

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ALLOCATING)	RESOLUTION NO. 09-4017
\$67.8 MILLION OF REGIONAL FLEXIBLE)	
FUNDING FOR THE YEARS 2012 AND 2013,)	Introduced by Councilor Rex Burkholder
PENDING AIR QUALITY CONFORMITY)	
DETERMINATION)	
)	
)	

WHEREAS, approximately \$67.8 million is forecast to be appropriated to the Metro region through the federal Surface Transportation Program (STP) and Congestion Mitigation – Air Quality (CMAQ) transportation grant programs; and

WHEREAS, the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) are designated by federal legislation as authorized to allocate these funds to projects and programs in the metropolitan region through the Regional Flexible Fund Allocation process; and

WHEREAS, the Metro Council and JPACT have provided policy guidance to Metro staff and the Transportation Policy Alternatives Committee (TPAC) on the type and balance of projects and programs that are a priority for these funds through Metro Resolution No. 08-3916A, For the purpose of adopting the policy direction and program objectives for the 2009 Regional Flexible Funding allocation process and 2010-13 Metropolitan Transportation Improvement Program (MTIP), adopted March 20th, 2008; and

WHEREAS, Metro received approximately \$105 million in project and program applications; and

WHEREAS, those applications have been evaluated by technical criteria within one of five categories, by a summary of qualitative factors and by a summary of public comments; and

WHEREAS, an extensive public process has provided opportunities for comments on the merit and potential impacts of the project and program applications between October 13 and December 1, 2008 and at a public hearing before the Metro Council to respond to a staff and TPAC recommendation of proposed projects and programs to allocate funding; and

WHEREAS, TPAC has provided recommendations to JPACT and the Metro Council on a list of projects and programs, as shown in Exhibit A, attached to this resolution, to allocate funding in response to policy direction, technical evaluation, qualitative factors, and public comments; and

WHEREAS, a public hearing was conducted by JPACT and the Metro Council February 12, 2009, to solicit comments on the TPAC recommendation; and

WHEREAS, JPACT took action on the TPAC recommendation March 5, 2009, prior to adoption of this resolution; and

WHEREAS, receipt of these funds is conditioned on completion of requirements listed in Exhibit B; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT on the project and programs to be funded through the 2010-13 Regional Flexible Fund Allocation process as shown in Exhibit A.

ADOPTED by the Metro Council this 19 day of March 2009.



David Bragdon, Council President

Approved as to Form:



Daniel B. Cooper, Metro Attorney



JPACT Recommendation - Regional Flexible Funds: Step 2 Local Projects

Category	Tier	Project name	Request (2012 dollars)	Revised Request	JPACT Recommendation
Regional mobility corridors	1st tier	NE/SE Twenties Bikeway: Lombard - Springwater Trail	\$2,097,850		\$2,097,850
	2nd tier	Bus Stop Development & Streamline Program	\$3,640,874	\$2,989,306	\$1,414,000
		Hogan/NE 242nd Dr: Glisan - Stark	\$3,213,308	\$3,028,578	
		Westside Trail: Rock Creek Trail - Bronson Creek Trail	\$2,692,830		\$2,399,337
		Farmington Road at Murray Blvd Intersection	\$4,002,099		
		40 Mile Loop: Blue Lake Park - Sundial Rd	\$2,322,421		\$2,322,421
	3rd tier	Kerr Parkway Bike Lanes: Stephenson - Boones Ferry Rd	\$1,742,926		
Mixed-use area implementation	1st tier	SW Rose Biggi: Hall - Crescent	\$2,758,238		\$2,758,238
	2nd tier	102nd Ave: NE Glisan - E Burnside	\$5,000,000	\$2,000,000	\$2,000,000
		McLoughlin Blvd: Clackamas River Bridge - Dunes Dr	\$3,401,868		\$3,401,868
		Red Electric Trail: SW 30th - SW Vermont	\$1,929,183		\$1,929,183
		N Fessenden/St Louis: Columbia Way - Lombard	\$2,159,431		
		Killingsworth: N Commercial - NE MLK Jr Blvd	\$2,354,093		
	3rd tier	SE Division: 6th - 39th	\$2,500,000		
4th tier	OR 43: Arbor Dr - Marylhurst Dr	\$3,800,097			
Industrial & employment area implementation	1st tier	St Johns Rail Line (UP): N St Louis - N Richmond	\$3,649,337		
	2nd tier	Evergreen Rd: 253rd Ave - 25th Ave	\$2,620,100		
Environmental enhancement & mitigation	1st tier	School Bus Diesel Engine Emission Reduction	\$2,047,050		\$1,414,000
	2nd tier	Electronic Mini-Hybrid Bus Retrofit	\$1,345,950		
	3rd tier	Transit Bus Diesel Engine Emission Reduction	\$1,166,490		
Project development		French Prairie Bridge: Boones Ferry Rd - Butteville Rd	\$1,250,000		\$1,250,000
		Airport Way at 82nd Ave Intersection	\$500,000		
		SE 174th: Jenne - Giese	\$222,500		
		Council Creek Trail: Banks - Hillsboro	\$448,650	\$218,044	\$218,044
		Willamette Greenway Trail: N Columbia Blvd - Steel Bridge	\$444,800		\$444,800
		SE Division: 96th - 174th	\$500,000		
			\$57,810,095		
			Target	\$21,650,000	\$21,649,741

Notes:

Tiers reflect clear break points between groups of projects with similar scores resulting from the quantitative analysis.

Bike/ped projects shown in bold.

Minimum of \$7.2 million to be allocated to bike/pedestrian projects

Under target: \$259
Bike/Ped min: \$10,661,635

Step 1 - Proposed Funding to Regional Programs

Program name	Request	JPACT Proposed Allocation
Existing High Capacity Transit (HCT) Bond Payment	\$18,600,000	\$18,600,000
Additional HCT bonding: Milwaukie LRT and Commuter Rail	\$7,400,000	\$7,400,000
OR-43: Portland to Lake Oswego Transit Corridor EIS	\$4,000,000	\$4,000,000
Metro Planning	\$2,116,000	\$2,116,000
Regional Travel Options	\$4,407,000	\$4,407,000
Transit Oriented Development	\$5,777,000	\$5,777,000
Transportation System Management and Operations	\$3,000,000	\$3,000,000
Region travel behavior survey	\$350,000	\$350,000
Next Corridor	\$500,000	\$500,000
Total	\$46,150,000	\$46,150,000

Regional Flexible Fund Allocation: 2010-13

Conditions of Approval

All projects will meet Metro signage and public notification requirements.

Regional Mobility Corridors

NE/SE Twenties Bikeway: NE Lombard - Springwater Trail; The NE/SE Twenties Bikeway funding is conditioned on resolution of the design conflict and safety concern involving narrower than allowed bike lanes. Project will need to include public outreach activities that addresses the unique outreach needs and opportunities of the low-income, elderly and disabled, Black, Hispanic and American Indian/Alaskan native populations in the area.

Westside Trail: Rock Creek Trail to Bronson Creek Trail; Local agency will need to commit additional local funding or reduce scope and cost estimate if the final allocation of funds is less than the amount requested. Project will need to include public outreach activities that addresses the unique outreach needs and opportunities of the Asian, elderly and disabled, low- income and Hispanic populations in the area.

40-Mile Loop Trail: Blue Lake Park to Sundial Rd; Project shall include a scope revision for an additional 1,200-foot length of trail between the new Reynolds Trail and Harlow Place. This work shall include Preliminary Engineering and construction if able to fit within the project budget. Project will need to include public outreach activities that addresses the unique outreach needs and opportunities of the elderly and disabled, low-income, and Hispanic populations in the area.

Mixed-Use Area Implementation

102nd Avenue: NE Glisan to E Burnside; City commits to local match adequate to complete project within revised project limits. A revised cost estimate should be completed as soon as possible. Project will need to include public outreach activities that addresses the unique outreach needs and opportunities of the low-income, elderly and disabled, Hispanic, Native American, Black, and Asian populations in the area.

SW Rose Biggi: Hall to Crescent; Project will need to include public outreach activities that addresses the unique outreach needs and opportunities of the elderly and disabled, non-English speaking, low-income, Hispanic, and Hawaiian & Pacific Islander populations in the area.

McLoughlin Blvd: Clackamas River Bridge to Dunes Dr.; Project will need to include public outreach activities that addresses the unique outreach needs and opportunities of the elderly and disabled, low-income, and Hispanic populations in the area.

Red Electric: SW 30th – SW Vermont; Project will need to include public outreach activities that addresses the unique outreach needs and opportunities of the elderly and disabled, low-income, non-English speaking, and Hispanic populations in the area.

Project Development

Willamette Greenway Trail: N Columbia Blvd to Steel Bridge; The scope of the master plan will include consideration of alignment alternatives that avoid or minimize use of Union Pacific railroad property in the vicinity of Albina Yards. Project will need to include public outreach activities that addresses the unique outreach needs and opportunities of the low-income, elderly and disabled, Black, Hispanic and American Indian/Alaskan native populations in the area.

Council Creek Trail: Banks to Hillsboro; Project will need to include public outreach activities that addresses the unique outreach needs and opportunities of the low-income, elderly and disabled, Hispanic, American Indian/Alaskan native and Non-English speaking populations in the area.

French Prairie Bridge: Boones Ferry Rd to Butteville Rd; Project will need to include public outreach activities that addresses the unique outreach needs and opportunities of the elderly and disabled populations in the area.

STAFF REPORT

FOR THE PURPOSE OF ALLOCATING \$67.8 MILLION OF REGIONAL FLEXIBLE FUNDING FOR THE YEARS 2012 AND 2013, PENDING AIR QUALITY CONFORMITY DETERMINATION

Date: March 19, 2007

Prepared by: Ted Leybold
503-797-1759

BACKGROUND

The Regional Flexible Fund Allocation for 2010-13 allocates transportation funding to Metro area transportation agencies from two federal grant programs; the Surface Transportation and Congestion Mitigation/Air Quality programs. The Metro region is forecasted to receive \$67.8 million from these sources in the federal fiscal years of 2012 and 2013. Previous allocations have identified projects and programs to receive funds during the Federal fiscal years of 2010 and 2011.

Prior to the application process, an outreach process identified new policy direction for the allocation of these funds. The primary objectives of the program, as adopted by the Metro Council, are:

Process policy objectives:

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 air quality Transportation Control Measures for pedestrian and bicycle improvements are met and that an adequate pool of CMAQ eligible projects are 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.

Project and program services policy objectives:

8. Prioritize transportation projects and program services that:
 - a. retain and attract housing and jobs by addressing system gaps or deficiencies to improve multi-modal access in primary 2040 target areas (central city, regional centers, industrial

areas and passenger and freight inter-modal facilities) as the highest priority, secondary areas (employment areas, town centers, main streets, station communities and corridors) as next highest priority, and other areas (inner and outer neighborhoods) as the lowest priority (see table 1 below).

Table 1. 2040 Target Areas and Hierarchy of Design Types

2040 Target Areas		
Primary land-uses	Secondary land-uses	Other urban land-uses
<ul style="list-style-type: none"> • Central city • Regional centers • Industrial areas • Freight and Passenger Intermodal facilities 	<ul style="list-style-type: none"> • Employment areas • Town centers • Station Communities • Corridors • Main Streets 	<ul style="list-style-type: none"> • Inner neighborhoods • Outer neighborhoods

- b. address gaps and deficiencies in the reliable movement of freight and goods on the RTP regional freight system, and transit, pedestrian and bicycle access and inter-modal connections to labor markets and trade areas within or between 2040 target areas (Primary areas are highest priority, Secondary areas are next highest priority, other areas are lowest priority).
- c. provide access to transportation options for underserved populations (low income populations and elderly and people with disabilities).
- d. invest in Transportation System Management and Operations (TSMO) in regional mobility corridors.
- e. address recurring safety issues, including gaps in the bike and pedestrian system.
- f. minimize noise, impervious surfaces, storm-water run-off and other pollution impacts.
- g. reduce and minimize energy consumption, carbon emissions and other air pollution impacts.
- h. the project mode or program service type has no other or limited sources of transportation-related funding dedicated to or available for its use.
- i. efficient and cost effective use of federal funds.

The policy update to the 2010-13 MTIP directed staff to develop a two-step process for the allocation of regional flexible funds. The first step developed a recommendation of funding to region programs prior to solicitation of applications for locally administered projects. Upon receipt and evaluation of local project applications, a recommendation on local projects was developed. The recommendation of funding for both the regional programs and local projects were made available for public comment.

Nine programs were proposed in Step 1 and 26 project applications were received in Step 2, approximately \$105 million in requests. A technical ranking of projects was completed for the project applications within five solicitation categories. This technical analysis, along with qualitative considerations was used to inform a decision process to select a first cut of project and program applications for public comment. Public comments were received for all applications and the first cut list between October 13 and December 1, 2008.

Factors used to develop the narrowing recommendation include: honoring previous funding commitments made by JPACT and the Metro Council, implementation of the program policy objectives including consideration of the technical evaluation and qualitative factors, funding projects throughout the region, and meeting State Implementation Plan requirements for air quality.

ANALYSIS/INFORMATION

- 1. Known Opposition** Public comments were received in support of projects not recommended at this time.
- 2. Legal Antecedents** This resolution allocates transportation funds in accordance with the federal transportation authorizing legislation (currently known as the Safe, Accountable, Flexible, Efficient Transportation Equity Act or SAFETEA). The allocation process is intended to implement the Regional Flexible Fund 2010-13 program policies as defined by Metro Resolution No. 08-3916A.
- 3. Anticipated Effects** Adoption of this resolution would instigate an air quality conformity analysis of the effects of implementing these projects and programs for compliance with the State Implementation Plan for air quality.
- 4. Budget Impacts** Adoption of the resolution would begin staff analysis of the air quality impacts of implementing the list of projects and programs as provided for in the Unified Work Program. Grant funds allocated to Metro planning require a match totaling 10.27% of project costs. The proposed allocation would require approximately \$130,000 of Metro provided match for the Regional Travel Options program over the federal fiscal years 2012 and 2013. This does not include match for funds passed through to local agencies that they are required to provide. Currently, 70% of the Metro match for the RTO program is provided by funds from partner businesses through the Business Energy Tax Credit program. The proposed allocation would also require \$242,186 of Metro match for regional transportation planning activities and \$57,227 of Metro match for Next Corridor planning. Metro would also negotiate with other transportation agencies for responsibility of a portion of \$497,877 of required local match for other regional planning activities over the course of the 2012 – 2013 time period.

RECOMMENDED ACTION

Staff recommends the adoption of Resolution 09-4017.