

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE 2012-) RESOLUTION NO. 12-4357
15 METROPOLITAN TRANSPORTATION)
IMPROVEMENT PROGRAM (MTIP) TO ADD) Introduced by Councilor Collette
THE KELLOGG LAKE MULTI-USE BRIDGE)
PROJECT)

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

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) the Metro Council approved the 2012-15 MTIP on March 15, 2012; and

WHEREAS, JPACT and the Metro Council must approve any subsequent amendments to add new projects or substantially modify existing projects in the MTIP; and

WHEREAS, the Oregon Department of Transportation (ODOT) administers the Transportation Enhancement funding program of which some funds are recommended for allocation at the discretion of the ODOT Director, subject to approval by the Oregon Transportation Commission; and

WHEREAS, the City of Milwaukie requested discretionary Transportation Enhancement funding for the Kellogg Lake Multi-Use Bridge project and has received a recommendation from the ODOT Director to allocate \$1,000,000 to the project; and

WHEREAS, funding for the project needs to be secured by September 2012 to achieve cost savings provided by incorporating the project into the construction of the Portland to Milwaukie light rail bridge structure; and

WHEREAS, the project will provide a direct bicycle and pedestrian connection between the Milwaukie town center and its neighborhoods to the south; and

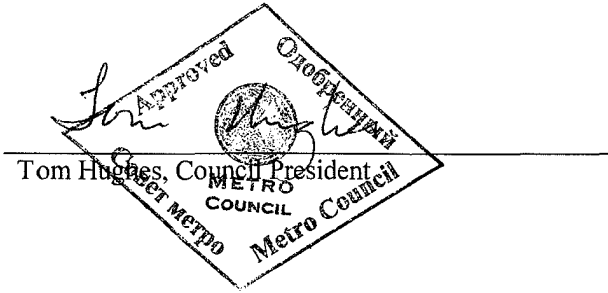
WHEREAS, federal rules exempt this type of project from needing to conduct an air quality conformity analysis to comply with the Clean Air Act; and

WHEREAS, funding for the Kellogg Lake Multi-Use Bridge project is available within existing revenues, consistent with the MTIP financial plan; and

WHEREAS, JPACT approved this resolution July 12, 2012; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT to add the Kellogg Lake Multi-Use Bridge project to the 2012-15 MTIP, consistent with the programming illustrated in Exhibit A.

ADOPTED by the Metro Council this 19th day of July 2012.



Approved as to Form:

Handwritten signature of Alison Kean Campbell.

Alison Kean Campbell, Acting Metro Attorney

Exhibit A to Resolution No. 12-4357

2012-15 Metropolitan Transportation Improvement Plan Table 3.1.3 amendment

Action: Amend MTIP to add Kellogg Lake Multi-Use bridge project.

Existing programming:

None

Amended programming:

Project Name	Project Description	ODOT Key #	Lead Agency	Estimated Total Project Cost *	Project Phase	Fund Type	Program Year	Federal Funding	Minimum Local Match	Other Funds	Total Funding
Kellogg Lake Multi-Use Bridge (element of Portland-Milwaukie light rail transit project)	Add pedestrian and bicycle path to light rail bridge over Kellogg Lake (Milwaukie).	17519	TriMet	\$1,114,454	Cons	TE	2013	\$1,000,000	\$114,454	\$0	\$1,114,454

*Total cost of multi-use path element only. Project and project funding will be incorporated into the Portland to Milwaukie light rail project.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 12-4357, FOR THE PURPOSE OF AMENDING THE 2012-15 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO ADD THE KELLOGG LAKE MULTI-USE BRIDGE PROJECT

Date: June 26, 2012

Prepared by: Ted Leybold, 503-797-1759

BACKGROUND

The Oregon Department of Transportation (ODOT) administers the Transportation Enhancement (TE) program that provides federal funds for projects that strengthen the cultural, aesthetic, or environmental value of our transportation system. TE funds are available for twelve Transportation Enhancement Activities approved by Congress. The Oregon Transportation Commission (OTC) approved \$2 million per year for a TE Discretionary Account starting in 2006. This allows ODOT to apply funds to qualified projects as needs become known, separate from the statewide competitive process. Use of the Discretionary Account is guided by a general policy adopted by the OTC in 2003 and implementing procedures adopted by the TE Advisory Committee. Projects are subject to the same eligibility criteria and selection priorities used in the competitive process.

The City of Milwaukie has long sought to re-establish a direct bicycle and pedestrian connection between its downtown and neighborhoods to the south that are separated by Highway 99E, an undeveloped park, and Kellogg Lake. Upcoming construction of the PMLR light-rail bridge over Kellogg Lake presents a short-lived opportunity to cost-effectively restore the bike/ped connection by constructing it on a lower deck of the bridge that has been designed concurrently with the light-rail project. City of Milwaukie and TriMet jointly applied for the TE funds. They need a funding commitment by September 1, 2012 to coordinate fitting the bicycle and pedestrian bridge into the schedule for the light-rail project.

The requested TE funds will cover the added expense of constructing the bike/ped bridge as part of the light-rail bridge, and if funding allows—completing the path connection southward through Kronberg Park to Highway 99E and the Trolley Trail at the existing River Road signal. Without TE funds, the bike/ped bridge deck will not be included in the light-rail bridge contract and will not be built in the foreseeable future.

The TE Advisory Committee determined the project is eligible to be considered for TE Discretionary funds, and that it meets the project selection criteria with a score comparable to those for TE projects awarded in the 2010-2011 selection cycle. FHWA confirmed the requested activity is eligible under TE Activity #1 (facilities for pedestrians and bicyclists). With OTC approval, ODOT staff will work with TriMet and City of Milwaukie to promptly amend the existing agreements and funding documents for the PMLR project, as needed to meet the construction schedule for Kellogg Lake Bridge.

Federal rules exempt this type of project from needing to conduct an air quality conformity analysis to comply with the Clean Air Act. These project elements were included in all National Environmental Protection Act compliance work conducted by TriMet for the overall Portland to Milwaukie light rail project.

The Joint Policy Advisory Committee on Transportation and the Metro Council must approve amendments to the MTIP. This amendment will add TE funding for a bicycle and pedestrian bridge element as a part of the Portland to Milwaukie bridge structure over Kellogg Lake.

ANALYSIS/INFORMATION

1. Known Opposition None known at this time.

2. **Legal Antecedents** Amends the 2012-15 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 12-4332 on March 15, 2012 (For the Purpose of Approving the 2012-15 Metropolitan Transportation Improvement Program for the Portland Metropolitan Area).
3. **Anticipated Effects** Allows project to be eligible for transportation funding.
4. **Budget Impacts** None.

RECOMMENDED ACTION

Metro staff recommends the approval of Resolution No. 12-4357.