



600 NE Grand Ave.  
Portland, OR 97232-2736

## Council meeting agenda

---

Thursday, July 23, 2020

2:00 PM

<https://zoom.us/j/615079992> or  
**888-475-4499 (toll free)**

---

Please note: To limit the spread of COVID-19, Metro Regional Center is now closed to the public.

This meeting will be held electronically. You can join the meeting on your computer or other device by using this link: <https://zoom.us/j/615079992> or by calling 888-475-4499 (toll free).

If you wish to attend the meeting, but do not have the ability to attend by phone or computer, please contact the Legislative Coordinator at least 24 hours before the noticed meeting time by phone at 503-797-1916 or email at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov).

### 1. Call to Order and Roll Call

### 2. Public Communication

Public comment may be submitted in writing and will also be heard by electronic communication (videoconference or telephone). Written comments should be submitted electronically by emailing [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Written comments received by noon on Thursday, July 23 will be provided to the council prior to the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-797-1916 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Those requesting to comment during the meeting can do so by using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Individuals will have three minutes to testify unless otherwise stated at the meeting.

### 3. Presentations

#### 3.1 MERC/Travel Portland State of Affairs Update

[20-5446](https://www.oregonmetro.gov/20-5446)

Presenter(s): Chair Karis Stoudamire-Phillips, MERC  
Commissioner Ray Leary, MERC  
Commissioner Deidra Krys-Rusoff, MERC  
Jeff Miller, Travel Portland

Attachments: [Staff Report](#)

- 3.2 Update on the Greenhouse Gas Emissions Reduction by Switching to Renewable Diesel for Solid Waste Transport [20-5447](#)  
Presenter(s): Roy Brower, Metro  
Jenna Garmon, Metro  
Dana Visse, Metro  
Attachments: [Staff Report](#)

**4. Consent Agenda**

- 4.1 Considerations of the Council Meeting Minutes for July 16, 2020 [20-5453](#)  
Attachments: [Council Meeting Minutes for July 16, 2020](#)

**5. Resolutions**

- 5.1 Resolution No. 20-5110, For the Purpose of Adopting the 2021-2024 Metropolitan Transportation Improvement Program (MTIP) for the Portland Metropolitan Area [RES 20-5110](#)  
Presenter(s): Margi Bradway, Metro  
Grace Cho, Metro  
Attachments: [Resolution No. 20-5110](#)  
[Exhibit A to Resolution No. 20-5110](#)  
[Exhibit B to Resolution No. 20-5110](#)  
[Exhibit C to Resolution No. 20-5110](#)  
[Staff Report](#)

- 5.1.1 Public Hearing on Resolution No. 20-5110

- 5.2 Resolution No. 20-5119, For the Purpose of the Metro Council, Acting as the Metro Contract Review Board, Approving Two One-Year Extensions of Contract #929780 to Operate Metro Central Transfer Station Due to the Covid-19 Pandemic [RES 20-5119](#)  
[9](#)  
Presenter(s): Tom Chaimov, Metro  
Attachments: [Resolution No. 20-5119](#)  
[Staff Report](#)

**6. Ordinances (First Reading)**

- 6.1 Ordinance No. 20-1447, For the Purpose of Amending Metro Code Chapter 7.04 to Allow Construction Excise Tax Funds to Support Economic Development and Community Stabilization Through the 2040 Planning and Development Grant Program

[ORD 20-1447](#)

Presenter(s): Elissa Gertler, Metro  
Jeffrey Raker, Metro  
Lisa Miles, Metro

Attachments: [Ordinance No. 20-1447](#)  
[Exhibit A to Ordinance No. 20-1447](#)  
[Staff Report](#)

7. **Chief Operating Officer Communication**
8. **Councilor Communication**
9. **Adjourn**

# Metro respects civil rights

Metro fully complies with Title VI of the Civil Rights Act of 1964 and related statutes that ban discrimination. If any person believes they have been discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, they have the right to file a complaint with Metro. For information on Metro’s civil rights program, or to obtain a discrimination complaint form, visit [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights) or call 503-797-1536. Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1700 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. For up-to-date public transportation information, visit TriMet’s website at [www.trimet.org](http://www.trimet.org).

### Thông báo về sự Metro không kỳ thị của

Metro tôn trọng dân quyền. Muốn biết thêm thông tin về chương trình dân quyền của Metro, hoặc muốn lấy đơn khiếu nại về sự kỳ thị, xin xem trong [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Nếu quý vị cần thông dịch viên ra dấu bằng tay, trợ giúp về tiếp xúc hay ngôn ngữ, xin gọi số 503-797-1700 (từ 8 giờ sáng đến 5 giờ chiều vào những ngày thường) trước buổi họp 5 ngày làm việc.

### Повідомлення Metro про заборону дискримінації

Metro з повагою ставиться до громадянських прав. Для отримання інформації про програму Metro із захисту громадянських прав або форми скарги про дискримінацію відвідайте сайт [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). або Якщо вам потрібен перекладач на зборах, для задоволення вашого запиту зателефонуйте за номером 503-797-1700 з 8.00 до 17.00 у робочі дні за п'ять робочих днів до зборів.

### Metro 的不歧视公告

尊重民權。欲瞭解Metro民權計畫的詳情，或獲取歧視投訴表，請瀏覽網站 [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)。如果您需要口譯方可參加公共會議，請在會議召開前5個營業日撥打503-797-1700（工作日上午8點至下午5點），以便我們滿足您的要求。

### Ogeysiiska takooris la'aanta ee Metro

Metro waxay ixtiraamtaa xuquuqda madaniga. Si aad u heshid macluumaad ku saabsan barnaamijka xuquuqda madaniga ee Metro, ama aad u heshid warqadda ka cabashada takoorista, booqo [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Haddii aad u baahan tahay turjubaan si aad uga qaybqaadatid kullanka dadweynaha, wac 503-797-1700 (8 galka hore illaa 5 galka dambe maalmaha shaqada) shan maalmaha shaqo ka hor kullanka si loo tixgaliyo codsashadaada.

### Metro의 차별 금지 관련 통지서

Metro의 시민권 프로그램에 대한 정보 또는 차별 항의서 양식을 얻으려면, 또는 차별에 대한 불만을 신고 할 수 [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). 당신의 언어 지원이 필요한 경우, 회의에 앞서 5 영업일 (오후 5시 주중에 오전 8시) 503-797-1700를 호출합니다.

### Metroの差別禁止通知

Metroでは公民権を尊重しています。Metroの公民権プログラムに関する情報について、または差別苦情フォームを入手するには、[www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)。までお電話ください。公開会議で言語通訳を必要とされる方は、Metroがご要請に対応できるよう、公開会議の5営業日前までに503-797-1700（平日午前8時～午後5時）までお電話ください。

### សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

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

### إشعار بعدم التمييز من Metro

تحتزم Metro الحقوق المدنية. للمزيد من المعلومات حول برنامج Metro للحقوق المدنية أو لإيداع شكوى ضد التمييز، يُرجى زيارة الموقع الإلكتروني [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). إن كنت بحاجة إلى مساعدة في اللغة، يجب عليك الاتصال مقدماً برقم الهاتف 503-797-1700 (من الساعة 8 صباحاً حتى الساعة 5 مساءً، أيام الاثنين إلى الجمعة) قبل خمسة (5) أيام عمل من موعد الاجتماع.

### Paunawa ng Metro sa kawalan ng diskriminasyon

Iginagalang ng Metro ang mga karapatang sibil. Para sa impormasyon tungkol sa programa ng Metro sa mga karapatang sibil, o upang makakuha ng porma ng reklamo sa diskriminasyon, bisitahin ang [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Kung kailangan ninyo ng interpreter ng wika sa isang pampublikong pulong, tumawag sa 503-797-1700 (8 a.m. hanggang 5 p.m. Lunes hanggang Biyernes) lima araw ng trabaho bago ang pulong upang mapagbigyan ang inyong kahilingan.

### Notificación de no discriminación de Metro

Metro respeta los derechos civiles. Para obtener información sobre el programa de derechos civiles de Metro o para obtener un formulario de reclamo por discriminación, ingrese a [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Si necesita asistencia con el idioma, llame al 503-797-1700 (de 8:00 a. m. a 5:00 p. m. los días de semana) 5 días laborales antes de la asamblea.

### Уведомление о недопущении дискриминации от Metro

Metro уважает гражданские права. Узнать о программе Metro по соблюдению гражданских прав и получить форму жалобы о дискриминации можно на веб-сайте [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Если вам нужен переводчик на общественном собрании, оставьте свой запрос, позвонив по номеру 503-797-1700 в рабочие дни с 8:00 до 17:00 и за пять рабочих дней до даты собрания.

### Avizul Metro privind nediscriminarea

Metro respectă drepturile civile. Pentru informații cu privire la programul Metro pentru drepturi civile sau pentru a obține un formular de reclamație împotriva discriminării, vizitați [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Dacă aveți nevoie de un interpret de limbă la o ședință publică, sunați la 503-797-1700 (între orele 8 și 5, în timpul zilelor lucrătoare) cu cinci zile lucrătoare înainte de ședință, pentru a putea să vă răspunde în mod favorabil la cerere.

### Metro txoj kev ntxub ntxaug daim ntawv ceeb toom

Metro tributes cai. Rau cov lus qhia txog Metro txoj cai kev pab, los yog kom sau ib daim ntawv tsis txaus siab, mus saib [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Yog hais tias koj xav tau lus kev pab, hu rau 503-797-1700 (8 teev sawv ntxov txog 5 teev tsaus ntuj weekdays) 5 hnub ua hauj lwm ua ntej ntawm lub rooj sib tham.



**Television schedule for Metro Council meetings**

<p><b>Clackamas, Multnomah and Washington counties, and Vancouver, WA</b>  Channel 30 – Community Access Network  <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a>  <i>Ph:</i> 503-629-8534  Call or visit web site for program times.</p>	<p><b>Portland</b>  Channel 30 – Portland Community Media  <i>Web site:</i> <a href="http://www.pcmtv.org">www.pcmtv.org</a>  <i>Ph:</i> 503-288-1515  Call or visit web site for program times.</p>
<p><b>Gresham</b>  Channel 30 - MCTV  <i>Web site:</i> <a href="http://www.metroeast.org">www.metroeast.org</a>  <i>Ph:</i> 503-491-7636  Call or visit web site for program times.</p>	<p><b>Washington County and West Linn</b>  Channel 30– TVC TV  <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a>  <i>Ph:</i> 503-629-8534  Call or visit web site for program times.</p>
<p><b>Oregon City and Gladstone</b>  Channel 28 – Willamette Falls Television  <i>Web site:</i> <a href="http://www.wftvmedia.org/">http://www.wftvmedia.org/</a>  <i>Ph:</i> 503-650-0275  Call or visit web site for program times.</p>	

**PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.** Agenda items may not be considered in the exact order. For questions about the agenda, call the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site [www.oregonmetro.gov](http://www.oregonmetro.gov) and click on public comment opportunities.

Agenda Item No. 3.1

**MERC/Travel Portland State of Affairs Update**

*Presentations*

Metro Council Meeting  
Thursday, July 23, 2020

**[STAFF REPORT FOR USE FOR WORK SESSIONS AND COUNCIL MEETINGS]**

TITLE OF PRESENTATION OR REPORT: MERC / TRAVEL PORTLAND BUSINESS UPDATE

---

Date: July 16, 2020  
Department: MERC / Visitor Venues  
Meeting Date: July 23, 2020  
Prepared by: Amy Nelson,  
[amy.nelson@oregonmetro.gov](mailto:amy.nelson@oregonmetro.gov)

Presenters: MERC Chair Karis  
Stoudamire-Phillips, Vice Chair John  
Erickson, Deidra Kryss-Rusoff. Jeff Miller,  
Travel Portland  
Length: 15 minutes

---

**ISSUE STATEMENT**

To provide Metro Council with an update on Travel Portland's work plan and convention sales efforts in support of OCC in response to COVID-19. MERC's advocacy efforts to secure financial support for our venues, and both advocacy and leadership in advancing racial equity and developing inclusive cultures within the venue teams will also be shared.

**ACTION REQUESTED**

Staff level direction if more information or clarification is needed.

**IDENTIFIED POLICY OUTCOMES**

Not applicable.

**POLICY QUESTION(S)**

Not applicable, budget impacts and responsiveness to be discussed.

**POLICY OPTIONS FOR COUNCIL TO CONSIDER**

None.

**STAFF RECOMMENDATIONS**

None. Staff will follow up with Council if needed.

**BACKGROUND**

COVID-19 financial impacts to the MERC venues have been extensive and are anticipated to continue for the remainder of the year and future years, requiring adjusted work plans and advocacy for our venues.

**ATTACHMENTS**

None.

Agenda Item No. 3.2

**Update on the Greenhouse Gas Emissions Reduction by Switching to  
Renewable Diesel for Solid Waste Transport**

*Presentations*

Metro Council Meeting  
Thursday, July 23, 2020

# GREENHOUSE GAS EMISSIONS REDUCTION BY SWITCHING TO RENEWABLE DIESEL FOR SOLID WASTE TRANSPORT

---

Date: July 9, 2020  
Department: Sustainability  
Meeting Date: July 23, 2020

Prepared by: Dana Visse,  
dana.visse@oregonmetro.gov  
Presenters: Roy Brower, Jenna Garmon,  
Dana Visse  
Length: 15 minutes

---

## **ISSUE STATEMENT**

Metro's most recent greenhouse gas inventory of internal operations indicates that transporting the region's solid waste from Metro's transfer stations to the Columbia Ridge landfill in Arlington is Metro's largest source (35%) of agency-wide greenhouse gas emissions (excluding supply chain). These emissions result from the burning of approximately 800,000 to one million gallons of petroleum-derived diesel fuel annually.

To address this, Metro is switching from petroleum diesel blended with five percent biodiesel (B5) to renewable diesel (RD). This is the single most impactful action Metro can take to reduce greenhouse gas emissions from internal operations – estimated to reduce emissions from solid waste transport by a range of 57-79% (depending on the renewable diesel feedstock), and reduce emissions Metro-wide by at least 20%.

Switching to renewable diesel will also result in air quality benefits including a reduction in diesel particulate emissions, hydrocarbons, carbon monoxide, and nitrogen oxides. Currently, Clackamas, Multnomah, and Washington counties rank in the top five percent of all counties nationwide for ambient diesel particulate concentrations with a disproportionate impact on communities of color, who also experience worse effects from COVID-19 infection. Reducing air pollution emissions from Metro internal operations presents an opportunity to address racial inequity and environmental injustice.

## **ACTION REQUESTED**

This presentation seeks to inform Council on this transition to renewable diesel fuel anticipated to start in August 2020 and provide Council the opportunity to learn, ask questions, and offer feedback.

## **IDENTIFIED POLICY OUTCOMES**

The Metro Council has identified climate change mitigation as one of its top priorities. Metro's adopted climate goal for its internal operations is to reduce greenhouse gas emissions (GHG) to 80% below 2008 levels by 2050. To achieve this goal will require strategic efforts across all sources of GHG emissions particularly in solid waste, the largest source of direct emissions.

Metro's Sustainability Plan adopted by Council in 2010 includes *Strategy 2. Reduce consumption of carbon-intensive fuels* and *Action 2.3 Identify and evaluate options for*

*reducing GHG emissions from the long-haul trucking of solid waste to the Columbia Ridge Landfill.* The switch to renewable diesel addresses this strategy and action.

## **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

The policy options for consideration concern how to cover the anticipated increase in fuel costs from switching to renewable diesel, estimated to range from approximately \$385,000 to \$425,000 annually. The actual fuel cost will depend upon fluctuations in the dynamic oil market, COVID-19 impacts, and the total tonnage disposed, hauled, and transported. Considering that the overall costs of waste hauling, transport and disposal are expected to be approximately \$16M, the cost increase from switching to renewable diesel would increase the total hauling, disposal, and fuel cost by approximately 2-3%.

The current FY21 budget includes \$2.7M in fuel costs based on an estimated \$2.75 per gallon price for fuel, far higher than current pricing of approximately \$1.25 gallon. As a result, the estimated additional \$425,000 cost of switching to renewable diesel can be absorbed within the FY21 budget. In future years, the additional fuel cost for RD is expected to increase the tip fee by less than 0.5 percent, depending on the fuel market.

## **STAFF RECOMMENDATIONS**

Staff recommends transitioning to 100% renewable diesel as soon as practicable and applying the additional fuel cost to the tonnage charge at Metro's transfer stations in the future. The tonnage charge on Metro's customers is intended to cover the cost of doing business including solid waste transport. This approach has been reviewed by the COO, DCOO, CFO, and the Solid Waste Liaisons (Councilors Stacey, Craddick and Gonzalez).

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

### **Climate**

Metro's current solid waste transport is responsible for 9,140 metric tons carbon dioxide equivalent (MTCO<sub>2e</sub>) annually based on driving over 5 million miles on B5 petroleum diesel fuel. Switching to renewable diesel would result in a reduction of 57-79% total GHG emissions down to 1,910-3,920 MTCO<sub>2e</sub> annually depending on the carbon intensity of the fuel. This would result in an overall emissions reduction across all Metro operations of 20-27%, from 26,419 MTCO<sub>2e</sub> down to 19,192-21,202 MTCO<sub>2e</sub>. While the energy density of petroleum diesel and renewable is similar, these greenhouse gas reduction estimates factor in a potential ten percent increase in the use of RD to address a potentially slightly lower energy content per gallon. However, fleet managers using RD have reported no decrease in miles per gallon, and in some cases have experienced an increase in miles per gallon with renewable diesel compared to petroleum diesel.

In March 2020, Governor Brown signed [Executive Order 20-04](#) directing multiple state agencies to take action to reduce greenhouse gas emissions according to science-based emissions reduction goals addressing large stationary sources and transportation fuels. This order could impact Metro as a public agency responsible for transporting the region's solid waste.

## **Air quality**

The switch to renewable diesel would also result in air quality benefits. Diesel particulate emissions pose a threat to the health of people living and working in the greater Portland area, with a disproportionate impact on people of color. Using EPA health effects methodology, the Oregon DEQ estimates that over \$1.6 billion is spent every year on avoidable health related costs such as illness, hospitalization, lost work days, and even premature death due to diesel emissions exposure. In some areas, such as near transportation corridors, levels of diesel pollution are over ten times Oregon health benchmarks.

## **Racial equity**

Addressing air pollution also confronts racial disparities related to health outcomes. The Harvard School of Public Health released a study that links higher exposure to particulate matter to a higher risk of death from COVID-19 infection. Researchers found that a one-microgram increase in the concentration of fine particulate matter is associated with an eight percent increase in the [risk of death from COVID-19 infection](#).

Previous data had already indicated that communities of color are disproportionately exposed to particulate matter and other air pollution in the Portland Metro area. New data shows that communities of color are also highly vulnerable to the coronavirus pandemic, with disproportionate numbers of infections and deaths among [African Americans](#) and [Latinos](#).

## **Legal**

Metro's solid waste transport contract states that Metro will explore the use of renewable diesel (RD) or other alternative fuels over the ten year life of the contract. Contracts and memoranda of understanding with vendors McCall Fuel, Devin Oil, and Walsh Trucking are being modified to reflect the use of RD for implementation by August 2020.

## **BACKGROUND**

Approximately 60 trucks carry solid waste six days a week from Metro's Central and South transfer stations and the Walsh Trucking facility in Troutdale to Arlington. These trucks use B5 resulting in 9,137 MTCO<sub>2e</sub> emissions annually, Metro's largest source of Scope 1 emissions which Metro has the most direct control over.

Similar to biodiesel, renewable diesel is made from a variety of renewable, organic materials including used cooking oil, and agricultural waste products such as vegetable oils, tallow, or fish waste. The feedstocks for the RD that Metro plans to use are completely derived from waste and residue streams, none of which contain palm oil. No crops are explicitly grown to produce the fuel. In contrast to biodiesel, renewable diesel is refined in the same manner as petroleum diesel and performs as a "drop in fuel" capable of being used in all existing diesel vehicles and fueling infrastructure at any ratio with no modifications necessary. Renewable diesel can also be blended with petroleum diesel or biodiesel in any proportion without any additional capital investment to make the transition.



Because it's made from renewable feedstocks, renewable diesel produces approximately 40-80% less carbon emissions per gallon compared to petroleum diesel, depending on the feedstock.

Since 2018, Metro's sustainability team has been evaluating a switch to renewable diesel as a transition strategy until heavy duty electric trucks are available. Until recently, low supply and the high cost of renewable diesel posed barriers. Last fall, a renewable diesel supplier announced that they could offer a guaranteed supply of low carbon renewable diesel capable of meeting Metro's annual fuel demand.

#### **ATTACHMENTS**

- Is legislation required for Council action?  Yes  No
- If yes, is draft legislation attached?  Yes  No
- What other materials are you presenting today? PowerPoint presentation

Agenda Item No. 4.1

**Consideration of the Council Meeting minutes for July 16, 2020**

*Consent Agenda*

Metro Council Meeting  
Thursday, July 23, 2020

# **Metro**

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



**Metro**

## **Minutes**

**Thursday, July 16, 2020**

**2:00 PM**

**Meeting held on Zoom**

**Council meeting**

**1. Call to Order and Roll Call**

**Present:** 7 - Council President Lynn Peterson, Councilor Sam Chase, Councilor Shirley Craddick, Councilor Craig Dirksen, Councilor Bob Stacey, Councilor Christine Lewis, and Councilor Juan Carlos Gonzalez

**2. Public Communication**

There was none.

**3. Consent Agenda**

**A motion was made by Councilor Gonzalez, seconded by Councilor Chase, that this item be approved the Consent Agenda. The motion passed by the following vote:**

**Aye:** 7 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Councilor Lewis, and Councilor Gonzalez

3.1 Considerations of the Council Meeting Minutes for July 09, 2020

Attachments: [Consideration of the Council Meeting Minutes for July 09, 2020](#)

**4. Ordinances (Second Reading and Public Hearing)**

4.1 Ordinance No. 20-1448, For the Purpose of Funding Transportation Improvements

Attachments: [Ordinance No. 20-1448](#)  
[Exhibit A to Ordinance No. 20-1448](#)  
[Staff Report](#)

Councilor Lewis put forward an amendment the ordinance to, among other things, exempt state and local governments from paying the payroll tax to support this package.

**A motion was made by Councilor Chase, seconded by Councilor Gonzalez, that this item be approved. The motion passed by the following vote:**

**Aye:** 7 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Councilor Lewis, and Councilor Gonzalez

4.1.1 Public Hearing for Ordinance No. 20-1448

Council heard from 44 members of the public during the public hearing for Ordinance No. 20-1448.

**5. Resolutions**

5.1 Resolution No. 20-5117, For the Purpose of Adopting Get Moving 2020 Implementation, Oversight and Accountability Policies and Procedures

Attachments: [Resolution No. 20-5117](#)  
[Exhibit A to Resolution No. 20-5117](#)  
[Exhibit B to Resolution No. 20-5117](#)  
[Exhibit C to Resolution No. 20-5117](#)  
[Exhibit D to Resolution No. 20-5117](#)  
[Staff Report](#)

*Council Discussion*

There was none.

**A motion was made by Councilor Gonzalez, seconded by Councilor Craddick, that this item be approved. The motion passed by the following vote:**

**Aye:** 7 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Councilor Lewis, and Councilor Gonzalez

5.2 Resolution No. 20-5118, For the Purpose of Adopting the Get Moving 2020 Regionwide Program Descriptions

Attachments: [Resolution No. 20-5118](#)  
[Exhibit A to Resolution No. 20-5118](#)  
[Staff Report](#)

*Council Discussion*

There was none.

**A motion was made by Councilor Craddick, seconded by Councilor Dirksen, that this item be approved. The motion**

**passed by the following vote:**

**Aye:** 7 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Councilor Lewis, and Councilor Gonzalez

- 5.3 Resolution No. 20-5122, For the Purpose of Adopting the Get Moving 2020 Corridor Investment Package

Attachments: [Resolution No. 20-5122](#)  
[Exhibit A to Resolution No. 20-5122](#)  
[Exhibit B to Resolution No. 20-5122](#)  
[Exhibit C to Resolution No. 20-5122](#)  
[Exhibit D to Resolution No. 20-5122](#)  
[Staff Report](#)

*Council Discussion*

There was none.

**A motion was made by Councilor Dirksen, seconded by Councilor Craddick, that this item be approved. The motion passed by the following vote:**

**Aye:** 7 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Councilor Lewis, and Councilor Gonzalez

- 5.4 Resolution No. 20-5123, For the Purpose of Referring to Metro Area Voters a Ballot Measure for Get Moving 2020 for Safety Traffic and Transit Improvements

Attachments: [Resolution No. 20-5123](#)  
[Exhibit A to Resolution No. 20-5123](#)  
[Exhibit B to Resolution No. 20-5123](#)  
[Staff Report](#)

*Council Discussion*

Councilors discussed in turn how much this Transportation package meant to them, and applauded the hard work of the Metro staff in making it happen.

**A motion was made by Councilor Dirksen, seconded by Councilor Gonzalez, that this item be approved. The motion passed by the following vote:**

**Aye:** 7 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Councilor Lewis, and Councilor Gonzalez

**6. Chief Operating Officer Communication**

There was none.

**7. Councilor Communication**

There was none.

**8. Adjourn**



Agenda Item No. 5.1

**Resolution No. 20-5110**, For the Purpose of Adopting the 2021-2024  
Metropolitan Transportation Improvement Program (MTIP)  
for the Portland Metropolitan Area

*Resolutions*

Metro Council Meeting  
Thursday, July 23, 2020

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE 2021- ) RESOLUTION NO. 20-5110  
2024 METROPOLITAN TRANSPORTATION )  
IMPROVEMENT PROGRAM FOR THE ) Introduced by Councilor Shirley Craddick  
PORTLAND METROPOLITAN AREA )

WHEREAS, the Portland metropolitan area Metropolitan Transportation Improvement Program (MTIP), which reports on the programming of all federal transportation funds to be spent in the region, must be periodically updated in compliance with federal regulations; and

WHEREAS, the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) adopted Metro Resolution 19-4963 which set policy direction to guide the development of the 2021-2024 Metropolitan Transportation Improvement Program; and

WHEREAS, the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) have proposed programming for federal fiscal years 2022-2024 through the regional flexible funds allocation process for a portion of the federal allocation of transportation funds to this region, as adopted by Metro Resolution 19-4959 and 20-5036; and

WHEREAS, the Oregon Department of Transportation has proposed programming for federal fiscal years 2021-2024 of federal transportation funds for projects in the Portland metropolitan area through funding allocation processes they administer; and

WHEREAS, the transit service providers TriMet and South Metropolitan Area Rapid Transit (SMART) have proposed programming of federal transit funds for federal fiscal years 2021-2024; and

WHEREAS, the draft 2021-2024 MTIP for the Portland, Oregon metropolitan area, attached as Exhibit A, demonstrates compliance with all relevant federal law and Oregon administrative rules; and

WHEREAS, the 2021-2024 Metropolitan Transportation Improvement Program is the first cycle to be undertaken under new federal performance-based programming requirements and demonstrates compliance and further progress towards achieving the federal performance targets; and

WHEREAS, the proposed 2021-2024 MTIP is consistent with the 2018 Regional Transportation Plan, adopted by Metro Ordinance No. 18-1421; and

WHEREAS, a public process has provided an opportunity to comment on the performance evaluation and programming of federal funds to specific projects in specific fiscal years and whether the programming meets all relevant laws and regulations;

WHEREAS, extensive public processes were used to select projects to receive federal transportation funds; and

WHEREAS, on July 16, 2020 JPACT recommended approval of this resolution and the 2021-2024 Metropolitan Transportation Improvement Program; now therefore

BE IT RESOLVED that the Metro Council adopt the 2021-2024 Metropolitan Transportation Improvement Program for the Portland metropolitan areas as shown in Exhibit A; and

BE IT RESOLVED that projects in the existing 2018-2021 MTIP that do not complete obligation of funding prior to September 30, 2020 will be programmed into the 2021-2024 MTIP.

ADOPTED by the Metro Council this \_\_\_ day of July 2020.

---

Lynn Peterson, Council President

Approved as to Form:

---

Carrie MacLaren, Metro Attorney

## STAFF MEMO

IN CONSIDERATION OF RESOLUTION NO. 20-5110 FOR THE PURPOSE OF APPROVING THE 2021-2024 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA

---

Date: July 2, 2020

Prepared by: Grace Cho

### PURPOSE

The 2021-2024 Metropolitan Transportation Improvement Program (MTIP) is the region's short-term investment strategy of federal transportation funds. The 2021-2024 MTIP summarizes all programming of federal transportation funding in the Portland metropolitan region for the federal fiscal years 2021 through 2024. Acting on this resolution would:

- Approve the scheduling of previously allocated federal funding to projects by project phase and fiscal year;
- Define administrative authority to modify, add or remove projects from the 2021-2024 MTIP (as defined in Chapter 8);
- Affirm the region meets federal planning and programming rules and permit submission of the 2021-2024 MTIP to the Governor of Oregon and incorporation into the State Transportation Improvement Program.

### BACKGROUND

The 2021-2024 Metropolitan Transportation Improvement Program (MTIP) is the federally mandated four-year schedule of expenditures (i.e., spending) of federal transportation funds as well as significant state and local funds in the Portland metropolitan region. As a report, the MTIP provides the upcoming four-year implementation schedule of transportation projects in the Portland region. The report must demonstrate the use of federal funds will comply with all relevant federal laws and administrative rules.

In the Portland metropolitan region, there are three processes which propose programming of federal transportation funds and are therefore reflected in the MTIP. These processes are:

- The Regional Flexible Fund Allocation (RFFA): A process led by the Joint Policy Advisory Committee on Transportation and the Metro Council to allocate the region's discretionary federal transportation funds;
- The allocation of the Oregon Department of Transportation (ODOT) administered funds: An allocation framework established by the Oregon Transportation Commission (OTC) and allocations take place statewide or at the different ODOT regions. For the Portland metropolitan area, the Region 1 Area Commission on Transportation (ACT) plays a role in funding recommendations to the OTC. The allocations predominately focuses on capital improvements and maintenance on the national highway system; and
- TriMet's and the South Metro Area Rapid Transit (SMART) Annual Budget Process and Programming of Projects: the processes led by the individual transit operators in region. TriMet's annual budget process includes its rolling capital improvement program, updated each fiscal year and guides the short term implementation of the 20-year service enhancement plans. SMART is the transit agency for the City of Wilsonville and allocates transit funding in conjunction with the city budget process.

All the projects and programs selected to receive federal funding through the three processes are summarized in the tables listed in Chapter 6 of the 2021-2024 MTIP (Exhibit A) by lead agency. The tables illustrate the assignment of funds by fund type and the amount of funding by disbursement year for

the federal fiscal years 2021 through 2024. There are a number of different federal transportation funds assigned to different projects. This includes, but not limited to: Federal Highway Administration (FHWA) funds: surface transportation block grant, congestion mitigation/air quality and the FTA funds new starts, small starts, a program for special needs transportation for seniors and people with disabilities, allocations for bus purchases and allocations for maintenance of the bus and rail systems. Previous programming of these funds have been updated to reflect project completion as well as changes in construction schedules and project costs.

### **Coordination and Development of the 2021-2024 MTIP**

The 2021-2024 MTIP adoption draft (Exhibit A) represents the past three years of efforts to develop the short-term investment strategy and demonstrate compliance and eligibility with federal regulations. Activities in which TPAC, JPACT, and the Metro Council played an active role in the development of the 2021-2024 MTIP include, but are not limited to:

- 2021-2024 MTIP financial forecast (JPACT acknowledgment of receipt April 2018)
- 2021-2024 MTIP policy direction (Resolution 19-4963 April 2019)
- 2021-2024 MTIP performance evaluation (Summer 2019/Spring 2020)
- 2022-2024 RFFA (Resolutions 19-4959 and 20-5063 April 2019 and January 2020)
- MPO feedback into the 2021-2024 ODOT administered funds (2018-2019)
- Annual transit agency budget presentation (2018, 2019)

The allocation and decision processes for determining which transportation projects and programs are expected to receive funds were completed at the beginning of 2020. The 2021-2024 MTIP adoption draft is a reflection of the outcomes of those allocation and decision processes as described in the background section of this staff report.

### **Public Comment for the Draft 2021-2024 MTIP**

The Federal Highway Administration and Federal Transit Administration require Metro make the schedule of federal and regionally significant expenditures available for a 30-day public comment prior to final adoption.

On Friday, April 17, 2020, Metro opened a public comment period for the 2021-2024 MTIP public review draft. As part of the public comment, Metro developed a short survey which provided some information about the 2021-2024 MTIP, the results of the performance evaluation, and asked for feedback. The design of the short survey was a way of gather feedback without having members of the public needing to read the entire 2021-2024 MTIP, but was made available with the survey. In addition, during the public comment, Metro held two live opportunities to provide feedback on the 2021-2024 MTIP. A public hearing was held on April 23, 2020 at the Metro Council meeting and a resource agency and tribal government consultation was held on May 11, 2020. The public comment closed on Monday, May 18, 2020.

The various public comment opportunities resulted in a total of 210 public comments received on the 2021-2024 MTIP. The 2021-2024 MTIP received a greater amount of comments than the previous two cycles (2015-2018 and 2021-2024). In review of the public comments, the following themes and key takeaways emerged:

- Across the regional priorities of advancing equity, advancing climate, and reducing congestion, more than half of all respondents indicated strongly that more and faster work is needed.
- Survey responses indicate climate change is where there is the greatest need for more and faster work and investments should work to reduce greenhouse gas emissions. The focus on climate change is reflected in the comments submitted through the survey as well as the comment made during the Metro Council hearing.

- Comments made about addressing climate change often pointed to strategies to reduce congestion as well as investments in transit and active transportation. Although most comments about reducing traffic congestion were connected to a desire to address climate change, there were also comments that requested congestion be addressed through increased investment in the motor vehicle network, including expanding roadways.
- There is also a strong interest in more and faster work to advance equity. Comments discussed the need to increase a variety of types investments in historically marginalized communities, including improved and expanded transit service, affordability of transit, a better connected active transportation system and safety improvements. Comments also highlighted the disproportionate impacts of transportation-related air pollution on communities of color and low income communities.
- Survey responses indicate the lowest level of urgency related to safety, although more respondents indicated more and faster work is needed to advance safety than indicated that the region is on the right track.

The public comment report and a summary of comments received on the draft 2021-2024 MTIP can be found in Appendix V of Exhibit A.

### **Partner Coordination and Finalizing the 2021-2024 MTIP Adoption Draft**

Throughout the development of the 2021-2024 MTIP, Metro has worked closely with key partners ODOT, SMART, and TriMet to reflect the near-term federal and regionally significant transportation investments in the programming of the 2021-2024 MTIP. Throughout the coordination process, Metro worked with partners and provided guidance to ensure federal eligibility requirements are being met. Additionally, Metro, ODOT, TriMet and SMART have worked closely to define which programming changes get reflected and synced in the 2021-2024 MTIP and 2021-2024 STIP between the public comment draft and the adoption draft versions. These changes have been documented as formal requested comments by ODOT and TriMet. Of those proposed changes which were significant, an opportunity for comment was provided between May 29 through June 29, 2020 on the programming changes made between the public review draft and the adoption draft.

In recognition of the coordination undertaken, TPAC recommend adoption of the 2021-2024 Metropolitan Transportation Improvement Program as presented. The presented 2021-2024 MTIP reflects the coordinated changes agreed to by Metro, ODOT, TriMet, and SMART.

The documentation of programming changes can be found in the companion documents, considered under Resolution No. 20-5110.

### **Implementation of the 2021-2024 MTIP and Moving Forward to the 2024-2027 MTIP**

The 2021-2024 MTIP is expected to take effect on October 1, 2020, the beginning of the federal fiscal year 2021. In the meantime, agency staff are monitoring the progress of projects currently scheduled for federal obligation this federal fiscal year as a part of the 2018-2021 MTIP. If a project is unsuccessful in meeting its current schedule for action this year, it may be proposed for amendment into the 2021-2024 MTIP so that it may proceed under a delayed schedule. These changes will be addressed as part of a transition amendment to the 2021-2024 MTIP immediately following federal approval of the 2021-2024 STIP by the U.S. Department of Transportation.

Following the adoption of the 2021-2024 MTIP and STIP in summer 2020, ODOT will begin the process of launching into the development of the 2024-2027 cycle. Additionally, the transit agencies will begin their annual budget process and financial forecasting for fiscal year 2022.

Based on the input and feedback heard in the public comment, the discussion of the performance evaluation and throughout the development of the 2021-2024 MTIP, staff recommends the following to guide the development of the 2024-2027 MTIP:

- Continue to focus on the RTP priorities: equity, safety, climate, and traffic congestion to guide the investments
- Conduct a technical analysis retrospective to refine and explore methods that can better assess the package of investments and its effect on getting the our region's goals around equity, safety, climate, and traffic congestion
- Increase partner coordination to articulate the on-going funding trade off discussions and the decision processes that lead to the transportation investments included in the MTIP

The development of the 2024-2027 MTIP policy direction, project charter among partners, workshops with TPAC and discussions with Metro Council and JPACT are some initial staff proposed avenues to implementing these recommendations. Further development of the approach to implementing the staff recommendations for the 2024-2027 MTIP will be undertaken after adoption of the 2021-2024 MTIP.

## ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** The 2021-2024 MTIP programs transportation funds in accordance with the federal transportation authorizing legislation (currently known as the FAST ACT). The 2021-2024 MTIP is intended to implement the Regional Flexible Fund Allocation (RFFA) process for years 2022 through 2024 as defined by Resolution Nos. 20-5063 and 19-4959. The 2021-2024 MTIP must be consistent with the 2018 Regional Transportation Plan, adopted by Metro Ordinance No. 18-1421 and reiterated in the 2021-2024 MTIP policy direction Resolution No. 19-4963.
3. **Anticipated Effects** Adoption of this resolution is a necessary step to make the transportation projects and programs defined in the 2021-2024 MTIP, provided as Exhibit A, eligible to receive federal funds to reimburse project costs. A delay in adopting the 2021-2024 MTIP can create a delay in transportation projects and programs accessing funds or receiving federal approvals in order to move forward. This includes several Metro programs which received an allocation of federal funding through the Regional Flexible Fund process.
4. **Budget Impacts** Adoption of this resolution is a necessary step in making eligible federal surface transportation program funds for planning activities performed at Metro. These impacts have been previously described as a part of the actions on Metro Resolution Nos. 19-4959, 19-4963, and 20-5063. This includes \$47,133,715 of federal funds to be used for planning activities at Metro between 2021 through 2024. Grant funds allocated to Metro planning require a match totaling 10.27% of project costs. This would include \$11,417,923 through the course of the 2021-2024 time period. An additional \$23,779,667 of planning and project activities are scheduled and funded to take place in the 2021-2024 MTIP. These funds are subject to being sub-allocated to transportation agencies, including Metro through regional programs, although Metro would only be responsible for matching the portion of funds sub-allocated to Metro. Further action through the annual Unified Planning Work Program (UPWP) and individual Intergovernmental Agreements (IGA) will be needed to execute these planning and project activities.

## RECOMMENDED ACTION

Staff recommends approval of Resolution No. 20-5110.





# MTIP Overview

*The Metropolitan Transportation Improvement Program (MTIP) is a short-range investment plan of regionally significant transportation investments for the next four years.*

For the Portland region, the 2021- 2024 MTIP is a little over \$1.2 billion of investments spread over 203 transportation projects and programs. The investments are comprised of:

- a mix of capital investments to fill gaps and build out the transportation system across all forms of travel,
- freeway and transit maintenance investments to take care of the transportation infrastructure already in place,
- operations investments to use technologies to make the system work better and be safer,
- programs that educate about travel options, support kids in walking and rolling to school safely, and create transit supportive development;
- planning to analyze needs, develop project proposals and maintain eligibility for federal and state funding.

As a federally required short-range plan, the MTIP must include all federal transportation money being invested in the greater Portland area as well as the required monies from cities, counties and the state to match the federal dollars. The MTIP does not account for locally-raised dollars that cities and counties spend on other things like fixing potholes on neighborhood streets or money that transit agencies raise and spend operating bus and light rail service. For the region to remain eligible to receive and access federal transportation monies, the MTIP must continually be updated to demonstrate the region's project costs and spending does not exceed projected revenues, also known as fiscal constraint.

The MTIP is complementary to the Regional Transportation Plan (RTP), which identifies needed capital and maintenance transportation projects in the region through 2040. The RTP long-range investment plan outlines \$42 billion of needed investments. The transportation projects and programs in the MTIP help to advance the RTP.



## 2021-2024 MTIP breakdown

- 45% goes towards building out roadway, transit, and active transportation projects
- 52% goes towards maintenance and operations
- 3% goes towards planning and running programs

The near even split between the capital and maintenance demonstrates the region striving to balance many different factors, such as federal funding restrictions and policy direction coming from different places, like state legislative mandates, or local policies that can prioritize different objectives. In the MTIP, generally:

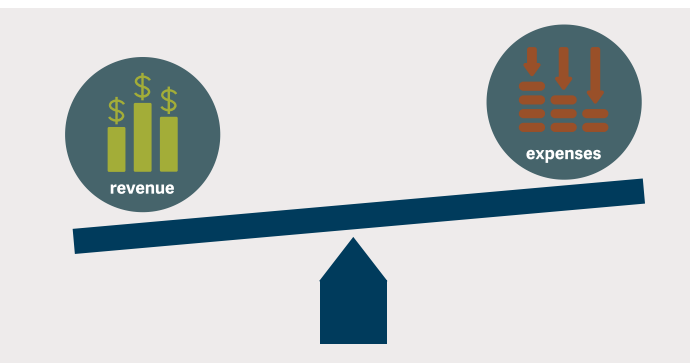
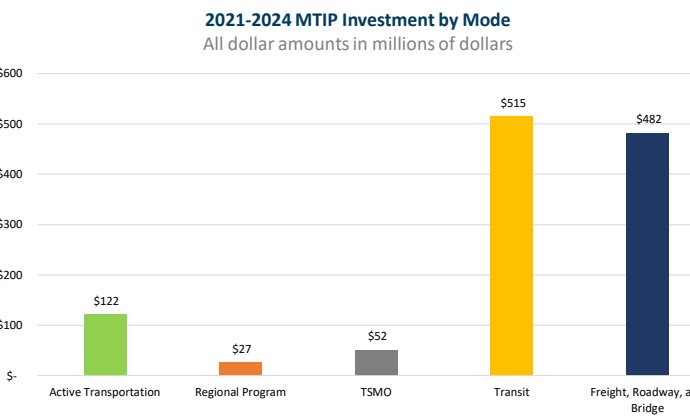
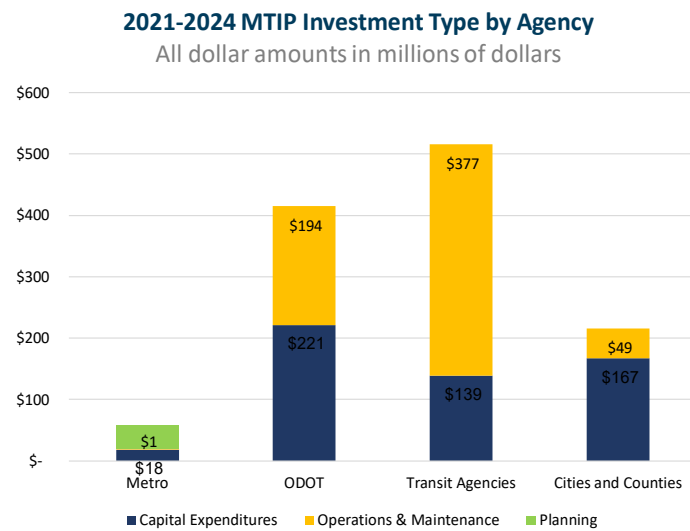
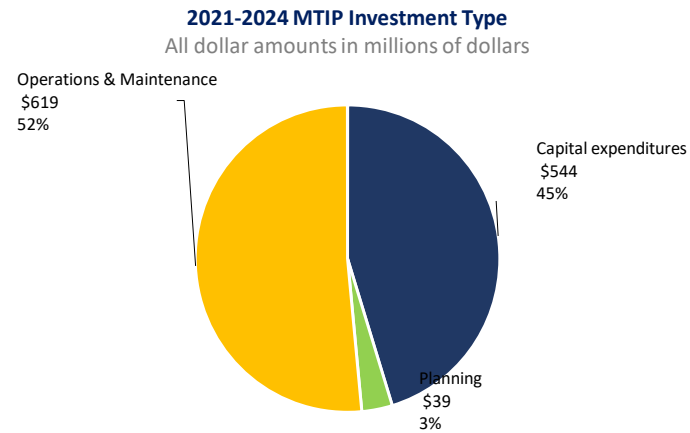
- Transit agencies invests its federal monies primarily for maintaining the assets (e.g. buses, light rail track work, etc.) of the transit system.
- ODOT invests federal monies across maintenance, operating the system, and building roadway capacity
- Cities and Counties invests federal monies into capital projects to build out the transportation network and focus local monies on maintenance of streets

The region's primary transportation project delivery agencies show varying level of investment towards capital and maintenance. In general, federal transportation funds tend to focus on capital investments such as roads, transit, bicycle and pedestrian networks, which are short-term commitments. The expectation by the federal government is for states, local governments, and transit agencies to maintain and operate the system.

The 2021-2024 MTIP invests across all different forms of travel.

- Nearly \$1 billion combined – are for roadway and transit,
- Over \$120 million towards building out the active transportation network,
- \$52 million is for transportation system management and operations (TSMO) to help manage demand and improve performance.

Fiscal constraint is maintained by balancing revenues available in a fiscal year with the project costs incurred in that year. For the 2021-2024 MTIP, four years of revenues are forecasted and four years project costs are estimated. Fiscal constraint is demonstrated by showing the total programming of projects costs by project phase do not exceeding forecasted revenues in any year in the MTIP. This is a continual balancing act of tracking revenues to spending as projects and programs in the MTIP get built or operating.



## What these investments will do

The 2021-2024 MTIP focuses on making progress towards four goals: getting to zero deaths and serious injuries from crashes on the roads, reducing disparities, reducing greenhouse gases from cars and trucks, and managing traffic congestion. With the investments in the 2021-2024 MTIP, the region will see:



### Reducing disparities/advancing equity

- A greater rate of progress toward completing the regional walking and biking system in communities with higher numbers of people of color, people with low incomes, and people with limited English proficiency. The highest rate of completion is for sidewalks near transit stops in historically marginalized communities which reaches 74%.
- Increased access to community places and jobs – including middle wage jobs – by transit for the average household in historically marginalized communities by 10%. Access goes up 15% in some communities.

### Getting to zero

- Nearly one-third of the short-range plan will invest in proven safety countermeasures, such as medians and pedestrian crossing islands and protected left turn signals, to reduce crashes.
- Nearly 80% of the safety investments are focused on high injury corridors and intersections – the roadways and intersections most prone to crashes – located in or that travel across historically marginalized communities.



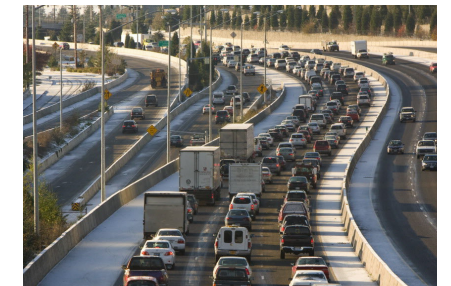
### Addressing climate change

A reduction in greenhouse gas emissions by 21% per capita by transitioning transit vehicles to energy efficient vehicles and building out the transit and

active transportation network. This makes faster than planned progress towards the region's Climate Smart Strategy target.

### Managing traffic congestion

- A shift of nearly 70,000 car trips to walking, bicycling, and using transit, making it easier for people and businesses to reliably and efficiently reach their destinations.
- Upgraded traffic signals, improved signal timing, traveler information monitoring road conditions, and investments in other systems that respond to incidents such as crashes, special events or extreme weather to make travel times more reliable.
- Less time to spent in the car going between Beaverton to Tigard, including Washington Square, and between Hillsboro and Tualatin.
- More transit, bicycle, and walking options and useful tools to navigate other ways to get around to help manage travel demand.

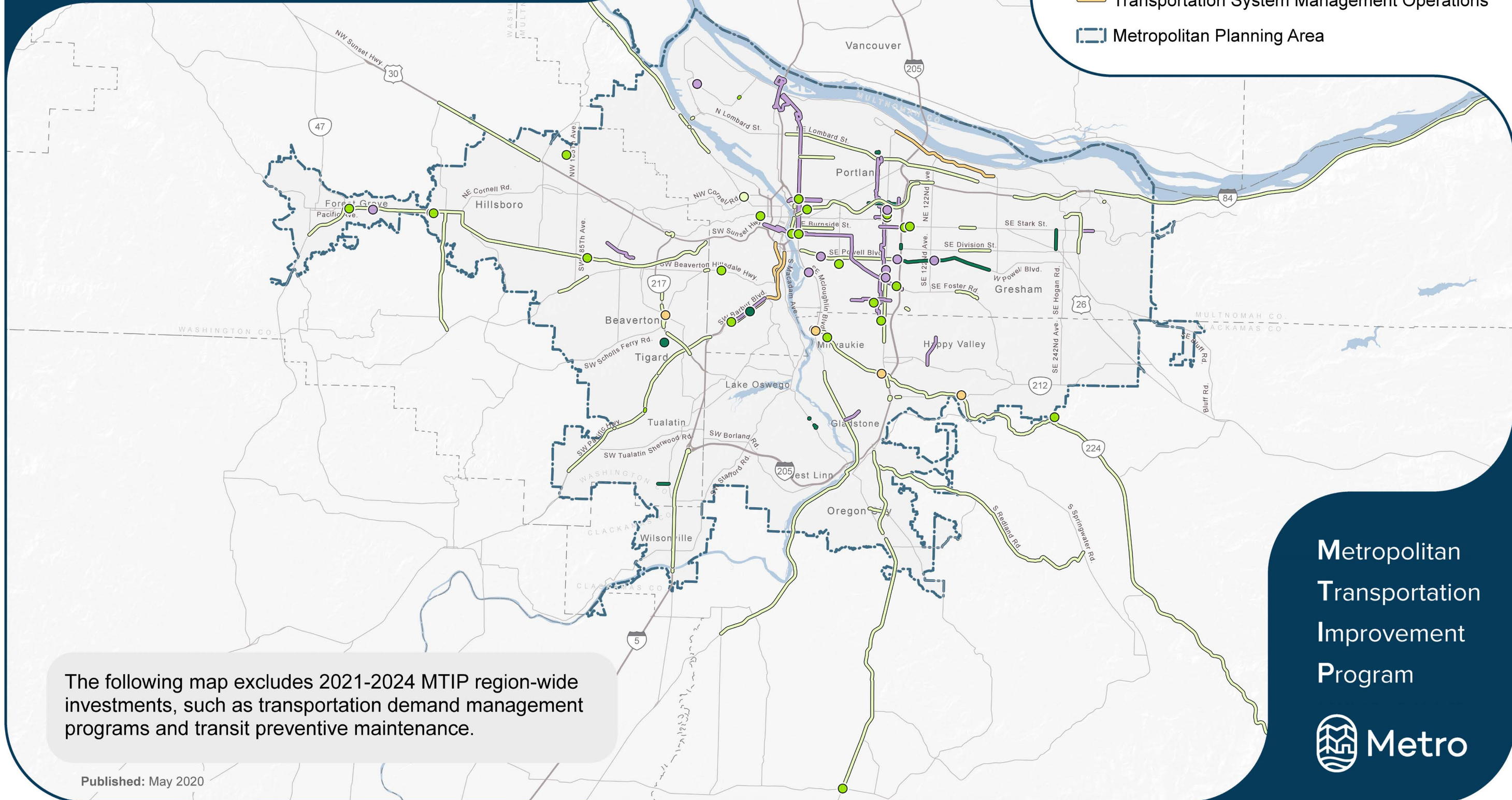




# Planned Investments

## Mode

- Active Transportation
- Roadway & Bridge: Capital improvement
- Roadway & Bridge: Planning
- Roadway & Bridge: Maintenance & Preservation
- Transportation System Management Operations
- Metropolitan Planning Area



The following map excludes 2021-2024 MTIP region-wide investments, such as transportation demand management programs and transit preventive maintenance.

Metropolitan  
Transportation  
Improvement  
Program



## Schedule

Committee recommendations and approvals:

- Transportation Policy Alternatives Committee (TPAC) – **June 5, 2020**
- Joint Policy Advisory Committee on Transportation (JPACT) – **July 16, 2020**

Adoption of the 2021-2024 MTIP by the Metro Council – **July 23, 2020**

Submit the 2021-2024 MTIP to the Governor for inclusion in the 2021-2024 STIP – **Late July-August 2020**

Submit the 2021-2024 MTIP and STIP to federal partners requesting approval – **Late summer 2020**

Federal partner approval of the 2021-2024 MTIP – **Fall 2020**

2021-2024 MTIP becomes effective – **October 1, 2020**



## Where to find the MTIP

Head to the webpage to find out more about the 2021-2024 MTIP. Find the results of the 2021-2024 MTIP performance evaluation, find the list of projects and their year-by-year planned spending, and more.

Electronic copies of 2021-2024 MTIP copies can be found at [www.oregonmetro.gov/public-projects/2021-24-metropolitan-transportation-improvement-program](http://www.oregonmetro.gov/public-projects/2021-24-metropolitan-transportation-improvement-program)

For more information about individual projects, please see:

[www.oregon.gov/odot/Regions/Pages/Region-1-STIP.aspx](http://www.oregon.gov/odot/Regions/Pages/Region-1-STIP.aspx)

<https://trimet.org/about/accountability.htm>

<https://www.ridesmart.com/transit/page/program-projects>

The MTIP is continually updated. Check back for more information on changes – also known as amendments – in the 2021-2024 MTIP.







ADOPTION DRAFT

# 2021-2024 Metropolitan Transportation Improvement Program

June 2020

- Adoption Draft: <http://rim.metro-region.org/Webdrawer/RecordView/632459>
- Appendices: <http://rim.metro-region.org/Webdrawer/RecordView/632463>

FOR THE PURPOSE OF ADOPTING THE 2021-2024 METROPOLITAN TRANSPORTATION  
IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA

---

Date: July 9, 2020  
Department: Planning and Development  
Meeting Date: July 23, 2020

Presenter(s) (if applicable): Grace Cho,  
Ted Leybold  
Length: TBD

Prepared by: Grace Cho, 267-909-3490  
(mobile), grace.cho@oregonmetro.gov

---

### **ISSUE STATEMENT**

The Metropolitan Transportation Improvement Program (MTIP) is a federally required document and is one of Metro's major responsibilities as the metropolitan planning organization for the Portland region. The MTIP serves two primary purposes: 1) to ensure the costs of delivering federally-aided transportation projects do not exceed expected revenues; and 2) to ensure the projects identified in the MTIP expenditure plan are consistent with the Regional Transportation Plan (RTP) and demonstrate expected progress in advancing the RTPs goals. The MTIP is updated on a three-year cycle with the 2021-2024 MTIP scheduled for Metro Council adoption in July 2020.

Presented before the Metro Council is the 2021-2024 MTIP as recommended by the Joint Policy Advisory Committee on Transportation (JPACT) for adoption. Upon adoption by the Metro Council, the 2021-2024 MTIP will be submitted to the Governor for inclusion in the State Transportation Improvement Program (STIP) and federal partners – the Federal Highway Administration and the Federal Transit Administration – for approval.

### **ACTION REQUESTED**

For the Metro Council to adopt Resolution 20-5110: For the purposes of adopting the 2021-2024 MTIP for the Portland metropolitan area.

### **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

#### Adoption of the 2021-2024 MTIP

The 2021-2024 MTIP represents the funding allocation processes and decisions undertaken by Metro, ODOT, SMART, and TriMet between 2017 through 2020. During that time, Metro worked closely with partners to identify the types of investments that advance the region's four priorities – addressing safety, equity, climate, and managing congestion – while also verifying and ensuring federal funding eligibility.

Additional steps were undertaken by Metro staff to help ensure transparency of the content of the 2021-2024 MTIP. A formal public comment on the package of transportation investments in the 2021-2024 MTIP took place in spring 2020. A second comment opportunity was provided to address technical corrections not shown as part of the public

review draft that was available during the public comment. The 2021-2024 MTIP received the most comments any of previous cycle.

After robust discussions, the 2021-2024 MTIP was recommended by TPAC for JPACT approval on June 5, 2020. JPACT approved the 2021-2024 MTIP at the July 16, 2020 meeting and recommended Metro Council adoption.

By taking action to adopt the 2021-2024 MTIP, the Metro Council is carrying forward the coordination efforts undertaken by partners for the past three years and the recommendations from JPACT. In addition, adopting the 2021-2024 MTIP allows federally funded and regionally significant transportation projects and programs to move forward.

#### No Action/Delay of Adoption

If the Metro Council does not take action to adopt the 2021-2024 MTIP in July 2020, the delay in adoption can create a delay in transportation projects and programs accessing funds or receiving federal approvals in order to move forward. This includes several Metro programs which received an allocation of federal funding through the Regional Flexible Fund process.

#### **STAFF RECOMMENDATIONS**

Metro staff recommends adopting the 2021-2024 MTIP (Resolution 20-5110)

#### **BACKGROUND**

The MTIP is a federally required document which outlines the schedule of federal and regionally significant transportation expenditures. Metro staff is developing a new MTIP for the upcoming four federal fiscal years of 2021-2024, that is scheduled for JPACT and Metro Council adoption in July 2020 and subsequent submission to the Governor of Oregon for approval and incorporation into the statewide Transportation Improvement Program (STIP). U.S. Department of Transportation (USDOT) approval is then expected by fall of 2020. Once approved by USDOT, the new 2021-2024 MTIP replaces the existing 2018-2021 MTIP as the active governing program of federal transportation expenditures on projects within the Portland metropolitan area.

A current and effective MTIP is necessary for the region to access federal transportation funds as the MTIP demonstrates the region's project costs and spending does not exceed projected revenues, also known as fiscal constraint. Beyond the MTIP's financial planning and project delivery functions, the MTIP ensures projects are consistent with the RTP and demonstrates how the investments into the transportation system make progress towards the Regional Transportation Plan (RTP) goals for the transportation system.

The 2021-2024 MTIP was developed over three-years and includes the near-term federally funded and regionally significant transportation projects and programs by ODOT, SMART, TriMet, and Metro. Some examples of projects and programs included in the 2021-2024 MTIP include: Metro's Regional Travel Options Program, TriMet's bus purchases and replacements, SMART's elderly and disabled transit operations, Washington County's Basalt Creek Parkway, and ODOT's Powell Boulevard widening and complete street project.



## RELATIONSHIP TO METRO'S CORE MISSION & STRATEGIC PLAN

The development and administration of the 2021-2024 MTIP is one of Metro's responsibilities as the metropolitan planning organization (MPO) for the Portland region. As a federally required schedule of planned federal transportation expenditures, an effective MTIP is an obligatory activity for Metro and the Portland region to remain eligible to receive and expend federal transportation funding or allow regionally significant transportation projects to move forward in the project delivery process.

## RELATIONSHIP TO METRO'S RACIAL EQUITY AND CLIMATE ACTION GOALS

The 2021-2024 MTIP is the implementation mechanism for the 2018 Regional Transportation Plan (RTP). The 2018 RTP identified four goals to make prioritize and make further near-term progress. These include:

- Addressing safety by reducing serious injury crashes and getting to zero roadway deaths
- Addressing equity by reducing disparities with the transportation system experienced by people of color, people with low-income, and people with limited English language proficiency
- Addressing climate change by reducing greenhouse gas emissions from transportation sources
- Managing traffic congestion

A performance analysis of the 2021-2024 MTIP illustrates how the package of investments are progressing towards the four goal areas. The performance evaluation shows the region is making progress towards all four goals. However faster progress is being made towards region's climate goals while more work is necessary to make faster gains towards the region's equity goals.

## STAKEHOLDERS

The 2021-2024 MTIP public review draft was cooperatively developed with key partners – ODOT, SMART, and TriMet. As these agencies carry responsibilities to administer federal surface transportation funds, the development of the federal aid and regionally significant package of investment is primarily developed and coordinated among these four agencies.

In addition, TPAC and JPACT have been active in the development of the 2021-2024 MTIP over the three-year process.

Each of the key partners provided opportunities for public comment during their funding allocation processes. These comment opportunities took place between 2017 through spring 2020. The 2021-2024 MTIP, once brought together as a package of investments reflecting the funding decisions of Metro, ODOT, SMART, and TriMet also held a public comment opportunity between mid-April through mid-May 2020. The public comment opportunity included a virtual public hearing opportunity at the Metro Council meeting on April 23, 2020. Lastly, an opportunity to comment on technical corrections was also provided from late May through late June 2020.

The public comment report is included as part of the 2021-2024 MTIP appendices in Exhibit A.

#### **LEGAL ANTECEDENTS**

The 2021-2024 MTIP programs transportation funds in accordance with the federal transportation authorizing legislation (currently known as the FAST ACT). The 2021-2024 MTIP is intended to implement the Regional Flexible Fund Allocation (RFFA) process for years 2022 through 2024 as defined by Resolution Nos. 20-5063 and 19-4959. The 2021-2024 MTIP must be consistent with the 2018 Regional Transportation Plan, adopted by Metro Ordinance No. 18-1421.

#### **ANTICIPATED EFFECTS**

Adopting the 2021-2024 MTIP will allow for those transportation projects and programs in the region to spend federal funding between federal fiscal year 2021 through 2024. Upon approval by federal partners on the adopted 2021-2024 MTIP, the transportation projects and programs which receive federal funding may access those funds. This is particularly significant for projects which anticipate spending federal funding in federal fiscal year 2021, which begins on October 1, 2020.

#### **FINANCIAL IMPLICATIONS**

A delay in getting to the adoption of the 2021-2024 MTIP can create a delay in transportation projects and programs accessing funds or receiving federal approvals in order to move forward. This includes several Metro programs which received an allocation of federal funding through the Regional Flexible Fund process.

More specifically, adoption of this resolution is a necessary step in making eligible federal surface transportation program funds for planning activities performed at Metro. These impacts have been previously described as a part of the actions on Metro Resolution Nos. 19-4959, 19-4963, and 20-5063. This includes \$47,133,715 of federal funds to be used for planning activities at Metro between fiscal years 2021 through 2024. Grant funds allocated to Metro planning require a match totaling 10.27% of project costs. This would include \$11,417,923 through the course of the 2021-2024 time period. An additional \$23,779,667 of planning and project activities are scheduled and funded to take place in the 2021-2024 MTIP. These funds are subject to being sub-allocated to transportation agencies, including Metro, through regional programs, although Metro would only be responsible for matching the portion of funds sub-allocated to Metro. Further action through the annual Unified Planning Work Program (UPWP) and individual Intergovernmental Agreements (IGA) will be needed to execute these planning and project activities.

#### **ATTACHMENTS**

2021-2024 MTIP and appendices.

[For work session:]

- Is legislation required for Council action? X Yes No
- If yes, is draft legislation attached? X Yes No

- What other materials are you presenting today? 2021-2024 MTIP and appendices

Agenda Item No. 5.2

**Resolution No. 20-5119**, For the Purpose of the Metro Council, Acting as the Metro Contract Review Board, Approving Two One-Year Extensions of Contract #929780 to Operate Metro Central Transfer Station Due to the Covid-19 Pandemic

*Resolutions*

Metro Council Meeting  
Thursday, July 23, 2020

FOR THE PURPOSE OF THE METRO )  
COUNCIL, ACTING AS THE METRO )  
CONTRACT REVIEW BOARD, APPROVING )  
TWO ONE-YEAR EXTENSIONS OF  
CONTRACT #929780 TO OPERATE METRO  
CENTRAL TRANSFER STATION DUE TO THE  
COVID-19 PANDEMIC

RESOLUTION NO. 20-5119

Introduced by Chief Operating Officer  
Marissa Madrigal in concurrence with  
Council President Lynn Peterson

WHEREAS, pursuant to ORS 279A.060 and Metro Code 2.04.090, the Metro Council is designated as the Local Contract Review Board for Metro (LCRB); and

WHEREAS, Metro contracts with Recology Oregon Recovery, Inc. (Recology) to operate and maintain the Metro Central Transfer Station under the terms of Contract #929780; and

WHEREAS, the operations contract took effect in 2010, with an initial seven-year term and provision for a three-year extension; and

WHEREAS, the LCRB in December 2018 authorized an additional two-year contract extension to allow staff to concentrate on procuring a new operator at Metro South Transfer Station in Oregon City; and

WHEREAS, the current Metro Central operating contract #929780 expires on December 31, 2021; and

WHEREAS, in order to allow time for a new operator to procure equipment and staffing, it is best practice to complete a solid waste transfer station operational contract twelve months before the start date for services; and

WHEREAS, the global coronavirus (COVID-19) pandemic has affected Metro's ability to timely develop and issue a new request for proposals to operate at Metro Central and evaluate those proposals; and

WHEREAS, with the current restrictions on travel and gathering sizes, and precipitous declines in industry revenue, solid waste firms are focused on maintaining current operations during the COVID-19 pandemic; and

WHEREAS, the COO seeks Metro Council's approval, acting as the LCRB, to extend the contract with Recology at Metro Central for an additional one year through December 31, 2022, with a provision for one more year, at Metro's sole discretion, to provide needed continuity through the pandemic; and

WHEREAS, the Metro Procurement Officer believes that amending the existing contract with Recology Oregon Recovery, Inc., is in Metro's best operational interests and that it will not harm competition; now therefore,

BE IT RESOLVED that the Metro Council acting as the Local Contract Review Board authorizes the Procurement Officer to extend the Metro Central Transfer Station Contract with Recology (#929780) for one year through December 31, 2022, with an option for one additional year through December 31, 2023.

ADOPTED by the Metro Council acting as the Local Contract Review Board this \_\_\_\_\_ day of July 2020.

---

Lynn Peterson, Council President

Approved as to Form:

---

Carrie MacLaren, Metro Attorney

## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 20-5119, FOR THE PURPOSE OF THE METRO COUNCIL, ACTING AS THE METRO CONTRACT REVIEW BOARD, APPROVING TWO ONE-YEAR EXTENSIONS OF CONTRACT #929780 TO OPERATE METRO CENTRAL TRANSFER STATION DUE TO THE COVID-19 PANDEMIC

Date: July 23, 2020 Prepared by: Kevin Six

### BACKGROUND

Metro contracts with Recology Oregon Recovery, Inc. (Recology) for the provision of services for the operations and maintenance for the Metro Central Transfer Station under the terms of Contract #929780.

The operations contract took effect in 2010, with an initial seven year term and inclusion of a provision for a three year extension at Metro's sole discretion (executed in 2017), for a total of ten years, through December 31, 2019. In 2018 the Metro Council, acting as the Local Contract Review Board for Metro, authorized the Metro Procurement Officer to extend the contract for an additional two years through December 31, 2021. The additional time allowed Metro staff to focus attention on procuring new agreements for the other major solid waste contracts (transportation, landfill disposal, and operations of Metro South station).

Metro staff in early 2020 were to begin the process of developing an open solicitation for the operations of Metro Central. Ideally, such a large and complex solicitation would commence approximately two years prior to the end of the current contract, with contract signing one year before the contract transition, so the new contractor has one year to procure and take delivery of the specialized heavy equipment, to recruit and train staff, and to map out a transition plan.

In early 2020 coronavirus (COVID-19) became a global pandemic. The increased number of COVID cases prompted the Oregon Governor to issue a "Stay at Home" order in March of 2020, which immediately impacted the region. Locally and across the globe, financial and human resources have been reduced and refocused to address pandemic-critical issues. Metro and others in the solid waste industry have reprioritized to address worker and public safety during the pandemic. Corporate resources that would normally be available for new ventures are tied up responding to the pandemic. Metro staff believes that it is in the best interest of the region to extend the current operations contract at Metro Central one additional year, or two if the coronavirus persists.

An extension of the current contract will hopefully allow the region to get through the worst of the pandemic and allow time for staff to gauge any long term operational effects of COVID at the Metro transfer stations, gather input, and identify the best path for forward for operating Metro Central. Additional time will also allow potential proposers to assess their current operations and how to align with operating Metro Central.

Metro has had a good working relationship with Recology, an employee-owned company now operating at both of Metro's public transfer stations. Staff requests an additional one to two years be added to

the current contract to get through the COVID crisis and allow staff the time to conduct an excellent procurement for Metro Central if Council finds that procurement is in the best interests of the public.

Staff is proposing to extend the operations agreement with Recology at Metro Central for one year (thirteen years total), through December 31, 2022, with a provision for one additional year, at Metro's discretion, through December 31, 2023, to provide needed continuity through the pandemic.

Staff will continue to monitor the effect of the pandemic on Metro's operations and on the solid waste industry. If COVID subsides, a solicitation for competitive proposals could be ready for issue as soon as early 2021, with contract finalization by end of 2021. If COVID persists, an option for one additional year of extension would allow for that process to occur in 2022.

It is staff's goal to carry forward the progress made in the new contract for Metro South station to benefit Metro Central station: more workforce diversity, competitive wages and benefits, improved training and working conditions, opportunities for smaller and more local companies to compete for aspects of transfer station operations work, and enhanced overall safety and customer experience.

Because Metro is already operating in an extension beyond the original operations contract, any additional extension requires action by the Metro Council acting as a Local Contract Review Board.

#### ANALYSIS/INFORMATION

##### **1. Known Opposition**

None known. A non-Recology private firm may view the requested time extension as anti-competitive.

##### **2. Legal Antecedents**

This Contract Amendment No. 8 to Metro Contract No. 929780 modifies the current agreement through December 31, 2022, and optionally through December 31, 2023.

##### **3. Anticipated Effects**

The Contractor will continue to operate Metro Central transfer station until at least December 31, 2022, and optionally through December 31, 2023 at Metro's discretion.

##### **4. Budget Impacts**

No significant budget impact is expected from this action. Metro adjusts its tip fees annually to recover the cost of transfer station operations.

#### RECOMMENDED ACTION

Metro Council approves the requested contract extension



Agenda Item No. 6.1

**Ordinance No. 20-1447**, For the Purpose of Amending Metro Code Chapter 7.04 to Allow Construction Excise Tax Funds to Support Economic Development and Community Stabilization Through the 2040 Planning and Development Grant Program

*Resolutions*

Metro Council Meeting  
Thursday, July 23, 2020

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO )      ORDINANCE NO. 20-1447  
CODE CHAPTER 7.04 TO ENABLE METRO )  
CONSTRUCTION EXCISE TAX FUNDS TO )      Introduced by Chief Operating Officer  
SUPPORT ECONOMIC DEVELOPMENT AND )      Marissa Madrigal in concurrence with  
COMMUNITY STABILIZATION THROUGH )      Council President Lynn Peterson  
THE 2040 PLANNING AND DEVELOPMENT )  
GRANT PROGRAM

WHEREAS, in 2006, Metro adopted Ordinance No. 06-1115, establishing a construction excise tax (CET) to generate revenue for providing grants to local governments for regional and local planning; and

WHEREAS, following two extensions of the CET in 2009 and 2014, and recognizing the ongoing need for funding regional and local planning, in November 2018 the Metro Council adopted Ordinance No. 18-1425, making the CET a permanent source of revenue; and

WHEREAS, since the inception of the Construction Excise Tax in 2006, Metro has awarded over \$26 million in grants to cities, counties and other government entities in the region to fund critical planning and development activities that support implementation of the region’s long range plan for growth; and

WHEREAS, in order to comply with land use policies of the State of Oregon and Metro, local jurisdictions are required to perform concept planning of lands designated as urban reserves prior to petitioning Metro to include these lands within the urban growth boundary; and

WHEREAS, in order to comply with land use policies of the State of Oregon and Metro, local jurisdictions are required to complete comprehensive plans for new urban areas to enable these areas to develop as complete communities appropriately served with essential infrastructure; and

WHEREAS, planning and development work by local jurisdictions is critical to facilitate development projects that advance equitable outcomes and provide access to opportunity for all residents of the region as the region grows and accommodates more people; and

WHEREAS, meaningful engagement of historically marginalized communities, and particularly communities of color, in local planning and development decisions by local governments is an essential element of building the thriving and equitable communities envisioned in the Region’s 2040 Growth concept; and

WHEREAS, the economic health of the region is inextricably linked to the ability of the region to grow, develop, invest in critical community infrastructure and shape the region’s built and natural environment; and

WHEREAS, the COVID-19 pandemic has had severe economic impacts across the region, and has particularly impacted communities of color; and

WHEREAS, on April 23, 2020, the Metro Council adopted Resolution No. 20-5096, declaring a state of emergency in the Metro Region as a result of the COVID-19 pandemic, and delegating authority to Metro’s Chief Operating Officer; and

WHEREAS, public investments in neighborhoods and equitable access to economic opportunities have a direct relationship to the stability of communities, and public investments can sometimes result in displacement of lower-income residents and communities of color;

WHEREAS, economic development and community stabilization are essential to building complete, equitable communities and supporting regional goals and policies set forth in the 2040 Growth Concept, the Urban Growth Management Functional Plan, and the six desired outcomes outlined in the Regional Framework Plan; now therefore

THE METRO COUNCIL HEREBY ORDAINS AS FOLLOWS:

1. The Metro Code is amended as shown on Exhibit A to expand the purpose of the CET such that Metro may provide funding to facilitate economic development and community stabilization as well as continuing to provide funding for planning and development activities;
2. This Ordinance being necessary to immediately respond to the economic impacts of the COVID-19 pandemic, and in order to expedite the Metro Council's ability to provide funding to facilitate economic development and community stabilization, an emergency is declared to exist and this Ordinance shall take effect immediately, pursuant to Metro Charter Section 39(1).

ADOPTED by the Metro Council this \_\_\_\_\_ day of July, 2020.

\_\_\_\_\_  
Lynn Peterson, Council President

Attest:

Approved by:

\_\_\_\_\_  
Jaye Cromwell

\_\_\_\_\_  
Carrie MacLaren, Metro Attorney

**CHAPTER 7.04**

**CONSTRUCTION EXCISE TAX**

7.04.010	Short Title
7.04.020	Policy and Purpose
7.04.030	Definitions
7.04.040	Exemptions
7.04.045	Ceiling
7.04.050	Rules and Regulations Promulgation
7.04.060	Administration and Enforcement Authority
7.04.070	Imposition of Tax
7.04.080	Rate of Tax
7.04.090	Failure to Pay
7.04.100	Statement of Entire Value of New Construction Required
7.04.110	Intergovernmental Agreements
7.04.120	Rebates
7.04.130	Hearings Officer
7.04.140	Appeals
7.04.150	Refunds
7.04.160	Enforcement by Civil Action
7.04.170	Review
7.04.180	Failure to Pay - Penalty
7.04.190	Violation - Penalty
7.04.200	Rate Stabilization
7.04.210	Dedication of Revenue
7.04.220	Procedures for Distribution

**Repealed**

7.04.230	Sunset Provision [Ord. 18-1425]
----------	------------------------------------

#### **7.04.010 Short Title**

This chapter shall be known as the "Construction Excise Tax." [Ord. No. 06-1115, Sec. 1.]

#### **7.04.020 Policy and Purpose**

This chapter establishes a Construction Excise Tax to provide funding for regional and local planning that is required to make land ready for development or redevelopment. [Ord. No. 06-1115, Sec. 1, Ord. No. 18-1425.]

#### **7.04.030 Definitions**

As used in this chapter:

**Building Official** means any person charged by a municipality with responsibility for the administration and enforcement of a building code.

**Chief Operating Officer** means the person holding the position of Metro Chief Operating Officer established by Section 2.20.010 of the Metro Code.

**Construction** means erecting, constructing, enlarging, altering, repairing, moving, improving, removing, converting, or demolishing any building or structure for which the issuance of a building permit is required pursuant to the provisions of Oregon law, whether residential or non-residential. Construction also includes the installation of a manufactured dwelling.

**Contractor** means any person who performs Construction for compensation.

**Improvement** means any newly constructed structure or a modification of any existing structure.

**Major Renovation** means any renovation, alteration or remodeling of an existing building or structure, or portion thereof, residential or non-residential, that requires or receives a building permit.

**Manufactured Dwelling** means any building or structure designed to be used as a residence that is subject to regulation pursuant to ORS 446, as further defined in ORS 446.003(26).

**Person** means and includes individuals, domestic and foreign corporations, public bodies, societies, joint ventures, associations, firms, partnerships, joint stock companies, clubs or any legal entity whatsoever.

**Value of New Construction** means the total value of the Construction as determined by the construction permit or building permit for the Improvement and/or Major Renovation. [Ord. No. 06-1115, Sec. 1.]

#### **7.04.040 Exemptions**

- (a) No obligation to pay the tax imposed by Section 7.04.070 shall be imposed upon any Person who establishes that one or more of the following are met:
  - (1) The Value of New Construction is less than or equal to \$100,000; or
  - (2) The Person who would be liable for the tax is a corporation exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3), or a limited partnership the sole general partner of which is a corporation exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3), the Construction is used for residential purposes and the property is restricted to being occupied by people with incomes less than 60 percent (60%) of the median income for a period of 30 years or longer; or
  - (3) The Person who would be liable for the tax is exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3) and the Construction is dedicated for use for the purpose of providing charitable services to disadvantaged people.
- (b) The Building Official or Chief Operating Officer may require any Person seeking an exemption to demonstrate that the Person is eligible for an exemption and that all necessary facts to support the exemption are established. [Ord. 06-1115, Sec. 1, Ord. No. 18-1425.]

#### **7.04.045 Ceiling**

Notwithstanding the provisions set forth in Sections 7.04.070 and 7.04.080, if the Construction Excise tax imposed by this Chapter would be greater than \$12,000 (Twelve Thousand Dollars) as measured by the Value of New Construction that would generate that amount of tax, then the Construction Excise Tax imposed for that Construction is capped at a ceiling of \$12,000 (Twelve Thousand Dollars). [Ord. 06-1115, Sec. 1.]

#### **7.04.050 Rules and Regulations Promulgation**

The Chief Operating Officer shall promulgate rules and regulations necessary for the administration and enforcement of this chapter. [Ord. 06-1115, Sec. 1.]

#### **7.04.060 Administration and Enforcement Authority**

- (a) The Chief Operating Officer shall be responsible for the administration and enforcement of this chapter. In exercising the responsibilities of this section, the Chief Operating Officer may act through a designated representative.
- (b) In order to carry out the duties imposed by this chapter, the Chief Operating Officer shall have the authority to do the following acts, which enumeration shall not be deemed to be exhaustive, namely: administer oaths, certify to all official acts; to subpoena and require attendance of witnesses at hearings to determine compliance with this chapter, rules and regulations; to require production of relevant

documents at public hearings; to swear witnesses; and to take testimony of any Person by deposition. [Ord. 06-1115, Sec. 1.]

#### **7.04.070 Imposition of Tax**

A Construction Excise tax is imposed on every Person who engages in Construction within the Metro Area. The tax shall be measured by the total Value of New Construction at the rate set forth in Section 7.04.080. If no additional value is created or added by the Construction and if the Construction does not constitute a Major Renovation, then there shall be no tax due. The tax shall be due and payable at the time of the issuance of any building permit, or installation permit in the case of a manufactured dwelling, by any building authority. [Ord. 06-1115, Sec. 1.]

#### **7.04.080 Rate of Tax**

The rate of tax to be paid for Construction and/or Major Renovation shall be 0.12% of the Value of New Construction. [Ord. 06-1115, Sec. 1.]

#### **7.04.090 Failure to Pay**

It shall be unlawful for any Person to fail to pay all or any portion of the tax imposed by this chapter. [Ord. 06-1115, Sec. 1.]

#### **7.04.100 Statement of Entire Value of New Construction Required**

It shall be unlawful for any Person to fail to state or to misstate the full Value of New Construction of any Improvement, Major Renovation, or Manufactured Dwelling. When any Person pays the tax, within the time provided for payment of the tax, there shall be a conclusive presumption, for purposes of computation of the tax, that the Value of New Construction of the Improvement, Major Renovation, or Manufactured Dwelling is the Value of New Construction as determined by the Building Official at the time of issuance of the building permit or installation permit. When any Person fails to pay the tax within the time provided for payment of the tax, the Value of New Construction constructed shall be established by the Chief Operating Officer who may consider the Value of New Construction established by the Building Official but may consider other evidence of actual value as well. [Ord. 06-1115, Sec. 1.]

#### **7.04.110 Intergovernmental Agreements**

The Chief Operating Officer may enter into intergovernmental agreements with other local governments and jurisdictions to provide for the enforcement of this chapter and the collection and remittance of the Construction Excise Tax. The agreements may provide for the governments to retain no more than 5 percent (5%) of the taxes actually collected as reimbursement of administrative expenses, and also for the reimbursement of the government's reasonable, one time, start-up costs as set forth in the agreements. [Ord. 06-1115, Sec. 1.]

#### **7.04.120 Rebates**

- (a) The Chief Operating Officer shall rebate to any Person who has paid a tax the amount of tax actually paid, upon the Person establishing that the tax was paid for Construction that is eligible for an exemption under Section 7.04.040.
- (b) The Chief Operating Officer shall either rebate all amounts due under this section within 30 days of receipt of a complete application for the rebate or give written notice of the reasons why the application has been denied. Any denial of any application may be appealed as provided for in Section 7.04.140. [Ord. 06-1115, Sec.1.]

#### **7.04.130 Hearings Officer**

The Chief Operating Officer shall appoint a hearings officer to conduct hearings related to enforcement or appeals of this chapter. All hearings shall be conducted in accordance with rules and regulations adopted by the Chief Operating Officer. [Ord. 06-1115, Sec. 1.]

#### **7.04.140 Appeals**

Any Person who is aggrieved by any determination of the Chief Operating Officer regarding liability for payment of the tax, the amount of tax owed, or the amount of tax that is subject to refund or rebate may appeal the determination in accordance with Section 7.04.130. All appeals must be in writing and must be filed within 10 days of the determination by the Chief Operating Officer. No appeal may be made unless the Person has first paid the tax due as determined by the Chief Operating Officer. [Ord. 06-1115, Sec. 1.]

#### **7.04.150 Refunds**

- (a) Upon written request, the Chief Operating Officer shall refund any tax paid to the Person who paid the tax after that Person has established that Construction was not commenced and that any Building Permit issued has been cancelled as provided by law.
- (b) The Chief Operating Officer shall either refund all amounts due under this section within 30 days of a complete application for the refund or give written notice of the reasons why the application has been denied. Any denial of any application may be appealed as provided for in Section 7.04.140. [Ord. 06-1115, Sec. 1.]

#### **7.04.160 Enforcement by Civil Action**

The tax and any penalty imposed by this chapter constitutes a debt of the Person liable for the tax as set forth in Section 7.04.070 of this chapter and may be collected by the Chief Operating Officer in an action at law. If litigation is necessary to collect the tax and any penalty, the prevailing party shall be entitled to reasonable attorney fees at trial or on appeal. The Office of Metro Attorney is authorized to prosecute any action needed to enforce this chapter as requested by the Chief Operating Officer. [Ord. 06-1115, Sec. 1.]



#### **7.04.170 Review**

Review of any action of the Chief Operating Officer taken pursuant to this chapter, or the rules and regulations adopted pursuant thereto, shall be taken solely and exclusively by writ of review in the manner set forth in ORS 34.010 through 34.100, provided, however, that any aggrieved Person may demand such relief by writ of review. [Ord. 06-1115, Sec.]

#### **7.04.180 Failure to Pay – Penalty**

In addition to any other fine or penalty provided by this chapter, failure to pay the tax within 15 days of the date of issuance of any Building Permit for any Improvement, Major Renovation, or installation permit for any Manufactured Dwelling shall result in a penalty equal to the amount of tax owed or fifty dollars (\$50.00), whichever is greater. [Ord. 06-1115, Sec. 1.]

#### **7.04.190 Violation – Penalty**

- (a) In addition to any other civil enforcement provided herein, violation of this chapter shall be a misdemeanor and shall be punishable, upon conviction, by a fine of not more than five hundred dollars (\$500.00).
- (b) Violation of this chapter by any officer, director, partner or other Person having direction or control over any Person violating this chapter shall subject each such Person to such fine. [Ord. 06-1115, Sec. 1.]

#### **7.04.200 Rate Stabilization**

In order to protect against the cyclical nature of the construction industry and development patterns, the Council shall annually as part of the budget process create reserves from the revenues generated or expected to be generated by the Construction Excise Tax, which reserves are designed to protect against future fluctuations so as to promote stability in the funds needed to support required programs. [Ord. 06-1115, Sec. 1.]

#### **7.04.210 Dedication of Revenue**

Revenue derived from the imposition of this tax after deduction of necessary costs of collection shall be dedicated to fund regional and local planning that is required to make land ready for development or redevelopment, [and to provide funding for plans and projects that will facilitate economic development and community stabilization in the Metro region](#). [Ord. 06-1115, Sec. 1, Ord. No. 18-1425.]

#### **7.04.220 Procedures for Distribution**

The Chief Operating Officer shall distribute the revenues from the Construction Excise Tax [as through grants to local governments, or private entities partnering with local governments, for projects that help implement the region's long range plan consistent with Section 7.04.210.](#) ~~based on an analysis of grant requests for planning or predevelopment work that will implement the region's long-range plan. Grants may also be distributed to private entities for projects that are endorsed by a local government and in the public interest.~~ [Ord. 06-1115, Sec. 1; Ord. 09-1220, Sec. 2, Ord. No. 18-1425.]

**7.04.225 Metro Administrative Fee**

Metro shall retain five percent (5%) of the taxes remitted to Metro for payment towards Metro's administrative expenses. [Ord. 09-1220, Sec. 2; Ord. 14-1328, Sec. 2.]

## **STAFF REPORT**

### **CONSIDERATION OF ORDINANCE 20-1447, FOR THE PURPOSE OF AUTHORIZING ECONOMIC DEVELOPMENT AND COMMUNITY STABILIZATION GRANTS THROUGH THE 2040 PLANNING AND DEVELOPMENT GRANT PROGRAM**

---

Date:	July 15, 2020	Presenter(s):	Elissa Gertler
Department:	Planning and Development		Lisa Miles
Meeting Date:	July 23, 2020		
Prepared by:	Lisa Miles	Length:	30 minutes

---

### **ACTIONS REQUESTED**

Consideration of Ordinance 20-1447, For the Purpose of Authorizing Economic Development and Community Stabilization Grants through the 2040 Planning and Development Grant Program.

### **IDENTIFIED POLICY OUTCOMES**

Expand purpose of the Construction Excise Tax to include grants for economic development and community stabilization in addition to the program's current purpose, which is to provide funding for regional and local planning that is required to make land ready for development or redevelopment.

Community stabilization refers to plans, activities and programs which allow long term residents and businesses of color in an area to remain in place and thrive, even as major public and private investments in those areas bring changes to the economic and built environment that would otherwise harm those long term residents. Examples of harm may include direct taking of property for public projects, changes to real estate values and rents in the area that make the location unaffordable or displacement of a business' core customer base. Activities to reduce this potential for harm may include affordable housing development, small business assistance programs, development of community serving facilities, culturally-specific placemaking, and property redevelopment that facilitates wealth creation for those threatened with harm or who have been harmed by previous public investments in that area.

### **POLICY QUESTION(S)**

Does the Council wish to expand the purpose of CET funds to include grants for economic development and community stabilization?

## **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

If the Metro Council approves Ordinance 20-1447, Cycle 9 grants, as well as future cycles of grant awards, could fund plans and projects that will advance economic development and community stabilization in addition to the previously established purpose of funding regional and local planning that is required to make land ready for development or redevelopment. If Council does not approve the ordinance, future grant cycles will continue to focus funding on planning that is required to make land ready for development or redevelopment.

## **STAFF RECOMMENDATIONS**

Staff recommend that the Council approve ordinance 20-1447 to enable CET funds to support grants for economic development and community stabilization. CET funding and the 2040 Planning and Development Grant program is a key resource to support local communities. A healthy economy is essential to bring regional plans and community investments to fruition and economic stability for communities of color is a critical component of the resilient and equitable communities that are envisioned in the region's 2040 Growth Concept.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

Approval of the proposed Ordinance and a subsequent Resolution awarding grants for economic development and community stabilization will advance Metro's progress towards meeting its racial equity goals. It will enable Metro to provide needed resources to support Black people, Indigenous people, and communities of color, as numerous advocates have requested, to begin to address longstanding economic disparities, at a time when the COVID-19 pandemic has disproportionately affected communities of color.

### ***Legal Antecedents***

- Metro Ordinance 06-1115 ("2006 CET Ordinance) established the construction excisetax
- Metro Ordinance 09-1220 extended the CET for an additional five year period (through September 2014).
- Metro Ordinance 14-1328 extended the CET for an additional five year period (through December 2020) and directed the Metro COO to propose amendments to the existing administrative rules.
- Metro Ordinance 18-1425 amended chapter 7.04 of the Metro Code to remove the sunset provision of the CET

## **ATTACHMENTS**

Ordinance 20-1447 and Exhibit A to the Ordinance

Materials following this page were distributed at the meeting.



Metro



# MERC Commission Update

July 23, 2020



Metro

# Renewable diesel

Reducing emissions from solid waste transport

July 23, 2020



# Renewable diesel

## Why make this switch?



**Reduce  
climate impact**

Most significant single action Metro can take to reduce its greenhouse gas emissions



**Improve  
public health**

Releases less particulate matter, nitrogen oxide, and carbon monoxide emissions in diesel exhaust

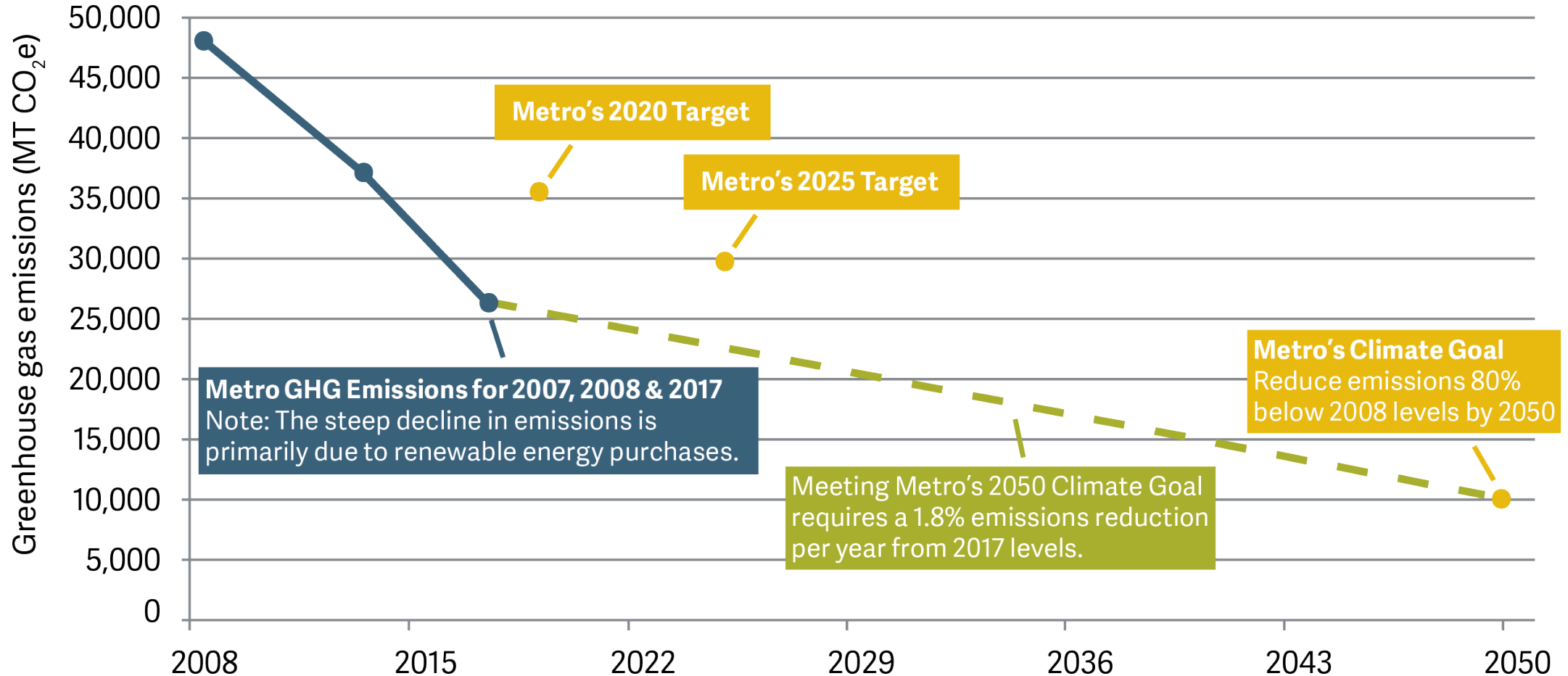


**Address  
racial equity**

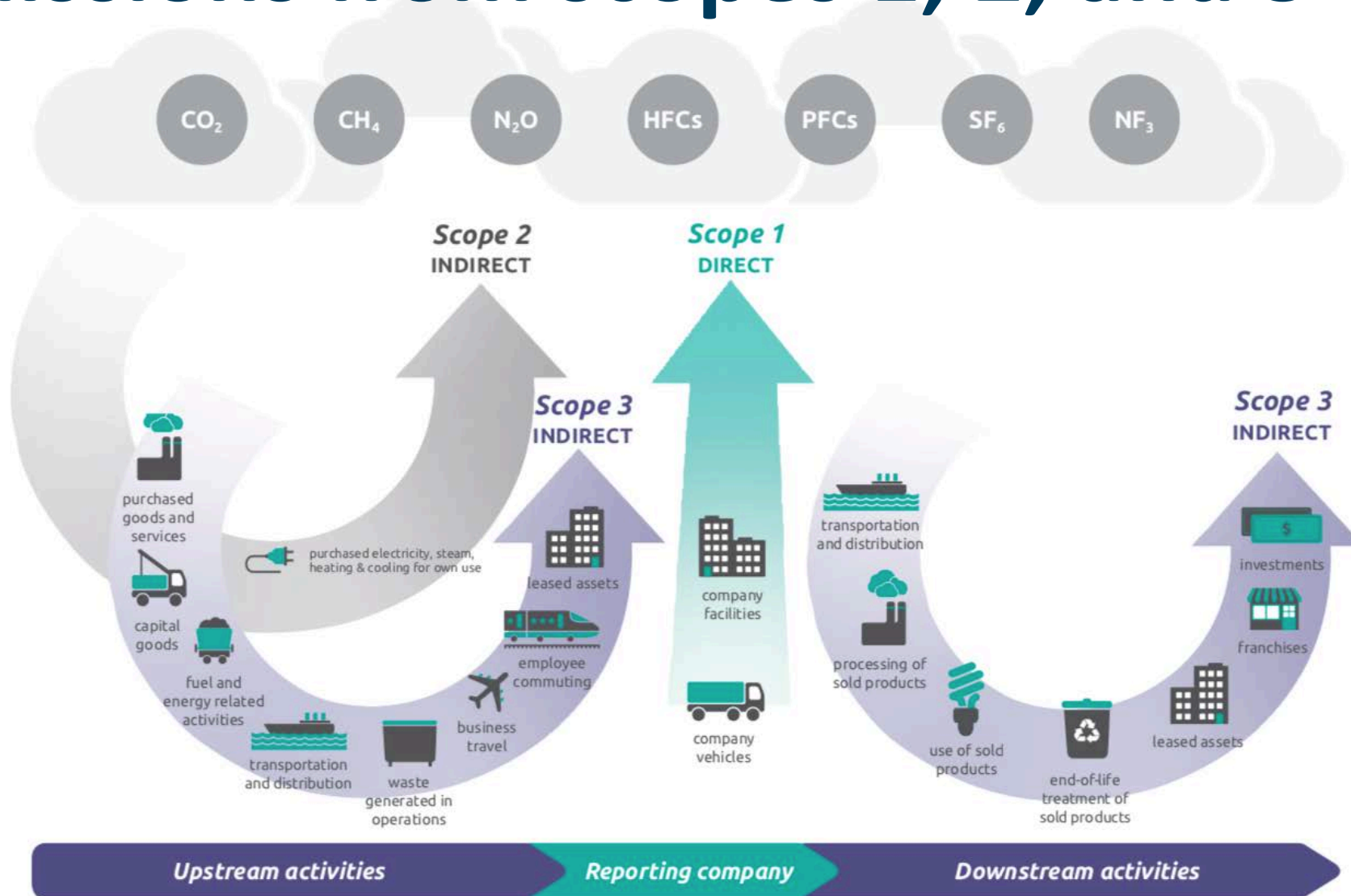
Address racial disparities related to air pollution and climate impact



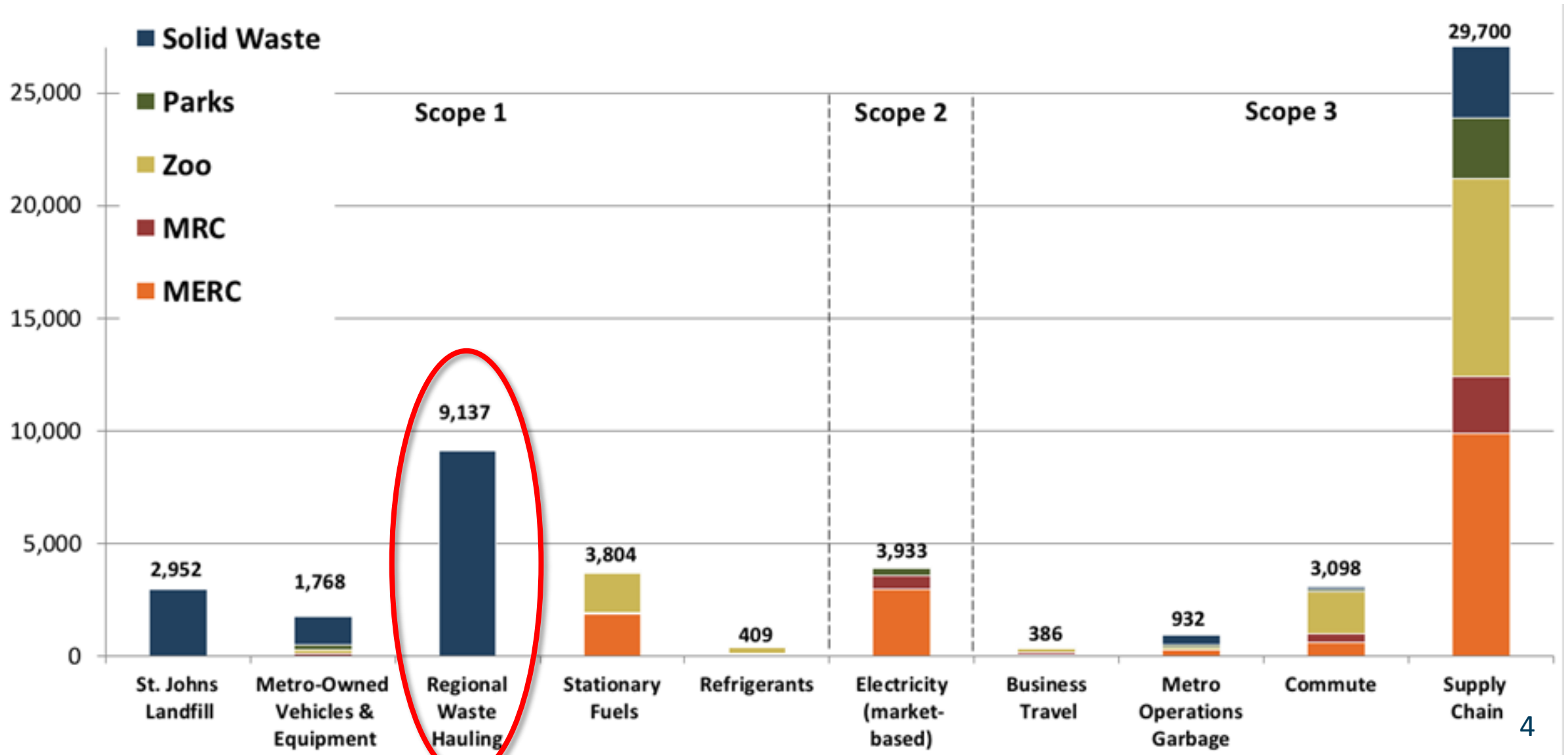
# Metro's climate goal



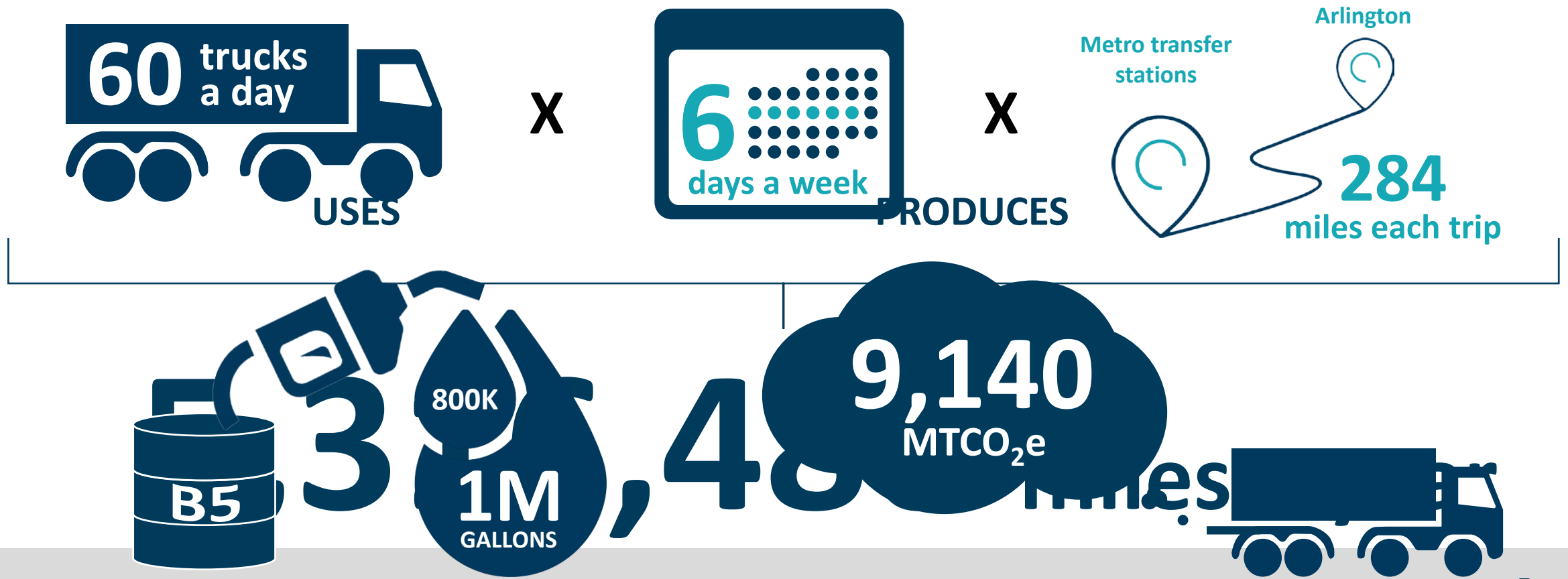
# Emissions from scopes 1, 2, and 3



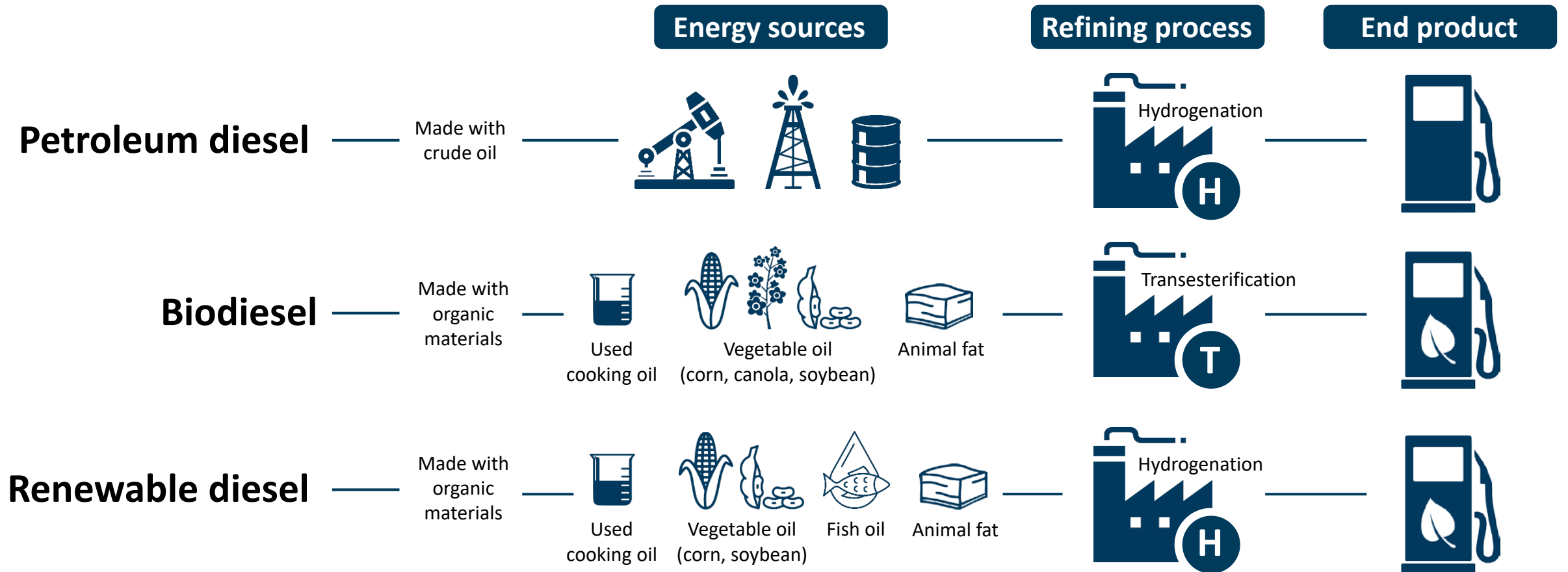
# Metro-wide greenhouse gas emissions (FY16/17)



# Current GHG emissions from solid waste transport



# What is renewable diesel?



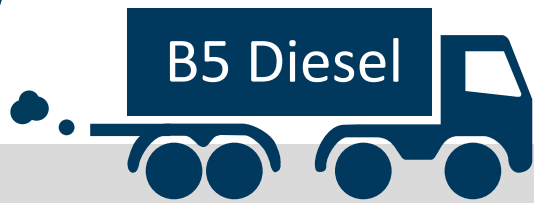
Hydrogenation - doesn't contain oxygen, burns cleaner than biodiesel, and does not create the challenges biodiesel presents relating to freezing temperature and storage

Transesterification - introduces oxygen into the fuel, which can cause issues with freezing temperature, separation during storage, algae growth, and higher emissions

# Greenhouse gas reduction

9,140  
MTCO<sub>2</sub>e

Solid waste transport...



65%

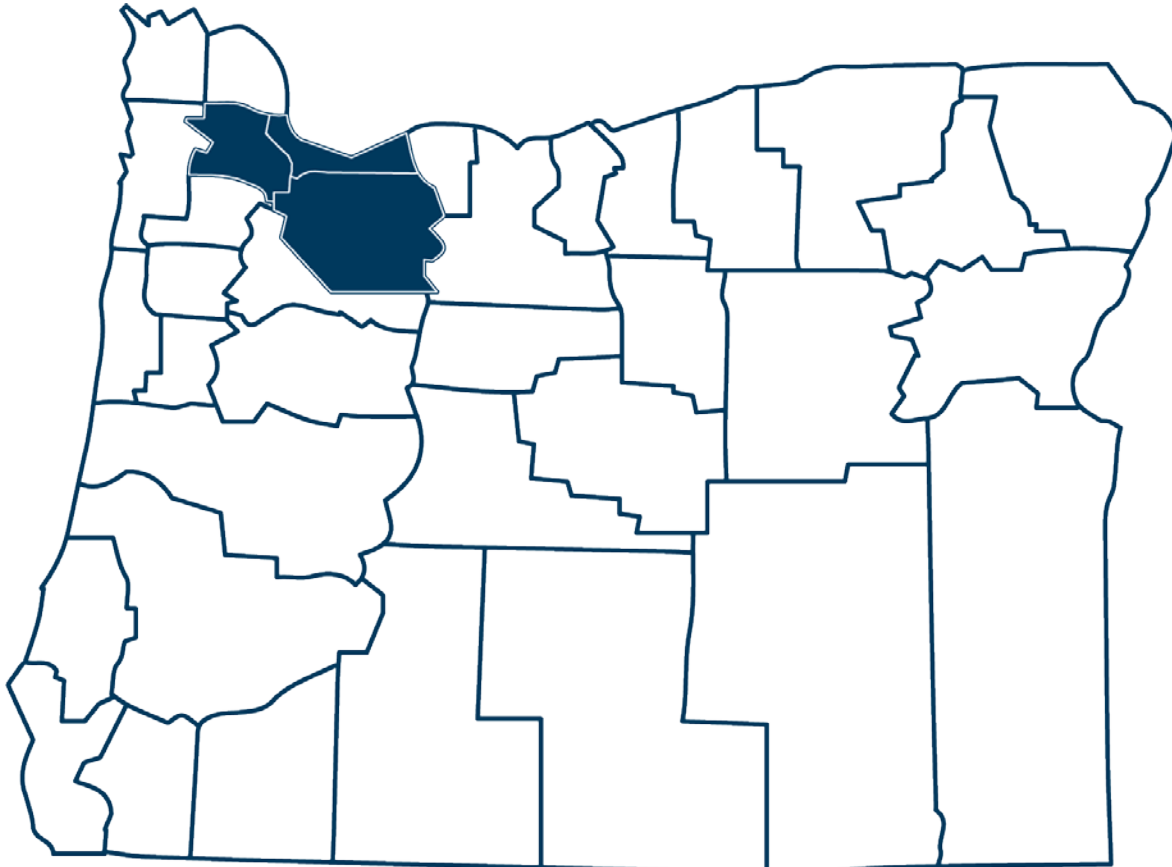


Overall Metro operations...



# Diesel emissions impact on public health

Clackamas, Multnomah, and Washington counties ...



Diesel particulate emissions in the nation



In some places diesel pollution 10 times higher than Oregon health benchmarks



\$1.6B spent on avoidable health costs from diesel emissions every year in OR

# Particulates and COVID



**Communities of color in Portland area disproportionately exposed to air pollution**

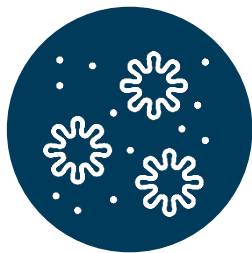
**People with COVID more likely to suffer severely, including increased risk of death, in areas with high levels of particulate matter**

**One microgram increase in concentration of fine particulate matter associated with an 8% increase in risk of death**



# Emissions impact on environment

Long haul trucking through the Gorge ...



Increases hydrocarbon,  
nitrogen oxide and carbon  
monoxide emissions

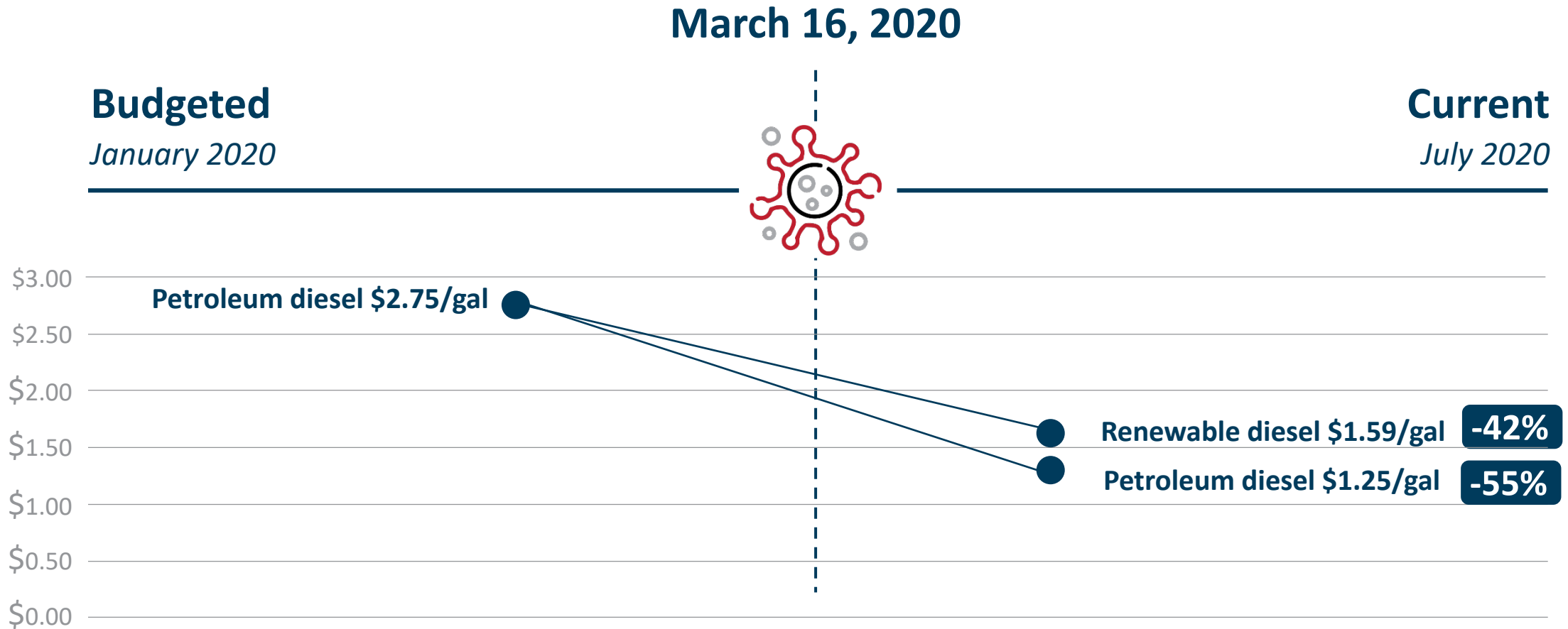


Reduce visibility  
in the scenic  
region



Degrades forest  
ecosystems and  
habitat quality

# Low fuel prices



# Other implications

- For FY20-21, Metro can absorb the additional cost
- In future years, solid waste fees can be adjusted
- Will start using renewable diesel in August 2020

# Benefits of switching to renewable diesel



## Reduce carbon

Single most important action Metro can take to reduce operational greenhouse gas emissions



## Improve public health

Improve air quality to benefit public health and the environment



## Address racial equity

Reducing particulates helps address racial disparities impacting communities of color

# Questions?

# Agenda

## MERC Chair Stoudamire-Phillips

- Racial equity and employer of choice commitments
- Advocacy for inclusive cultures
- Advocacy for financial support

## Commissioner Leary

- Procurement and diversity contracting
- Renovation and capital improvements

## Treasurer Krys-Rusoff

- State and city funding
- Venue community benefits during COVID-19

**Questions?**  
**[oregonmetro.gov](http://oregonmetro.gov)**





Metro

# 2021-2024 Metropolitan Transportation Improvement Program (MTIP)

Metro Council  
July 23, 2020





# Overview: Metropolitan Transportation Improvement Program (MTIP)



# What is the MTIP?

## MTIP = Metropolitan Transportation Improvement Program

- Regionally significant projects & programs
- Align investments to regional goals
- Administrative procedures
  - Implementation monitoring



# 2021-2024 MTIP: What's Inside?





# 2021-2024 MTIP – By the numbers

Total: \$1.2 Billion over four years

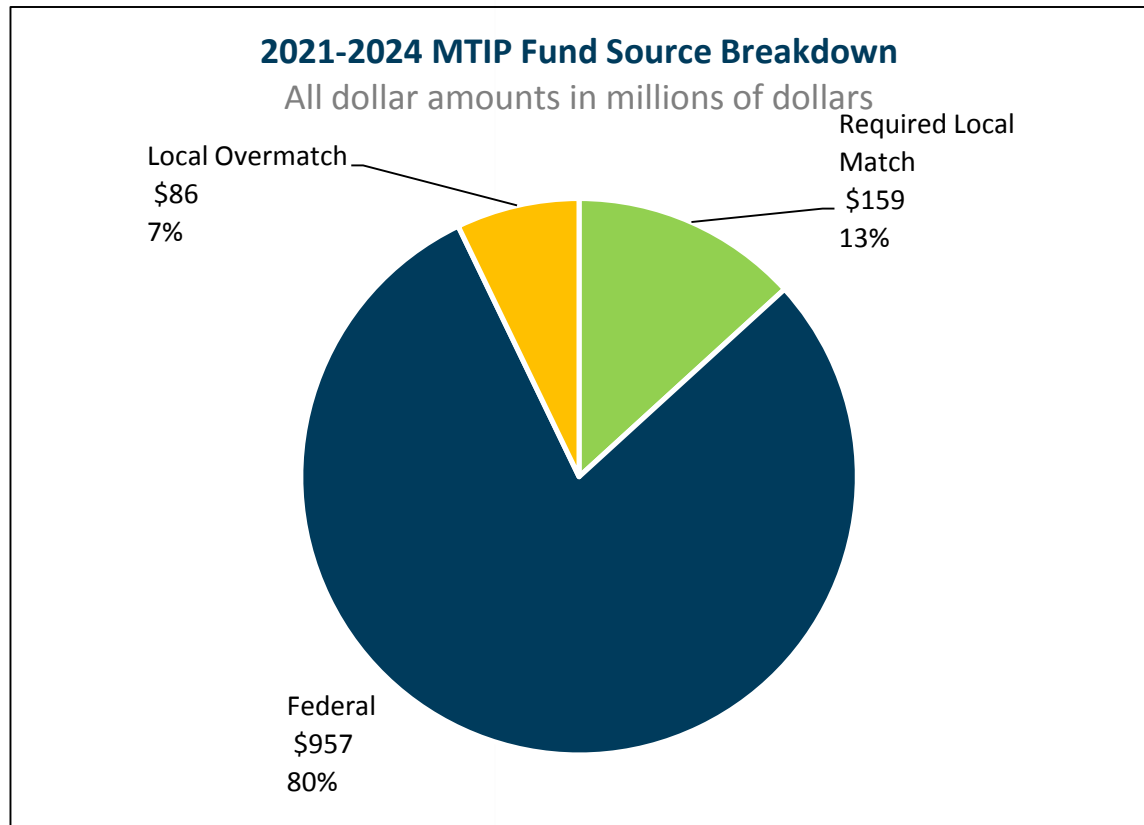
- 203 projects, programs, and plans



# 2021-2024 MTIP – By the numbers

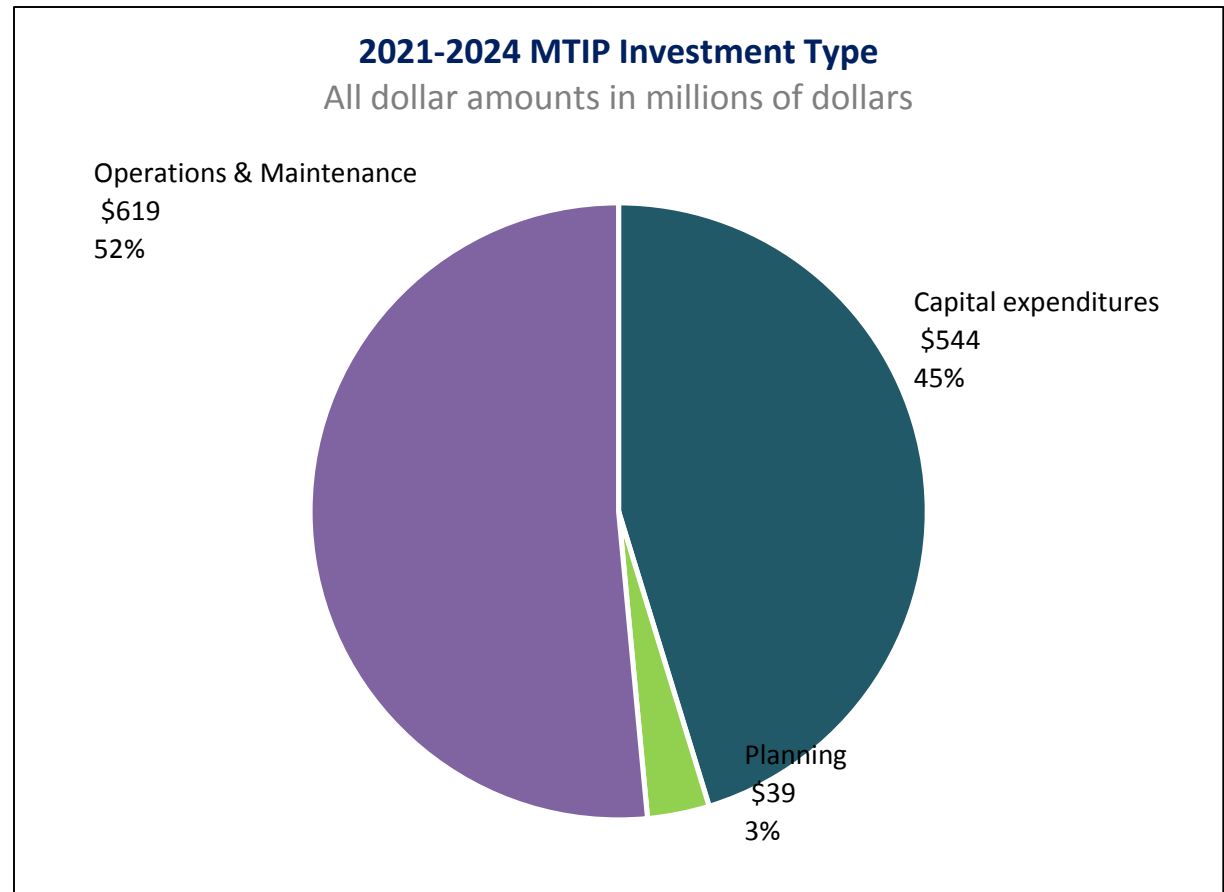
Nearly 80/20  
federal to local

- Some local overmatch
- Not all local funds included



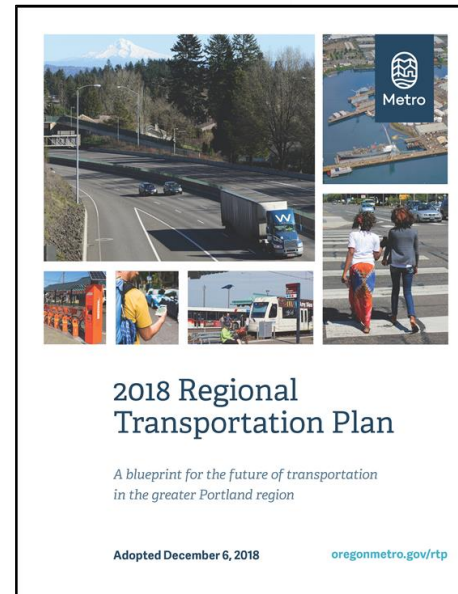
# 2021-2024 MTIP – By the numbers

Nearly 50/50  
capital to  
operations  
and  
maintenance



# 2021-2024 MTIP – Getting here

- Builds off the 2018 RTP
- 3-year coordination between ODOT, SMART, and TriMet
- Reflects 2021-2024 MTIP policy direction (Resolution 19-4963)
- Reflects decisions of multiple funding allocation processes





# 2021-2024 MTIP – What it'll do

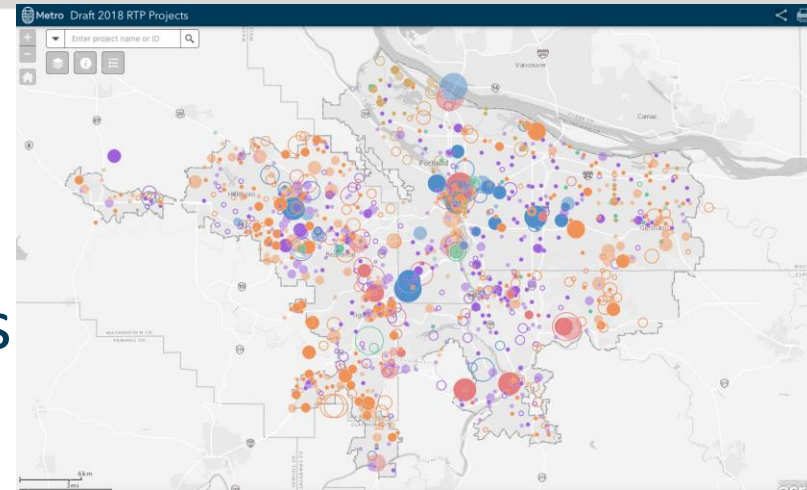
Implement the region's long-range vision

Make progress towards RTP goals and federal performance targets

- But more work to do

Demonstrates federal compliance and eligibility

Leverage new funds





# 2021-2024 MTIP Public Comment – Results & Responses



Urban growth boundary  
County boundary



# Public comment

Public comment –  
Open from April 17<sup>th</sup> –  
May 18<sup>th</sup>

210 responses in total

- More than any previous MTIP cycle



oregonmetro.gov

Metro

PUBLIC COMMENT DRAFT  
2021-2024

Metropolitan Transportation  
Improvement Program (MTIP)

April 2020

# Public comment key takeaways

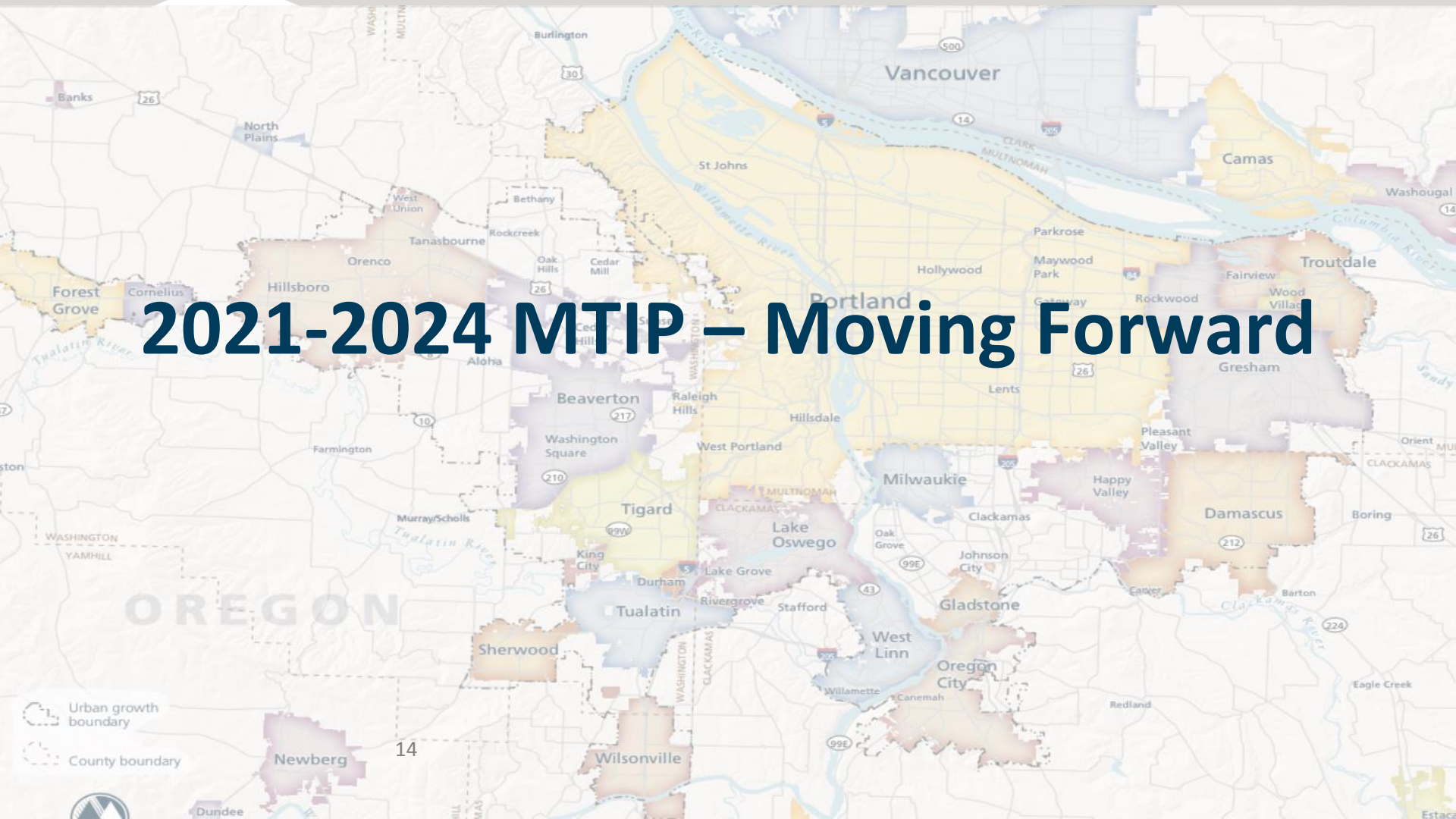
- Over 50% response – more and faster work needed to address safety, equity, climate, and congestion
- Most work needed – address climate change
  - Solutions connected climate and traffic congestion
- Closely behind – address equity
  - More and different type of investments; not enough
- Lots of suggested solutions to advance priorities

# Public comment response

- Overall: No recommend changes to projects or programs in 2021-2024 MTIP
- Engage in allocation processes
  - 2024-2027 STIP development begins in July
- Responses specific to safety, equity, climate, and congestion themes



# 2021-2024 MTIP – Moving Forward



Urban growth boundary  
County boundary



# JPACT recommendation

JPACT recommends approval of 2021-2024 MTIP at June meeting

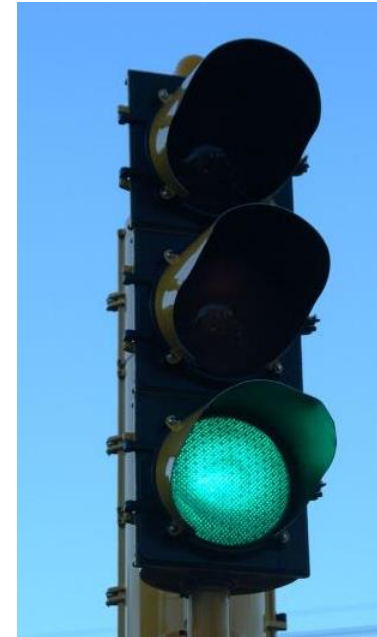


ADOPTION DRAFT

## 2021-2024 Metropolitan Transportation Improvement Program

June 2020

[oregonmetro.gov](http://oregonmetro.gov)



# What to work on for 2024-2027

## MTIP

### Recommendations:

- Policy direction to continue to focus on equity, safety, climate, and traffic congestion
  - Desire for more and faster work
- Technical performance analysis retrospective
- Increased partner coordination on partner funding allocations

# Next steps

July 2020

- Request Metro Council adoption

Summer – Fall 2020

- Submit for inclusion in 2021-2024 STIP and federal submission
- Approval by federal partners
- Get going with new projects





# Metro Council request

Adopt the 2021-2024 Metropolitan  
Transportation Improvement Program  
(MTIP) for the Portland Region

**oregonmetro.gov**

