum cost thresholds in the Step 2, both of which passed. With no further discussion TPAC recommended JPACT approve Resolution 24-5415 as amended and reflected in Exhibit A to Resolution 24-5415.

JPACT further deliberated the draft 2028-2030 RFFA Program Direction at their June meeting. Input on the Program Direction emphasized considerations for the new project bond development in terms of the nominations of candidates, the evaluation criteria for projects under consideration for the bond, ensuring that the bond development process provides a fair chance for projects throughout the region be considered, and bond proceeds are provided to projects throughout the region. The input provided by JPACT will be considered and as applicable incorporated to the new project bond development process as Metro staff define the details on the process to share starting in July 2025.

- 3. Legal Antecedents:** Updates the 2017-2027 Regional Flexible Funds Allocation Policy Report, adopted by Metro Council Resolution 21-5194 on September 9, 2021. Implements the 2023 RTP adopted on November 30, 2023 by Metro Council Ordinance 23-1496.
- 4. Anticipated Effects:** Adoption of this resolution will provide the program direction, objectives and procedures that will be used during the 2028-2030 Regional Flexible Fund Allocation process to: 1) develop a new project bond proposal to be approved by JPACT and adopted by the Metro Council; and 2) nominate, evaluate, and select projects to receive federal transportation funds as detailed in program direction document (Step 2).
- 5. Financial Implications:** There are no impacts for Metro's current budget. This resolution proposes policy for determining future allocations. The amounts are illustrative and rely on a continuation of funding at historic levels with modest inflationary increases to maintain existing operating levels. The proposal maintains Step 1B funding for region-wide

programs, regional planning, and MPO functions on the same proportion and requires the same 10.27 percent match from local participants. Final allocations will depend on available federal funding.

BACKGROUND

The 2028-2030 RFFA program direction builds upon previous RFFA direction established by JPACT and Metro Council. Updated to align with new regional policy from the 2023 RTP and the supportive modal and topical strategies, the program direction specifically focuses on the five RTP goals noted. It continues the two-step funding approach applied since the 2014-2015 allocation cycle, which directs funding towards region-wide investments and supports construction of capital projects in specific focus areas.

Through previous RFFA investments made under this two-step approach, the region has helped expand the MAX light rail and Portland Streetcar systems with planning and construction funding. It has provided funding to develop a pipeline of active transportation projects to be ready for future funding opportunities. It has supported highway bottleneck projects by targeting funding to associated arterial improvements. It has supported funding for system and demand management strategies and improving transit usage through housing and commercial investments. It has helped freight move more reliably with improved safety for all users. Through the Step 2 capital investments to local jurisdictions, it has helped construct dozens of projects that help people walk, bicycle or access transit more safely and easier.

The 2028-2030 RFFA Program Direction continues investments in these key regional system needs, focusing on project outcomes that advance the RTP goals. New to the 2028-2030 RFFA cycle is the consideration of a new project bond for Step 1A. The nature of the new project bond proposal, developed in parallel with the Step 2 allocation process, will propose final allocation amounts and future commitments of Regional Flexible Funds. Project selection criteria for the Step 2 investments are intended to illustrate how projects perform in each of the RTP goal areas. Further work will be conducted during the summer of 2024 to develop performance measures relevant to each of the goals and to apply in the outcomes evaluation of candidate projects.

Adoption of Resolution No. 24-5415 enables staff to proceed with the next steps in the 2028-2030 RFFA process and maintain a timeline to have a final list of investments recommended by JPACT in the summer of calendar year 2025. Council consideration and action on a JPACT-approved project list is anticipated in July 2025. Maintaining this schedule is critical for the region to stay coordinated with the state's preparation of the Metropolitan Transportation Improvement Program (MTIP) and the Statewide Transportation Improvement Program (STIP), which is scheduled to be submitted to the federal Department of Transportation in the summer of 2026.

If the RFFA projects are not selected and approved for inclusion in the MTIP and STIP in a timely manner, the region's ability to spend federal transportation funds could be negatively impacted.

ATTACHMENTS

Resolution No. 24-5415

Exhibit A – 2028-2030 RFFA Program Direction

New Project Bond Development Process | Work Plan Summary



Metro

New project bond development process | Work plan summary

2028-30 Regional Flexible Fund Allocation

DRAFT

Process communication

Candidate project identification

Project evaluation and scenarios assessment

Proposal selection and public comment

Adoption

Communications and engagement

June to July 2024

Adopt program direction for 28-30 RFFA.

Communicate to regional partners the process and next steps for the new project bond development.

- Includes candidate project identification, evaluation and bond scenarios assessment, public comment and refinement, and details on the adoption process.

Aug. to Oct. 2024

Conversations with jurisdictional partners on candidate projects meeting the new bond project category themes and bond principles.

Provide summary of candidate projects identified for consideration.

Apply first screening criteria to determine which candidate projects will move forward for evaluation.

Collect necessary information on candidate projects moving forward for evaluation.

Oct. 2024 to Jan. 2025



Evaluate candidate projects relative to purpose and principles identified in RFFA program direction and ability to implement RTP policy objectives and goals.

Evaluate candidate projects according to delivery readiness, risks, and funding.

Build package options (aka scenarios) considering project category themes and assess bond size, funding availability schedule, debt repayment schedule, and updated revenue estimates.

Refinements to bond scenarios according to bond principles and balancing evaluation factors.

Feb. to April 2025

Identify a preferred bond scenario as draft proposal to release for public comment.  

Release and gather feedback on bond proposal and candidate projects through public comment.

Develop the public comment report on feedback received.

Coordinating committees opportunity to comment on bond proposal content



Report out public comment summary.

May to July 2025

Metro staff develop refinements considering comments received and drafts recommendation to TPAC.

TPAC deliberation on comments received and Metro staff recommendation.

TPAC recommendation to JPACT on new project bond proposal.

JPACT deliberation and recommendation on new project bond proposal to Metro Council.  

Metro Council action on new bond proposal.

Deliverables

Adopted 2028-30 RFFA program direction

Summary and screened selection of candidate projects to move forward in evaluation

Summary report of evaluation, readiness/ risk assessment and bond package options analysis results

Public comment report on the new project bond

Adopted 2028-30 RFFA including Step 1A (in full); Step 1B, and Step 2 project awards

**Resolution No. 24-5420 For the Purpose of
Approving Funding for Nature in
Neighborhoods Capital Grants**
Resolutions

Metro Council Meeting
Thursday, July 11th, 2024

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING FUNDING) RESOLUTION NO. 24-5420
FOR NATURE IN NEIGHBORHOODS CAPITAL)
GRANTS) Introduced by Chief Operating Officer
) Marissa Madrigal in concurrence with
) Council President Lynn Peterson

WHEREAS, in June 2019, the Metro Council referred to the Metro area voters a ballot measure, Resolution No. 19-4988, authorizing the issuance of general obligation bonds in an amount not to exceed \$475,000,000.00 for the purpose of funding natural area and water quality protection and to connect people to nature close to home (the Bond Measure); and

WHEREAS, at the general election held on November 5, 2019, the Metro Area voters approved the Bond Measure, creating a Nature in Neighborhood capital grants program (the Program) to fund community-led projects that benefit people and nature, with an emphasis on historically marginalized communities; and

WHEREAS, the Program requires Metro to establish a Capital Grants Review Committee (the Committee) to review all projects and make recommendations to the Metro Council and also requires the Metro Council to make all grant awards; and

WHEREAS, the Committee has reviewed and evaluated the Program grant applications and recommends to the Metro Council for award the five projects listed in Exhibit A; now therefore

BE IT RESOLVED that the Metro Council

1. Awards Program grant funds for the five projects listed in Exhibit A; and
2. Directs the Chief Operating Officer to execute all contracts necessary to implement the grant awards.

ADOPTED by the Metro Council this 11 day of July 2024.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Nature in Neighborhoods Capital Grants Program
Second Round Grant Awards
Grant Review Committee Recommendations to the Metro Council

Total award amount recommended: \$2,583,186

Application Title Wood Village Wetland Restoration
Requested Amount \$250,000
Organization Name City of Wood Village
Partners Lideres Naturales; Reynolds Community Transition Program; Confederated Tribes of the Grand Ronde; Columbia Slough Watershed Council
Project Summary Remove invasive species and restore native plantings to the 4.7-acre wetland area located at the southwest corner of NE Arata Road and Wood Village Boulevard as the first step in creating a new wetland park.

Application Title SE 7th and Sandy Green Plaza-Complete Street
Requested Amount \$784,366
Organization Name Depave
Partners PBOT, Portland BES, Prosper PDX, Zucker Eng. & Design, Knot Studio, KPFF, UWD PreBuild, GPT Construction, Ground Score, CEIC/Central Eastside Together, Friends of the Green Loop, Friends of Noise, Art Heaux Studio, Bike Loud, Better Block, Push Movement
Project Summary Depave will retrofit an over-paved street in Portland's Central Eastside to improve bike-ped safety, manage stormwater, boost tree canopy, create a public greenspace, benefit thousands of low-income Portlanders, and lift up BIPOC/houseless enterprises.

Application Title Riparian Forest Rescue! Save our unique urban forest from the invasive ash borer
Requested Amount \$988,820
Organization Name Jackson Bottom Wetland Preserve - City of Hillsboro
Partners Clean Water Services, Waste Management, I'm Hooked Inc., Centro Cultural, Tualatin Soil and Water Conservation District, Friends of Trees, Tualatin River Keepers, Oregon Department of Forestry, U.S. Department of Forestry, Oregon Watershed Enhancement Board
Project Summary This project aims to increase access and connection to nature while saving our unique urban forest by proactively restoring and managing hundreds of acres of Oregon ash forested habitat to alleviate the imminent negative impacts of the emerald ash borer.

Application Title MHCC Campus Clean Water Retrofit
Requested Amount \$260,000
Organization Name Mt. Hood Community College
Partners EMSWCD, City of Gresham
Project Summary Retrofit four parking lots so that they; treat and/or retain all the stormwater that falls on them, enhances and maintains the tree canopy in those lots, and engages with students and the community in monitoring and learning more about these improvements.

Application Title All-Ages Play Amenity at Future Park on Heckman Lane

Requested Amount \$300,000
Organization Name Tualatin Hills Park & Recreation District
Partners THPRD Parks and Facilities Advisory Committee
Project Summary This project would scale up the nature-based play amenities planned for the site to accommodate people of all ages at a new neighborhood park coming to NW Heckman Lane and NW 159th Avenue.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 24-5420, FOR THE PURPOSE OF APPROVING SECOND ROUND FUNDING FOR NATURE IN NEIGHBORHOODS CAPITAL GRANTS

Date: June 14, 2024

Prepared by: Crista Gardner, Elizabeth Arroyo
Guzman

Department: Parks and Nature

Presenters: Jon Blasher, Crista Gardner

Meeting: July 11, 2024

ISSUE STATEMENT

Since 1995, voters in greater Portland have passed three bond measures that protect the region's air and water, restore fish and wildlife habitat, and connect people with nature. In November 2019, voters in greater Portland overwhelmingly approved a \$475 million parks and nature bond which included three critical aspects to this work: racial equity, community engagement and climate resilience. All six programs in the bond are launched and making investments in parks, trails and natural areas across the region.

The Nature in Neighborhoods capital grants program is designed to support community driven projects that protect and improve water quality and fish and wildlife habitat, support climate resiliency and/or increase people's experience of nature at the community scale and to fund community-led projects, with an emphasis on benefitting historically marginalized communities.

Staff have completed the solicitation and review for awards.

Metro received many strong proposals and is presenting for Council consideration and approval a slate of funding awards recommended by the grant review committee based on the information submitted, the stated evaluation criteria, and the review committee's professional and collective judgment. Staff ensured that the review adhered to Council policy and were prepared to elevate any potential deviations to senior leadership and Council if needed. Feedback and lessons learned from this second round will help shape and adjust future funding rounds.

ACTION REQUESTED

Council consideration and approval of Resolution No. 24-5420

IDENTIFIED POLICY OUTCOMES

By approving this second round of capital grants funding, Metro Council advances the intended purpose, principles and criteria of the 2019 PN Bond resolution. Nature in Neighborhoods provides grants to projects led by community organizations, park providers, local governments, and others.

Metro Council direction has shaped the Nature in Neighborhoods capital grants program to help deliver investment to protect and improve water quality and fish and wildlife habitat, support climate resiliency and/or increase people's experience of nature at the community scale.

The recommended projects from the grant program must meet bond legal requirements to result in a publicly owned capital asset and address bond criteria and program goals as is stated in the Nature in Neighborhoods Capital Grants Handbook.

POLICY QUESTION(S)

These grant awards implement the Metro Council direction for the Nature in Neighborhoods capital grants program.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Approval of Resolution No. 24-5420 allows staff to advance Council direction to award funding to all seven proposed projects through successful executed funding agreements.

STAFF RECOMMENDATIONS

Staff recommends that Metro Council accept the Nature in Neighborhoods capital grants review committee recommendation to the Metro Council for the following seven grant awards in Exhibit A.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

HOW IS THIS RELATED TO METRO'S STRATEGIC FRAMEWORK OR CORE MISSION?

Nature in Neighborhoods Capital Grants Program background

The roots of Metro's Nature in Neighborhoods capital grants program can be found in the Regional Framework Plan which unites all of Metro's adopted land use planning policies and requirements including the 2040 Growth Concept and is designed to create sustainable and prosperous communities for present and future generations.

Metro Council adopted Ordinance 05-1077B (a.k.a. Nature in Neighborhoods) in September 2005. The ordinance established standards for development in streamside and wetland areas to conserve and protect fish and wildlife habitat and included Title 13 of Metro's Urban Growth Management Functional Plan, which implements Oregon Statewide Planning Goal 5 (natural resources, scenic and historic areas and open spaces) and Goal 6 (air, water and land resources quality).

In 2006, Metro Council approved and directed staff to develop the Nature in Neighborhoods capital grants program by submitting to voters the Bond of \$227.4M to fund natural area acquisition and water quality protection in Resolution No. 06-3672B.

In 2019, Metro Council approved and directed staff to refine the Nature in Neighborhoods capital grants program by submitting to voters the Parks and Nature Bond of \$475M to fund nature area and water quality protection and connect people to nature close to home in Resolution No. 19-4988. Metro Council approved new criteria in the PN Bond: racial equity, community engagement and climate resilience.

HOW DOES THIS ADVANCE METRO'S RACIAL EQUITY GOALS?

The Nature in Neighborhoods capital grants program advances Metro's racial equity goals set by 2019 PN Bond criteria around meaningful community engagement and racial equity and program specific criteria.

During solicitation for this second round, parks and nature staff intentionally broadened outreach about this opportunity through social media, online, email listservs, parks director meetings, and non-profit events.

The resulting portfolio of projects reflect that outreach. Projects span the three-county area within Metro’s jurisdictional boundary. The primary applicants cross many sectors, including community organizations, park providers and public agencies. Projects range from wetland restoration to addressing new invasive threats to our tree canopy to nature play.

In addition, the bond also included a Nature in Neighborhoods capital grants pilot (now called community choice grants) that was designed by community members and Metro Council awarded grants through a participatory process in 2024 in Metro Council District 4 (Washington County).

HOW DOES THIS ADVANCE METRO’S CLIMATE ACTION GOALS?

The Nature in Neighborhoods capital grants program advances Metro’s climate action goals through implementation of the 2019 PN Bond and program criteria around climate resilience. The resulting project applications and recommended funding awards demonstrated a focus on watershed health, restoration of natural areas and connecting people to parks and nature fulfills climate resiliency in a broad way.

KNOWN OPPOSITION/SUPPORT/COMMUNITY FEEDBACK

Since 2006, the Nature in Neighborhoods capital grants has played an essential role in meeting the needs of the community and organizations connecting people to nature in the region, with a focus on serving underserved communities and helping to embody the agency’s goals on racial equity. The program has been well-loved and supported by community members and local partners. Through successive grant cycles, the program has evolved and adapted to reflect Metro Council direction and meet the needs of the community and organizations.

EXPLICIT LIST OF STAKEHOLDER GROUPS AND INDIVIDUALS WHO HAVE BEEN INVOLVED IN POLICY DEVELOPMENT.

The Nature in Neighborhoods capital grants program and second solicitation round has been shaped at each step by community members and partner organizations. The program focus and description in the 2019 parks and nature bond measure explicitly reflects the feedback received during the bond development process in 2018 and 2019 through focused stakeholder discussions and community forums. In addition, feedback collected during the refinement of other bond programs in 2021 and 2022 have also helped shape the solicitation handbook, review committee composition and focus for this round.

As outlined in the parks and nature bond measure, with support from Metro staff, the Review Committee comes from a wide variety of backgrounds and experience on best practices related to racial equity, community engagement, and climate resilience and water quality, habitat restoration and traditional ecological knowledge to create the greatest benefits for people, plants and wildlife. Committee members are committed to Metro’s parks and nature mission and to supporting opportunities for communities of color and other historically marginalized groups to design and build access to nature for their communities.

In Winter 2024, the Nature in Neighborhoods Capital Grants Review Committee, staffed by Metro, was established to review all projects and make funding recommendations to the Metro Council. The application process has two stages: a pre-application phase and a full application phase. The Nature in Neighborhoods capital grants review committee met in a hybrid meeting on March 19,

2024 and in person for site visits on May 28, 2024 to review 8 pre applications and 5 full applications respectively. In total, the review committee is recommending inviting 5 proposals for full grant awards totaling \$2.583M.

The review committee included community members with backgrounds in grant review, water quality and habitat restoration, landscape architecture, real estate, community development, job training programs, climate adaptation and resilience policies and practices, and sustainable development techniques.

The committee included returning members Chips Janger (Urban Green, Park Ave Station Grant Recipient, Former Review Committee member), Vio Rubiani (Seeding Justice) and new members Rachel Lingard (Range Studio), Lynn Lindgren (Housing Development Center), Lynda Moss (Moss Consulting, former Montana State Senate), Marisa Morby (Friends of Mt. Tabor Park, Board), Katya Reyna (Depave), Brenda Ray Scott (Adept Diva Consulting), Charlotte Trowbridge (Tualatin Soil and Water Conservation District).

Committee members declared any direct conflict of interest in the proposals and did not score or participate directly in the discussion or ranking of an application where they had a conflict.

LEGAL ANTECEDENTS

Resolution No. 19-4988, “For the Purpose of Submitting to the Voters of the Metro Area General Obligation Bonds in the amount of \$475 million to Fund Nature Area and Water Quality Protection and to Connect People to Nature Close to Home; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of Said Bonds upon Issuance” was adopted on June 6, 2019.

Resolution No. 06-3672B, “For the Purpose of Submitting to the Voters of the Metro Area A General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection” was adopted March 9, 2006.

Resolution No. 05-3574A, “Establishing a Regional Habitat Protection, Restoration and Greenspaces Initiative called Nature in Neighborhoods” was adopted in 2005.

ANTICIPATED EFFECTS

Approval of Resolution No. 24-5420 allows staff to advance Council direction to award funding to all seven proposed projects through successful executed funding agreements. Metro will enter into Intergovernmental Agreements (IGAs) with governmental agencies and grant agreements with non-governmental agencies.

FINANCIAL IMPLICATIONS (CURRENT YEAR AND ONGOING)

No new financial implications result from this resolution. Metro Council approved funding in the 2019 PN Bond for the Nature in Neighborhoods Capital Grants program for grants funding community-led projects, with an emphasis on benefitting historically marginalized communities over the next ten years.

BACKGROUND

In summary, by soliciting this second round of grants, the Nature in Neighborhoods grants program implements Council policy direction and builds on years of grant solicitation and management expertise. The grant solicitation, which was built on a guidebook developed with a community committee and resulted in eight (8) pre-applications submitted. Five (5) of those projects were invited to submit a full application and in early May, five (5) projects submitted an application and completed site visits with the grant review committee.

The Metro Council has received updates on this program and progress to date in the second round of solicitation through email updates and briefings as needed. Council consideration and feedback during this round will help staff adjust and shape future solicitation rounds.

ATTACHMENTS

1. Exhibit A: Recommended Nature in Neighborhoods Capital Grant awards to the recipients and projects, and for the funding amounts

**Ordinance No. 24-1516 For the Purpose of
Annexing to the Metro District Approximately
1.15 Acres of NE Sewell Ave Right-of-Way in
Hillsboro Between NE Evergreen Rd and NW
Meek Rd**
Ordinances

Metro Council Meeting
Thursday, July 11th, 2024
024

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE) ORDINANCE NO. 24-1516
METRO DISTRICT BOUNDARY)
APPROXIMATELY 1.15 ACRES OF NE) Introduced by Chief Operating Officer
SEWELL AVE RIGHT-OF-WAY IN) Marissa Madrigal with the Concurrence of
HILLSBORO BETWEEN NE EVERGREEN RD) Council President Lynn Peterson
AND NE MEEK RD)

WHEREAS, the City of Hillsboro has submitted a complete application for annexation of 1.15 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 July 11, 2024; 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 June 20, 2024, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this ___ day of July 2024.

Lynn Peterson, Council President

Attest:

Approved as to form:

Connor Ayers, Recording Secretary

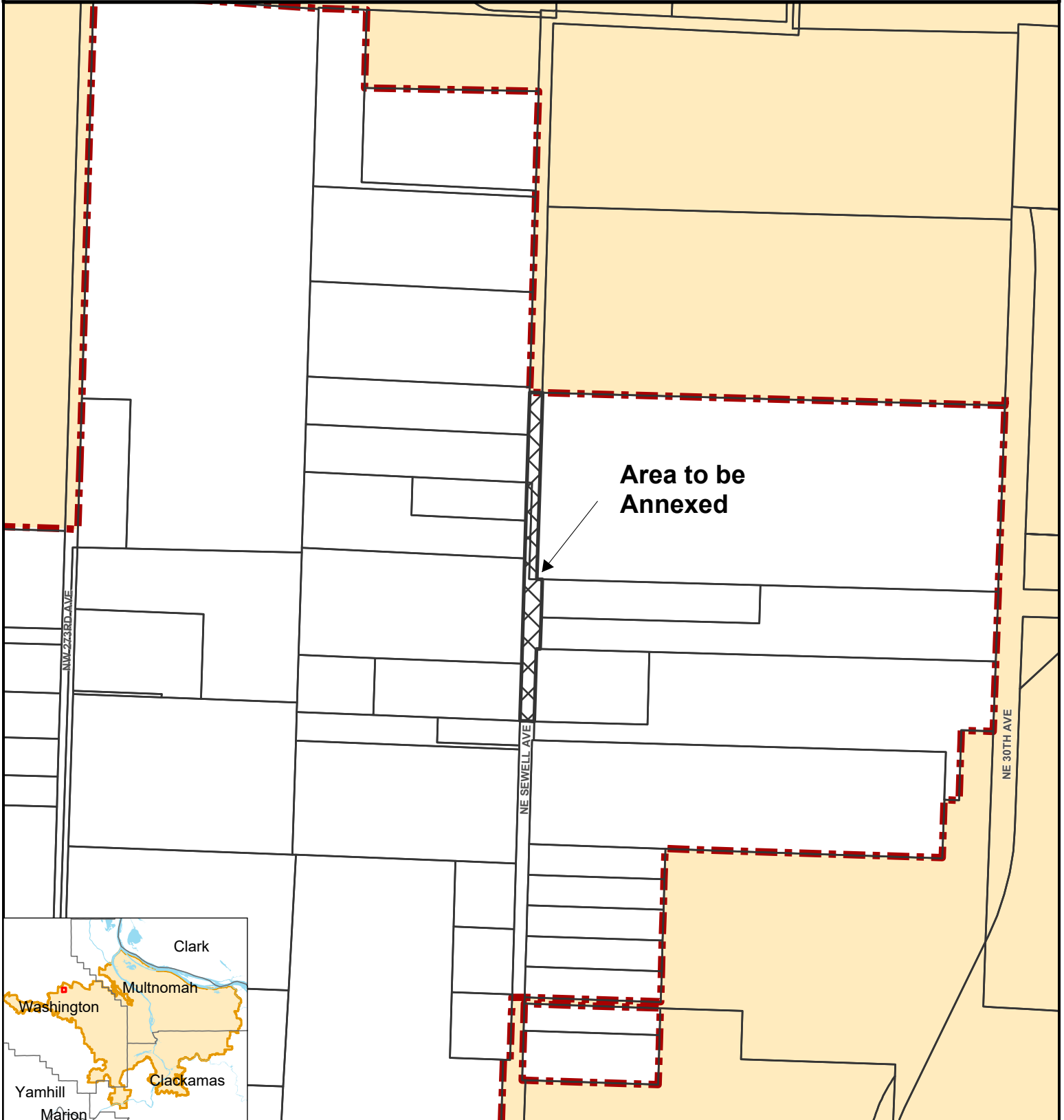
Carrie MacLaren, Metro Attorney

Proposal No. AN0424




1N2W20

Annexation to the Metro Service District

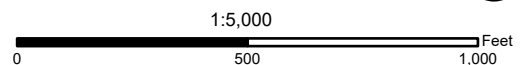
Washington County



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. AN0424



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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 24-1516, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 1.15 ACRES LOCATED NORTH OF NE EVERGREEN RD AND SOUTH OF NE MEEK RD

Date: June 20, 2024
Department: Planning, Development & Research

Prepared by: Glen Hamburg
Associate Regional Planner

BACKGROUND

CASE: AN-0424, Annexation to Metro District Boundary

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

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

LOCATION: The subject territory, totaling approximately 1.15 acres in area, is an approximately 1,053-foot-long section of NE Sewell Avenue right-of-way. The subject territory can be seen in Attachment 1.

ZONING: The territory is zoned Industrial Sanctuary (I-S) by the City of Hillsboro.

The 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 territory was brought into the UGB in 2005 through the Metro Council's adoption of Ordinance No. 05-1070A. Therefore, the affected 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 subject territory has already been annexed to the City of Hillsboro under local file number ZC-006-23. Therefore, the application meets the criteria in 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 a City of Hillsboro comprehensive plan land use type designation of “Industrial” (IN) and has been zoned by the City of Hillsboro as “Industrial Sanctuary” (I-S). The proposed boundary change would, following a transfer of jurisdiction from Washington County to the City of Hillsboro, allow the right-of-way to be improved to the City’s urban design standards. The subject territory is already within the UGB, is not in an urban reserve with a concept plan, and has been annexed to the Clean Water Services (CWS) service district. Urban services will be provided by the City of Hillsboro and 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 1.15 acres to the Metro District. The land is currently within the UGB and approval of this request will allow for the urbanization of the land to occur consistent with the City of Hillsboro Comprehensive Plan.

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

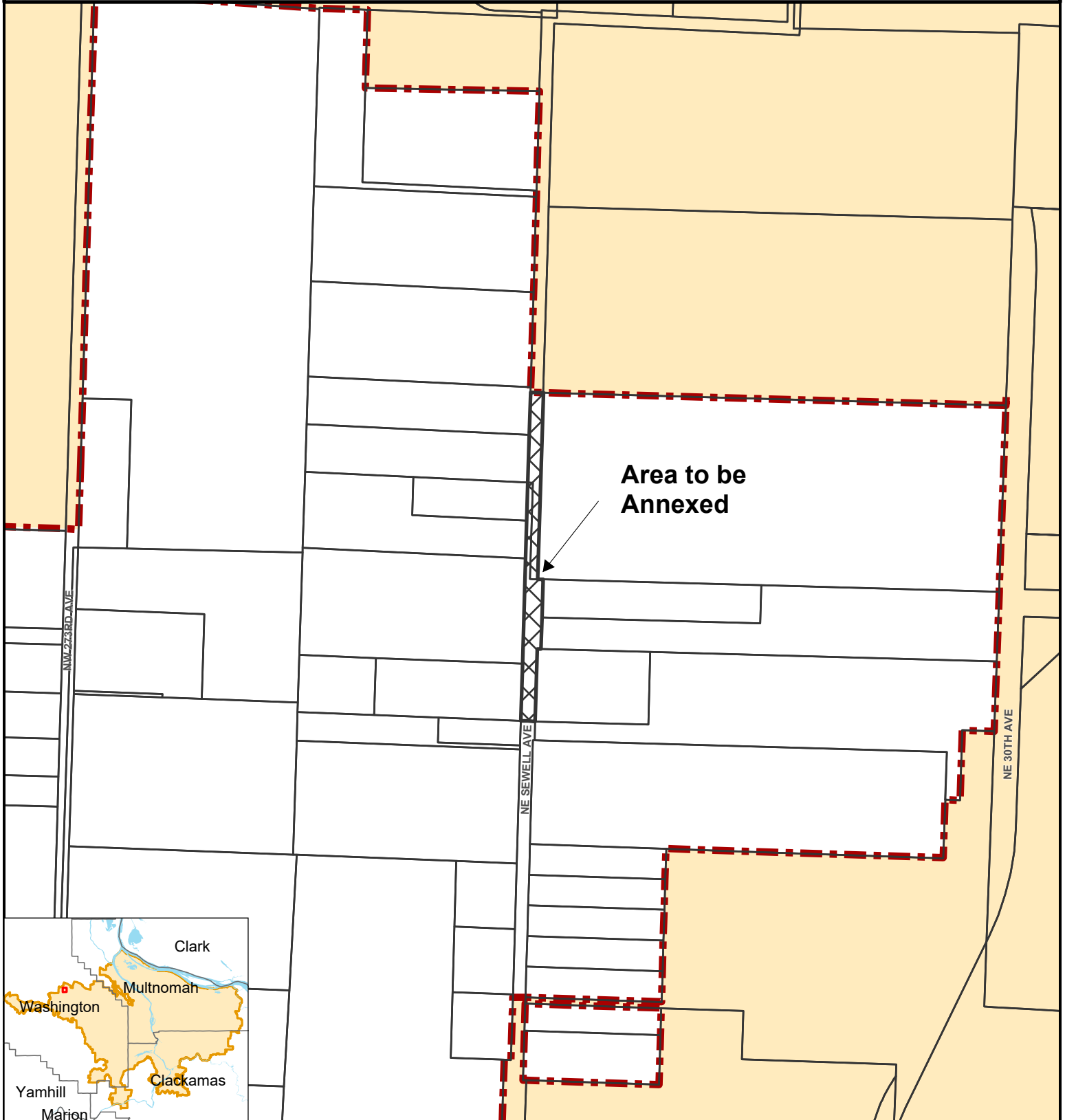
Staff recommends adoption of Ordinance No. 24-1516.

Proposal No. AN0424




1N2W20

Annexation to the Metro Service District

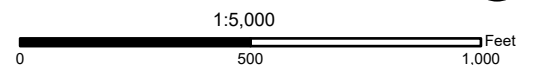
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-  Taxlots
-  Urban growth boundary
-  Metro district boundary

Proposal No. AN0424



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Nature in Neighborhoods Capital Grants

Resolution No. 24-
5420

July 2024



Metro



\$475 million and 6 programs to improve water quality, protect fish and wildlife habitat and connect people to nature

Bond criteria

- Advance racial equity
- Prepare for climate change
- Conduct meaningful engagement

oregonmetro.gov/parksandnaturebond



Metro



\$40 million for Nature in Neighborhoods capital grants

- Funds projects that increase nature at the neighborhood scale and partnerships between park providers, community organizations and others
- Multiple rounds of competitive capital grants, including \$2.58 million for the 2024 cycle
- Community Choice grants up to \$2.3 million in bond funds



Metro



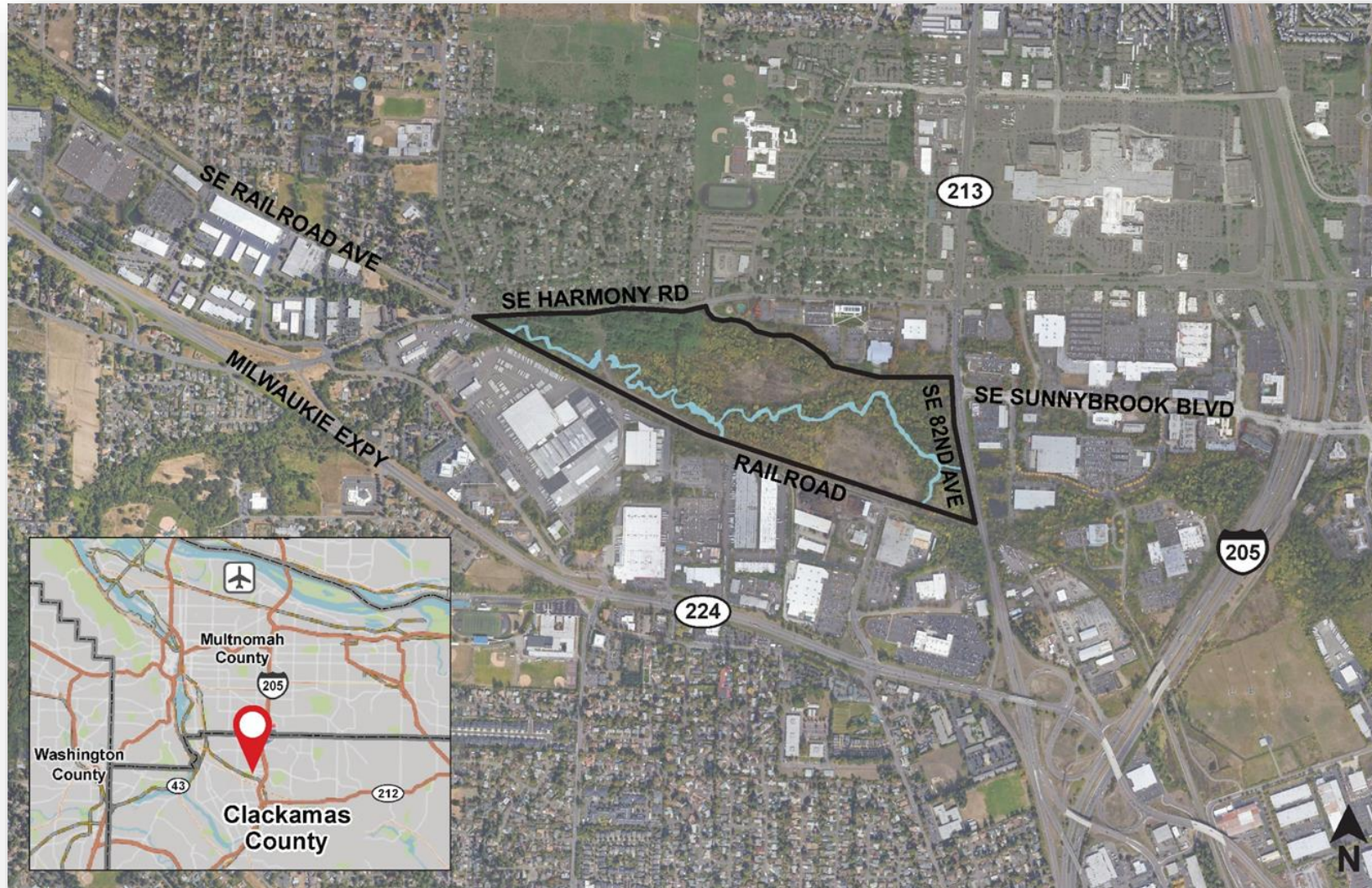


2023 grant: 3-Creeks Restoration Project
\$620,000 Clackamas Water Environment Services



3-Creeks Natural Area Stream Restoration Project

3-Creeks Location & Description



Project Goals

- Improve stream water quality
- Enhance stream and floodplain
 - Allow streams to overflow onto the floodplain to store more water onsite and provide more seasonal habitat for fish and other aquatic species
 - Enhance riparian and wetland habitat
- Buffer effects of changing climate, as feasible
- Provide community benefits, as feasible



Project Elements

- Install riffles & log jams at strategic locations to begin building up the streambed
- Slow flow, provide cover for aquatic species, create variety of habitat in stream



Significance of the 3-Creeks Restoration Project



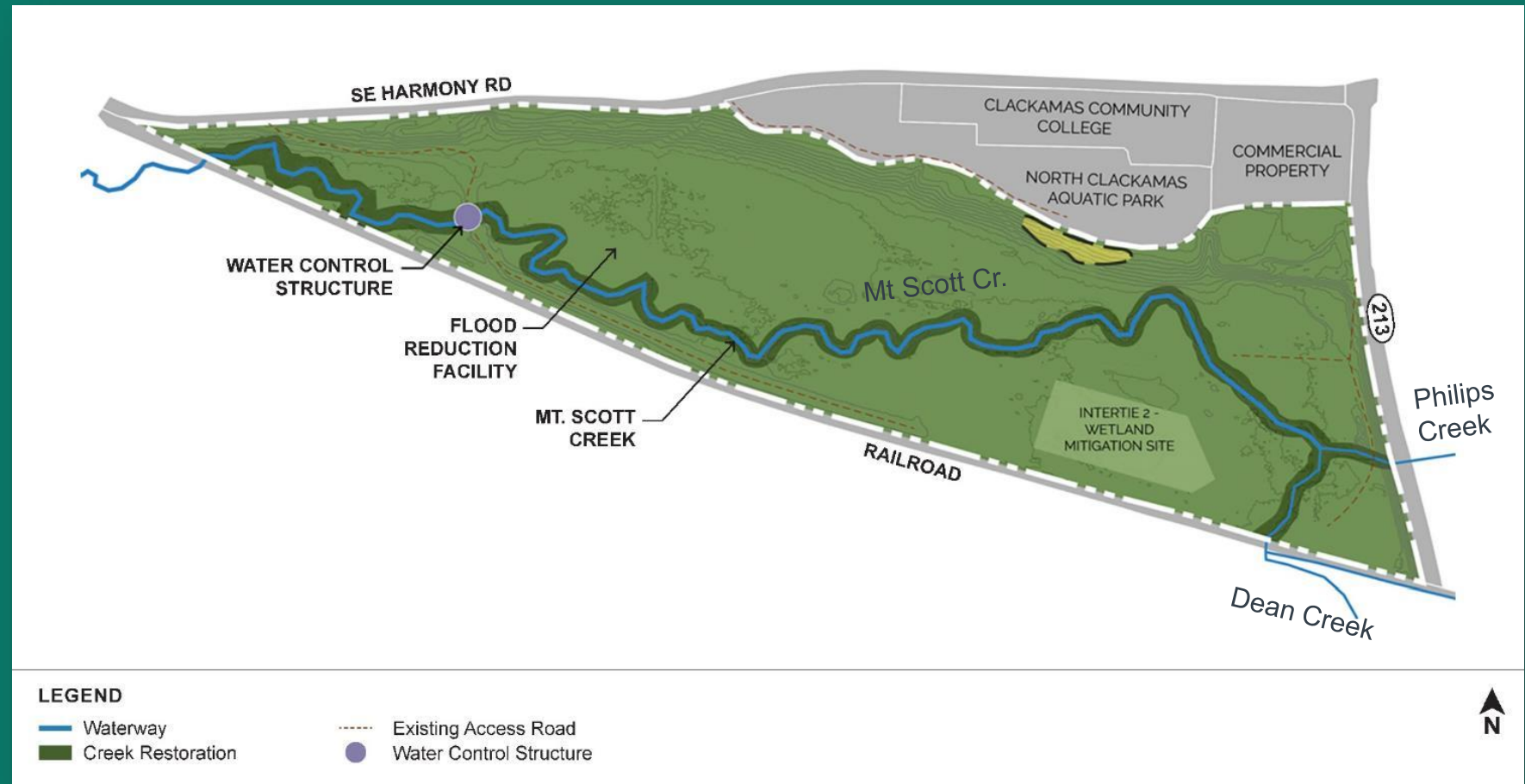
Habitat and Species

- T&E species of salmonids
- Oregon Conservation Strategy species
- First Foods



Location

- Urban Setting
- SE 82nd Ave
- Historically underserved populations



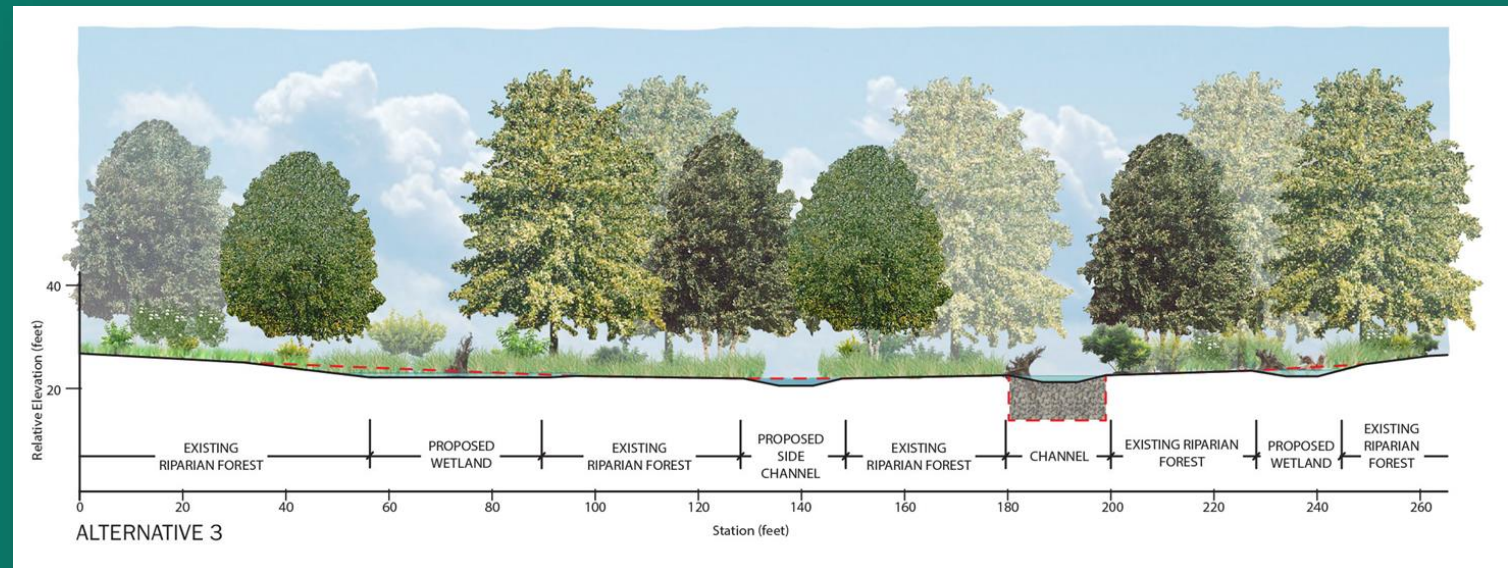
Kellogg Dam Removal

- Partners: North Clackamas Watershed Council, City of Milwaukie, ODOT, and American Rivers
- Anticipated 2027-28
- Fish access open, 3-Creeks will be ready for them!



Importance of Metro Funding

- Rounds out our budget in order to complete the project
- Recognition of strong partner support
- Thank you!



Questions?

A child wearing a straw hat and a white shirt stands on a beach, holding a stick. The background shows waves crashing on the shore. The entire image has a blue tint.

Gail Shaloum
gshaloum@clackamas.us
(503) 742-4597

www.clackamas.us/wes/3-creeks





2016 grant: College Creek Confluence Clean Water Retrofit
\$486,833 Sandy River Basin Council

Review committee recommendation

Chips Janger (Urban Green, Park Ave Station Grant Recipient, Former Review Committee member),

Vio Rubiani (Seeding Justice)

Rachel Lingard (Range Studio), Lynn Lindgren (Housing Development Center),

Lynda Moss (Moss Consulting, former Montana State Senate)

Marisa Morby (Friends of Mt. Tabor Park, Board)

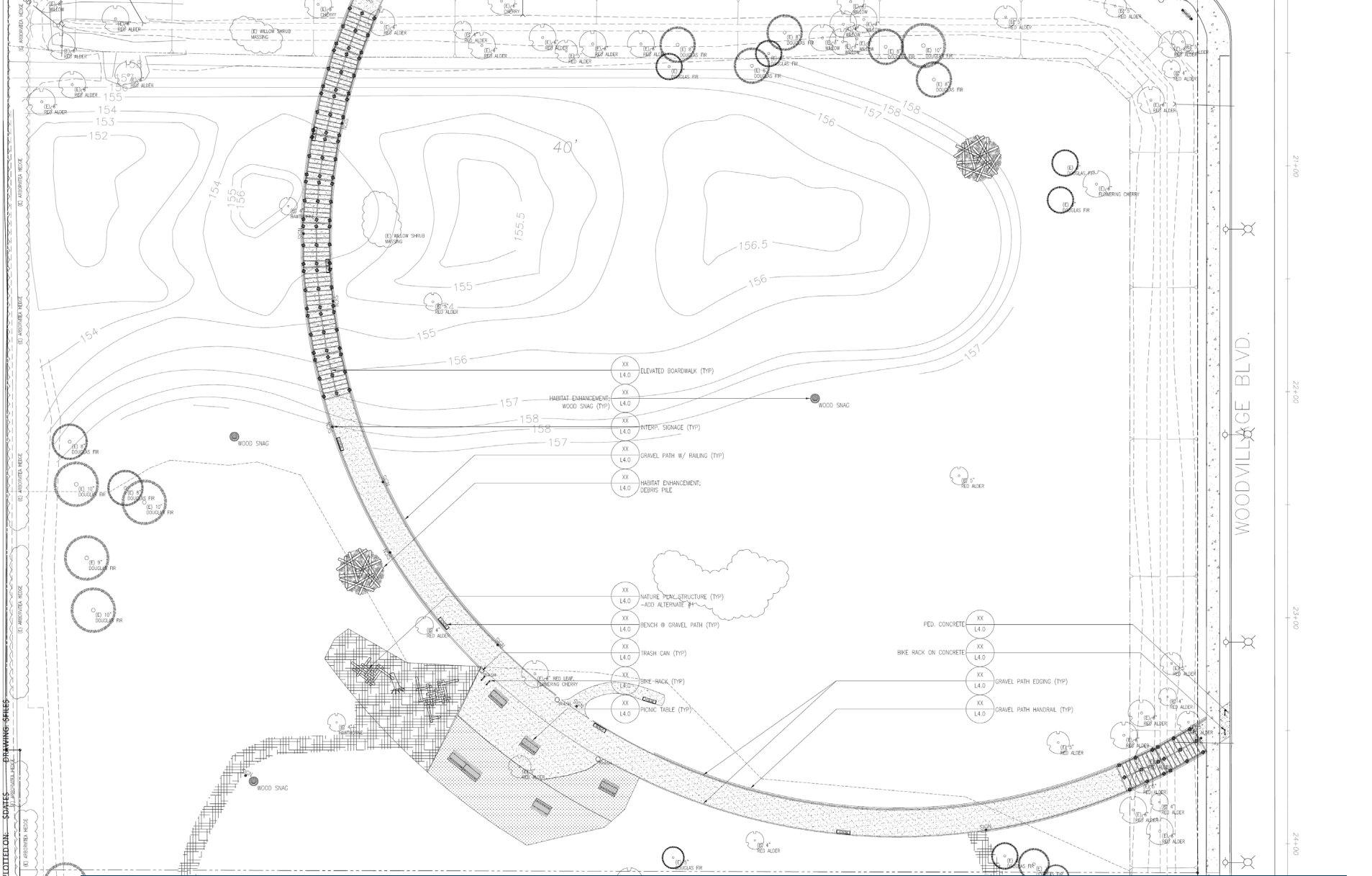
Katya Reyna (Depave)

Brenda Ray Scott (Adept Diva Consulting),

Charlotte Trowbridge (Tualatin Soil and Water Conservation District).

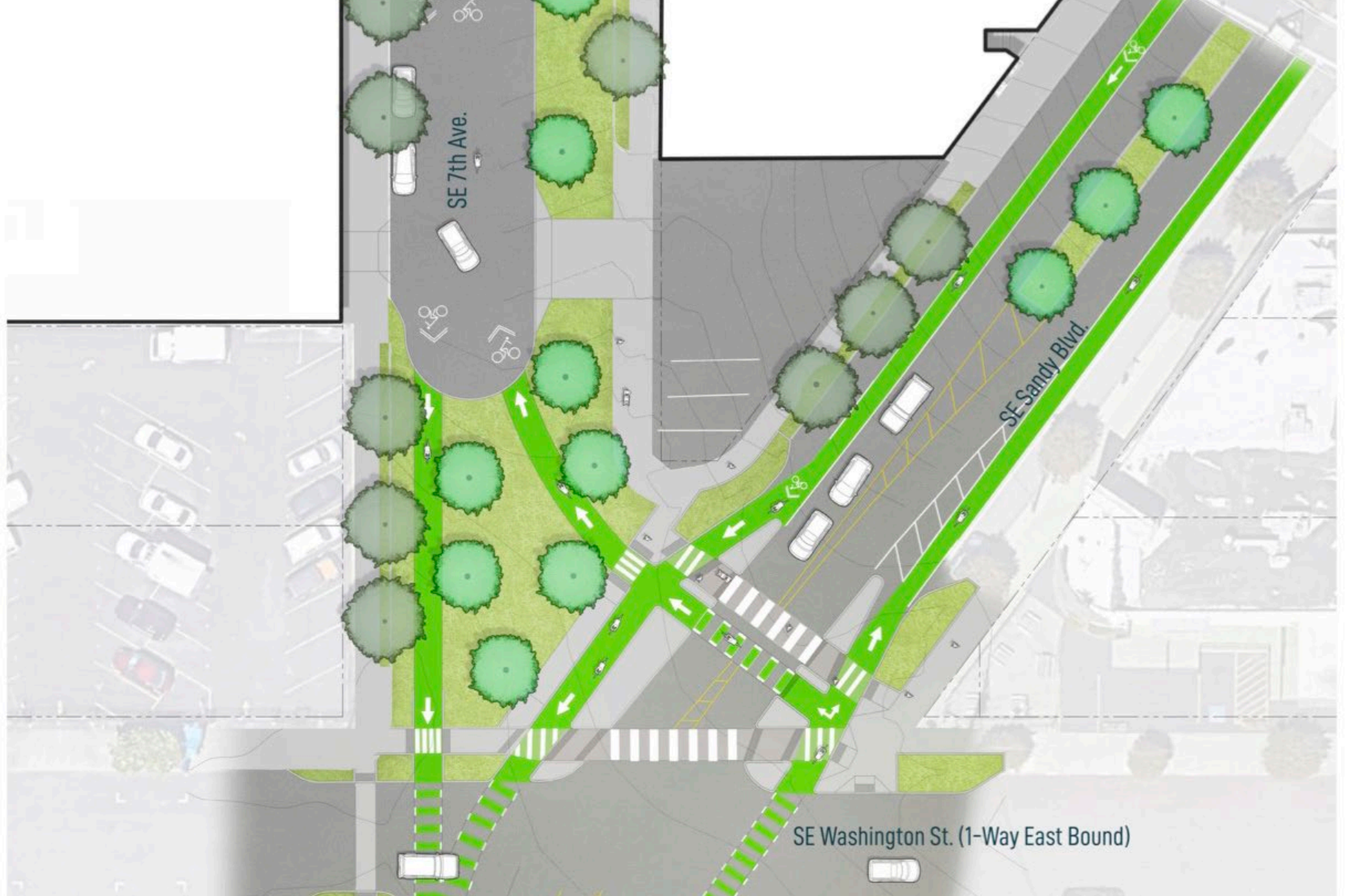


MHCC Campus Clean Water Retrofit
\$260,000 Mt. Hood Community College



Wood Village Wetland Restoration

\$250,000 City of Wood Village



SE 7th and Sandy Green Plaza-Complete Street
\$784,366 Depave

LEGEND



Riparian Forest Rescue! Save our unique urban forest from the
invasive ash borer
\$988,820 Jackson Bottom Wetland Preserve - City of Hillsboro

All Ages Play Amenities (Nature Based)

Future Park at Heckman Ln., Bethany



All-Ages Play Amenity at Future Park on Heckman Lane
\$300,000 Tualatin Hills Park & Recreation District

oregonmetro.gov



Redistribution Funding Proposal

Metro Council
July 11, 2024



Metro



Redistribution Funding – Overview

- Federal funding awarded to Metro by ODOT
- Region contractually obligated more than 80% of project funding on schedule
- Approximately \$13.6 million available

Redistribution Funding – allocation approach

- Support ability of the region to meet future obligation targets
 - Qualify for additional redistribution funds
 - Avoid penalties

Redistribution Funding – allocation approach

- Address inflation impacts to previous project awards approaching construction
- Prepare new projects to minimize risk of schedule delays
- Provide region with tools to improve project delivery

Redistribution Funding – proposal

- Supplemental allocation to prior awarded Step 2 capital projects - \$10M
- Early project development support of 2028-30 RFFA Step 2 projects - \$3M
- RFFA process support - \$.6M

Supplemental Step 2 Project Funding: \$10 M

- Prior awarded RFFA Projects
- Request based
- Proposed allocation
 - Address inflation and other impacts outside of agency control
 - Likelihood to resolve funding gap
 - Fund projects throughout the region

Redistribution Funding Proposal

Early Project Development: \$3 M

- 2028-30 RFFA awarded construction projects
- Support early project development, prior to start of Preliminary Engineering work
 - Agency staff work
 - Access to ODOT technical and project liaison staff
 - Consultant services
- Utilize Risk Assessment findings
- Equal allocation of funds among eligible projects

Redistribution Funding Proposal

RFFA Process Support: \$.6 M

- 2028-30 project risk assessment
- 2028-30 local agency application support
- Project development monitoring and reporting tools

Requested Action

Metro Council approval of Resolution No. 24-5414.

2028-30 Regional Flexible Funds Allocation (RFFA) – Program Direction

Metro Council
July 11, 2024



Metro



Overview of Draft

2028-2030 RFFA Program Direction

Region's intent on how to expend Flexible Funds that advances the region's policy objectives

Step 1 (bond & programs)

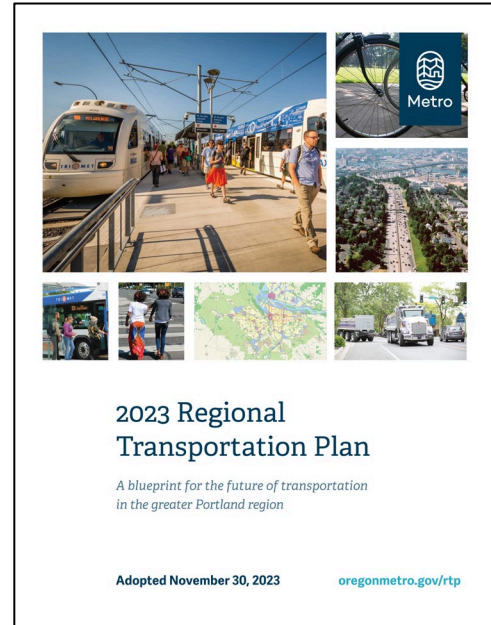
- Project bonds repayment
- Regionwide program investments
- MPO, Corridor & System planning

Step 2 (capital projects)

- Advance 2023 RTP Goals
- Topical & geographic investments
- Regional scale impact, leverage funds

2028-2030 RFFA – Council Direction

- Advance the Regional Transportation Plan
- Invest in the regional transit network
 - Effectiveness/return-on-investment with limited funds
- Identify opportunities to reinforce climate resilience, reward good planning
- Support local jurisdictions local projects



2028-2030 RFFA – Updated Areas

- Step 1A.1 –Develop New Bond Proposal
 - Centered on transit investment
- Step 2 Evaluation Criteria, Cycle Objectives and Process

Exhibit A to Resolution 24-5415



Resolution 24-5415

DRAFT 2028-2030 Regional
Flexible Fund Allocation
program direction

June 2024

Program Direction Update Areas

Develop a New Bond Proposal

Purpose

- Support corridor/regional scale projects
- Advance timeline of project benefits

Principles

- Manage risks to the RFFA program
- Maximize priority RTP investment objectives
- Leverage significant discretionary revenue



Develop a New Bond Proposal

Project Category Themes

- Large transit capital leverage/Capital Investment Grant
- First & Last mile and safe access to transit
- Transit vehicle priority



Step 2 Evaluation Criteria, Cycle Objectives, and Process

- Refine existing and add evaluation criteria
 - Alignment to 2023 RTP goals
- Add application assistance and pre-application to process



Red Electric Trail – A previously RFFA awarded project.

Photo Courtesy of PBOT

Developed from Partner Input

Partner	Feedback Opportunity
JPACT	February 15, April 18, May 23, June 20
TPAC	February 2 & 14, March 1, April 5 & 10, May 3, June 7
Coordinating Committee TACs	WCCC TAC – February 29 CTAC – March 7 EMCTC TAC – June 5
Coordinating Committees	WCCC – March 18 C4 Metro subcommittee – April 17, May 22 EMCTC – June 17
Community Partners	April 10, 2024

Next Steps: 2028-30 RFFA Process

We are here

Program Direction:
February - June 2024

Input & Development

TPAC recommendation

JPACT, Council
adoption

Step 1A.1 & 2: Summer
2024 - Spring 2025

Proposals & Candidate
Identification

Evaluation

Readiness and risk
assessment

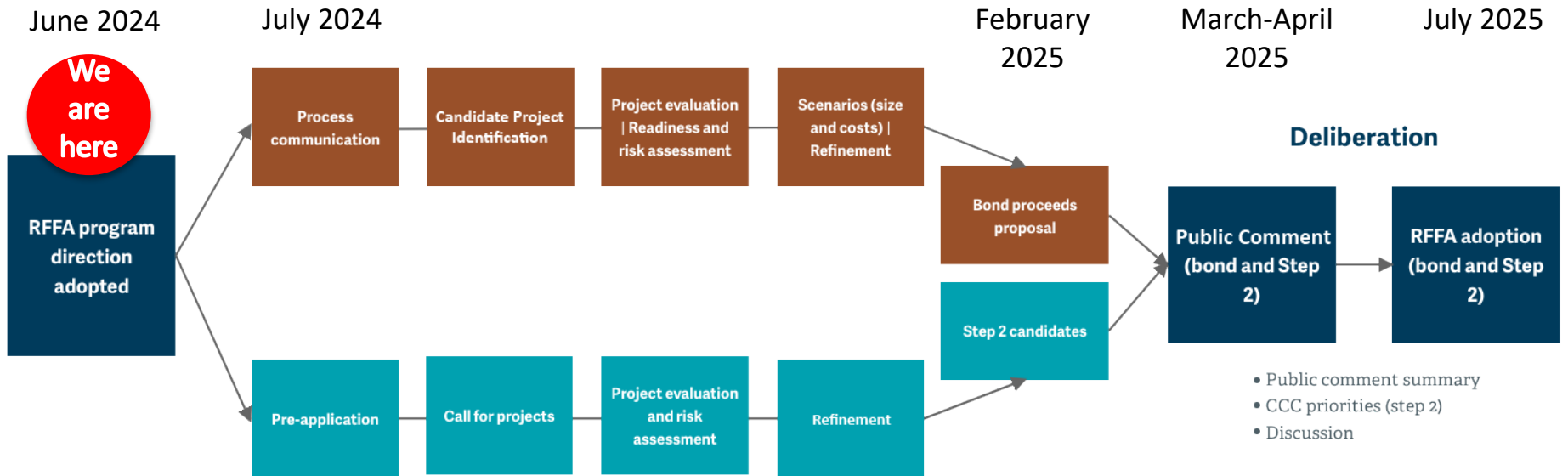
Adopt Final RFFA:
Spring - Summer 2025

Public comment, CCC
priorities

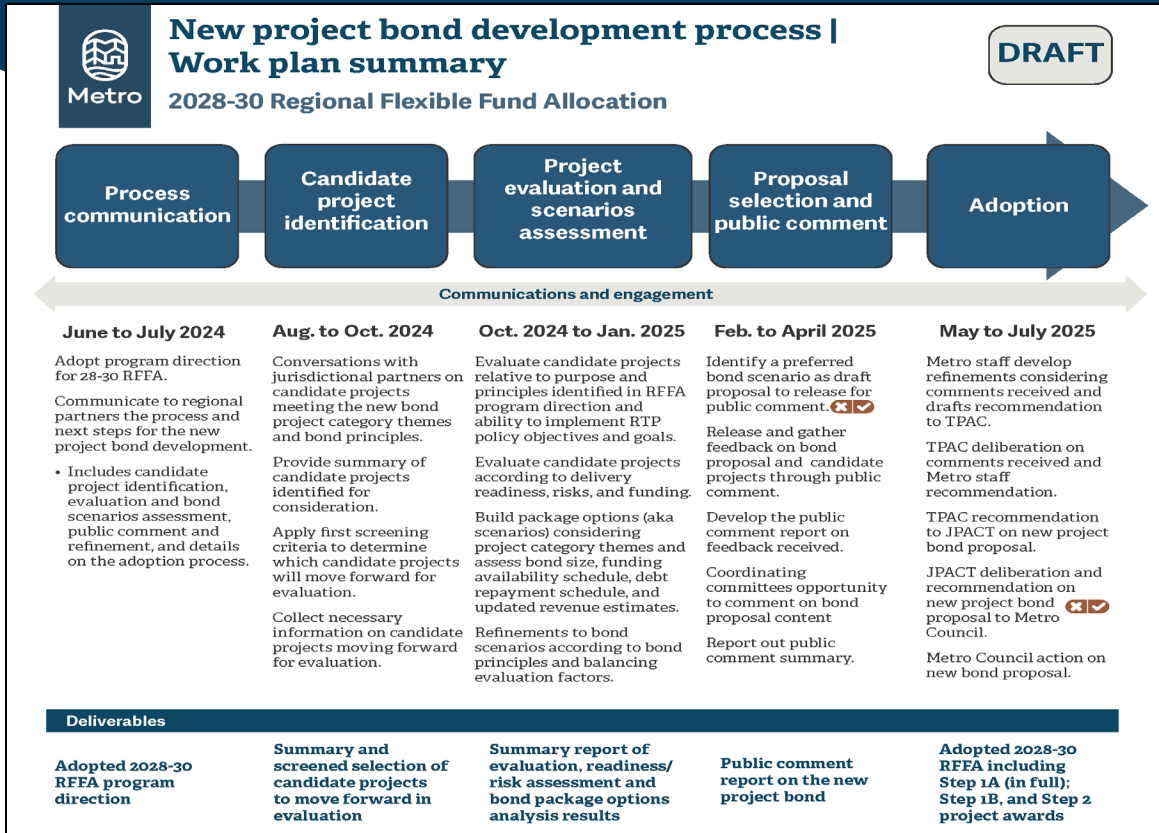
TPAC recommendation

JPACT, Council
adoption

Next Steps: New Project Bond & Step 2



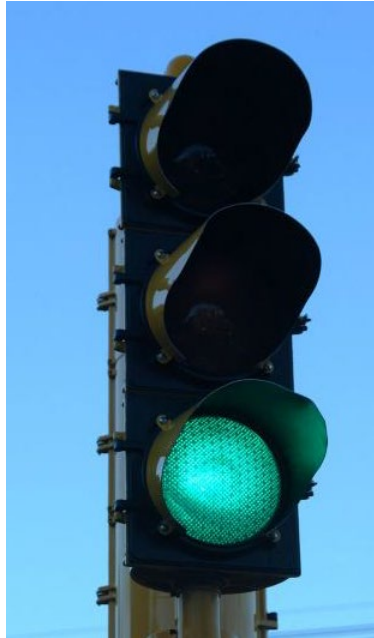
Next Steps: New Project Bond Development



By Adopting Resolution 24-5415:

- Affirm repayment of existing RFFA bond commitments – Step 1A
- Develop new bond proposal for regional consideration – Step 1A.1
- Continue investment in region-wide programs and regional planning activities – Step 1B
- Begin Step 2 allocation process

Request:



Metro Council adopt JPACT recommended Resolution 24-5415, For the Purpose of Adopting the 2028-2030 Regional Flexible Fund Allocation (RFFA) Program Direction statement for the Portland Area.