

Meeting minutes



Meeting: **Transportation Policy Alternatives Committee (TPAC)**
Date/time: Friday, January 6, 2023 | 9:00 a.m. to 12:00 p.m.
Place: Virtual online meeting via Web/Conference call (Zoom)

Members Attending

Tom Kloster, Chair
Chris Deffebach
Lynda David
Eric Hesse
Jaimie Lorenzini
Jay Higgins
Mike McCarthy
Tara O'Brien
Chris Ford
Laurie Lebowsky-Young
Katherine Kelly

Affiliate

Metro
Washington County
SW Washington Regional Transportation Council
City of Portland
City of Happy Valley and Cities of Clackamas County
City of Gresham and Cities of Multnomah County
City of Tualatin and Cities of Washington County
TriMet
Oregon Department of Transportation
Washington State Department of Transportation
City of Vancouver

Alternates Attending

Jamie Stasny
Steve Williams
Sarah Paulus
Mark Lear
Dayna Webb
Melissa Johnstone
John Serra
Glen Bolen

Affiliate

Clackamas County
Clackamas County
Multnomah County
City of Portland
City of Oregon City and Cities of Clackamas County
City of Troutdale and Cities of Multnomah County
TriMet
Oregon Department of Transportation

Members Excused

Karen Buehrig
Allison Boyd
Karen Williams
Lewis Lem
Jasmine Harris
Rob Klug
Shawn M. Donaghy
Ned Conroy
Rian Sallee

Affiliate

Clackamas County
Multnomah County
Oregon Department of Environmental Quality
Port of Portland
Federal Highway Administration
Clark County
C-Tran System
Federal Transit Administration
Washington Department of Ecology

Guests Attending

Andre Lightsey-Walker
Beth Britell

Affiliate

The Street Trust
Multnomah County

Guests Attending

Brian Hurley
Bryan Graveline
Chris Smith
Cody Field
Cora Potter
Idris Ibrahim
Jean Senechal-Biggs
Jeff Owen
Jessica Engelmann
Jessica Pelz
Jeston Black
Laura Terway
Matthew Pahs
Megan Neill
Nick Fortey
Peter Hurley
Rye Baerg
Steve Koper
Taylor Steenblock

Affiliate

Oregon Department of Transportation
Portland Bureau of Transportation

City of Tualatin
TriMet

City of Beaverton

City of Beaverton
Washington County

City of Happy Valley
Federal Highway Administration, Washington State
Multnomah County
Federal Transit Administration
City of Portland

City of Tualatin
Multnomah County

Metro Staff Attending

Alex Oreschak, Ally Holmqvist, Dan Kaempff, Daniel Audelo, Eliot Rose, Glen Hamburg, Grace Cho, John Mermin, Ken Lobeck, Kim Ellis, Lake McTighe, Marie Miller, Ted Leybold, Thaya Patton

Call to Order, Declaration of a Quorum and Introductions

Chair Kloster called the meeting to order at 9:00 a.m. Introductions were made. A quorum of members present was declared. Reminders where Zoom features were found online was reviewed. Input was encouraged for providing safe space for everyone at the meeting via the link in chat. Comments would be shared at the end of the meeting.

Comments from the Chair and Committee Members

- **Updates from committee members around the region** (Chair Kloster) – none received
- **Monthly MTIP Amendments Update** (Ken Lobeck) Chair Kloster referred to the memo in the packet on the monthly submitted MTIP formal amendments submitted during late November to mid-December 2022. Questions on the monthly MTIP amendment projects can be directed to Ken Lobeck.
- **Fatal crashes update** (Lake McTighe) The update was provided that TPAC receives each month with the names of people killed in fatal crashes within the three counties of the region over the previous time period. It was announced that the annual Safety update to JPACT and Metro Council would be presented later this year that provides more detail on data and trends to address fatal crashes. Katherine Kelly acknowledged the work from staff on moving this issue forward to help find solutions.
- **2023 RTP Call for Projects: Jan. 6 to Feb. 17** (Kim Ellis) It was announced the online project hub went live yesterday. The jurisdictions and agencies were notified. From today to 5:00 p.m. on

February 17 all the project information needs to be entered in the hub. A link was provided for further resources available to help including a fact sheet. For further information the committee can contact Ms. Ellis. Website: <https://www.oregonmetro.gov/public-projects/2023-regional-transportation-plan/projects>
FAQ: <https://www.oregonmetro.gov/sites/default/files/2022/12/15/2023-RTP-Call-for-Projects-FAQ.pdf>

- **Committee input on Creating a Safe Space in 2023 – Protocols and Democratic Rules** (Chair Kloster) It was announced that a recruitment for new community representatives was in progress. It is expected the slate of six nominees would be presented to Metro Council for approval in February. New members will be invited to sit in at TPAC in February and begin their terms on the committee in March 2023.

Chair Kloster referred to the memo in the packet discussing TPAC Virtual Meeting Protocols. Updated Zoom protocols and tips for virtual meetings were shared. The committee may hold in-person or hybrid meetings in the future. Details are still being worked out and arranged. Until further notice the committee meetings are scheduled in Zoom.

Public Communications on Agenda Items – none received

Consideration of TPAC Minutes from December 2, 2022

Consideration of TPAC Minutes from December 13, 2022

MOTION: To approve minutes from December 2, 2022 and December 13, 2022.

Moved: Laurie Lebowski-Young

Seconded: Jay Higgins

ACTION: Motion passed with one abstention; Eric Hesse

Metropolitan Transportation Improvement Program (MTIP) Formal Amendment 23-5308 (Ken Lobeck, Metro) The January FFY 2023 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment was presented, primarily a positioning amendment supporting the development of the State fiscal Year (SFY) Unified Planning Work Program (UPWP). The January FFY 2023 Formal MTIP Amendment also completes a necessary scope and cost change to one of ODOT's Americans with Disabilities (ADA) projects. The summary of changes includes the following:

- Three Metro Regional Flexible Fund Allocation (RFFA) Step 1 UPWP program allocations for the SFY 24 UPWP (Freight/Goods Movements administration (Key 22146), TSMO administration (Key 22170), and the FFY 2023 UPWP STBG Regional Planning allocation (in Key 22152) are being advanced from non-constrained out-tears of the MTIP and combined into Key 22311.
- Key 22311 will function as the primary SFY 2024 UPWP project containing all approved UPWP projects part of the Master Agreement with ODOT.
- The ODOT State contribution is being added to Key 22311.
- Finally, Federal Highways based "PL" planning funds, and Federal Transit based Administration Section 5303 funding levels are being updated per revised authorized amounts to the MPOs.
- The fifth project in the bundle is an ODOT ADA improvement project on US30BY and OR99E is completing a scope and cost change to drop the OR99E portion and adjust the costs for the remaining US30BY ADA improvement portion.

Comments from the committee:

- Chris Deffebach asked if this moves unspent funds from FY 23 to FY24 so they would be obligated in July. Mr. Lobeck noted funds in the non-constrained MTIP years with obligation targets are firm or we get penalized. In this amendment funds can be brought into 2023 now so they can be billed as part of the UPWP. Because of the obligation program funds become a liability with UPWP which are not as lined up with known project expenditures in fiscal years.

MOTION: To provide JPACT an approval recommendation of Resolution 23-5308 consisting of the five amended projects enabling further required UPWP updates to occur and allow ODOT to move forward with their US30BY ADA project.

Moved: Chris Ford Seconded: Chris Deffebach

ACTION: Motion passed unanimously.

Earthquake Ready Burnside Bridge Resolution 23-5306 (Alex Oreschak, Metro/ Megan Neill, Multnomah County) Megan Neill began the presentation with a reminder of the primary purpose of the Earthquake Ready Burnside Bridge Project is to create a seismically resilient Burnside Street lifeline crossing of the Willamette River that would remain fully operational and accessible for vehicles and other modes of transportation immediately following a major Cascadia Subduction Zone (CSZ) earthquake.

The adopted 2018 RTP's financially constrained project list includes Phase 1 and Phase 2 of the EQRB Project, which reflect planning and project development activities, including planning required under the National Environmental Policy Act (NEPA) process, project design and right-of-way acquisition. Additionally, the adopted 2018 RTP's strategic project list, which identifies additional priority projects the region would pursue if more funding became available, includes the EQRB Project's Phase 3, reflecting the construction phase of the project.

The recommended Preferred Alternative for the Earthquake Ready Burnside Bridge is a girder style bridge type for the west span, a bascule for the middle movable span, and four travel lanes with separated pedestrian and bicycle facilities shown in the presentation. The project timeline and next steps phases was outlined. TPAC was asked to recommend to JPACT endorsement of the preferred alternative for the Earthquake Ready Burnside Bridge Project.

Comments from the committee:

- Katherine Kelly supports the project but would like to see more framework written on how these fits into what could be potentially a larger conversation on legislative bridge session and bridge packages. It's unclear how the prioritization on bridge replacement is planned and believes more discussion on the recommendation be held before sent to JPACT. Ms. Neill noted the project team is working closely with Government Relations on this issue. Sarah Paulus (Multnomah County) concurred.
- Jaimie Lorenzini noted in the resolution it reads "Supports the Earthquake Ready Burnside Bridge project as a high priority for the region". Clarification was asked why the high priority in this context described as regional significant project and regional funding priority. Mr. Oreschak noted the high priority classification relates to this being an emergency transportation route in the regional system. Ms. Lorenzini suggested this be added to the resolution for clarification.

On page 97 of the packet different funding streams are mentioned with best estimates on what we think the project will cost in 2022 dollars. It was suggested that for JPACT it might be

beneficial to list for the year of expenditures, and reflect inflation rates. Ms. Neill noted the fluctuation rates of inflation were included in the cost estimates to year of expenditures. Mr. Leybold added any projects like this have more current and sophisticated cost estimates that should bring in the costs as they are anticipated in inflation dollars. The generic rate of escalation is 3.3%, but this project has more accuracy with calculation.

- Laurie Lebowky-Young noted some confusion on the bridge replacement priorities. It was supported and amplified on providing context to JPACT regarding I-5 bridge replacement and terms of funding from state legislature.
- Chris Deffebach noted the emergency transportation routes phase II was not completed to show priority routes. It was suggested to edit the wording to say “priority for the region” not just high priority. It was asked if only one lane of traffic planned in emergencies going out of town would be adequate. Ms. Neill noted that during emergencies Portland Policy can decide lanes for emergency responses, types of vehicles allowed on routes and traffic flows. They have the flexibility to address these issues.
- Mike McCarthy noted the discussions held recently regarding toll revenues around the region. It was asked what was considered for this in the project. Ms. Neill noted the County is exploring funding options now. They are focused on Federal grants, but as the project moves forward will bring innovative ideas to discuss further. It was noted in 2019, Multnomah County Board of County Commissioners approved raising the Vehicle Registration Fee (VRF) by \$19/year, from \$37 to \$56, specifically for the design and construction of this project. It is notable that City of Portland and other small cities within the County waived their allotted portions of the VRF in order to help fund the Project.
- Eric Hesse noted in the list of resolves by Metro Council “to accept the Earthquake Ready Burnside Bridge project submission for inclusion in the list of projects considered in development of the 2023 RTP financially constrained project list.” It was asked if further clarification on the implication of where this project fits in the consideration of all projects. Mr. Oreschak noted this simply states the project would be accepted in the project list without any prioritizing with other projects.

MOTION: TPAC recommend to JPACT approval of Resolution 23-5306 for the purpose of endorsing the preferred alternative for the Earthquake Ready Burnside Bridge Project with the amendment where in the first whereas clause strike the word “high” such that it reads “Be it resolved that the Metro Council supports the Earthquake Ready Burnside Bridge project as a high priority for the region, consistent with federal, state, regional and local resilience priorities, and supports the Burnside Bridge as a Regional Emergency Transportation Route.

Moved: Jaimie Lorenzini

Seconded: Chris Deffebach

ACTION: Motion passed with one abstention; Eric Hesse.

Carbon Reduction Program Update (Ted Leybold, Grace Cho, Kim Ellis; Metro) An overview of the new Carbon Reduction Program (CRP) fund program and proposed Climate Smart Strategy investment areas to develop an allocation proposal for Carbon Reduction Program funds was presented. The Carbon Reduction Program is a new funding program established by the BIL and administered through the Federal Highway Administration (FHWA). The State of Oregon is to receive an estimated \$82.5 million in Carbon Reduction Program funding to be allocated at the state level by the Oregon Department of Transportation (ODOT). Metro, as the metropolitan planning organization (MPO) for the Portland region, receives a direct suballocation based on formula. Metro’s portion of the Carbon Reduction Program funding is approximately \$18.8 million total for the five federal fiscal years.

As part of implementing the new federal program, states and metropolitan planning organizations must complete two requirements:

- 1) States, in consultation with metropolitan planning organizations and local governments, must develop statewide carbon reduction plans aimed specifically at the transportation sector.
- 2) Include the allocation of Carbon Reduction Program funds (referred to as “CRP” funds) in the state carbon reduction plan.

Per the federal requirements of the new program, state carbon reduction plans with identified allocation of CRP funds are due to federal partners by November 2023.

The newly created federal Carbon Reduction Program is a limited opportunity targeted towards those transportation infrastructure investments or activities with the express purpose of reducing greenhouse gas emissions as outlined in the region’s Climate Smart Strategy and meet state requirements. There appears to be regional consensus that investing and focusing on the following three Climate Smart Strategies to meet the region’s greenhouse gas emissions reduction goals.

- Make transit convenient, frequent, accessible and affordable
- Make biking and walking safe and convenient
- Use technology to actively manage the transportation system

Based on this initial feedback, Metro staff proposes to use these three Climate Smart Strategies as the initial starting point for the development of one or more proposals for allocating CRP funds.

Metro staff will return to TPAC and JPACT at the February 2023 committee meetings with one or more specific project and/or program proposals with CRP funding levels. Following review of the proposal(s), Metro staff will seek gather a recommendation in early spring 2023 with the aim to adopt the allocation of CRP funds in mid to late spring 2023.

Comments from the committee:

- Mike McCarthy asked for clarification on the timeline and if normal Federal oversight of projects were required. Mr. Leybold noted there is a difference between a submission deadline for the allocation and the planning strategy due through ODOT to Federal in November. Metro would work with ODOT to spend the allocation over the life of the bill. ODOT can provide some flexibility in final allocation years. Yes, Federal dollars come with these string of Federal oversight rules that is provided by the state in terms of implementation. Asked if considering adding a project making sure it’s already Federalized, this was agreed or having a new stand-alone Federal project.
- Jaimie Lorenzini noted that with Metro Council feedback it was advised to continue leverage funding from the transportation funding measure, but cautioned against not being constrained by this. Following a lengthy RFFA process with allocation discussions, a possible overlap of selecting projects may fit criteria. With the tight turnaround timeline, what will local jurisdictions have for input in allocation discussions which could include a regional balance of distribution? Mr. Leybold noted the jurisdictions are welcome to provide input and priorities on proposed projects that would provide a regional balance. The RFFA selection of projects among others will be reviewed, and stressed the focus of this program was on carbon reduction so this must be the priority and meet eligibility requirements.
- Eric Hesse asked about the formula on allocations over time periods, if over several years, or allocated in phases per year. It was noted the funds are allocated over the entire 5 years of the program. Asked if the 80% Federal share of funding holds the same with this program, Mr. Leybold noted the typical arrangements are the typical split of 80/20. However, because of the amount of Federal lands in Oregon this match is needed for only 10.2% of funding.

It was noted the language around capital projects and programs are interspersed, and could be better identified. It would be good to know how much flexibility there might be in project priorities using the allocations on capital projects, and know more specifically what's in the proposal. Mr. Leybold noted the carbon reduction efforts that are pushed by the bill itself will provide direction. Staff will report back to TPAC in February on our expected carbon emission reductions by the project themselves, monitoring of projects, strategies to collect this data and report everything to Federal agencies.

- Steve Williams asked how the projects in this program were selected. Ms. Cho noted that in light of the tight deadline, staff would propose projects from input through the RFFA selection and criteria with this program, used as a starting point of discussion for project consideration. It was asked if there will be an analysis of the greenhouse gas reductions that result from these projects using the same approach as other funding programs. Ms. Cho noted the qualitative data will begin before the full package is performed. Emissions will be measured after the allocations are made.

Brian Hurley added there is no FHWA requirement to track reductions of projects in this program, knowing of the difficulty of tracking with consistent methods, but other tools are available that may help with the data. It was suggested that the reductions that result in other programs can be used in comparison and strategies to further emission reductions. Doing the analysis even if not required could be beneficial. Mr. Leybold concurred. Part of the intent of the funding is to be spent to advance our capabilities. Tools currently existing can be improved.

Thaya Patton added there is work underway for Climate tool development at Metro. Folks can contact me for details. Thaya.Patton@oregonmetro.gov Ms. Cho added what Mr. Leybold mentions of the CSS analysis is where I was thinking the initial qualitative analysis work would be undertaken.

- Chris Deffebach this was a good exercise in having projects earmarked where we knew could be moved forward quickly, and recommended staff work with jurisdictions to select projects. It was suggested we use these funds on projects that can't always be funded by other sources, and targeted for the most carbon reduction opportunities. Funding from the bill to the extent it shows success will help in further funding cycles and possibly extended into the next appropriation bill that demonstrates the benefits. It was suggested to focus on technology investments projects. It was asked how this funding fits into the larger pot from the State; what qualifies with the alignment and with state priorities?

Ms. Cho emphasized that as part of implementing the new federal program, states and metropolitan planning organizations must complete two requirements:

- 1) States, in consultation with metropolitan planning organizations and local governments, must develop statewide carbon reduction plans aimed specifically at the transportation sector.
- 2) Include the allocation of Carbon Reduction Program funds (referred to as "CRP" funds) in the state carbon reduction plan.

Because of previous planning work, Metro and ODOT are well positioned with meeting the first requirement of the new program fairly quickly and can begin work towards developing an allocation process for the new carbon reduction program funds.

Brian Hurley added that in the requirement of the reduction program Metro gets their own allocation from Federal. Two other pots of money are available from ODOT (1) small urban and rural MPOs, and (2) what ODOT identifies with components that ODOT has discretionary spending allocations on anywhere in the state. Once more is known about full statewide allocation funding, ODOT can report this information to the committee.

- Jaimie Lorenzini suggested looking at the regional distribution of VMT map that show areas further away from the urban core with higher VMT. It might be used to create options for project planning and identification for carbon reduction projects.
- Tara O'Brien noted TriMet is focused on areas of transit carbon reduction, but the Climate Smart strategies don't appear to include the transition to 0% emission fleet. It doesn't appear the state strategy could potentially include funding for transit electrification, so that what Metro is recommending strategies for funding these would likely not be included. Ms. Cho noted Metro staff proposes to use Climate Smart Strategies as the initial starting point for the development of one or more proposals for allocating CRP funds. Mr. Hurley added all fuels with transit are eligible with the Federal guidelines and ODOT strategies. Regarding SDS, switching transit fuels to alternatives is a key part to reducing emissions.

Asked how this money is being accounted for in the RTP, Mr. Leybold noted it is incorporated in the Federal forecasted funds.

- Chris Ford noted the value of safety invested with pedestrian and bike connections, and importance of having this as part of the Climate Smart strategies.
- Eric Hesse noted the four prioritized *STS* actions to CRP Strategy (Vehicle & Fuel technology, transportation options, system and agency operation and pricing) and have Federal acknowledged they also be included in TDM strategies. More recent analysis was suggested be included for considerations with strategies. It was asked how and where opportunities to engage around more statewide investments were planned. Mr. Hurley noted SDS monies are not allowed be used for planning. The carbon reduction program funds limit how agencies spend these monies since they go to specific projects.

For questions and ideas to add to this discussion the committee can reach out to Ms. Cho.

Committee comments on creating a safe space at TPAC (Chair Kloster) – none received

Adjournment

There being no further business, meeting was adjourned by Chair Kloster at 11:24 a.m.

Respectfully submitted,



Marie Miller, TPAC Recorder

Attachments to the Public Record, TPAC meeting, January 6, 2023

| Item | DOCUMENT TYPE | DOCUMENT DATE | DOCUMENT DESCRIPTION | DOCUMENT No. |
|------|------------------------------------|---------------|---|--------------|
| 1 | Agenda | 1/6/2023 | 1/6/2023 TPAC Agenda | 010623T-01 |
| 2 | 2023 TPAC Work Program | 12/29/2022 | 2023 TPAC Work Program as of 12/29/2022 | 010623T-02 |
| 3 | Memo | 12/29/2022 | TO: TPAC and interested parties From: Ken Lobeck, Funding Programs Lead RE: TPAC Metropolitan Transportation Improvement Program (MTIP) Monthly Submitted Amendments (during late November to mid-December) | 010623T-03 |
| 4 | Memo | 01/06/2023 | TO: TPAC and interested parties From: Tom Kloster, TPAC Chair RE: TPAC Virtual Meeting Protocols | 010623T-04 |
| 5 | Draft Minutes | 12/2/2022 | Draft minutes from Dec. 2, 2022 TPAC meeting | 010623T-05 |
| 6 | Draft Minutes | 12/13/2022 | Draft minutes from Dec. 13, 2022 TPAC workshop meeting | 010623T-06 |
| 7 | RESOLUTION NO. 23-5308 | N/A | Resolution 23-5308 FOR THE PURPOSE OF ADVANCING METRO ELIGIBLE UNIFIED PLANNING WORK PROGRAM (UPWP) PROJECTS FOR INCLUSION IN THE STATE FISCAL YEAR 2024 UPWP AND COMPLETING A SCOPE CHANGE FOR AN ODOT AMERICANS WITH DISABILITIES CURBS AND RAMPS PROJECT | 010623T-07 |
| 8 | Exhibit A to Resolution 23-5308 | N/A | Exhibit A to Resolution 23-5308 | 010623T-08 |
| 9 | Staff Report to Resolution 23-5308 | 12/29/2022 | TO: TPAC and interested parties From: Ken Lobeck, Funding Programs Lead RE: January FFY 2023 MTIP Formal Amendment & Resolution 22-5308 Approval Request | 010623T-09 |
| 10 | COUNCIL MEETING STAFF REPORT | 12/30/2022 | COUNCIL MEETING STAFF REPORT IN CONSIDERATION OF RESOLUTION NO. 23-5306 | 010623T-10 |
| 11 | RESOLUTION NO. 23-5306 | N/A | Resolution 23-5306 FOR THE PURPOSE OF ENDORSING THE PREFERRED ALTERNATIVE FOR THE EARTHQUAKE READY BURNSIDE BRIDGE PROJECT | 010623T-11 |
| 12 | Exhibit A | N/A | Exhibit A: Earthquake Ready Burnside Bridge Preferred Alternative | 010623T-12 |
| 13 | Exhibit B | N/A | Exhibit B: Earthquake Ready Burnside Bridge Project Financial Plan | 010623T-13 |
| 14 | Exhibit C | 12/30/2022 | Exhibit C: Letter from Multnomah County to Metro Council and JPACT | 010623T-14 |

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|-------------|----------------------|----------------------|---|---------------------|
| 15 | Memo | 12/29/2022 | TO: TPAC and interested parties From: Grace Cho, Senior Transportation Planner - Metro Ted Leybold, Resource Development Manager – Metro RE: Carbon Reduction Program Overview and Direction for Fund Allocation | 010623T-15 |
| 16 | Slide | 1/6/2023 | Monthly fatal traffic crash report for Clackamas, Multnomah and Washington counties | 010623T-16 |
| 17 | Presentation | 1/6/2023 | January 2023 Formal MTIP Amendment Resolution 23-5308 | 010623T-17 |
| 18 | Presentation | 1/6/2023 | Earthquake Ready Burnside Bridge – Recommendation to endorse preferred alternative | 010623T-18 |
| 19 | Presentation | 1/6/2023 | Carbon Reduction Program – Overview | 010623T-19 |