

DRAFT 2025-2027 Regional Flexible Funds Allocation Program Direction

Resolution 21-5194

Approved by JPACT July 15, 2021

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INTRODUCTION

As the federally designated Metropolitan Planning Organization (MPO) for the greater Portland, Oregon area, Metro is responsible for administering federal transportation dollars over which the region has allocation authority. Every three years, Metro conducts a process to select specific investments in the region's transportation system to be funded 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).

Through 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 2018. In the three years spent developing the 2018 RTP, an extensive outreach process resulted in nearly 19,000 individual points of contact with residents, community organizations, businesses, and elected officials.

Through this work with the community and policymakers, several investment priorities emerged. These priorities implement the 2040 Growth Concept by focusing on "moving people and goods, providing access, and helping to create and connect places." Of these priorities, Metro Council specified four as the main near-term capital and program investment priorities of the RTP: Equity, Safety, Climate and Congestion Relief. ¹ These four priorities represent the framework for how funding is to be prioritized through the 2025-2027 RFFA.

Along with adopting the 2018 RTP, JPACT and Metro Council also adopted new modal and topical strategies for Transportation Safety, Freight, Transit and Emerging Technology. These strategies more fully articulate the integrated multi-modal regional transportation system and investments needed to improve the existing system, and complement the Regional Travel Options Strategy (2018), Regional Active Transportation Plan (2014), Climate Smart Strategy (2014) and Regional Transportation System Management and Operations Action Plan (2010). Collectively, these planning policy documents provide guidance for how the region can thoughtfully direct funding through the RFFA process to advance these four near-term investment priorities.

The 2025-2027 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 2018 RTP and the supportive modal and topical strategies, specifically focusing on the four investment priorities 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 18-1421

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 investments support 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.

New in this RFFA cycle is an updated Step 2 capital projects category. A series of three workshops were held in March and April 2021 to gather input from regional stakeholders on what updates they felt were critical to addressing the current needs of the transportation system. As the current two-step funding approach has been in use since 2011, stakeholders indicated that the region should consider updating the existing Step 2 project funding categories: Active Transportation and Complete Streets, and Freight and Economic Development Initiatives. In response, a single capital projects category is adopted through this Program Direction that focuses on projects that improve the system in multiple ways.

REGIONAL SIX DESIRED OUTCOMES

In 2008, Metro Council and MPAC adopted the Six Desired Outcomes to form the framework of a performance-based approach for policy and investment decisions. Those outcomes are:

- **Equity:** The benefits and burdens of growth and change are distributed equitably
- Vibrant communities: People live and work in vibrant communities where their everyday needs are easily accessible
- **Economic prosperity:** Current and future residents benefit from the region's sustained economic competitiveness and prosperity
- **Safe and reliable transportation:** People have safe and reliable transportation choices that enhance their quality of life
- **Clean air and water:** Current and future generations enjoy clean air, clean water, and healthy ecosystems
- **Climate Leadership:** The region is a leader in minimizing contributions to global warming



Six desired outcomes for greater Portland – Adopted by the Metro Council in 2008.

The Six Desired Outcomes shape the way in which all regional plans and policies reflect and orient towards achieving the desired outcomes. The 2018 RTP identifies needed next steps to achieve each of the Six Desired Outcomes for the region's transportation system.

2018 REGIONAL TRANSPORTATION PLAN INVESTMENT PRIORITIES

The 2018 RTP serves as the blueprint for the regional transportation system for the next 25 years. It identifies 11 specific goals, 43 related objectives and four priorities that define the region's aspirational system and describes a strategy for making near-term investments intended to make progress towards that system.

RTP Chapter 2 lays out this vision and includes nine system performance targets to provide a basis for measuring expected performance of the plan in the long-term. Chapter 6.2 provides specific priorities to guide investments to demonstrate the region's actions are following its commitments

and demonstrate progress towards the performance targets. Projects funded through the 2025-2027 RFFA are to align with the RTP investment priorities identified in Chapter 6.2.

These near-term investment priorities emerged from a three-year discussion and identification of the region's most urgent transportation needs by regional policymakers. They guided the development and refinement of the 2018 RTP projects and programs list and reflect direction from JPACT and Metro Council to prioritize near-term investments to address these priorities.

The four RTP Investment Priorities are:

- **Equity:** Reduce barriers and disparities faced by historically marginalized communities, particularly for communities of color and people with low income
- **Safety:** Reduce fatal and severe injury crashes to move the region as quickly as possible toward Vision Zero, particularly for communities of color and other historically marginalized communities
- **Climate Change:** Reduce greenhouse gas emissions from cars and small trucks to reduce the impacts of climate change, particularly for communities of color and other historically marginalized communities
- **Congestion:** Manage travel demand and increase use of travel options to make travel more reliable on the region's busiest roadways, particularly for communities of color and other historically marginalized communities



Figure 1: 2018 RTP Investment Priorities

The 2018 RTP determined that the Six Desired Outcomes could best be achieved by making transportation investments focusing on these four priorities. The first of seven key investment recommendations states the following:

"Make more near-term progress on key regional priorities – equity, safety, travel options, Climate Smart Strategy implementation and congestion. Advance projects that address these outcomes to the 10-year list to make travel safer, ease congestion, improve access to jobs and community places, attract jobs and businesses to the region, save households and businesses time and money, and reduce vehicle emissions."²

The 2018 RTP also resulted in updates to the plan's aspirational performance targets. The performance targets are quantitative benchmarks used to assess the region's progress in carrying out the RTP vision through its investment priorities. These performance targets are the highest order evaluation measures in the RTP performance-based policy framework – providing key criteria by which progress towards the plan goals can be assessed. The targets are listed in Table 1. A complete description of the performance targets is found in Chapter 2 of the 2018 RTP.

REGIONAL TRANSPORTATION FINANCE APPROACH

Since May 2009, the region has followed a regional finance approach to direct how the transportation needs of the region are to be addressed by existing or potential transportation funding sources. JPACT

Table 1: Regional TransportationPlan Performance Targets



developed this regional finance 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 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. The approach has been utilized in the development of RFFA policies since the 2010-2013 MTIP cycle and updated as needed to reflect current planning policy. Additionally, as other available funding opportunities have emerged since the 2010-2013 MTIP cycle, the regional finance approach has been a starting point for informing a regionally coordinated set of priorities to pursue

² 2018 RTP, Chapter 6, Table 6.2

those other funding opportunities. Recognizing the regional transportation finance 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 2025-2027 RFFA Program Direction follows the core principles of the regional finance approach.³

Uses for regional flexible funds, as defined in the regional transportation finance 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

The following objectives define how the RFFA process should be conducted and what outcomes should be achieved with the overall allocation process.

- 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.
- 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 2.2.
- 8. Identify project delivery performance issues that may impact ability to complete a project on time and on budget.

³ See Metro Council Resolution 16-4702.

⁴ Most recent regional transportation finance approach is from the 2021-2024 MTIP policy.

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.

- 9. Ensure agencies have qualifications for leading federal aid transportation projects.
- 10. Identify opportunities for leveraging, coordinating, and collaboration.

Per RTP Equity Policy 7, 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.

2025-2027 REGIONAL FLEXIBLE FUNDS STRUCTURE

The 2025-2027 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 \$142,350,000 is projected to be allocated in the 2025-2027 federal fiscal years. Funding amounts for each of the funding areas is as shown in Table 2 below.

Step 1A: Transit & Project Development Bond Repayment Commitment	\$65,280,000
Step 1B: Region-wide Program Investments, Planning	\$35,820,186
Step 2: Capital Investments	\$41,249,814
Total 2025-2027 RFFA	\$142,350,000

Table 2: Total 2025-2027 Regional Flexible Funds

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. Step 1B targets funding towards key system investment needs, ensures the region has capacity to follow federal planning requirements and can respond to and plan for future system opportunities.

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 and making strategic improvements to support a healthy economy and help freight move more easily.

If a federal authorization bill is not completed by the time of the release of the Step 2 call for projects or the time to recommend projects for selection, the use of an "illustrative list of projects" may be considered as a means of managing the uncertainty of funding levels and ensuring the region is preparing an adequate pipeline of projects to prepare to obligate available funding as quickly as possible.

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.

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 regional bond commitments through 2034 for transit and project development are shown below in Table 3. Funding to be allocated in the 2025-2027 RFFA cycle is highlighted in blue.

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

Table 3: Regional bond repayment commitment schedule

* Amount due in each of the three years of the 25-27 RFFA cycle

Bond repayment commitments for the 2025-2027 RFFA cycle are:

Bond Repayment Commitment

\$65,280,000

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 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** Investments to help develop higher-density, affordable and mixeduse projects near transit, to increase the use of the region's transit system and advance the Region 2040 Growth Concept
- Transportation System Management and
 Operations Capital funding focused on improving
 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 increase to address increasing program costs and maintain purchasing power. The region-wide programs are reviewed in each RFFA cycle. A report was given to TPAC in their May 2021 meeting. The report provides the following information about each program:

- Program description description of the program purpose and its major activities
- Regional Funding Strategy Context description of why the program is appropriate for regional flexible funding, per the Regional Finance Approach
- Directly related RTP performance targets description of how the program helps the region meet performance targets in the RTP
- Connection to other plans or strategies description of how program investments are linked to addressing other planning requirements (for example, the State Implementation Plan for air quality, included as part of the strategy demonstrating the region can meet state mandated greenhouse gas reduction targets)
- Program strategic plan or recent planning work completed to date description of how the strategic plan helps set priorities for implementation
- Program performance to date description of specific accomplishments of the program
- Future activities description of work to be conducted over the next three years
- Additional opportunities description of priorities or activities the program would pursue given additional resources

Region-wide program investments for the 2025-2027 RFFA cycle are:

Regional Travel Options/Safe Routes to School (RTO/SRTS)	\$11,102,371
Transit Oriented Development (TOD)	\$11,806,111
Transportation System Management and Operations (TSMO)	\$ 5,943,432

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 these 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 our transportation investments.

Planning commitments for the 2025-2027 RFFA cycle are:

MPO Planning (in lieu of dues	s) \$	4,730,789
Corridor and System Plannin	g \$	2,237,483

<u>Step 2 – Capital Investments</u>

The 2025-2027 RFFA program direction incorporates a new Step 2 capital projects category. This new category updates the previous modal categories and funding targets in favor of a single category but maintains the same focus on improving the region's active transportation network and supporting freight mobility and economic outcomes.

Existing practice is that JPACT and Metro Council desire that 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 2018 Regional Transportation Plan Performance Targets
- 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 2025-2027 RFFA and following up on the input received from the 2022-24 RFFA retrospective, a series of stakeholder workshops was convened to advise JPACT and TPAC on how the regional funding could be directed in a manner that best reflects 2018 RTP investment priority direction. Participants were asked to provide proposed adjustments or changes to the existing RFFA program direction to better align it with RTP policy.



Through the workshop process participants indicated continued support for investment in projects that improve the region's active transportation system and support the region's economy, as has been the RFFA focus in prior funding cycles. But they also indicated that more flexibility in how projects could be conceived and evaluated could result in projects that achieve multiple outcomes and lead to better outcomes regarding the four RTP investment priorities and the nine performance targets.

Project development approach and technical evaluation criteria

Workshop input indicated support to eliminate the Step 2 project categories of Active Transportation/Complete Streets and Freight/Economic Development and their associated funding targets (75%/25%). Participants supported a process that allows projects to be proposed of any mix of mode and function improvements identified as appropriate for the regional flexible funds through the Regional Transportation Finance Approach and that best advance the RTP Investment Priority categories.

The criteria shown below in Table 4 (center column) will be used in the technical evaluation for proposed Step 2 projects. The criteria illustrate how the region is investing in its stated priorities. Projects that perform well in the technical analysis will demonstrate significant and measurable improvements in each of these criteria.

2018 Regional Transportation Plan Priorities ⁷	Outcome(s) Being Measured (Project Criteria) ⁸	Performance Measures to Consider ⁹
Equity Reduce barriers and disparities faced by historically marginalized communities, particularly for communities of color and people with low income.	Increased accessibility Increased access to affordable travel options	 Access to opportunity (jobs, school and other destinations people need to thrive) Access to transit Access to active transportation network/ system completeness in Equity Focus Areas, near transit, and/or on high injury corridors and TSMO and TDM programs
Safety Reduce fatal and severe injury crashes to move the region as quickly as possible toward Vision Zero, particularly for communities of color and other historically marginalized communities.	Reduced fatal and serious injury crashes for all modes of travel	 System completeness of bike, pedestrian networks in EFAs, near transit, on arterials, on regional freight routes and/or on high injury corridors and TSMO and TDM programs VMT/capita Multi-Modal Level of Service, LTS, ped crossing index
Climate Change Reduce greenhouse gas emissions from cars and small trucks to reduce the impacts of climate change, particularly for communities of color and other historically marginalized communities.	Reduced emissions from vehicles Reduced drive alone trips	 VMT/capita System completeness of transit, bike, pedestrian networks in EFAs, near transit, on arterials and/or on high injury corridors and TSMO and TDM program
Congestion Manage travel demand and increase use of travel options to make travel more reliable on the region's busiest roadways, particularly for communities of	Increased reliability Increased travel efficiency Increased travel options Reduced drive alone trips	 Travel time Travel time reliability VMT/capita Duration of congestion

Table 4: Step 2 Project Technical Evaluation Criteria

⁷ Summarized from 2018 RTP Regional Transportation Plan

⁸ Criteria refinements will be developed prior to the Call for Projects in November 2021

⁹ Final RFFA performance measures will be developed prior to the Call for Projects in November 2021

2018 Regional Transportation	Outcome(s) Being Measured	Performance Measures to
Plan Priorities ⁷	(Project Criteria) ⁸	Consider ⁹
color and other historically marginalized communities.		 Volume/capacity ratio System completeness of transit, bike, pedestrian networks in EFAs, near transit, on arterials, on regional freight routes and/or on high injury corridors and TSMO and TDM programs

Further staff work will take place during the summer of 2021 to complete the Step 2 performance measures and provide additional guidance to applicants prior to the Call for Projects in November 2021. The performance measures listed above are examples and may not completely reflect the final measures. Metro will convene a technical evaluation work group to help develop performance measures. The work group membership will include regional agency staff and community members with expertise in transportation. A subset of the work group will assist in the technical analysis of Step 2 project proposals.

The technical analysis 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 proposed projects submitted for consideration, additional emphasis in evaluating projects may be required to ensure there is an adequate pool of projects that will be eligible to utilize the different sources of federal funding allocated to projects in the RFFA/MTIP process, particularly the use of Congestion Mitigation/Air Quality (CMAQ) funds.

TOTAL Step 2:

\$ 41,249,814

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:

Proposer Workshop – Prior to the Call for Projects, Metro will hold a proposer's workshop(s). The purpose of this is to clarify the application and evaluation approach to help proposers prepare thorough project proposals that fully demonstrate project benefits and system improvements. The desired outcome is to ensure proposers understand how criteria will be used to evaluate their project, and that they 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 November 2021. Applicants will have approximately four months to complete proposals, which are due in February 2022.

Technical Evaluation – A work group will review and rate the submitted proposed projects. Proposals will receive a technical score reflecting how well the project addresses the criteria. In addition to this quantitative analysis, the technical report 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.

Risk Assessment – To ensure that RFFA-funded projects can be delivered as proposed, on time, and within budget, Metro will conduct a risk assessment process on each proposal, and issue a report documenting the findings of the process. Proposals will be evaluated on how completely the project has been planned, developed and scoped, and measure the risk of project completion within the 2025-2027 timeframe.

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

The Technical Evaluation and Risk Assessment processes will occur concurrently in March and April 2022.

Public Comment – Following issuance of the Technical Evaluation and Risk Assessment reports, Metro will conduct a 30-day public comment period in May 2022, 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 Technical Evaluation and Risk Assessment reports to inform the final 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 September 2022.

Council Action – Metro Council will consider and take action on the JPACT-referred package in October 2022.

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