

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING A MULTI-)
YEAR COMMITMENT OF REGIONAL)
FLEXIBLE FUNDS FOR THE YEARS 2019-31,)
FUNDING THE DIVISION TRANSIT PROJECT,
THE SOUTHWEST CORRIDOR TRANSIT
PROJECT, ARTERIAL BOTTLENECK
PROJECTS, AND ACTIVE TRANSPORTATION
PROJECTS, AND AUTHORIZING EXECUTION
OF AN INTERGOVERNMENTAL AGREEMENT
WITH TRIMET REGARDING THE MULTI-
YEAR COMMITMENT OF REGIONAL
FLEXIBLE FUNDS

RESOLUTION NO. 17-4800

Introduced by Chief Operating Officer Martha
Bennett in concurrence with Council
President Tom Hughes

WHEREAS, Metro is the Metropolitan Planning Organization (MPO) for the Portland metropolitan region, authorized by the U.S. Department of Transportation to program federal transportation funds in the Portland region through the Metropolitan Transportation Improvement Program (MTIP);

WHEREAS, Metro is authorized by the Oregon Department of Transportation (ODOT) to program federal Congestion Mitigation/Air Quality (CMAQ) funds in the MTIP that are allocated to the Portland region by ODOT;

WHEREAS, TriMet is the authorized public transportation provider for the Portland region and is an eligible recipient of federal transportation funds through the MTIP;

WHEREAS, on June 16, 2016, as recommended by JPACT, the Metro Council adopted Resolution No. 16-4702, "For the Purpose of Adopting the 2018-2021 Metropolitan Transportation Improvement Program and 2019-2021 Regional Flexible Funds Allocation Policy Statement for the Portland Metropolitan Area," which resolution and policy statement sets forth how the region will identify and select transportation projects to receive federal transportation funds, including regional flexible funds and CMAQ funds (the "RFFA Policy Statement");

WHEREAS, the RFFA Policy Statement supports committing federal transportation funds over years 2019-21 for the following purposes: (a) high-capacity transit regional bond commitments for the Division Street Transit Project and the Southwest Corridor Transit Project, (b) bond commitments for developing projects to address regional congestion bottlenecks and active transportation/Safe Routes to Schools projects, (c) region-wide programs, such as transit oriented development and corridor and systems planning, and (d) regional freight investments and active transportation/complete streets;

WHEREAS, ODOT has notified TriMet and Metro that Eugene and Salem are eligible for future allocations of the state's share of federal CMAQ funds, which will potentially reduce CMAQ funds available to the Portland metropolitan region over the years 2019-21 (and in future years);

WHEREAS, any reduction in the amount of CMAQ funds allocated by ODOT to the Portland metropolitan region will reduce the amount of federal transportation funds used as the basis of the funding amounts set forth in RFFA Policy Statement;

WHEREAS, due to the uncertainty regarding any potential reduction in available federal transportation funds from the amounts assumed in the adopted RFFA Policy Statement and given the importance of TriMet's timely receipt of funds to keep project work on schedule, on May 18, 2017, the Joint Policy Advisory Committee on Transportation (JPACT) recommended approval of this Resolution 17-4800 and the reduced funding commitments shown in Exhibit A, and expressed an intent to potentially increase the amount of funding dedicated to these regionally important projects in the future up to the amounts included in the RFFA Policy Statement, following ODOT's decision regarding statewide allocation of the CMAQ funds;

WHEREAS, TriMet anticipates issuing revenue bonds secured by the commitment of federal transportation funds set forth on Exhibit A, and an agreement between Metro and TriMet regarding these funds will facilitate borrowing by TriMet that pledges these funds; now therefore

BE IT RESOLVED that the Metro Council hereby:

- Approves the commitment of federal transportation funds recommended by JPACT and shown in Table 1 of Exhibit A; and
- Authorizes the execution of an intergovernmental agreement between Metro and TriMet, in a form approved by the Office of Metro Attorney and consistent with this Resolution, that incorporates the multi-year commitment of regional flexible funds shown in Table 1 of Exhibit A for the uses set forth in Table 2 of Exhibit A.

ADOPTED by the Metro Council this 18th day of May, 2017.

Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney