



600 NE Grand Ave.
Portland, OR 97232-2736

Council work session agenda

Thursday, September 6, 2018

2:00 PM

Metro Regional Center, Council Chamber

2:00 Call to Order and Roll Call

2:05 Chief Operating Officer Communication

Work Session Topics:

2:10 2022-24 Regional Flexible Funds Allocation Policy [18-5074](#)
Discussion

Presenter(s): Margi Bradway, Metro
Daniel Kaempff, Metro
Ted Leybold, Metro

Attachments: [Work Session Worksheet](#)

3:10 Councilor Communication

3:15 Adjourn

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានកម្មប្រណាំងរើសអើងសូមចូលទស្សនាគេហទំព័រ www.oregonmetro.gov/civilrights។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

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2022-24 Regional Flexible Funds Allocation Policy Discussion

Work Session Topics

Metro Council Work Session
Tuesday, September 6, 2018
Metro Regional Center, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: September 6, 2018

LENGTH: 60 minutes

PRESENTATION TITLE: 2022-24 Regional Flexible Funds Policy Discussion

DEPARTMENT: Planning & Development

PRESENTER(S): Margi Bradway: x. 1635 margi.bradway@oregonmetro.gov

Ted Leybold: x. 1759 ted.leybold@oregonmetro.gov

Dan Kaempff: x. 7559 daniel.kaempff@oregonmetro.gov

WORK SESSION PURPOSE & DESIRED OUTCOMES

- Purpose: Introduce 2022-2024 Regional Flexible Funds Allocation process and timeline to Council.
- Outcome: Gather Council input and general policy direction on the Regional Flex Fund Allocation process for 2022-2024.

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

Metro staff is preparing for the upcoming 2022-2024 Regional Flexible Funds Allocation (RFFA). The purpose of this work session is to gather Metro Council input on the general RFFA policy framework and to provide input or recommendations to the next Council to be seated in 2019.

This will be the first allocation of regional transportation funding following the anticipated adoption of the 2018 Regional Transportation Plan (RTP). The 2018 RTP defines the region's transportation system direction and is guided by principles intended to reduce greenhouse gas emissions, improve travel options and congestion, and make the system safer and more equitable. Staff will consider the public input received on the draft 2018 RTP in developing the RFFA policy framework in 2022-2024.

QUESTIONS FOR COUNCIL CONSIDERATION

List questions for Council's consideration that will help/guide the Council in providing policy direction.

- Should Metro Council use the priority policies in the Draft 2018 RTP, if adopted, as the policy framework for 2022-2024 Regional Flex Funds?
- What policy recommendations relative to the RFFA does 2018 Metro Council wish to convey to the 2019 Metro Council?

PACKET MATERIALS

- Would legislation be required for Council action Yes No
- If yes, is draft legislation attached? Yes No
- What other materials are you presenting today? Slide deck only

Materials following this page were distributed at the meeting.



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

Planning Services Division

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

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www.oregon.gov/LCD

Facts about Metropolitan Transportation Planning Rulemaking



July 26, 2018

Overview

The Department of Land Conservation and Development has been working closely with a rulemaking advisory committee over the past year to update and clarify the rules for transportation planning that local jurisdictions in the state's eight metropolitan areas must follow.

In brief, the rule amendments:

- Group the requirements specific to cities and counties in metropolitan areas into a set of rules separate from the general requirements that apply to all local governments statewide.
- Clearly exempt the smallest local governments in metropolitan areas, and provide an opportunity to request an exemption for small to mid-sized local governments.
- Clarify that the requirements apply to each individual city or county within the metropolitan area (not to a regional body, and not to the local governments collectively).
- Allow cities and counties to meet the requirements on their own (by eliminating the requirement for a Regional Transportation System Plan), or jointly with the other jurisdiction in their region.
- Provide three options for cities and counties to demonstrate how they have planned for increasing transportation choices and reducing reliance on the automobile.
- Set clear requirements for regular reporting on performance measures.
- Set clear consequences for failing to report or failing to take corrective actions if actual performance misses a target.

More information can be found on the rulemaking website:

https://www.oregon.gov/LCD/Pages/Metro_TPR.aspx

How to participate

Any rule amendments must be adopted by the Land Conservation and Development Commission. The commission will hold a hearing and may adopt amendments at that time. Written comments will be accepted before the hearing. Written comments received by the department by Wednesday, September 12 will be included in the commission's packet.

Rulemaking Hearing
September 27, 2018 – Time TBD
635 Capitol St NE, Salem, OR, 97301

What is changing?	
<i>Existing Rules</i>	<i>Proposed New Rules</i>
Who is affected	
<ul style="list-style-type: none"> Local jurisdictions (cities and counties) in metropolitan areas. Metropolitan Planning Organizations (MPOs) have an unclear coordinating role. For some requirements, other urban areas over 25,000 in population. 	<ul style="list-style-type: none"> Local jurisdictions over 2,500 population in metropolitan areas. Jurisdictions under 10,000 population may ask for an exemption. MPOs have a clear role in federally-required planning.
Adoption of regional transportation plans	
<ul style="list-style-type: none"> MPOs must adopt a federally-required Regional Transportation Plan (RTP). Local jurisdictions must jointly, working with each other and the MPO, develop and adopt a Regional Transportation System Plan (RTSP). 	<ul style="list-style-type: none"> No state rules for MPOs. MPOs must continue to adopt a federally-required RTP. RTSPs are no longer required.
Measuring performance	
<ul style="list-style-type: none"> Regions, working together, must plan to reduce vehicle miles traveled (VMT) by 5%. Alternatively, regions, working together, must adopt standards to demonstrate progress toward reducing automobile reliance. 	<ul style="list-style-type: none"> Jurisdictions choose one way to measure performance: <ol style="list-style-type: none"> Selecting a set of performance measures and targets, individually or together as a region; Reducing VMT by 5% over 20 years together as a region; or Meeting greenhouse gas emissions reduction targets together as a region.
Reporting on progress	
<ul style="list-style-type: none"> Unclear requirement for local governments, together as a region, to evaluate and report progress at regular intervals. 	<ul style="list-style-type: none"> Clear requirement for local governments, individually or together, to evaluate and report progress at regular intervals.
Transit Planning	
<ul style="list-style-type: none"> Urban areas over 25,000 without transit need to assess feasibility of transit. Plan for pedestrian connectivity to transit stops. Plan for adequate land use densities along existing or planned transit routes. 	<ul style="list-style-type: none"> Identify transit priority corridors. Plan for pedestrian connectivity to transit stops. Plan for adequate land use densities along transit priority corridors.
Parking Planning	
<ul style="list-style-type: none"> Implement a parking plan which achieves a 10% reduction in parking spaces per capita over the planning period, OR Revise parking requirements to meet a range of requirements. 	<ul style="list-style-type: none"> Implement a parking plan which achieves a 10% reduction in parking spaces per capita over the planning period, OR Revise parking requirements to meet a range of requirements, including adjusting any minimums to meet actual demand, and accommodating electric vehicle and car share parking.



600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

September 6, 2018

Jerry Lidz, Chair
Land Conservation and Development Commission
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

Dear Chair Lidz and Members of the Commission:

Thank you for the opportunity to comment on proposed amendments to the Transportation Planning Rule (TPR) and for inviting Metro to be part of the rulemaking advisory committee. As you know, we continue to strongly support the rule as a foundation for our own Region 2040 growth strategy and for our more recent Climate Smart Strategy for reducing greenhouse gas (GHG) pollution in our region.

We appreciate the work the Commission has completed to date. It is clear in the proposed rulemaking that DLCDC staff has recognized Metro's unique role as a MPO with land use authority, and therefore the proposed rule provides several exclusions or accommodations for Metro. However, the rules are going in the wrong direction for the state. LCDC plays a critical role in transportation and land use. The proposed rules weaken regional planning and planning for climate change in the State of Oregon, which has a long and proud history of fully integrating transportation and land use planning.

We respectfully request that the Commission table these amendments as currently drafted, which represent a retreat from Oregon's commitment to addressing climate change at the exact moment that the Legislature is considering ambitious legislation to address this critical issue. By adopting the proposed amendments, Oregon would squander a crucial opportunity to reinforce the importance of regional action to address the most important issue of our time. This is a key opportunity to more clearly frame the performance options around existing statewide climate policy and GHG reduction targets, and to engage directly with regional policy makers in the context of state climate legislation anticipated in 2019.

In short, we request that you:

- Delay the rulemaking to allow for sufficient input from all the metropolitan organizations (MPOs) and affected local jurisdictions;
- Continue to support and promote regional planning; and
- Insist that these amendments not weaken existing rules that serve to minimize climate impacts at a time when the public, the Governor and many elected officials are calling for Oregon to demonstrate leadership in addressing climate change.

Oregon's eight MPOs represent nearly 70 percent of Oregon's population and are the centers of the state's growth and economic development. The main sources of Oregon's transportation-based GHG emissions are within the boundaries of the MPOs. MPOs should thus be expected to demonstrate how they will reduce GHG as part of a regional planning process.

Furthermore, we urge the Commission to directly engage policy makers from the MPOs in this discussion. While the rulemaking advisory committee brought deep technical knowledge and experience to the conversation, it was largely made up of professional staff, not policy makers. The proposed changes to the TPR are significant and should be fully vetted before adoption.

Keeping our Commitment to Regional Coordination and Planning

Since it was first adopted in 1992, the TPR has acknowledged the need to address regional transportation planning using Oregon's federally recognized metropolitan planning organizations (MPOs), where federal rules establish a regional table for transportation planning. The federal context is simple: the travelling public moves in regional patterns, without regard for city or county borders. Each of Oregon's eight MPOs has a regional policy board whose sole responsibility is to plan for regional transportation solutions that embrace this reality.

The TPR has continued to push the Portland metropolitan region to tackle tough regional challenges. Despite the challenges, we are able to often find common ground in plans and policies. The key to this successful partnership is having a regional table where we agree to work through the challenges we face with an understanding that we have a shared stake in the outcome and that all partners will have a role in the solution. This is especially true in transportation planning, and has led to a strong track record of success in our region.

The proposed changes to the TPR would retreat from this approach by decoupling the state's interest in regional transportation planning from work that is already mandated by the federal government. We see the "bottom-up" approach in the proposed changes to the rule, whereby local governments in areas already governed by MPOs would somehow create cohesive regional plans working in a vacuum from one another, as a big step backward for Oregon. This approach ignores the reason our federal government created MPOs to begin with - that regional solutions come only come from difficult but necessary regional conversations.

We understand the argument behind this proposed change -- that the state has no rulemaking authority over Oregon's MPOs. However, our own experience with the Oregon MPO Consortium (OMPOC) tells us that a way exists for the MPOs to opt in to a leadership role in making the TPR work in its current form. OMPOC was formed more than a decade ago as a summit of Oregon's MPOs convened by Metro to bridge our differences and work together to advance our common interests. Since then, we have worked with the other MPOs to successfully promote regional solutions across Oregon's urban areas.

We are also concerned that proposed changes to the TPR further fracture a regional approach by excluding small communities within metropolitan areas. Currently the rule allows very small jurisdictions of less than 2,500 residents to opt out, assuming that they lack the capacity to meet state mandates. The proposed changes to the rule would increase the exemption to communities under 10,000 residents. For the Portland Metro region, this would exempt some of our most rapidly growing suburban communities, like Fairview, Wood Village and King City, from planning for transportation in the same way that every other sizeable city in the region is expected to do. We specifically request that these smaller jurisdictions are not excluded for the Portland Metro MPO. Statewide, this change would likely exempt similar, rapidly growing cities within the other Oregon MPOs. Cities of this size have professional staff and are too large to be disregarded when they are part of a metropolitan region.

Climate Policy Concerns

Oregon has been a leader in addressing the global climate change crisis, and Metro continues to support the state's clear commitment to reducing GHG emissions. In this spirit, Metro supported the update to the GHG reduction targets adopted by the Commission for Oregon's eight MPOs, while recognizing that we will further need to increase our region's efforts in years to come. We are therefore disappointed that the proposed changes to the TPR include performance options that work against meeting these targets.

When our region adopted the Climate Smart Strategy in 2014, we reported the results and analysis to LCDC for the purpose of providing a path for other MPOs to follow -- as required by the statute that directed our region to develop the strategy. The overarching takeaway from Metro's Climate Smart Strategy is straightforward: pairing good land use planning with a commitment to multi-modal travel is essential to enable us to meet our target. We therefore support the specifics of the draft rule in that it embraces known tools for addressing climate change through smart land use planning and transportation decisions that promote shorter trips and use of transit, walking and biking as safe, viable alternatives to driving. Without these policies in place, and without a commitment to funding the infrastructure that makes those options possible, we will not meet our GHG reduction target.

The proposed changes to the rule include a performance option that amounts to an opt-out path for metropolitan areas that wish to avoid discussing GHG targets, and to instead simply set arbitrary modal targets that can be met without rethinking their land use policy or transportation investments. This option appears to be focused more on making the TPR easier for cities and counties to comply with than with setting statewide policy that is needed, even if it challenges us to explore new ways to plan for growth. We are concerned that metropolitan regions who choose to opt-out will not meet their GHG reduction targets. This, in turn, means that Oregon will not meet its statewide GHG reduction targets. Areas that MPOs represent are the main source of Oregon's transportation-based GHG emissions, and MPOs should be expected to demonstrate that our transportation plans move us toward our GHG reduction targets.

Measuring progress in terms of reduced driving (measured as vehicles miles traveled per capita) is now best practice among regional governments in the nation seeking to reduce GHG emissions. Oregon is much further ahead in making progress due to the requirements set forth in the TPR. The proposed rule would roll-back Oregon's commitment to climate and Oregon's national leadership on this issue.

This is not the time to adopt new rules that weaken Oregon's commitment to improving climate change. The Oregon legislature will be discussing legislative concepts that would limit GHG emissions in Oregon and create funding for investments that are proven to reduce GHG emissions. As the 2019 session approaches, Senate President Courtney and House Speaker Kotek have both made legislation on this topic a priority, so there is good reason to expect a statutory framework that will link funding to GHG reduction investments.

For this reason, we hope the Commission will take this opportunity to more clearly frame the performance options around existing statewide climate policy and GHG targets. While the Portland metropolitan region has already adopted our GHG strategy, the TPR changes could be revised to set the other MPOs on a path toward creating their own regional climate strategies that, in turn, could help them compete for future, climate-specific transportation funding to implement their strategies on the ground.

This Deserves More Time

We are asking the Commission to table these amendments as currently drafted, and give the topic the time and thought it deserves. We ask for your leadership to encourage regional consensus-building at the MPO level, in part to work on one of the most urgent problems facing this state and nation - climate change. When the current round of TPR rulemaking began in Fall 2017, your staff set an ambitious timeline of completing the work by May 2018, then July and now September. These delays occurred because the timeline was always far too limited for changes of this magnitude to be considered by affected regional and local agencies.

The Metro Council is counting on the Commission to continue to set a high bar as the state's stewards for Oregon's land use system. Thank you for your consideration.

Sincerely,

Tom Hughes

President
Metro Council

cc: *Metro Council*
Joint Policy Advisory Committee on Transportation (JPACT)

DRAFT

Redline:

We respectfully request that the Commission table ~~these the proposed amendments as~~ currently drafted, which represent a retreat from Oregon's commitment to addressing climate change at the exact moment that the Legislature is considering ambitious legislation to address this critical issue. By adopting these ~~proposed~~ amendments, Oregon would squander a crucial opportunity to reinforce the importance of regional action to address the most important issue of our time. This is a key opportunity to more clearly frame the performance options around existing statewide climate policy and GHG reduction targets, and to engage directly with regional policy makers in the context of state climate legislation anticipated in 2019.

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In short, we request that you:

- Delay the rulemaking ~~to allow for sufficient input from all the metropolitan organizations (MPOs) and affected local jurisdictions~~ until after the 2019 legislative session;
- Continue to ~~support and promote~~ require regional ~~planning~~ transportation system plans; and
- Insist that these amendments ~~strengthen~~, not weaken existing rules that serve to minimize climate impacts at a time when the public, the Governor and many elected officials are calling for Oregon to demonstrate leadership in addressing climate change.

Clean:

We respectfully request that the Commission table the proposed amendments, which represent a retreat from Oregon's commitment to addressing climate change at the exact moment that the Legislature is considering ambitious legislation to address this critical issue. By adopting these amendments, Oregon would squander a crucial opportunity to reinforce the importance of regional action to address the most important issue of our time. This is a key opportunity to more clearly frame the performance options around existing statewide climate policy and GHG reduction targets, and to engage directly with regional policy makers in the context of state climate legislation anticipated in 2019.

In short, we request that you:

- Delay the rulemaking until after the 2019 legislative session;
- Continue to require regional transportation systems plans; and
- Insist that these amendments strengthen, not weaken, existing rules that serve to minimize climate impacts at a time when the public, the Governor and many elected officials are calling for Oregon to demonstrate leadership in addressing climate change.



2022-24 Regional Flexible Funds

Presentation to Metro Council | September 6, 2018

Today's purpose

- Review and discuss Regional Flexible Funds Allocation (RFFA) policy framework for 2022-2024

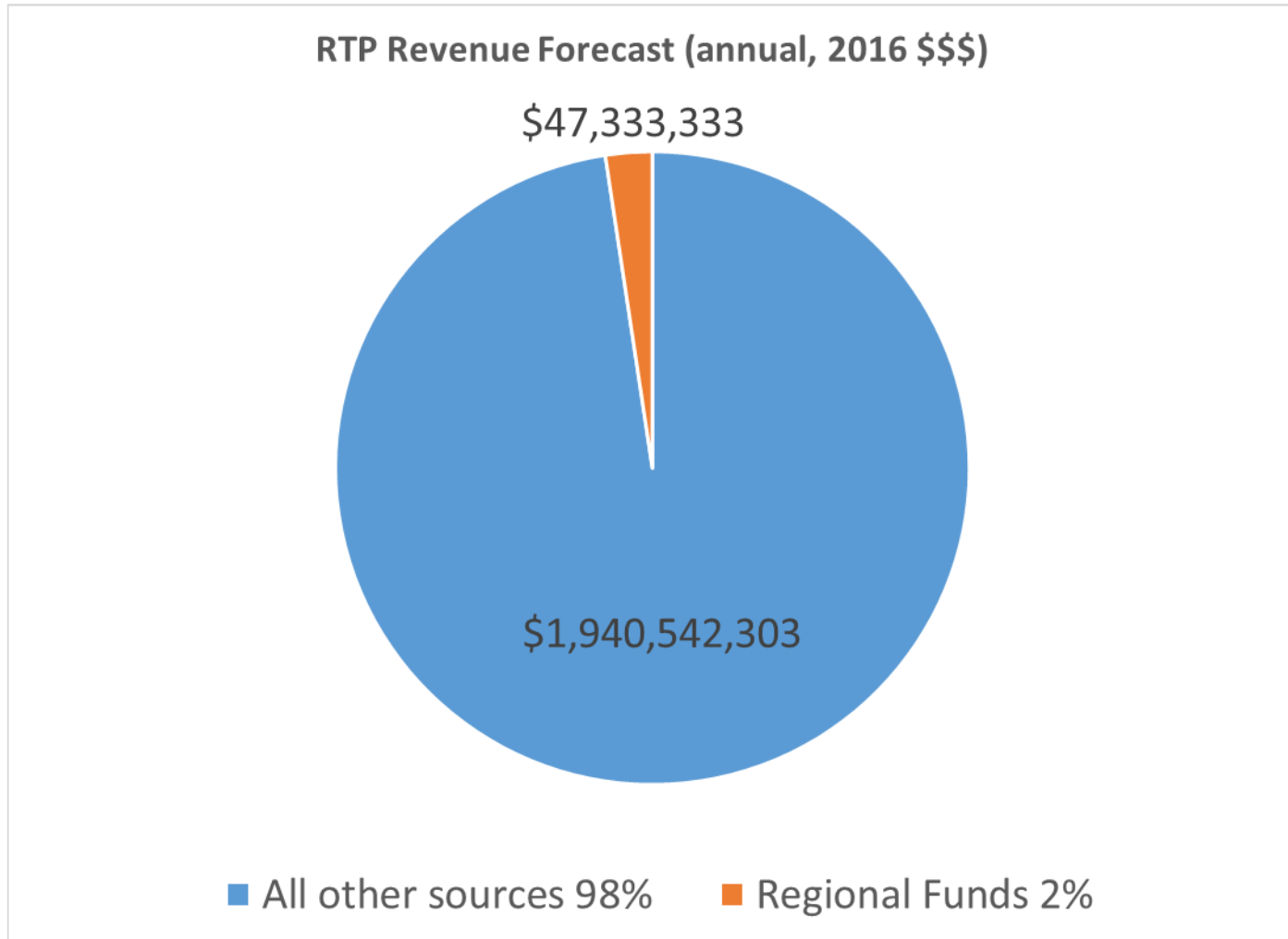


What are Flexible Funds?

- Federal transportation funding allocated to Metropolitan Planning Organizations
- Can be used for broadest range of needs



Flexible Funds are ~2% of all regional sources



One of several funding sources

- State (ODOT) – primarily highways and roads.
- Counties/cities – local street improvements, maintenance
- Transit agencies – Local and federal funding dedicated to capital and operations
- **Metro (Regional Flexible Funds)** – Focus on transit capital, TOD, RTO, TSMO, corridor planning, active transportation + freight projects

Draft 2018 Regional Transportation Plan

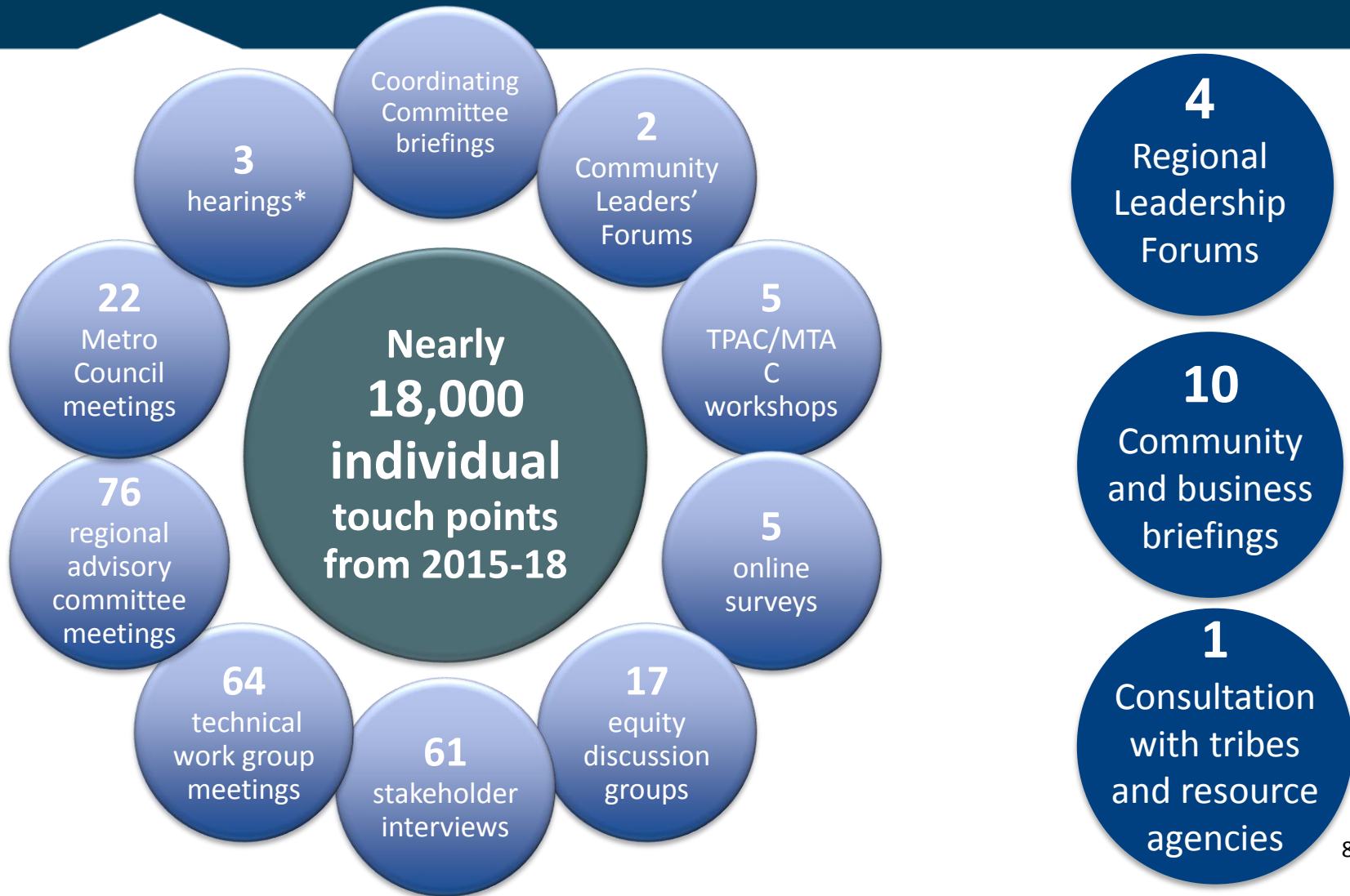
Includes:

- Our Shared Vision for Transportation
- Transportation System Policies to Achieve Our Vision
- The Region's Transportation Funding Outlook
- Regional Programs and Projects to Achieve Our Vision
- Performance Measures

DRAFT 2018 RTP Goals

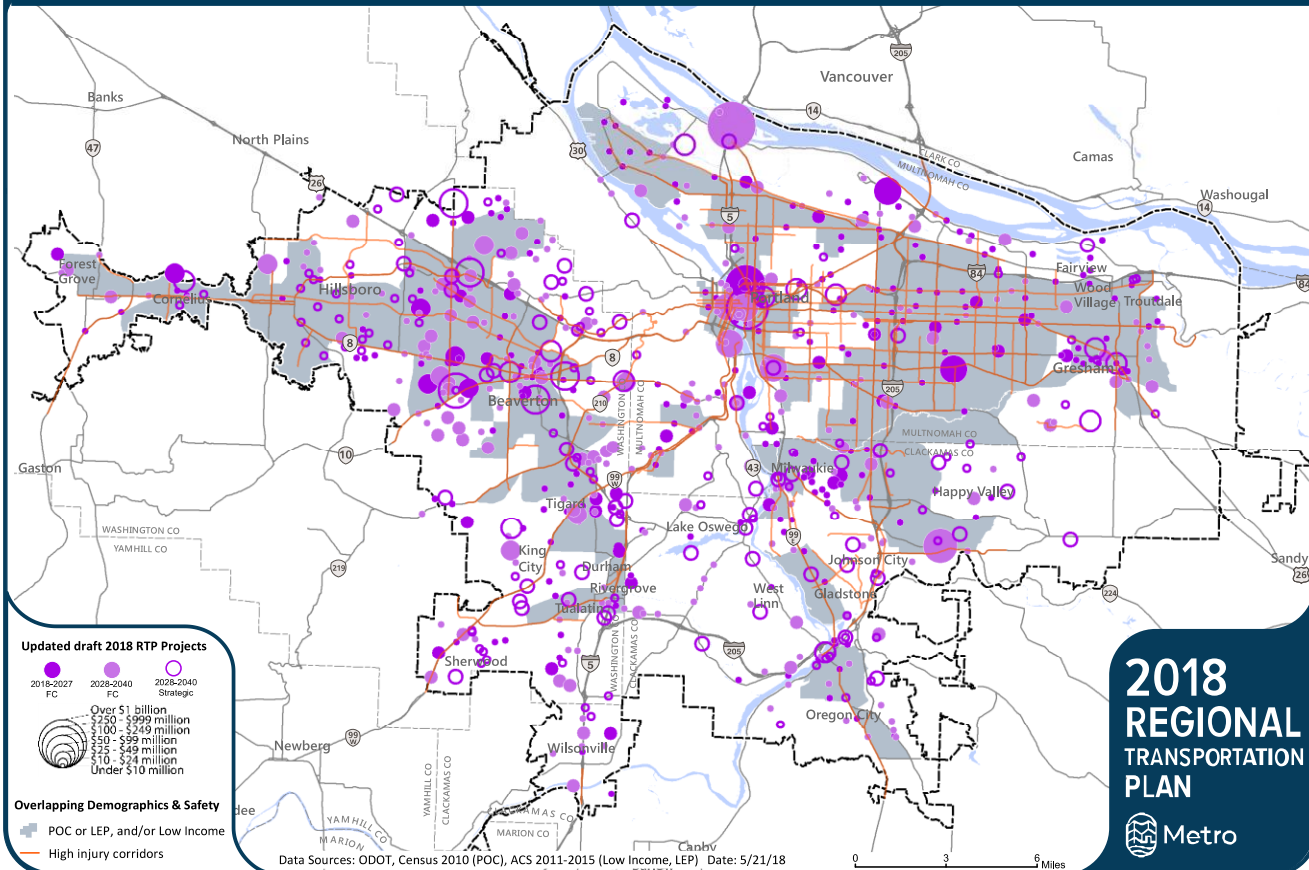
- Vibrant Communities
- Shared Prosperity
- Transportation Choices
- **Reliability and Efficiency**
- **Safety and Security**
- Healthy Environment
- Healthy People
- **Climate Protection**
- **Equitable Transportation**
- Fiscal Stewardship
- **Transparency and Accountability**

Meaningful, ongoing engagement in the Draft 2018 RTP



RFFA Projects must be in RTP

2018 Regional Transportation Plan Projects with a Safety Benefit: This map shows projects in the 2018 Regional Transportation Plan that provide a safety benefit, overlapped with regional high injury corridors and census tracts with higher than regional average concentrations and double the density of one or more of the following: people of color or English language learners, and/or people with low income. Safety benefit projects are projects that increase safety for one or more roadway user. These projects may not necessarily address an identified safety issue at an identified high injury or high risk location, but they do include design treatments known to increase safety and reduce serious crashes.



MTIP funding approach

- The Metropolitan Transportation Improvement Program (MTIP) includes federal, state, regional, local funding sources
- Matches RTP-identified needs with most appropriate funding source
- Metro role – coordination, financial constraint, consistency with RTP

Eligible Uses of Regional Flexible Funds

- Transit system expansion
- Project development
- Transportation System Management & Operations (TSMO)
- Regional Travel Options/Safe Routes to School (RTO/SRTS)
- Transit-Oriented Development (TOD)
- Required MPO activities and Corridor planning
- Freight Arterial and Connector small improvements
- Active Transportation network completion

Existing RFFA framework

- Step 1: Regional commitments & investments
 - Bond payment commitment
 - Region-wide programs
 - Regional planning (in-lieu of dues)
- Step 2: Community Investment Fund (capital projects)
 - Active Transportation (75%)
 - Freight/Economy (25%)



DRAFT 2022-24 RFFA revenue forecast & comparison

Step 1	19-21	22-24
Bond payments	63,160,000	65,500,000
Transit Oriented Development	9,870,000	10,635,664
Transportation Systems Mgmt/Ops	5,240,000	5,646,781
Regional Travel Options	9,290,000	10,001,693
Corridor & System Planning	1,660,000	1,789,703
MPO Planning	3,960,000	4,261,783
<i>subtotal Step 1</i>	<i>\$ 93,180,000</i>	<i>\$ 97,835,623</i>
Step 2		
Active Transportation (75%)	25,810,000	33,200,000
Freight/Economy (25%)	7,340,000	11,000,000
<i>subtotal Step 2</i>	<i>\$ 33,150,000</i>	<i>\$ 44,200,000</i>
total	\$ 126,330,000	\$ 142,035,623

2019 RFFA timeline

January – March	JPACT, Council discuss and adopt policy direction
April – June	Call for projects
July – September	Project technical evaluation, readiness screen, public comment
October, November	JPACT, Council discuss draft project recommendation
December	JPACT action on final funding allocation
January 2020	Council action on final funding allocation

2018 DRAFT RTP policy priorities

- **Equity** – Reduce disparities and barriers faced by communities of color and other historically marginalized communities (HMC)
- **Safety** – Make the system safer, focusing on high-injury corridors, eliminating deaths and severe injuries, particularly among HMC
- **Climate Smart/Travel Options** – Expand transit service, complete biking and walking network gaps to meet Climate Smart Strategy goals
- **Congestion relief** – Address congestion and travel demand through low-cost, high-value solutions

Three options

- Maintain current 75/25 Step 2 split
- Eliminate 75/25 split
- Change 75/25 split to better align with RTP goals

Council discussion questions

- Should Metro Council use the priority policies in the Draft 2018 RTP, if adopted, as the policy framework for 2022-2024 Regional Flex Funds?
- What thoughts or recommendations do you wish to convey to the next Council?

