

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING AN
INCREASED MULTI-YEAR COMMITMENT OF
REGIONAL FLEXIBLE FUNDS FOR THE
YEARS 2019-34, FUNDING THE DIVISION
TRANSIT PROJECT, THE SOUTHWEST
CORRIDOR TRANSIT PROJECT, ARTERIAL
BOTTLENECK PROJECTS, ACTIVE
TRANSPORTATION PROJECTS, AND
ENHANCED TRANSIT PROJECTS, AND
AUTHORIZING EXECUTION OF AN
AMENDMENT TO INTERGOVERNMENTAL
AGREEMENT AMENDMENT WITH TRIMET
REGARDING THE INCREASED MULTI-YEAR
COMMITMENT OF REGIONAL FLEXIBLE
FUNDS

) RESOLUTION NO. 17-4848

) 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 Federal Highway Administration (FHWA) to allocate and program Surface Transportation Block Grant (STBG) and Transportation Alternatives Program (TAP) funds and by the Oregon Department of Transportation (ODOT) to sub-allocate and program federal Congestion Mitigation/Air Quality (CMAQ) funds in the MTIP that are allocated to the Portland metropolitan 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 CMAQ funds as a portion of the regional flexible 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 Project and the Southwest Corridor 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, JPACT has also requested a proposal for its consideration to provide funding for an "Enhanced Transit" program of on-street capital improvements to facilitate better bus service;

WHEREAS, pending resolution of how ODOT would resolve sub-allocation of CMAQ funds throughout the eligible areas of the state with two additional eligible areas established in 2016, a first phase allocation of funds was allowed to proceed through Metro Resolution 17-4800;

WHEREAS, ODOT has agreed to a new sub-allocation formula approach that stabilizes CMAQ funding levels for 2019 and beyond but reduces the amount of funding to the Portland metropolitan region from levels forecast during the original RFFA policy deliberations;

WHEREAS, the payment of RFFA revenues in Table 1 of Exhibit A to this resolution will accommodate the reduced amount of funding from the new CMAQ sub-allocation while providing bond proceeds for the purposes and amounts shown in Table 2 of Exhibit A;

WHEREAS, JPACT approved the revised payment schedule and amounts set forth in Table 1 and Table 2 of Exhibit A to this resolution on October 19, 2017; and

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

BE IT RESOLVED that the Metro Council hereby:

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

ADOPTED by the Metro Council this 2nd day of November, 2017.

Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney