



600 NE Grand Ave.
Portland, OR 97232-2736

Council meeting agenda

Thursday, January 5, 2023

10:30 AM

Metro Regional Center, Council chamber,

<https://youtu.be/eoPbEObjbuk>,

<https://zoom.us/j/615079992>, or

877-853-5257 (toll free) (Webinar ID:

615079992)

This meeting will be held electronically and in person at the Metro Regional Center Council Chamber.

You can join the meeting on your computer or other device by using this link:

<https://youtu.be/eoPbEObjbuk>

1. Call to Order and Roll Call

2. Public Communications

Public comment may be submitted in writing. It will also be heard in person and by electronic communication (video conference or telephone). Written comments should be submitted electronically by emailing legislativecoordinator@oregonmetro.gov. Written comments received by 4:00 p.m. the day before the meeting 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 503-813-7591 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. Those wishing to testify in person should fill out a blue card found in the back of the Council Chamber.

Those requesting to comment virtually during the meeting can do so by joining the meeting using this link: <https://zoom.us/j/615079992> (Webinar ID: 615079992) or 888-475-4499 (toll free) and using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at legislativecoordinator@oregonmetro.gov. Individuals will have three minutes to testify unless otherwise stated at the meeting.

3. Consent Agenda

3.1 Consideration of the July 14, 2022 Council Meeting Minutes [22-5811](#)

Attachments: [071422 Minutes](#)

3.2 Consideration of the July 28, 2022 Council Meeting Minutes [22-5812](#)

Attachments: [072822 c Minutes](#)

- 3.3 Resolution No. 22-5299, For the Purpose of Amending Six Existing Projects to Enable Pending Federal Approval Steps and Phase Obligations to Occur (DC23-04-DEC) [RES 22-5299](#)
Attachments: [Resolution 22-5299](#)
[Exhibit A](#)
[Staff Report](#)
- 3.4 Resolution No. 23-5303 For the Purpose of Organizing the Metro Council and Confirming the Deputy President [RES 22-5303](#)
Attachments: [Resolution No. 23-5303](#)
[Exhibit A](#)
[Staff Report](#)
- 3.5 Resolution No. 23-5304, For the Purpose of Confirming Members of the Metro Regional Waste Advisory Committee [RES 23-5304](#)
Attachments: [Resolution No. 23-5304](#)
[Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)
[Staff Report](#)

4. Ordinances (First Reading and Public Hearing)

- 4.1 Ordinance No. 22-1487, For the Purpose of Amending Metro Code Section 2.02.010 [ORD 22-1487](#)
Presenter(s): Marissa Madrigal (she/her), Metro
Carrie MacLaren (she/her), Metro
Attachments: [Ordinance No. 22-1487](#)
[Exhibit A](#)
[Staff Report](#)

5. Chief Operating Officer Communication

6. Councilor Communication

7. Adjourn

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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. Haddii aad u baahan tahay turjubaan si aad uga qaybqaadatid kullan dadweyne, wac 503-797-1700 (8 gallinka hore illaa 5 gallinka dambe maalmaha shaqada) shan maalmo shaqa ka hor kullanka si loo tixgaliyo codsashadaada.

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សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

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

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. 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.

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Metro txoj kev ntxub ntxaug daim ntawv ceeb toom

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Agenda Item No. 3.1

Consideration of the July 14, 2022 Council Meeting Minutes
Consent Agenda

Metro Council Meeting
Thursday, January 5, 2023

Metro

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



Metro

Minutes

Thursday, July 14, 2022

10:30 AM

**<https://zoom.us/j/615079992> (Webinar ID: 615079992) or
929-205-6099 (toll free)**

Council meeting

1. Call to Order and Roll Call

Council President Peterson called the Metro Council Meeting to order at 10:30 a.m.

Present: 7 - Council President Lynn Peterson, Councilor Shirley Craddick, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, Councilor Gerritt Rosenthal, and Councilor Duncan Hwang

2. Public Communication

Council President Peterson opened the meeting to members of the public wanting to testify on a non-agenda item.

Michael urged the councilors to support a full clean-up of Willamette Cove.

3. Resolutions

3.1 Public hearing on Resolution No. 22-5278 For the Purpose of Adopting the Metro Council's Conditions of Approval for the Interstate Bridge Replacement Program Modified Locally Preferred Alternative and Resolution No. 22-5273 For the Purpose of Endorsing the Modified Locally Preferred Alternative for the Interstate Bridge Replacement Program

Council President Peterson opened the meeting to members of the public wanting to testify on Resolution No. 22-5278 and Resolution No. 22-5273.

State Representative Khan Pham asked Council to Vote no on Resolution No. 22-5278 and Resolution No. 22-5273 until there is a written commitment for an investment grade analysis of traffic and toll revenue projections.

Robert Liberty urged the council to vote no on the resolutions. He explained that the conditions of approval are weak and unenforceable and contradicts the Council's climate goals.

Chris Smith, Just Crossing Alliance, stated that the project

should meet the coast guard's requirement for 178 ft of bridge clearance and expressed disappointment that the conditions of approval lack a health impact assessment.

Adah Crandall, Portland Youth Climate Strike, Urged the Council to vote no on the Locally Preferred Alternative (LPA) and pushed for analysis of additional alternatives. Adah explained that the current LPA does not address climate change rigorously enough.

Diane Meisenhelter, NE Portland resident expressed concerns with increased emissions and inadequate climate mitigation tactics and asked the council to vote no on the LPA.

Zach Lindahl, Washington County Chambers of Commers, stated the effects of congestion will not be met through the current LPA, adding that additional capacity will reduce idling and congestion.

Debra Higbee-Sudyak, Serra Club, Oregon Chapter, requested that Council votes no until the LPA includes an analysis of alternatives and an investment grade analysis.

Mara Gross, Non-profit consultant, expressed concerns with the LPA around health, safety, and climate change. Mara asked Council to hold off on voting until they are presented with alternative options.

Jon Isaacs, Vice President of Portland Business Alliance, explained that the alliance has concerns with adequate vehicle capacity but urged council to vote yes on the LPA.

Anna Kahler, Just Crossing Alliance, Urged the Council to vote no or delay the vote on the LPA due to ODT's reliability and credibility.

Joe Cortright, City Observatory, asked the council to vote no or abstain due to the similarity of the IBR bridge replacement to the Columbia River Crossing and lack of information on the project.

Nate McCoy asked the council to vote yes on the LPA in order to expand economic opportunity for communities of color.

Bob Ortblad, Washington resident, asked the Council to vote no on the LPA until the bridge clearance follows the suggestion of the Oregon Coast Guard.

Jacqui Treiger, Oregon Environmental Council, asked the council to delay or vote no on the LPA

R.A Faunce stated rail projects are taking money away from transit projects and should not be included in the IBR project.

Mary Peveto, expressed concern with the single option LPA and questioned where the funding will come from. Mary Urged Council to vote no or postpone their vote until more details about the project are clear.

Joe Rowe expressed concern with IBR LPA bridge safety.

Mazy Drummin, Climate Organizer, asked the council to abstain or vote no on the LPA. She stated that the project does not address climate change aggressively enough.

Calliope Ruskin, Sunrise PDX member, asked the Council to vote no or abstain the LPA until a greener option is presented that does not add additional lanes or increase vehicle miles traveled.

3.2 Resolution No. 22-5278 For the Purpose of Adopting the Metro Council's Conditions of Approval for the Interstate Bridge Replacement Program Modified Locally Preferred Alternative

Roger Millar, WSDOT, explained the procedural timeline and details of the Interstate Bridge Replacement (IBR) locally preferred alternative (LPA).

Council President Peterson called on Margi Bradway, Metro and Matt Bihn, Metro, to present to Council.

Staff pulled up the IBR Modified LPA and Conditions of Approval presentation to present to Council.

Margi described the IBR program timeline, the modified LPA endorsement schedule, the difference between Resolution No. 22-5278, and Resolution No. 22-5273, and changes from exhibit A to exhibit A-1.

Matt Bihn explained next steps after the adoption of the Modified LPA

Council President Peterson asked council for any discussion on the substitution of Exhibit A with Exhibit A-1 of Resolution No. 22-5278

Council Discussion

There were none

All yes.

Council President Peterson asked councilors for any amendments to Exhibit A-1.

Councilor Lewis moved to amend Exhibit A-1 under section G, Financing Plan, to add the following sentence to the end

of the first bullet, "The Financial Plan shall include all improvements in the BIA including local improvements".

Councilor Lewis explained the intent of the amendment is to make sure local needs are not deprioritized in the final budgeting process.

A motion was made by Councilor Lewis, seconded by Councilor Rosenthal, that Exhibit A-1 to Resolution No. 22-5278 was amended to include additional language. The motion carried by the following vote:

Yes: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

Councilor Hwang moved to amend Exhibit A-1 under the section B, Equity, to include a Health Impact Assessment under the conditions of approval.

Margi explained that Health Impact Assessments are usually led by a health agency. She recommended to add the language "work with local health agencies on a Health Impact Assessment".

Councilor Hwang clarified his amendment to include the language "working with local health agencies to conduct a Health Impact Assessment"

A motion was made by Councilor Hwang, seconded by Councilor Gonzalez, that Exhibit A-1 to Resolution No. 22-5278 was amended to include additional language. The motion carried by the following vote:

Yes: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

Councilor Rosenthal moved to amend Resolution No. 22-5278, section V, to include the language “and a clear IBR program commitment to address the conditions in exhibit A-1 of Resolution No. 22-5278.”

A motion was made by Councilor Rosenthal, that Resolution No. 22-5278 was amended to include additional language. The motion failed for a lack of second

Council President Peterson asked council for any discussion Resolution No. 22-5278.

Discussion

Councilor Rosenthal expressed concern for the lack of binding authority Resolution No. 22-5278 has on the IBR project.

Councilor Gonzalez remarked that the conditions of approval reflect a great amount of work from staff, council, and community. He explained that Council has received 100's of pieces of testimony that they have worked to weave into the conditions of approval.

Councilor Craddick asked Margi to respond to Councilor Rosenthal's comment.

Margi reminded council that the IBR team was in the audience listening and that the Conditions of Approval are a statement to them and community members on where Metro stands on the project. She also explained that they will aid as direction for staff to follow, adding that the IBR team committed to a response to the conditions of approval.

Councilor Lewis stated as an MPO, Metro has certain responsibilities at a staff level, which highlights Metro's unique role.

A motion was made by Councilor Gonzalez, seconded by Councilor Rosenthal, that this Resolution was adopted as amended. The motion carried by the following vote:

Aye: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

- 3.3 Resolution No. 22-5273, For the Purpose of Endorsing the Modified Locally Preferred Alternative for the Interstate Bridge Replacement Program

Council President Peterson called on Carrier Maclaren, Metro, to present to Council.

Carrier Maclaren described the process of voting on Resolution No. 22-5278 and Resolution No. 22-5273.

Council Discussion:

Councilor Nolan asked if the Metro council has the authority to make the conditions of approval binding to the project and if they have the authority to undo approval if the conditions are not being met.

Roger Alfred described how council can rely on the conditions of approval.

Margi described the difference between the conditions of approval and the LPA.

Councilor Rosenthal asked for clarification on language in Resolution No. 22-5278 and Resolution No. 22-5273.

Margi distinguished the difference between Resolution No. 22-5278 and Resolution No. 22-5273.

Councilor Gonzalez asked what other design alternatives have been researched.

Margi described alternative project options that were considered.

Councilor Craddick asked staff to explain why only one bridge design option is being considered.

Margi explained the bridge design is still in the conceptual phase, with only 2% complete. She also stresses that there is a lot of opportunity for innovation and creativity in the design process.

Councilor Hwang asked for clarity on the width of the bridge and asked why a health impact assessment was not included in the conditions for approval

Margi explained that the width of the bridge is undecided and that a health impact assessment was done in 2009 by Multnomah County during the original Columbia River Crossing project.

Councilor Lewis asked if a financial assessment will be available once the project reaches 30% design.

Margi explained that the I5B team is working to have a conceptual financial plan by fall.

Councilor Craddick asked staff to explain how the bridge design will address greenhouse gases.

Margi explained the three strategies identified in the climate smart strategy.

Councilor Nolan addressed events since the last time the Metro Council approved and LPA for the IBR replacement (the Columbia River Crossing). Councilor Nolan spoke of regional natural disasters that are directly tied to climate justice, increased racial disparities, and loss of tree canopy. They explained, since January when council approved their values, out comes, and actions for the IBR project, ODOT announced over a billion dollars of cost over run-on projects in the metro region. They explained how this affects other high priority projects. Lastly, they stated their vote on resolution No. 22-5273 is for BIPOC individuals and communities, low-income travelers, neighborhoods, businesses, and the young activists that deserve representation, for those reasons they will be voting no.

Councilor Rosenthal raised concerned that the conditions of approval are not tied to the IBR project in a meaningful way.

A motion was made by Councilor Craddick, seconded by Councilor Gonzalez, that this Resolution was adopted. The motion carried by the following vote:

Aye: 6 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Rosenthal, and Councilor Hwang

Nay: 1 - Councilor Nolan

3.4 Resolution No. 22-5274 For the Purpose of Amending Metro's Contracting and Procurement Administrative Rules

Council President Peterson recessed the meeting of the Metro Council and reconvened the meeting as the Metro Council Contract review board.

Council President Peterson called on Gabriele Schuster, Metro, to present to Council.

Staff pulled up the Procurement Administrative Rule Update Presentation to present to Council.

Gabi explained when new procurement rules were last implemented, updates to the rules since the last implementation, and the new rules staff suggest adding.

Council Discussion:

Councilor Craddick asked Gabi to describe the impact of increasing the threshold for public improvements from \$5,000 to \$10,000.

Gabi explained in prior years, the \$10,000 threshold was only available for goods and services, not construction, increasing the threshold is helpful for small and historically marginalized firms that want to stick to smaller projects.

Councilor Rosenthal asked how long the \$5,000 threshold has been in place.

Gabi explained it has been in place for a very long time.

Council President Peterson ajorned the meeting of the Metro Council Contract review board and reconvened the meeting as the Metro Council.

A motion was made by Councilor Lewis, seconded by Councilor Rosenthal, that this Resolution was adopted. The motion carried by the following vote:

Aye: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

4. Councilor Communication

Councilors provided updates on the following meetings and

events:

- Councilor Craddick provided an update on the quarterly trail's forum.
- Councilor Gonzalez provided an update on ODT's new safety cross walk in Cornelius.
- Councilor Rosenthal provided an update on the joint Tualatin and Metro's Park staff presentation, and the senior citizen center groundbreaking in Tualatin.
- Councilor Hwang highlighted the recent incidents of anti-Asian hate in the region.

5. Chief Operating Officer Communication

Marissa Madrigal provided an update on the following events or items:

- The retirement of Metro Planner Tim O'Brien.
- Andy Shaw celebrated Tim's many years of service to Metro and expressed appreciation for his diligent work.
- Council President Peterson thanked Tim for the effort he put into his work at Metro.
- Tim thanked President Peterson and those he worked with through the years.

6. Adjourn

There being no further business, Council President Peterson adjourned the Metro Council Meeting at 2:10 p.m.

Respectfully submitted,

Brianna Dolbin

Brianna Dolbin



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Council meeting action update

Thursday, July 14, 2022

10:30 AM

<https://zoom.us/j/615079992> (Webinar
ID: 615079992) or 929-205-6099 (toll free)

1. Call to Order and Roll Call

Present: 7 - Council President Lynn Peterson, Councilor Shirley Craddick, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, Councilor Gerritt Rosenthal, and Councilor Duncan Hwang

2. Public Communication

3. Resolutions

3.1 Public hearing on **Resolution No. 22-5278**, For the Purpose of Adopting the Metro Council's Conditions of Approval for the Interstate Bridge Replacement Program Modified Locally Preferred Alternative and Resolution No. 22-5273 For the Purpose of Endorsing the Modified Locally Preferred Alternative for the Interstate Bridge Replacement Program

3.2 **Resolution No. 22-5278**, For the Purpose of Adopting the Metro Council's Conditions of Approval for the Interstate Bridge Replacement Program Modified Locally Preferred Alternative

A motion was made by Councilor Gonzalez, seconded by Councilor Rosenthal, that this Resolution was amended to substitute Exhibit A with Exhibit A-1. The motion carried by the following vote:

Yes: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

A motion was made by Councilor Lewis, seconded by Councilor Rosenthal, that Exhibit A-1 to Resolution No. 22-5278 was amended to include additional language. The motion carried by the following vote:

Yes: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

A motion was made by Councilor Hwang, seconded by Councilor Gonzalez, that Exhibit A-1 to Resolution No. 22-5278 was amended to include additional language. The motion carried by the following vote:

Yes: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

A motion was made by Councilor Rosenthal, that Exhibit A-1 to Resolution No. 22-5278 was amended to include additional language. The motion failed for a lack of second.

A motion was made by Councilor Gonzalez, seconded by Councilor Rosenthal, that this Resolution was adopted as amended. The motion carried by the following vote:

Yes: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

3.3 **Resolution No. 22-5273**, For the Purpose of Endorsing the Modified Locally Preferred Alternative for the Interstate Bridge Replacement Program

A motion was made by Councilor Craddick, seconded by Councilor Gonzalez, that this Resolution was adopted. The motion carried by the following vote:

Yes: 6 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Rosenthal, and Councilor Hwang

No: 1 - Councilor Nolan

3.4 **Resolution No. 22-5274**, For the Purpose of Amending Metro's Contracting and Procurement Administrative Rules

A motion was made by Councilor Lewis, seconded by Councilor Rosenthal, that this Resolution was adopted. The motion carried by the following vote:

Yes: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

4. **Councilor Communication**

5. **Chief Operating Officer Communication**

6. **Adjourn**

PLEASE NOTE: Official copies of legislation will be available in electronic format via format via [Metro Online Records](#). For assistance, please contact Becky Shoemaker, Metro Records Officer at ext. 1740.

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF July 14, 2022

ITEM	DOCUMENT TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
3.2	PowerPoint	7/14/2022	15BRP LPA presentation	071422c-01
3.4	PowerPoint	7/14/2022	LCRB Rules Update	071422c-02
3.2	Testimony	7/14/2022	7/14 Testimony	071422c-03

Agenda Item No. 3.2

Consideration of the July 28, 2022 Council Meeting Minutes
Consent Agenda

Metro Council Meeting
Thursday, January 5, 2023

Metro

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



Metro

Minutes

Thursday, July 28, 2022

10:30 AM

<https://zoom.us/j/615079992> (Webinar ID: 615079992) or
929-205-6099 (toll free)

Council meeting

1. Call to Order and Roll Call

Council President Peterson called the Metro Council Meeting to order at 10:30 a.m.

Present: 7 - Council President Lynn Peterson, Councilor Shirley Craddick, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, Councilor Gerritt Rosenthal, and Councilor Duncan Hwang

2. Public Communication

Council President Peterson opened the meeting to members of the public wanting to testify on a non-agenda items.

Rose Etta, Multnomah County resident and local 28 union representative, identified the importance of health care for workers and expressed concern with the end of COVID pay.

Lisa Yimm, Union represented AV worker at OCC, expressed concern for job security and explained the work that OCC workers did throughout the pandemic.

Summer Turpin, IATSE 28 Member, discussed her concern with job replacement.

3. Resolutions

3.1 Resolution No 22-5277, For the Purpose of Directing Metro to Implement the Contingency Remedy Authorized by Oregon Department of Environmental Quality's Record of Decision for Willamette Cove

Council President Peterson called on Marissa Madrigal, Metro, Paul Slyman, Metro, John Blasher, Metro, to present to Council.

Staff pulled up the Metro's Willamette Cove Environmental Cleanup PowerPoint to present to Council.

Marissa shared that Willamette Cove is a 27-acer piece of land on the Willamette River, about 7 miles down from the Metro Regional Center. She continued to explain the history of industrializing of the area, how these processes created the contamination, and previous Council direction.

Paul reviewed the design processes currently underway, and DEQ's remedial approved objective for the site: Prevent exposure to humans, prevent exposure to animals, remove or treat hot spots, and prevent further migration of contamination to the river. He shared sediment sampling plans, selected remedy, consisting of excavation and removal of all hot spot areas, and a sample design of this choice. He then moved on to address the process of examining and comparing the optional contingency remedy, describing the 3rd party review team, and comments and input from Tribes.

John explained the impact on the Parks and Nature bond, highlighting that Council previously directed \$10 million to be reserved for the Willamette Cove Project. He described ways to lessen the impact on other Parks and Nature projects if \$10 Million was allocated to Willamette Cove.

Paul Slyman shared ways to mitigate harmful impacts on surrounding communities during the project, including where trucks are routed, barge and rail usage instead of trucks, and replacing petroleum diesel with renewable diesel. He then outlined the two choices in front of Council: Selected Remedy - Onsite consolidation of moderately contaminated soils; Or, Contingency Remedy - Offsite disposal of moderately contaminated soils at a regulated waste facility.

Marissa Madrigal added that as staff reviewed both options and considered community feedback, they are recommending Council approve the Contingency Remedy.

Council Discussion:

Councilor Nolan expressed support for the Contingency Remedy and asked what could obstruct it from being implemented.

Marissa Madrigal explained funding options could block the Contingency Remedy from being implemented but expressed confidence in staff's ability to come up with a plan the Council would approve.

Councilor Craddick expressed her support for the Contingency Remedy and asked for clarification on the cost of the project.

Paul explained that Metro shares the project cost with partners and that the entirety of the cost will not completely fall onto Metro.

Councilor Hwang asked staff to prioritize barge and rail options for moving soil if possible and asked if there were plans in place for future use of the rail spur.

Paul explained that the future of the rail spur is still undecided but as part of the design staff will investigate future use.

Councilor Gonzalez thanked the Metro team for their hard work through the process and expressed concern for the lack of knowledge on cost but stated he felt comfortable moving forward based off community support.

A motion was made by Councilor Nolan, seconded by Councilor Rosenthal, that this Resolution was adopted. The motion carried by the following vote:

Aye: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

3.1.1 Public Comment Opportunity for Resolution No. 22-5277, For the Purpose of Directing Metro to Implement the Contingency Remedy Authorized by Oregon Department of Environmental Quality's Record of Decision for Willamette Cove

Council President Peterson opened the meeting to members of the public wanting to testify on Resolution No. 22-5279.

Representative Khan Pham asked Metro to choose the Contingency Remedy in order to support community stakeholders and environmental needs.

Cassie Cohen, executive director of Portland Harbor Community Coalition, urged Council to commit to the Contingency Remedy, setting the highest standard of cleanup and expressed the future possible use of the area by community members.

Linda Senn, Board Treasure at PHCC, expressed their approval of Council choosing the Contingency Remedy and urged them to choose the least pollutant way to remove the toxic soil.

Bob Sallinger, Auto bond society of Portland, expressed his support for the Contingency Remedy and thanked Council for considering it.

Zora Hess, Northeast Portland resident, emphasized her support for the Contingency Remedy and asked Council to vote in support of it. She highlighted the opportunity Council has to address historical wrongs doings to the area.

Council Discussion

Councilor Lewis expressed her support for the Contingency Remedy and thanked the individuals who testified including the 6 Tribes who dedicated staff time and resources and asked staff to identify opportunities to honor indigenous history, connections, and relations as Metro continues its work on this project.

Council President Peterson thanked Metro's partners in the project, specifically the Confederated Tribes and Bands of the Yakama Nation.

Marissa described next steps for the project.

4. Ordinances (Second Reading)

- 4.1 Ordinance No. 22-1482, For the Purpose of Creating A New Metro Code Chapter 5.11 to Establish the Disaster Debris Reserve and Disaster Debris Management Grants Program

Council President Peterson stated that the first reading and public hearing for Ordinance No. 22-1428 took place on Tuesday, July 19th.

Council President Peterson called on Jim Quinn(he/him), Metro, and Courtney Patterson (she/her), Metro, to present to Council.

Council Discussion

There was none.

A motion was made by Councilor Rosenthal, seconded by Councilor Lewis, that this Ordinance was adopted. The motion carried by the following vote:

Aye: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

5. Councilor Communication

Councilors provided updates on the following meetings and

events:

- Councilor Craddick provided an update on the 7/28/2022 JPACT/Council RTP workshop.
- Councilor Nolan thanked and acknowledged Rose, Lisa, and Summer, who testified during the non-agenda item testimony portion of the meeting. Councilor Nolan noted the discrepancy between Metro's values and the displacement of the venue workers. They asked Metro COO and staff to find budget solutions that adhere to Metro values and respect Metro workers.
- Councilor Lewis provided an update on the 7/27/22 MPAC meeting.

6. Chief Operating Officer Communication

Marissa Madrigal provided an update on the following events or items:

- The disaster debris reserve.
- Regional support for community members during unprecedented high heat.
- Andy Shaw and Tyler Frisbee updated Council on the semiconductor competitiveness task force and passage of the Chips Act in the Senate

7. Adjourn

There being no further business, Council President Peterson adjourned the Metro Council Meeting at 12:30

Respectfully submitted,

Brianna Dolbin

Brianna Dolbin, Legislative Assistant



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Council meeting action update

Thursday, July 28, 2022

10:30 AM

<https://zoom.us/j/615079992> (Webinar
ID: 615079992) or 929-205-6099 (toll free)

1. Call to Order and Roll Call

Present: 7 - Council President Lynn Peterson, Councilor Shirley Craddick, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, Councilor Gerritt Rosenthal, and Councilor Duncan Hwang

2. Public Communication

3. Resolutions

3.1 **Resolution No 22-5277**, For the Purpose of Directing Metro to Implement the Contingency Remedy Authorized by Oregon Department of Environmental Quality's Record of Decision for Willamette Cove

A motion was made by Councilor Nolan, seconded by Councilor Rosenthal, that this Resolution was adopted. The motion carried by the following vote:

Yes: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

3.1.1 Public Comment Opportunity for Resolution No. 22-5277, For the Purpose of Directing Metro to Implement the Contingency Remedy Authorized by Oregon Department of Environmental Quality's Record of Decision for Willamette Cove

4. Ordinances (Second Reading)

4.1 **Ordinance No. 22-1482**, For the Purpose of Creating A New Metro Code Chapter 5.11 to Establish the Disaster Debris Reserve and Disaster Debris Management Grants Program

A motion was made by Councilor Rosenthal, seconded by Councilor Lewis, that this Ordinance was adopted. The motion carried by the following vote:

Yes: 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

5. **Councilor Communication**
6. **Chief Operating Officer Communication**
7. **Adjourn**

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ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF July 28, 2022

ITEM	DOCUMENT TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
3.1	PowerPoint	7/28/2022	Willamette Cove Presentation	072822c-01
3.1	Testimony	7/28/2022	7/28 Testimony	072822c-02

Agenda Item No. 3.3

**Resolution No. 22-5299, For the Purpose of Amending Six Existing Projects to Enable
Pending Federal Approval Steps and Phase Obligations to Occur (DC23-04-DEC)**
Consent Agenda

Metro Council Meeting
Thursday, January 5, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING FOUR) RESOLUTION NO. 22-5299
EXISTING PROJECTS TO ENABLE PENDING)
FEDERAL APPROVAL STEPS AND PHASE) Introduced by: Chief Operating Officer
OBLIGATIONS TO OCCUR) Marissa Madrigal in concurrence with
Council President Lynn Peterson

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

WHEREAS, the U.S. Department of Transportation requires federal funding for transportation projects located in a metropolitan area to be programmed in an MTIP; and

WHEREAS, in July 2020, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved Resolution No. 20-5110 to adopt the 2021-24 MTIP; and

WHEREAS, pursuant to the U.S. Department of Transportation's MTIP amendment submission rules, JPACT and the Metro Council must approve any subsequent amendments to the MTIP to add new projects or substantially modify existing projects; and

WHEREAS, ongoing reviews of ODOT's Interstate 5 Marquam Bridge to Capitol Highway Active Traffic Management upgrade project revealed a need for an adjusted scope of work and increased funding; and

WHEREAS, ODOT will transfer the remaining unexpended funding from their Regionwide Intelligent Transportation System upgrades project and split needed funding from their Regional Variable Message Signs project grouping bucket to address the work scope and added funding needs for the I-5 Marquam Bridge to Capitol Highway project; and

WHEREAS, Metro and TriMet complete an annual fund exchange of federal Surface Transportation Block Grant funds for local TriMet funds to help both agencies better leverage their allocated funding; and

WHEREAS, Metro is completing the required project conversion of a Surface Transportation Block Grant placeholder project for TriMet to reflect TriMet's planned commitment to support their Preventative Maintenance Program with the Surface Transportation Block Grant funds they receive through the fund exchange; and

WHEREAS, Metro staff reviewed all project changes for consistency with the RTP, including fiscal constraint verification in the long-range plan, possible air quality impacts assessment, and for consistency with regional approved goals and strategies; and

WHEREAS, Metro staff reviewed and confirmed the MTIP's financial constraint finding is maintained with this amendment; and

WHEREAS, on December 2, 2022, Metro's Transportation Policy and Alternatives Committee recommended that JPACT approve this resolution; and

WHEREAS, on December 15, 2022, JPACT approved and recommended the Metro Council adopt this resolution; now therefore

BE IT RESOLVED that the Metro Council adopts this resolution to amend the four projects in the 2021-24 Metropolitan Transportation Improvement Program.

ADOPTED by the Metro Council this ____ day of _____ 2023.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

2021-2026 Metropolitan Transportation Improvement Program
Exhibit A to Resolution 22-5299

December FFY 2023 Formal Transition Amendment Bundle Contents

Amendment Type: Formal/Full
 Amendment #: DC23-04-DEC
 Total Number of Projects: ~~6~~ 4

Modification #1
Keys 21638 & 21614 are deleted
from the amendment bundle

Key Number & MTIP ID	Lead Agency	Project Name	Project Description	Amendment Action
(#1) ODOT Key # 20474 MTIP ID 71002	ODOT	Regionwide ITS Improvements and Upgrades	Install new or upgraded variable message signs (VMS); travel-time signs; network/communication technology; and other intelligent transportation system (ITS) functionality at various locations throughout Region 1	<u>SPLIT & CANCEL:</u> The formal amendment transfers the remaining unexpended funds from the project to be combined into Key 21602 (also included in this bundle) to improve delivery options. As a result, Key 20474 is canceled.
(#2) ODOT Key # 21601 MTIP ID 71155	ODOT	Portland Metro and Surrounding Areas Variable Message Signs	Replacement and installation of Variable Message Signs (VMS) signs to improve operations and provide real time travel information throughout the ODOT Region 1 area located in Clackamas, Hood River, Multnomah and Washington Counties.	<u>SPLIT & TRANSFER:</u> The formal amendment splits funding from Key 20601 and transfers/combines the funds into Key 20602.
(#3) ODOT Key # 21602 MTIP ID 71156	ODOT	I-5: Marquam Bridge - Capitol Highway	Install Variable Advisory Speed (VAS) and truck warning signs to improve safety by informing drivers of expected downstream conditions.	<u>COMBINE:</u> The formal amendment completes the funding and scope splits and transfers from Keys 20474 and 20601 into Key 20602.
(#4) ODOT Key # 21638 MTIP ID 71191	ODOT	OR213: I-205—OR211 OR213: Glen Oak Rd—S Barnards Rd Sec.	Improvements including signals, reflectorized back plates, advance intersection warning signs, flashing lights, radar detection units and stop bars to increase safety on this section of highway.	<u>LIMITS CHANGE—MAJOR</u> The project limits and scope elements are reduced based on the ODOT Traffic Section assessment for the project

Key Number & MTIP ID	Lead Agency	Project Name	Project Description	Amendment Action
(#5) ODOT Key # 21614 MTIP ID 71168	ODOT	US26: SE 8th Ave—SE 87th Ave US26: SE 8th Ave—SE 58th Ave Sec.	Update signals and improve intersection warning signage to improve safety on this section of highway.	SCOPE CHANGE: The formal amendment adjusts the project name, limits, and adds funding to support the revised project scope. The ODOT Traffic section evaluated the project scope and limits and determined the project scope could be reduced.
(#4) ODOT Key # 21164 Key will be changed when advanced into FFY 2023 MTIP ID 71103	TriMET	Transit Oriented Development (TOD) program (FFY 2023) Preventive Maintenance Support (FFY 2023)	Partner with developers and local jurisdictions to attract private development near transit stations to reduce auto trips and improve the cost-effectiveness of regional transit investments. (FY 2023 allocation year) Metro (RFFA Step 1) STBG/Local exchange supporting TriMet's Bus and Rail Preventative Maintenance program needs for labor and materials/services used for on- going maintenance of Bus and Rail fleets in TriMet's 3- county service district.	SCOPE CHANGE/ADVANCE: The formal amendment changes the project from the Trans Oriented Development (TOD) placeholder based on TriMet's confirmation to use the STBG fund exchange from Metro in support of the Preventative Maintenance program

12/4/2022 – Staff Added Note:

Keys 21638 and 21614 both were processed and approved as part of the October FFY 2023 Formal Amendment bundle. Both project amendment requests were left in the “MTIP unprocessed folder” and inadvertently added to the December FFY 2023 Formal Amendment bundle by mistake. The mistake was identified before the TPAC meeting on 12/2/2022. TPAC members were notified of the processing mistake, and authorized through Modification #1 to remove the two projects during the meeting. The modified formal amendment bundle decreases from six projects to four projects and now contains required changes to project Key numbers 20474, 21601, 21602, and 22164. As of 12/4/2022, Keys 21638 and 21614 have been removed from the amendment bundle.

2021-2026 MTIP Formal Amendment - Exhibit A

December 2022 Formal Amendment for FFY 2023 - Amendment Number DC23-04-DEC

Summary Reason for Change: Key 20474 is an active prior obligated project which obligated its PE funding in FFY 2020. The remaining unexpended funding is being transferred to Key 21602.



**Metro
2021-26 Metropolitan Transportation Improvement Program (MTIP)
PROJECT AMENDMENT DETAIL WORKSHEET**

**MTIP Formal Amendment
SPLIT & CANCEL**
Transfer scope and unexpended
funds to Key 21602

Lead Agency: ODOT			Project Type:	Highway	ODOT Key: 20474
Project Name: Regionwide ITS Improvements and Upgrades	1		Fiscal Constraint Cat:	Capital	MTIP ID: 71002
			ODOT Type	SM&O	Status: Canceled
Project Status: 2 = Pre-design/project development activities (pre-NEPA) (ITS = ConOps.)			Performance Goal:	None	Comp Date: N/A
			Capacity Enhancing:	No	RTP ID: 11584
			Conformity Exempt:	Yes	RTP Approval: 12/6/2018
			On CMP:	No	Trans Model: 12/6/2018
			30 Day Notice Begin:	11/29/2022	TCM Project: No
			30 Day Notice End:	12/30/2022	TSMO Award: No
			Funding Source	ODOT	TSMO Cycle: N/A
			Funding Type:	ST STBG	RFFA ID: N/A
			State Highway Route	Regional	RFFA Cycle: N/A
			Mile Post Begin:	N/A	UPWP: No
			Mile Post End:	N/A	UPWP Cycle: N/A
			Length:	N/A	Past Amend: 2
Short Description: Install new or upgraded variable message signs (VMS); travel-time signs; network/communication technology; and other intelligent transportation system (ITS) functionality at various locations in Region 1			Flex Transfer to FTA	No	Council Appr: Yes
			FTA Conversion Code:	N/A	Council Date: 12/5/2022
			1st Year Program'd:	2020	OTC Approval: No
			Years Active:	3	OTC Date: N/A
			STIP Amend #: 21-24-2735		MTIP Amnd #: DC23-04-DEC

Detailed Description: None

STIP Description: Install new or upgraded variable message signs (VMS), travel-time signs, network/communication technology, and other intelligent transportation system (ITS) functionality at various locations in Multnomah, Washington, Clackamas, and Hood River counties. This project will provide drivers and ODOT staff with information on road conditions and enable the appropriate response.

Last Amendment of Modification: Administrative - October 2021 - OC21-03-OCT - SPLIT PROJECT: The formal amendment splits funding and scope from Key 20474 and combines it into 18841 for increase delivery efficiency. A total of \$1,406,688 and the construction phase is slit off from Key 20474 and combined into Key 18841 (also included this amendment bundle).

PROJECT FUNDING DETAILS

Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Construction	Other (ITS)	Total
Federal Funds								
State STBG	M24E	2020	-	\$ 156,669				\$ -
State STBG	M24E	2020		\$ 41,603				\$ 41,603
AC-STBGS	ACP0	2020		\$ 147,796				\$ -
								\$ -
							Federal Totals:	\$ 41,603
State Funds								
State	Match	2020		\$ 17,931				\$ -
State	Match	2020		\$ 4,762				\$ 4,762
State	Match	2020		\$ 16,916				\$ -
								\$ -
							State Total:	\$ 4,762
Local Funds								
								\$ -
								\$ -
Other funds = local overmatch contribution							Local Total	\$ -
Phase Totals Before Amend:			\$ -	\$ 339,312	\$ -	\$ -	\$ -	\$ 339,312
Phase Totals After Amend:			\$ -	\$ 46,365	\$ -	\$ -	\$ -	\$ 46,365
							Total Project Cost Estimate (all phases):	\$ 46,365
							Year of Expenditure Cost Amount:	\$ 46,365

Programming Summary Details

if short programmed, why is the project short programmed? The project is not short programmed.

Phase Change Amount:	\$ -	\$ (292,947)	\$ -	\$ -	\$ -	\$ (292,947)
Phase Change Percent:	0%	-86%	0%	0%	0%	-86.3%
Revised Match Federal:	\$ -	\$ 4,762	\$ -	\$ -	\$ -	\$ 4,762
Revised Match Percent:	N/A	10.27%	N/A	N/A	N/A	10.27%

Phase Obligations and Expenditures Summary

Item	Planning	PE	ROW	Other/Utility	Construction	
Total Funds Obligated:		\$ 46,365				Federal Aid ID
Federal Funds Obligated:		\$ 41,603				SA00(318)
Initial Obligation Date:		12/13/2019				Other Notes
EA Number:		PE003170				Initial PE research determined scope cost will be outside of budget
EA Start Date:		N/A				
EA End Date:		N/A				
Known Expenditures:		N/A				

MTIP Programming Consistency Check Details and Glossary

General Areas

- 1 Phase funding fields: Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.
- 2 Amendment Purpose: The purpose of an MTIP amendment is normally to add a new project due to required federal review actions involving the MTIP and STIP, or complete required changes to the project (name description, or funding) to meet the project's next federal approval delivery step.
- 3 This amendment to the MTIP completes what action: The formal amendment transfers the remaining unexpended funding (\$292,947 total) to Key 21602 along with the scope elements. Initial research and scope evaluation determined the total project cost was well outside of the available budget. The unexpended funds and scope will be applied to the "I-5: Marquam Bridge to Capitol Hwy" project in Key 21602 which will install Variable Advisory Speed (VAS) and truck warning signs to improve safety by informing drivers of expected downstream conditions. The scope surrounds the need for the Iowa site improvement location initially in Key 20474 to be shifted to Key 21602 which ODOT has deemed a high priority. The actions to Key 20474 result in the project being canceled which triggers the need for the formal amendment.
- 4 MTIP Programming Submitted Supporting Documentation: STIP Summary Report, STIP Impacts Worksheet (CMR), Expanded project cancelation/transfer justification.

Public Notification and Comment Process:	
5A	Was a 30 Public Notification/Opportunity to Comment Period Required? Yes
5B	What were the 30 day Public Notification/Opportunity to Comment Start and end dates? November 29, 2022 through December 30, 2022
5C	Was the Public Notification/Opportunity to Comment period completed consistent with the Metro Public Participation Plan? Yes
5D	Was the Public Notification/Opportunity to Comment period included on the Metro website allowing email submissions as comments? Yes. In addition to the email option, the public can provide testimony or comments directly to or at TPAC, JPACT, or Metro Council
5E	Were there a significant amount of comments received requiring a comments log summary provided to Metro Communications Staff? Any significant comments submitted are maintained in a formal comments log and sent on to Metro Communications staff for their review and evaluation. For this formal MTIP, no significant comments are expected.
6	Added clarifying notes: The scope and funds transfer are considered a later move, but because Key 20474 is canceled as a result changes to Keys 20602 and 20601 are combined into the formal amendment.

Fiscal Constraint Consistency Check Areas	
1	Will Performance Measurements Apply? No. Since the scope and remaining funding is being transferred to Key 21602, performance requirement considerations are also shifted to Key 21602.
2A	Does the amendment include fiscal updates? Yes and No. Yes, the remaining unexpended funds are transferred to another existing project in Key 21602. No. No new funds are being applied to Key 20474. The fund transfer is considered a lateral shift within existing constrained years from a fiscal constraint viewpoint.
2B	What is the funding source for the project? Remaining obligated funds are State STBG funds.
2C	Was the Proof-of Funding requirement satisfied and how? Change Management Request (CMR) approval
2D	Was overall fiscal constraint demonstrated? Yes.

RTP Consistency Check Areas	
1A	RTP ID and Name: ID# 11584 - Active Traffic Management (ATM) & Connected & Automated Vehicles (CAV) Region-wide Phase 1
1B	RTP Project Description: Deploy ATM recommendations from the ODOT Active Traffic Management Strategy. Specific projects to be determined. Deploy Connected, Automated and Electric Vehicle strategies.
2A	Is the project exempt per 40 CFR 93.126, Table 2 or 40 CFR 92.127, Table 3? Yes. The is exempt per 93.126, Table 2
2B	What is the exception category per the regulation: Table 2 - Safety - Traffic control devices and operating assistance other than signalization projects.
3A	Is the project considered capacity enhancing? No
3B	If capacity enhancing, did the project complete required transportation demand modeling through the RTP Update or via an RTP amendment? N/A. The project is not capacity enhancing.
3C	Is Air Quality analysis required? No. The Metro MPA has obtained conformity attainment. Special air quality analysis requirements do not apply

3D	Is an Air Quality analysis approval date required? No. If the project is capacity enhancing, then transportation modeling analysis was completed as part of the RTP update. The RTP approval date 12/6/2018 can be considered the date for the completion of any required transportation demand modeling requirements for projects if they are capacity enhancing. Since Metro is in air conformity attainment, additional air quality analysis actions are not needed as they are required for non-attainment areas.
4	What RTP Goal(s) does the project support? Technically none as Key 20474 is being canceled. The fund and scope transfer to Key 21602 supports RTP Goal #4 - Reliability and Efficiency, Objective 4.2 Travel Management – Increase the use of real-time data and decision-making systems to actively manage transit, freight, arterial and throughway corridors.
5	Does the project require a special performance assessment evaluation as part of the amendment? (applies to capacity enhancing projects, \$100 million or greater, and regionally significant). No. The is not capacity enhancing or exceeds \$100 million in cost as a result of the cancelation.

UPWP Consistency Check Areas

1A	Does the MTIP action also require an UPWP amendment: No. The project is not part of the UPWP.
1B	Can the MTIP amendment proceed ahead of the UPWP amendment? N/A. No UPWP amendment is required.
2	What UPWP category does the project fit under (e.g. Master Agreement, Metro Funded Regionally Significant, or Non-Metro Funded Regionally Significant)? N/A. The project is not part of the UPWP.

Other Review Areas

1	Is the project location identified on the National Highway System (NHS), and what is its designation? No. The project only began PE activities which were designated to be region wide.
2A	Is the project location identified as part of one or more of Metro Modeling Networks, and which one(s)? No
2B	What is the Metro modeling designation? Not Applicable
3	Is the project designated as a Transportation Control Measure (TCM)? No
4	Is the project location identified on a Congestion Management Plan route? No

Fund Type Codes References

ADVCON	A general Federal Advance Construction fund type placeholder used by ODOT when the expected federal fund code (e.g. HSIP, NHPP) is not available or designated yet. ODOT covers the initial expenditures allowing the phase obligation to occur. Later the federal conversion fund code is assigned.
AC-STBGS	Federal Advance Construction fund type code with the anticipated federal conversion code identified. For AC-STBGS, the anticipated conversion code is State STBG
State STBG	Federal Surface Transportation Block Grant funds appropriated to ODOT and committed to eligible projects
State	General state funds committed to the project normally to support the match requirement against the federal funds.

Fund Codes											
Phase	Fund Code	Description	ICA P	Percent of Phase	Total Amount	Federal Percent	Federal Amount	State Percent	State Amount	Local Percent	Local Amount
PE	M24E	SURFACE TRANS FLEX MAP-21 EXT		100.00%	46,365.00	89.73%	41,603.31	10.27%	4,761.69	0.00%	0.00
	Y030	Redistribution of Certain Authorized Funds IJJA		0.00%	0.00	0.00%	0.00	0.00%	0.00	0.00%	0.00
	PE Totals			100.00%	46,365.00		41,603.31		4,761.69		0.00
CN	Z240	SURFACE TRANSP BLOCK GRFS-FLEX		0.00%	0.00	89.73%	0.00	10.27%	0.00	0.00%	0.00
	CN Totals			0.00%	0.00		0.00		0.00		0.00
Grand Totals					46,365.00		41,603.31		4,761.69		0.00

PE phase evaluated improvements regionally across all three counties within the Metro MPA. Specific improvement locations will be identified in Key 21602



2021-2026 MTIP Formal Amendment - Exhibit A

December 2022 Formal Amendment for FFY 2023 - Amendment Number DC23-04-DEC

Summary Reason for Change: Key 21601 functions as an ITS project grouping funding bucket. A portion of the funding is being transferred and combined into Key 21602.



**Metro
2021-26 Metropolitan Transportation Improvement Program (MTIP)
PROJECT AMENDMENT DETAIL WORKSHEET**

**MTIP Formal Amendment
SPLIT & TRANSFER**
Split, transfer, and combine funds
into Key 21602

Lead Agency: ODOT		Project Type:	Other	ODOT Key:	21601
Project Name: Portland Metro and Surrounding Areas Variable Message Signs	2	Fiscal Constraint Cat:	SM&O	MTIP ID:	71155
		ODOT Type	SM&O	Status:	N/A
Project Status: Not Applicable. Key 21601 functions as a project grouping revenue bucket supporting various region-wide active traffic management improvement elements such as intelligent transportation system (ITS) upgrades. When approved, funding is split off Key 21601 and applied to specific eligible projects.		Performance Goal:	Safety	Comp Date:	12/31/2024
		Capacity Enhancing:	No	RTP ID:	11104 11584
		Conformity Exempt:	Yes	RTP Approval:	12/6/2018
		On CMP:	No	Trans Model:	12/6/2018
		30 Day Notice Begin:	11/29/2022	TCM:	No
		30 Day Notice End:	12/30/2022	TSMO Award	No
		Funding Source	ODOT	TSMO Cycle	N/A
		Funding Type:	St STBG	RFFA ID:	N/A
		State Highway Route	Regional	RFFA Cycle:	N/A
		Mile Post Begin:	Regional	UPWP:	No
		Mile Post End:	Regional	UPWP Cycle:	N/A
		Length:	N/A	Past Amend:	1
		Flex Transfer to FTA	No	Council Appr:	Yes
		FTA Conversion Code:	N/A	Council Date:	12/5/2022
		1st Year Program'd:	2023	OTC Approval:	No
Years Active:	1	OTC Date	N/A		
STIP Amend #: 21-24-2735			MTIP Amnd #: DC23-04-DEC		

Detailed Description: Replacement and installation of Variable Message Signs (VMS) signs to improve operations and provide real time travel information throughout the ODOT Region 1 area located in Clackamas, Hood River, Multnomah and Washington Counties.

STIP Description: Replacement and installation of Variable Message Signs (VMS) signs to improve operations and provide real time travel information throughout the ODOT Region 1 area located in Clackamas, Hood River, Multnomah and Washington Counties.

Last Amendment of Modification: Administrative - August 2022 - AM22-29-AUG4 - Slip PE phase to FFY 2023

PROJECT FUNDING DETAILS

Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Other	Construction	Total
Federal Funds								
State STBG	Z240	2023		\$ 294,707				\$ 294,707
State STBG	Z240	2024					\$ 1,179,128	\$ -
State STBG	Z240	2024					\$ 239,195	\$ 239,195
								\$ -
							Federal Totals:	\$ 533,902
State Funds								
State	Match	2023		\$ 33,731				\$ 33,731
State	Match	2024					\$ 134,956	\$ -
State	Match	2024					\$ 27,377	\$ 27,377
								\$ -
							State Total:	\$ 61,108
Local Funds								
								\$ -
								\$ -
Other funds = local overmatch contribution							Local Total	\$ -
Phase Totals Before Amend:	\$ -	\$ 328,438	\$ -	\$ -	\$ -	\$ 1,314,084	\$ 1,642,522	
Phase Totals After Amend:	\$ -	\$ 328,438	\$ -	\$ -	\$ -	\$ 266,572	\$ 595,010	
Total Project Cost Estimate (all phases):							\$	\$ 595,010
Year of Expenditure Cost Amount:							\$	\$ 595,010

Programming Summary Details

Why project is short programmed: N/A. The project is being reduced to support scope elements and funding needs in Key 20602

Phase Change Amount:	\$ -	\$ -	\$ -	\$ -	\$ (1,047,512)	\$ (1,047,512)
Phase Change Percent:	0%	0%	0%	0%	-79.7%	-63.8%
Revised Match Federal:	\$ -	\$ 33,731	\$ -	\$ -	\$ 27,377	\$ 61,108
Revised Match Percent:	N/A	10.27%	N/A	N/A	10.27%	10.27%

Phase Obligations and Expenditures Summary

Item	Planning	PE	ROW	Other/Utility	Construction	
Total Funds Obligated:		N/A		N/A		Federal Aid ID
Federal Funds Obligated:						N/A
Initial Obligation Date:						Other Notes: Funds will be split off and applied to other eligible projects
EA Number:						
EA Start Date:						
EA End Date:						
Known Expenditures:						

MTIP Programming Consistency Check Details and Glossary

General Areas

- Phase funding fields: Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.
- Amendment Purpose: The purpose of an MTIP amendment is normally to add a new project due to required federal review actions involving the MTIP and STIP, or complete required changes to the project (name description, or funding) to meet the project's next federal approval delivery step.
- This amendment to the MTIP completes what action: The formal amendment transfers funding and combines it into Key 21602. Key 21601 functions as an ITS project grouping bucket with revenues dedicated to active traffic management. The purpose of the Portland Metro and surrounding areas variable message signs project (K21601) is the replacement and installation of Variable Message Signs (VMS) signs to improve operations and provide real time travel information throughout the ODOT Region 1 area located in Clackamas, Hood River, Multnomah and Washington Counties. The proposed change will move funds to K21602 to deliver improvements at four locations on I-5 between the Marquam Bridge and Capitol Highway. This one of two funding contributions to Key 21602 with the other from Key 20474. The added funding supports ITS scope elements combined from Key 20474 into Key 21602.
- MTIP Programming Submitted Supporting Documentation: STIP Summary Report, STIP Impacts Worksheet, and Region 1 Director's approval letter (applies to all actions with Keys 20474, 21601, and 21602).

Public Notification and Comment Process:	
5A	Was a 30 Public Notification/Opportunity to Comment Period Required? Yes
5B	What were the 30 day Public Notification/Opportunity to Comment Start and end dates? November 29, 2022 to December 30, 2022.
5C	Was the Public Notification/Opportunity to Comment period completed consistent with the Metro Public Participation Plan? Yes.
5D	Was the Public Notification/Opportunity to Comment period included on the Metro website allowing email submissions as comments? Yes.
5E	Were there a significant amount of comments received requiring a comments log summary provided to Metro Communications Staff? No significant comments are expected. If they occur, they will be combined into an amendment log and forwarded to Metro's Communication staff for review and evaluation.
6	Added clarifying notes: actions to Key 20601 is part of a three-project amendment with fund transfers from Key 20474 and 21601 being combined into Key 21602.

Fiscal Constraint Consistency Check Areas

1	Will Performance Measurements Apply? Yes. Safety
2A	Does the amendment include fiscal updates? Yes. However, the adjustments to Key 21601 are considered a lateral transfer within constrained years to Key 21602.
2B	What is the funding source for the project? ODOT managed funds
2C	Was the Proof-of Funding requirement satisfied and how? Region 1 Director's approval letter to complete the funds transfer and combining Key 21602.
2D	Was overall fiscal constraint demonstrated? Yes.

RTP Consistency Check Areas

1A	RTP ID and Name: ID# 11584 - Active Traffic Management (ATM) & Connected & Automated Vehicles (CAV) Region-wide Phase 1
1B	RTP Project Description: Deploy ATM recommendations from the ODOT Active Traffic Management Strategy. Specific projects to be determined. Deploy Connected, Automated and Electric Vehicle strategies.
2A	Is the project exempt per 40 CFR 93.126, Table 2 or 40 CFR 92.127, Table 3? Yes, per 93.126, Table 2
2B	What is the exception category per the regulation: Safety - Traffic control devices and operating assistance other than signalization projects.
3A	Is the project considered capacity enhancing? No. The project is not capacity enhancing.
3B	If capacity enhancing, did the project complete required transportation demand modeling through the RTP Update or via an RTP amendment? Not applicable. The project is not capacity enhancing.
3C	Is Air Quality analysis required? No. The Metro MPA has obtained conformity attainment. Special air quality analysis requirements do not apply.
3D	Is an Air Quality analysis approval date required? No. If the project is capacity enhancing, then transportation modeling analysis was completed as part of the RTP update. The RTP approval date of 12/6/2018 can be considered the date for the completion of any required transportation demand modeling requirements for projects if they are capacity enhancing. The project is not capacity enhancing and does not require transportation demand modeling to be completed.
4	What RTP Goal(s) does the project support? Goal #4 - Reliability and Efficiency, Objective 4.2 Travel Management – Increase the use of real-time data and decision-making systems to actively manage transit, freight, arterial and throughway corridors.

5	Does the project require a special performance assessment evaluation as part of the amendment? (applies to capacity enhancing projects, \$100 million or greater, and regionally significant) No. The project is not capacity enhancing nor does exceed \$100 million in cost.
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UPWP Consistency Check Areas

1A	Does the MTIP action also require an UPWP amendment: No. The project is not part of Metro's annual UPWP.
1B	Can the MTIP amendment proceed ahead of the UPWP amendment? Not applicable. The project is not part of the UPWP.
2	What UPWP category does the project fit under (e.g. Master Agreement, Metro Funded Regionally Significant, or Non-Metro Funded Regionally Significant)? Not applicable

Other Review Areas

1	Is the project location identified on the National Highway System (NHS), and what is its designation? No. The project is a ITS revenue support project grouping bucket supporting active traffic management projects across Region 1.
2A	Is the project location identified as part of one or more of Metro Modeling Networks, and which one(s)? No
2B	What is the Metro modeling designation? Not Applicable
3	Is the project designated as a Transportation Control Measure (TCM)? No
4	Is the project location identified on a Congestion Management Plan route? No

Fund Type Codes References

State STBG	Federal Surface Transportation Block Grant funds appropriated to ODOT and committed to eligible projects
State	General state funds committed to the project normally to support the match requirement against the federal funds.

Key Number: **21601** **2021-2024 STIP**

Project Name: **Portland Metro and surrounding areas variable** **(DRAFT AMENDMENT**

Fund Codes											
Phase	Fund Code	Description	ICA P	Percent of Phase	Total Amount	Federal Percent	Federal Amount	State Percent	State Amount	Local Percent	Local Amount
PE	Z240	SURFACE TRANSP BLOCK GRTS-FLEX		100.00%	328,437.00	89.73%	294,706.52	10.27%	33,730.48	0.00%	0.00
	PE Totals				100.00%	328,437.00		294,706.52		33,730.48	0.00
CN	Z240	SURFACE TRANSP BLOCK GRTS-FLEX		100.00%	266,572.00	89.73%	239,195.06	10.27%	27,376.94	0.00%	0.00
	CN Totals				100.00%	266,572.00		239,195.06		27,376.94	0.00
Grand Totals							595,009.00		533,901.58		61,107.42



Oregon
Our Future. Our Choice.

DATE: October 17, 2022

TO: D&O Administrator

FROM: Rian Windsheimer
 Region 1 Manager

SUBJECT: Amend the 2021-2024 Statewide Transportation Improvement Program (STIP) to reduce scope and funding on *Portland Metro and surrounding areas variable message signs* project.

Requested Action:

Approve amending the 2021-2024 Statewide Transportation Improvement Program (STIP) reducing scope and budget on *Portland Metro and surrounding areas variable message signs* project.

Project being reduced:

Portland Metro and surrounding areas variable message signs (K21601)			
PHASE	YEAR	COST	
		Current	Proposed
Preliminary Engineering	2023	\$328,437	\$328,437
Construction	2024	\$1,314,085	\$266,572
TOTAL		\$1,642,522	\$595,009

2021-2026 MTIP Formal Amendment - Exhibit A

December 2022 Formal Amendment for FFY 2023 - Amendment Number DC23-04-NOV

Summary Reason for Change: Key 21602 receives funds transferred from Keys 20474 and 21601 enabling 21602 to deliver its scope elements.



**Metro
2021-26 Metropolitan Transportation Improvement Program (MTIP)
PROJECT AMENDMENT DETAIL WORKSHEET**

**MTIP Formal Amendment
COMBINE**
Transfer of scope and unexpended
funds from Key 20474

Lead Agency: ODOT		Project Type:	Highway	ODOT Key:	21602
Project Name: I-5: Marquam Bridge - Capitol Highway	3	Fiscal Constraint Cat:	Capital	MTIP ID:	71156
		ODOT Type	SM&O	Status:	4
Project Status: 4 = (PS&E) Planning Specifications, & Estimates (final design 30%, 60%, 90% design activities initiated).		Performance Goal:	None	Comp Date:	12/31/2028
		Capacity Enhancing:	No	RTP ID:	11104 11584
		Conformity Exempt:	Yes	RTP Approval:	12/6/2018
		On CMP:	Yes	Trans Model:	12/6/2018
		30 Day Notice Begin:	11/29/2022	TCM Project:	No
		30 Day Notice End:	12/30/2022	TSMO Award	No
		Funding Source	ODOT	TSMO Cycle	N/A
		Funding Types:	ST STBG Redist NHPP	RFFA ID:	N/A
		State Highway Route	I-5	RFFA Cycle:	N/A
		Mile Post Begin:	295.10	UPWP:	No
Mile Post End:	299.70	UPWP Cycle:	N/A		
Length:	4.60	Past Amend:	2		
Flex Transfer to FTA	No	Council Appr:	Yes		
FTA Conversion Code:	N/A	Council Date:	12/5/2022		
1st Year Program'd:	2021	OTC Approval:	No		
Years Active:	3	OTC Date:	N/A		
		STIP Amend #: 21-24-2735		MTIP Amnd #: DC23-04-DEC	

Detailed Description: Install Variable Advisory Speed (VAS) and truck warning signs to improve safety by informing drivers of expected downstream conditions.

STIP Description: Install Variable Advisory Speed (VAS) and truck warning signs to improve safety by informing drivers of expected downstream conditions.

Last Amendment of Modification: Administrative - April 2022 - AM22-16-APR1 - Phase slips – ROW to FFY 2023 plus UR and Cons to FFY 2024

PROJECT FUNDING DETAILS

Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Other (UR + Other)	Construction	Total
Federal Funds								
State STBG	Z240	2021		\$ 845,192				\$ -
State STBG	Z240	2021		\$ 1,811,208				\$ 1,811,208
Redist-IIJA	Y030	2021		\$ 262,861				\$ 262,861
AC-NHPP	ACPO	2023			\$ 18,544			\$ -
NHPP	Z001	2023			\$ 18,544			\$ 18,544
AC-NHPP	ACPO	2024				\$ 61,810		\$ -
NHPP	Z001	2024				\$ 535,821		\$ 535,821
AC-NHPP	ACPO	2024					\$ 6,361,843	\$ -
NHPP	Z001	2024					\$ 6,025,973	\$ 6,025,973
								\$ -
							Federal Totals:	\$ 8,654,407

Notes:

1. AC-NHPP to NHPP = Advance Construction conversion code update
2. Other phase = UR + STIP Other phase combined together

State Funds								
State	Match	2021		\$ 71,303				\$ -
State	Match	2021		\$ 152,800				\$ 152,800
State	Match	2021		\$ 30,086				\$ 30,086
State (NHPP)	Match	2023			\$ 1,564			\$ 1,564
State (UR)	Match	2024				\$ 5,215		\$ -
State (UR+Oth)	Match	2024				\$ 45,204		\$ 45,204
State	Match	2024					\$ 536,707	\$ -
State	Match	2024					\$ 358,577	\$ 358,577
								\$ -
							State Total:	\$ 588,231

Local Funds								
								\$ -
								\$ -
Other funds = local overmatch contribution							Local Total	\$ -
Phase Totals Before Amend:	\$ -	\$ 916,495	\$ 20,108	\$ 67,025	\$ 6,898,550	\$ 7,902,178		
Phase Totals After Amend:	\$ -	\$ 2,256,955	\$ 20,108	\$ 581,025	\$ 6,384,550	\$ 9,242,638		
Total Project Cost Estimate (all phases):							\$	9,242,638
Year of Expenditure Cost Amount:							\$	9,242,638

Programming Summary Details							
if short programmed, why is the project short programmed? The project is not short programmed.							
Phase Change Amount:	\$ -	\$ 1,340,460	\$ -	\$ 514,000	\$ (514,000)	\$ 1,340,460	
Phase Change Percent:	0%	146%	0%	767%	-7.5%	17.0%	
Revised Match Federal:	\$ -	\$ 182,886	\$ 1,564	\$ 45,204	\$ 358,577	\$ 588,231	
Revised Match Percent:	N/A	8.10%	7.78%	7.78%	5.62%	6.36%	

- Notes:
1. PE has split match requirement. STBG = 10.27% while Redistribution = 7.78%. Revised match percent combines both
 2. UR/Other are combined. Both phase funding levels are set at 92.22% federal with a 7.78% minimum match

Phase Obligations and Expenditures Summary						
Item	Planning	PE	ROW	Other/Utility	Construction	
Total Funds Obligated:		\$ 2,256,955				Federal Aid ID
Federal Funds Obligated:		\$ 2,074,069				S001(540)
Initial Obligation Date:		11/5/2020				
EA Number:		PE003244				
EA Start Date:		N/A				
EA End Date:		N/A				
Known Expenditures:		N/A				

MTIP Programming Consistency Check Details and Glossary

General Areas

1	Phase funding fields: Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.
2	Amendment Purpose: The purpose of an MTIP amendment is normally to add a new project due to required federal review actions involving the MTIP and STIP, or complete required changes to the project (name description, or funding) to meet the project's next federal approval delivery step.
3	This amendment to the MTIP completes what action: The formal amendment completes the transfers and required combining actions of the remaining unexpended funding (\$292,947 total) from Key 20474 and funding from Key 21601.
4	MTIP Programming Submitted Supporting Documentation: STIP Summary Report, STIP Impacts Worksheet (CMR), Expanded project cancelation/transfer justification.

Public Notification and Comment Process:

5A	Was a 30 Public Notification/Opportunity to Comment Period Required? Yes
5B	What were the 30 day Public Notification/Opportunity to Comment Start and end dates? November 29, 2022 through December 30, 2022
5C	Was the Public Notification/Opportunity to Comment period completed consistent with the Metro Public Participation Plan? Yes
5D	Was the Public Notification/Opportunity to Comment period included on the Metro website allowing email submissions as comments? Yes. In addition to the email option, the public can provide testimony or comments directly to or at TPAC, JPACT, or Metro Council
5E	Were there a significant amount of comments received requiring a comments log summary provided to Metro Communications Staff? Any significant comments submitted are maintained in a formal comments log and sent on to Metro Communications staff for their review and evaluation. For this formal MTIP, no significant comments are expected.

6 Added clarifying notes: The scope and funds transfer are considered a lateral move, but because Key 20474 is canceled as a result changes to Keys 21602 and 21601 are combined into the formal amendment.

Fiscal Constraint Consistency Check Areas

1	Will Performance Measurements Apply? Yes, Safety.
2A	Does the amendment include fiscal updates? Yes The remaining unexpended funds from Key 20474 are transferred to Key 21602. Additional funds from Key 21601 also are being transferred into Key 20602. However, the transfer represents a lateral move for the funds within existing constrained years.
2B	What is the funding source for the project? The transfer of funds from Keys 20474 and 21601.
2C	Was the Proof-of Funding requirement satisfied and how? Change Management Request (CMR) approval
2D	Was overall fiscal constraint demonstrated? Yes.

RTP Consistency Check Areas

1A	RTP ID and Name: ID# 11584 - Active Traffic Management (ATM) & Connected & Automated Vehicles (CAV) Region-wide Phase 1
1B	RTP Project Description: Deploy ATM recommendations from the ODOT Active Traffic Management Strategy. Specific projects to be determined. Deploy Connected, Automated and Electric Vehicle strategies.
2A	Is the project exempt per 40 CFR 93.126, Table 2 or 40 CFR 92.127, Table 3? Yes. The is exempt per 93.126, Table 2
2B	What is the exception category per the regulation: Table 2 - Safety - Traffic control devices and operating assistance other than signalization projects.
3A	Is the project considered capacity enhancing? No
3B	If capacity enhancing, did the project complete required transportation demand modeling through the RTP Update or via an RTP amendment? N/A. The project is not capacity enhancing.
3C	Is Air Quality analysis required? No. The Metro MPA has obtained conformity attainment. Special air quality analysis requirements do not apply
3D	Is an Air Quality analysis approval date required? No. If the project is capacity enhancing, then transportation modeling analysis was completed as part of the RTP update. The RTP approval date 12/6/2018 can be considered the date for the completion of any required transportation demand modeling requirements for projects if they are capacity enhancing. Since Metro is in air conformity attainment, additional air quality analysis actions are not needed as they are required for non-attainment areas.
4	What RTP Goal(s) does the project support? Technically none as Key 20474 is being canceled. The fund and scope transfer to Key 21602 supports RTP Goal #4 - Reliability and Efficiency, Objective 4.2 Travel Management – Increase the use of real-time data and decision-making systems to actively manage transit, freight, arterial and throughway corridors.
5	Does the project require a special performance assessment evaluation as part of the amendment? (applies to capacity enhancing projects, \$100 million or greater, and regionally significant). No. The is not capacity enhancing or exceeds \$100 million in cost as a result of the cancelation.

UPWP Consistency Check Areas

1A	Does the MTIP action also require an UPWP amendment: No. The project is not part of the UPWP.
1B	Can the MTIP amendment proceed ahead of the UPWP amendment? N/A. No UPWP amendment is required.
2	What UPWP category does the project fit under (e.g. Master Agreement, Metro Funded Regionally Significant, or Non-Metro Funded Regionally Significant)? N/A. The project is not part of the UPWP.

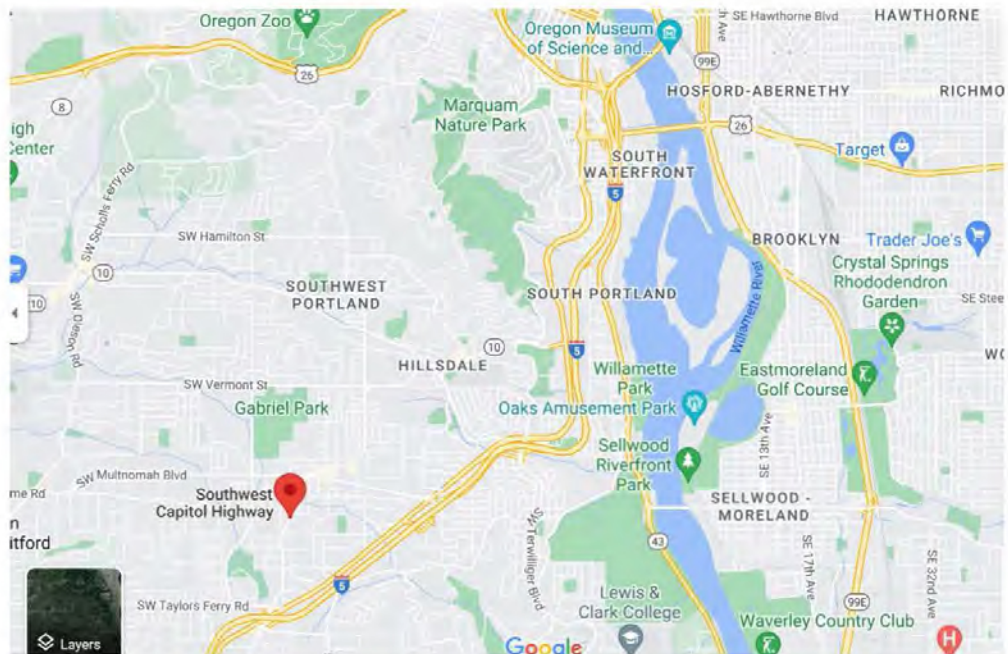
Other Review Areas

1	Is the project location identified on the National Highway System (NHS), and what is its designation? Yes. The project is located on the NHS. I-5 is designated part of the Eisenhower Interstate System
2A	Is the project location identified as part of one or more of Metro Modeling Networks, and which one(s)? Yes. The project is located on the Metro Motor Vehicle, Transit and Freight modeling networks.
2B	What is the Metro modeling designation? <ul style="list-style-type: none"> - Motor Vehicle network = Throughway - Transit System = Frequent Bus - Freight Network = Main Roadway Route
3	Is the project designated as a Transportation Control Measure (TCM)? No
4	Is the project location identified on a Congestion Management Plan route? Yes

Fund Type Codes References

ADVCON	A general Federal Advance Construction fund type placeholder used by ODOT when the expected federal fund code (e.g. HSIP, NHPP) is not available or designated yet. ODOT covers the initial expenditures allowing the phase obligation to occur. Later the federal conversion fund code is assigned.
AC-NHPP	Federal Advance Construction funds used under logic of advance construction with an expect final conversion code to be National Highway Performance Program funds.
NHPP	Federal National Highway Performance Program funds appropriated to ODOT and committed to eligible project improvements
Redist-IIJA	Federal Redistribution funds from the IIJA legislation. Redistribution is normally an annual process where FHWA redistributes federal funds from t other states that did not meet their obligation targets. States that do meet their obligation targets receive a portion of the fund redistribution as a reward. Generally, the fund redistribution has a flexible use criteria and are considered similar to STBG unless FHWA places eligibility conditions upon the funds.
State STBG	Federal Surface Transportation Block Grant funds appropriated to ODOT and committed to eligible projects
State	General state funds committed to the project normally to support the match requirement against the federal funds.

Fund Codes											
Phase	Fund Code	Description	ICA P	Percent of Phase	Total Amount	Federal Percent	Federal Amount	State Percent	State Amount	Local Percent	Local Amount
PE	Y030	Redistribution of Certain Authorized Funds IIIA		12.98%	292,947.00	89.73%	262,861.34	10.27%	30,085.66	0.00%	0.00
	Z240	SURFACE TRANSP BLOCK GRTS-FLEX		87.02%	1,964,008.00	92.22%	1,811,208.18	7.78%	152,799.82	0.00%	0.00
	PE Totals			100.00%	2,256,955.00		2,074,069.52		182,885.48		0.00
RW	Z001	NATIONAL HIGHWAY PERF FAST		100.00%	20,108.00	92.22%	18,543.60	7.78%	1,564.40	0.00%	0.00
	RW Totals			100.00%	20,108.00		18,543.60		1,564.40		0.00
UR	Z001	NATIONAL HIGHWAY PERF FAST		100.00%	67,025.00	92.22%	61,810.46	7.78%	5,214.54	0.00%	0.00
	UR Totals			100.00%	67,025.00		61,810.46		5,214.54		0.00
CN	Z001	NATIONAL HIGHWAY PERF FAST		100.00%	6,384,550.00	92.22%	6,025,972.91	7.78%	358,577.09	0.00%	0.00
	CN Totals			100.00%	6,384,550.00		6,025,972.91		358,577.09		0.00
OT	Z001	NATIONAL HIGHWAY PERF FAST		100.00%	514,000.00	92.22%	474,010.80	7.78%	39,989.20	0.00%	0.00
	OT Totals			100.00%	514,000.00		474,010.80		39,989.20		0.00
Grand Totals					9,242,638.00		8,654,407.29		588,230.71		0.00



2021-2026 MTIP Formal Amendment - Exhibit A

December 2022 Formal Amendment for FFY 2023 - Amendment Number DC23-04-DEC

Summary Reason for Change: The project involves the annual Metro-TriMet STBG for Local funds exchange. The project is being updated to reflect how TriMet will use the STBG from Metro.



**Metro
2021-26 Metropolitan Transportation Improvement Program (MTIP)
PROJECT AMENDMENT DETAIL WORKSHEET**

**MTIP Formal Amendment
SCOPE CHANGE/ADVANCE**
Update project to reflect as Prevent
Maint Support Project

Lead Agency: Metro TriMet		Project Type: Local Road Transit	ODOT Key: 22164 New TBD
Project Name: Transit Oriented Development (TOD) program (FFY 2023) Preventive Maintenance Support (FFY 2023)	4	Fiscal Constraint Cat: Capital Maint.	MTIP ID: 71103
		ODOT Type: TBD	Status: T22
Project Status: T22 = Programming actions in progress or programmed in current MTIP		Performance Goal: Congest Mitigation	Comp Date: 9/30/2024
		Capacity Enhancing: No	RTP ID: 11103 11335
Short Description: Partner with developers and local jurisdictions to attract private development near transit stations to reduce auto trips and improve the cost effectiveness of regional transit investments. (FY 2023 allocation year) Metro (RFFA Step 1) STBG/Local exchange supporting TriMet's Bus and Rail Preventative Maintenance program needs for labor and materials/services used for on-going maintenance of Bus and Rail fleets in TriMet's 3-county service district.		Conformity Exempt: Yes	RTP Approval: 12/6/2018
		On CMP: No	Trans Model: 12/6/2018
		30 Day Notice Begin: 11/29/2022	TCM: No
		30 Day Notice End: 12/30/2022	TSMO Award: No
		Funding Source: Metro	TSMO Cycle: N/A
		Funding Type: STBG	RFFA ID: N/A
		State Highway Route: No	RFFA Cycle: N/A
		Mile Post Begin: N/A	UPWP: No
		Mile Post End: N/A	UPWP Cycle: N/A
		Length: N/A	Past Amend: 0
		Flex Transfer to FTA: YES	Council Appr: Yes
		FTA Conversion Code: 5307	Council Date: 12/5/2022
1st Year Program'd: 2025	OTC Approval: No		
Years Active: 0	OTC Date: N/A		
STIP Amend #: TBD	MTIP Amnd #: DC23-04-DEC		

Detailed Description: ~~Metro's Transit Oriented Development (TOD) program works directly with developers and local jurisdictions to create vibrant downtowns, main streets and station areas. The program attracts private investment in construction of compact and mixed-use buildings that:~~

- ~~• Bring people to live and work within walking distance of high quality transit;~~
- ~~• Creates new market comparables for more compact development;~~
- ~~• Cultivates developers with expertise in compact and mixed-use building in suburban settings;~~
- ~~• Increases acceptance of urban style buildings through high quality design;~~
- ~~• Contributes to placemaking and local identity; and~~
- ~~• Support housing affordability.~~

~~By increasing the intensity of land uses close to transit, people have been induced to use transit more, and drive less. This improves the cost-effectiveness of regional transit investments. (FY 2023 allocation year)~~

TriMet's Metro STBG portion in exchange for their local funds. The STBG is from the RFFA Step 1 RFFA TOD allocation. The STBG is committed to TriMet's annual Preventative Maintenance program needs. Metro receives TriMet's local funds and applies them in support of TOD program needs. (FFY 2023 allocation)

STIP Description: TBD

Last Amendment of Modification: Formal - June 2021 - JN21-11-JUN - REPROGRAM PROJECT: Push out the UPWP planning project to FFY 2025 to avoid possible conflicts with the annual Obligation Targets program.

PROJECT FUNDING DETAILS								
Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Construction	Other (Transit)	Total
Federal Funds								
STBG-U	Z230	2025	-				\$ 3,600,373	\$ -
STBG-U	Z230	2023					\$ 3,600,373	\$ 3,600,373
							\$ -	\$ -
							Federal Totals:	\$ 3,600,373
State Funds								
							\$ -	\$ -
							State Total:	\$ -

Local Funds								
Local	Match	2025	-			\$ 412,079	\$ -	
Local	Match	2023				\$ 412,079	\$ 412,079	
Other funds = local overmatch contribution						Local Total	\$ 412,079	
Phase Totals Before Amend:	\$	-	\$	-	\$	-	\$ 4,012,452	
Phase Totals After Amend:	\$	-	\$	-	\$	-	\$ 4,012,452	
Total Project Cost Estimate (all phases):							\$	4,012,452
Year of Expenditure Cost Amount:							\$	4,012,452

Programming Summary Details							
Why project is short programmed:							
Phase Change Amount:	\$	-	\$	-	\$	-	\$ -
Phase Change Percent:		0%		0%		0%	0%
Revised Match Federal:	\$	-	\$	-	\$	-	\$ 412,079
Revised Match Percent:		N/A		N/A		N/A	10.27%

Phase Obligations and Expenditures Summary						
Item	Planning	PE	ROW	Construction	Other	
Total Funds Obligated:					\$ 4,012,452	Federal Aid ID
Federal Funds Obligated:					\$ 3,600,373	N/A
Initial Obligation Date:					Pending	Other Notes STBG will be flexed transferred to FTA and obligated through TrAMS
EA Number:					N/A	
EA Start Date:					N/A	
EA End Date:					N/A	
Known Expenditures:					\$ -	

MTIP Programming Consistency Check Details and Glossary

General Areas

1	Phase funding fields: Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.
2	Amendment Purpose: The purpose of an MTIP amendment is normally to add a new project due to required federal review actions involving the MTIP and STIP, or complete required changes to the project (name description, or funding) to meet the project's next federal approval delivery step.
3	This amendment to the MTIP completes what action:
4	MTIP Programming Submitted Supporting Documentation: TPAC agenda item with initial rankings
Public Notification and Comment Process:	
5A	Was a 30 Public Notification/Opportunity to Comment Period Required?
5B	What were the 30 day Public Notification/Opportunity to Comment Start and end dates?
5C	Was the Public Notification/Opportunity to Comment period completed consistent with the Metro Public Participation Plan?
5D	Was the Public Notification/Opportunity to Comment period included on the Metro website allowing email submissions as comments?
5E	Were there a significant amount of comments received requiring a comments log summary provided to Metro Communications Staff?
6	Added clarifying notes:

Fiscal Constraint Consistency Check Areas

1	Will Performance Measurements Apply?
2A	Does the amendment include fiscal updates?
2B	What is the funding source for the project?
2C	Was the Proof-of Funding requirement satisfied and how?
2D	Was overall fiscal constraint demonstrated?

RTP Consistency Check Areas

1A	RTP ID and Name: ID# 11335 - Operating Capital: Equipment and Facilities Phase 1
1B	RTP Project Description: Additional maintenance costs to support existing bus system including ongoing bus purchases as needed to maintain and update fleet.
2A	Is the project exempt per 40 CFR 93.126, Table 2 or 40 CFR 92.127, Table 3?
2B	What is the exception category per the regulation:
3A	Is the project considered capacity enhancing?
3B	If capacity enhancing, did the project complete required transportation demand modeling through the RTP Update or via an RTP amendment?
3C	Is Air Quality analysis required? No. The Metro MPA has obtained conformity attainment. Special air quality analysis requirements do not apply
3D	Is an Air Quality analysis approval date required? No. If the project is capacity enhancing, then transportation modeling analysis was completed as part of the RTP update. The RTP approval date 12/6/2018 can be considered the date for the completion of any required transportation demand modeling requirements for projects if they are capacity enhancing.
4	What RTP Goal(s) does the project support?
5	Does the project require a special performance assessment evaluation as part of the amendment? (applies to capacity enhancing projects, \$100 million or greater, and regionally significant)

UPWP Consistency Check Areas

1A	Does the MTIP action also require an UPWP amendment: Yes, but as part of the SFY 24 UPWP
1B	Can the MTIP amendment proceed ahead of the UPWP amendment?
2	What UPWP category does the project fit under (e.g. Master Agreement, Metro Funded Regionally Significant, or Non-Metro Funded Regionally Significant)?

Other Review Areas

1	Is the project location identified on the National Highway System (NHS), and what is its designation?
2A	Is the project location identified as part of one or more of Metro Modeling Networks, and which one(s)?
2B	What is the Metro modeling designation?
3	Is the project designated as a Transportation Control Measure (TCM)?
4	Is the project location identified on a Congestion Management Plan route?

Fund Type Codes References

Local	General Local funds committed by the lead agency that normally cover the minimum match requirement to the federal funds
STBG-U	(Metro STBG) Federal Surface Transportation Block Grant funds appropriated to ODOT and with a portion allocated under a formula to the MPOs and then committed to eligible projects via a discretionary award process
5307	Federal Transit Administration funding code from section 5307. 5307 funds are appropriated via a formula to eligible transit agencies in their urbanized zone areas (UZA). Fund eligibility includes planning, engineering, design and evaluation of transit projects and other technical transportation-related studies; capital investments in bus and bus-related activities such as replacement, overhaul and rebuilding of buses, crime prevention and security equipment and construction of maintenance and passenger facilities; and capital investments in new and existing fixed guideway systems including rolling stock, overhaul and rebuilding of vehicles, track, signals, communications, and computer hardware and software. In this specific case, TriMet will flex transfer the STBG overt to FTA. The funds will be converted to 5307 to support their Preventative Maintenance program.

[home](#) | [admin](#) | [RTP](#) | [RFFA](#) | [MTIP](#) | [FUND](#) |

[details](#) | [costs](#) | [programming](#) | [map](#) | [amendments](#) | [obligations](#) | [earmarks](#) | [comments](#) | [rffa](#)

ODOT Key: 22164 | MTIP ID: 71103

Transit Oriented Development (TOD) program (FFY 2023) - Cycle 2021-26

Current Programming

phase	year	fund type	federal amount	minimum local match	other amount	total	hold from mtip
Other (explain)	2025		\$3,600,373	\$412,079		\$4,012,452	<input type="checkbox"/>
	2023	STBG-URBAN	\$3,600,373	\$412,079		\$4,012,452	
Totals >>			\$3,600,373	\$412,079	\$0	\$4,012,452	



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Memo

Date: December 19, 2022
To: Metro Council and Interested Parties
From: Ken Lobeck, Funding Programs Lead
Subject: December FFY 2023 MTIP Formal Amendment & Resolution 22-5299 Approval Request
– MODIFICATION #1

FORMAL MTIP AMENDMENT STAFF REPORT

Amendment Purpose Statement

FOR THE PURPOSE OF AMENDING FOUR EXISTING PROJECTS TO ENABLE PENDING FEDERAL APPROVAL STEPS AND PHASE OBLIGATIONS TO OCCUR

BACKGROUND

What This Is:

The December FFY 2023 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment bundle address needed scope, limits, and funding adjustments to four projects enabling the next federal approval step or phase obligations to occur. The summary of changes includes the following:

- Three ODOT projects (Keys 20474, 21601, and 21602) are involved in funding and scope splits (from 20474 and 21601) to be combined into Key 21602.
- The two projects include Key 21638 and 21614. Both projects were previously processed and approved as part of the October FFY 2023 Formal Amendment bundle. Through Modification #1, Keys 21638 and 21614 are removed from the December 2023 Formal MTIP Amendment bundle.
- The fourth project updates and confirms the Metro-TriMet annual fun exchange to Key 22164. TriMet receives STBG in exchange for local funds Metro will use for Transit Oriented Development (TOD) outreach activities. TriMet will use the federal Surface Transportation Block Grant funds to support their annual Preventative Maintenance program.

What is the requested action?

JPACT approved Resolution 22-5299 on December 15, 2022 and now recommends Metro Council provide the final approval step to Resolution 22-5299 consisting of the four remaining amended projects enabling federal reviews and fund obligations to then occur.

A summary of the projects and amendment actions within the bundle are shown on the next pages.

December FFY 2023 Formal Transition Amendment Bundle Contents				
Amendment Type: Formal/Full				
Amendment #: DC23-04-DEC				
Total Number of Projects: 4				
Key Number & MTIP ID	Lead Agency	Project Name	Project Description	Amendment Action
(#1) ODOT Key # 20474 MTIP ID 71002	ODOT	Regionwide ITS Improvements and Upgrades	Install new or upgraded variable message signs (VMS); travel-time signs; network/communication technology; and other intelligent transportation system (ITS) functionality at various locations throughout Region 1	<u>SPLIT & CANCEL:</u> The formal amendment transfers the remaining unexpended funds from the project to be combined into Key 21602 (also included in this bundle) to improve delivery options. As a result Key 20474 is canceled.
(#2) ODOT Key # 21601 MTIP ID 71155	ODOT	Portland Metro and Surrounding Areas Variable Message Signs	Replacement and installation of Variable Message Signs (VMS) signs to improve operations and provide real time travel information throughout the ODOT Region 1 area located in Clackamas, Hood River, Multnomah and Washington Counties.	<u>SPLIT & TRANSFER:</u> The formal amendment splits funding from Key 20601 and transfers/combines the funds into Key 20602.
(#3) ODOT Key # 21602 MTIP ID 71156	ODOT	I-5: Marquam Bridge - Capitol Highway	Install Variable Advisory Speed (VAS) and truck warning signs to improve safety by informing drivers of expected downstream conditions.	<u>COMBINE:</u> The formal amendment completes the funding and scope splits and transfers from Keys 20474 and 20601 into Key 20602.
(#4) ODOT Key # 21638 MTIP ID: 71191	ODOT	OR213: I-205 – OR211 OR213: Glen Oak Rd – S Barnards Rd Sec.	Improvements including signals, reflectorized back plates, advance intersection warning signs, flashing lights, radar detection units and stop bars to increase safety on this section of highway.	<u>LIMITS CHANGE – MAJOR</u> The project limits and scope elements are reduced based on the ODOT Traffic Section assessment for the project
(#5) ODOT Key # 22614 MTIP ID: 71168	ODOT	US26: SE 8th Ave – SE 87th Ave US26: SE 8th Ave – SE 58th Ave Sec.	Update signals and improve intersection warning signage to improve safety on this section of highway.	<u>SCOPE CHANGE:</u> The formal amendment adjusts the project name, limits, and adds funding to support the revised project scope.

				<p>The ODOT Traffic section evaluated the project scope and limits and determined the project scope could be reduced.</p>
<p>(#4) ODOT Key # 22164 MTIP ID: 71103</p>	<p>Metro TriMet</p>	<p>Transit Oriented Development (TOD) program (FFY 2023) Preventive Maintenance Support (FFY 2023)</p>	<p>Partner with developers and local jurisdictions to attract private development near transit stations to reduce auto trips and improve the cost-effectiveness of regional transit investments. (FY 2023 allocation year) Metro (RFFA Step 1) STBG/Local exchange supporting TriMet's Bus and Rail Preventative Maintenance program needs for labor and materials/services used for on-going maintenance of Bus and Rail fleets in TriMet's 3-county service district.</p>	<p>SCOPE CHANGE/ADVANCE: The formal amendment changes the project from the Trans Oriented Development (TOD) placeholder based on TriMet's confirmation to use the STBG fund exchange from Metro in support of the Preventative Maintenance program</p>

AMENDMENT BUNDLE SUMMARY:

The initial December FFY 2023 Formal MTIP Amendment bundle contained six projects and has been modified to four projects. Two projects were previously processed and approved as part of last October's FFY 2023 Formal Amendment bundle. The mistake was caught shortly before the TPAC meeting. A revised amendment consisting of four projects and deletes Key 21638 and 21614 is now proposed for the December FFY 2023 Formal Amendment bundle. All related materials have been corrected to reflect the amendment bundle with only four projects.

The amendment bundle is proceeding under amendment number DC23-04-DEC with no other changes approved by TPAC. All projects are completing a 30-day public notification/opportunity to comment period consistent with Metro's Public Participation Plan. The public comment period opened on November 29, 2022, and closes on December 30, 2022.

TPAC December 2, 2022 Meeting Summary:

Ken Lobeck, Metro staff provided TPAC members their MTIP amendment notification overview of the amendment bundle contents. He advised TPAC members of the processing mistake involving Keys 21638 and 21614. Both projects are ODOT safety upgrade projects. Upon review of the scope and limits ODOT's Traffic Division determined both safety improvement projects did not require the full proposed scope and limits. The amendment requested an adjustment to the project limits and modification to the scope.

Both projects were process and approved as part of the October FFY 2023 Formal MTIP Amendment bundle. Around the same time Metro complete a Microsoft Office and Outlook email system upgrade. An upgrade error occurred in the MTIP Amendment email submission folder. Both projects remained in the “unprocessed” section of the amendment email folder. Unfortunately, both projects were missed as already processed and inadvertently added again to the December FFY 2023 Formal Amendment bundle. Staff was contacted about the double processing issues a day prior to TPAC. Appropriate corrections to remove both projects were and approved by TPAC under Modification #1. The modified amendment bundle was approved by TPAC and now moves on to JPACT.

JPACT December 15, 2022 Meeting Summary:

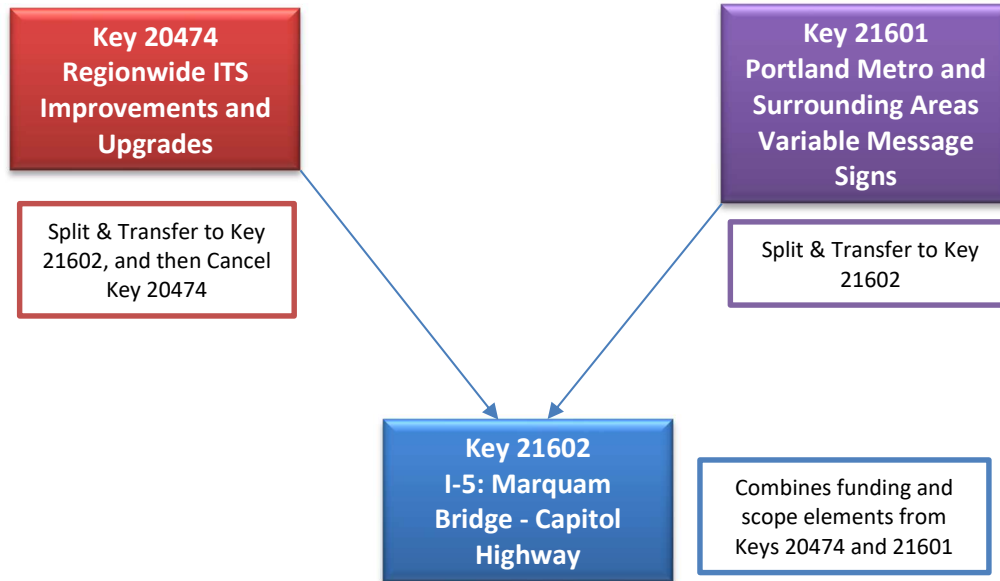
The December FFY 2023 Formal MTIP Amendment was included on the JPACT Consent agenda. The passed unanimously with no discussion.

A more detailed overview of each project amendment in the bundle begins below.

Project #1 Key 20474	Regionwide ITS Improvements and Upgrades (Split & Cancel) Lead Agency: ODOT
<u>Project Description:</u> Install new or upgraded variable message signs (VMS); travel-time signs; network/communication technology; and other intelligent transportation system (ITS) functionality at various locations throughout Region 1	
Identifications/Key Consistency Check Areas: <ul style="list-style-type: none"> • Lead Agency: ODOT • ODOT Key Number: 20474 • MTIP ID#: 71002 • RTP ID: 11584 • Proof-of Funding/Fiscal Constraint Demonstrated: Yes • Conformity Status: Exempt from air quality analysis and transportation demand modeling requirements • OTC approval required: No. • Performance Measurements applicable: No. Remaining scope is being transferred to Key 21602 • Special Amendment Performance Assessment Required: No • Were overall RTP Consistency checks achieved and satisfactory: Yes • Can the required changes be made, or can the project be added to the MTIP without issues: Yes 	
<u>Description of Changes</u> The formal amendment transfers the remaining unexpended funding (\$292,947 total) to Key 21602 along with the scope elements. Initial research and scope evaluation determined the total project cost was well outside of the available budget. The unexpended funds and scope will be applied to the "I-5: Marquam Bridge to Capitol Hwy" project in Key 21602 which will install Variable Advisory Speed (VAS) and truck warning signs to improve safety by informing drivers of expected downstream conditions. The scope surrounds the need for the Iowa site improvement location initially in Key 20474 to be shifted to Key 21602 which ODOT has deemed a high priority. The actions to Key 20474 result in the project being canceled which triggers the need for the formal amendment.	

Key 20474 also is a “prior obligated project”. It is currently active, but does not appear in the active 2021-24 MTIP. The PE obligation occurred in FFY 2020. The project will remain in the MTIP and STIP historical databases reflecting the changes. However, because Key 20474 is a prior obligated project, the updated changes will not appear as an active and visible project.

Summary of Splitting, transfer, canceling, and combining actions to Keys 20474, 20601, and 20602
 All three projects involve related Intelligent Transportation System (ITS) Active Traffic Management (ATM) improvements

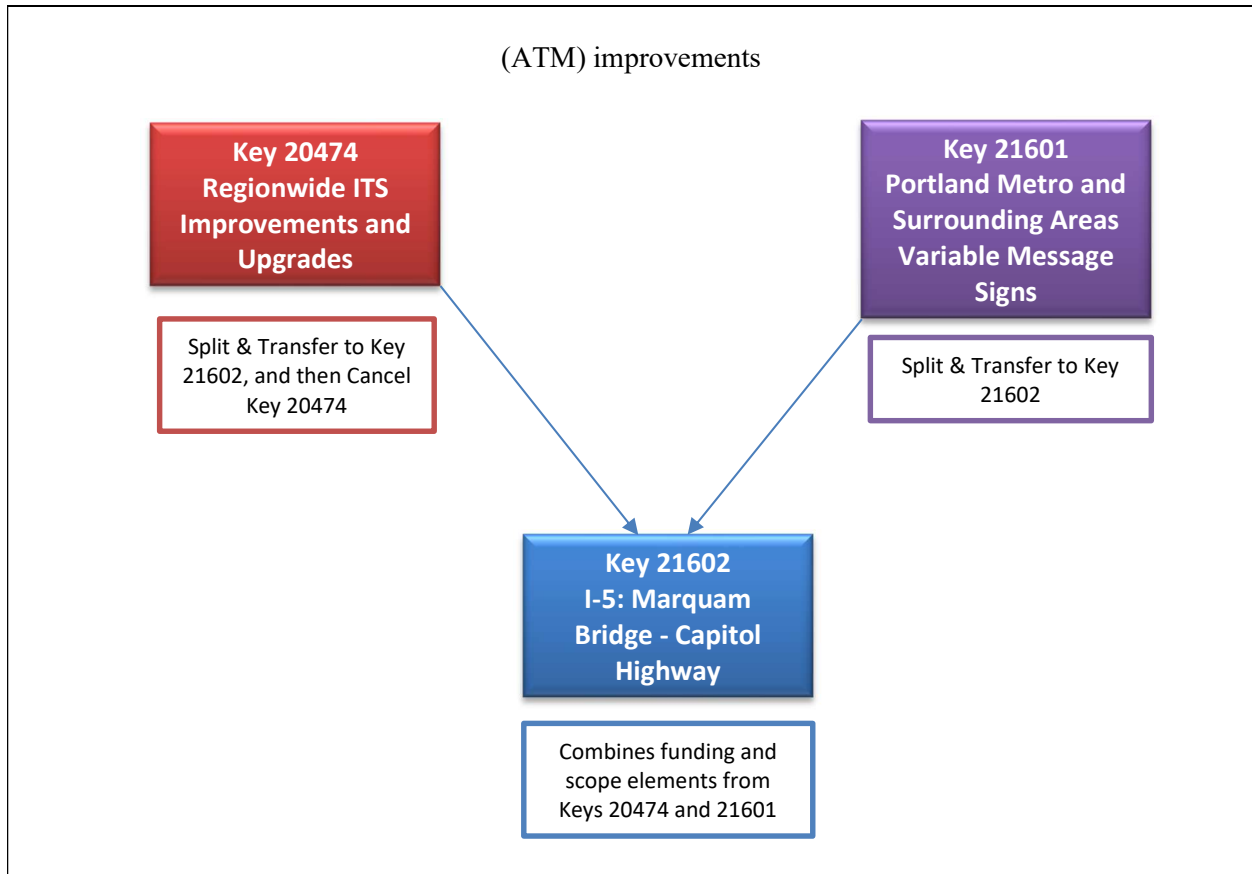


Support Item(s): Location Map

The project’s PE phase evaluated improvements regionally across all three counties within the Metro MPA. Key 20474 is considered a regional project with specific improvement locations assigned to other projects.



<p>Project #2 Key 21601</p>	<p>Portland Metro and Surrounding Areas Variable Message Signs (Split & Transfer) Lead Agency: ODOT</p>
<p><u>Project Description:</u> Replacement and installation of Variable Message Signs (VMS) signs to improve operations and provide real time travel information throughout the ODOT Region 1 area located in Clackamas, Hood River, Multnomah and Washington Counties.</p>	
<p>Identifications/Key Consistency Check Areas:</p> <ul style="list-style-type: none"> • Lead Agency: ODOT • ODOT Key Number: 21601 • MTIP ID#: 71155 • RTP ID: 11584 • Proof-of Funding/Fiscal Constraint Demonstrated: Yes • Conformity Status: Exempt from air quality analysis and transportation demand modeling requirements • OTC approval required: No. • Performance Measurements applicable: No. Funding is being split and transferred to Key 21602 • Special Amendment Performance Assessment Required: No • Were overall RTP Consistency checks achieved and satisfactory: Yes • Can the required changes be made, or can the project be added to the MTIP without issues: Yes 	
<p><u>Description of Changes</u> The formal amendment splits and transfers funding, and combines the funds into Key 21602. Key 21601 functions as an ITS project grouping bucket with revenues dedicated to active traffic management.</p> <p>The purpose of the Portland Metro and surrounding areas variable message signs project (K21601) is the replacement and installation of Variable Message Signs (VMS) signs to improve operations and provide real time travel information throughout the ODOT Region 1 area located in Clackamas, Hood River, Multnomah and Washington Counties.</p> <p>The proposed change will move funds to K21602 to deliver improvements at four locations on I-5 between the Marquam Bridge and Capitol Highway. This one of two funding contributions to Key 21602 with the other from Key 20474. The added funding supports ITS scope elements combined from Key 20474 into Key 21602.</p> <p>Summary of Splitting, transfer, canceling, and combining actions to Keys 20474, 21601, and 21602 All three projects involve related Intelligent Transportation System (ITS) Active Traffic Management</p>	



Support Item(s): Summary of funding transfer:

Requested Action:

Approve amending the 2021-2024 Statewide Transportation Improvement Program (STIP) reducing scope and budget on *Portland Metro and surrounding areas variable message signs* project.

Project being reduced:

Portland Metro and surrounding areas variable message signs (K21601)			
PHASE	YEAR	COST	
		Current	Proposed
Preliminary Engineering	2023	\$328,437	\$328,437
Construction	2024	\$1,314,085	\$266,572
	TOTAL	\$1,642,522	\$595,009

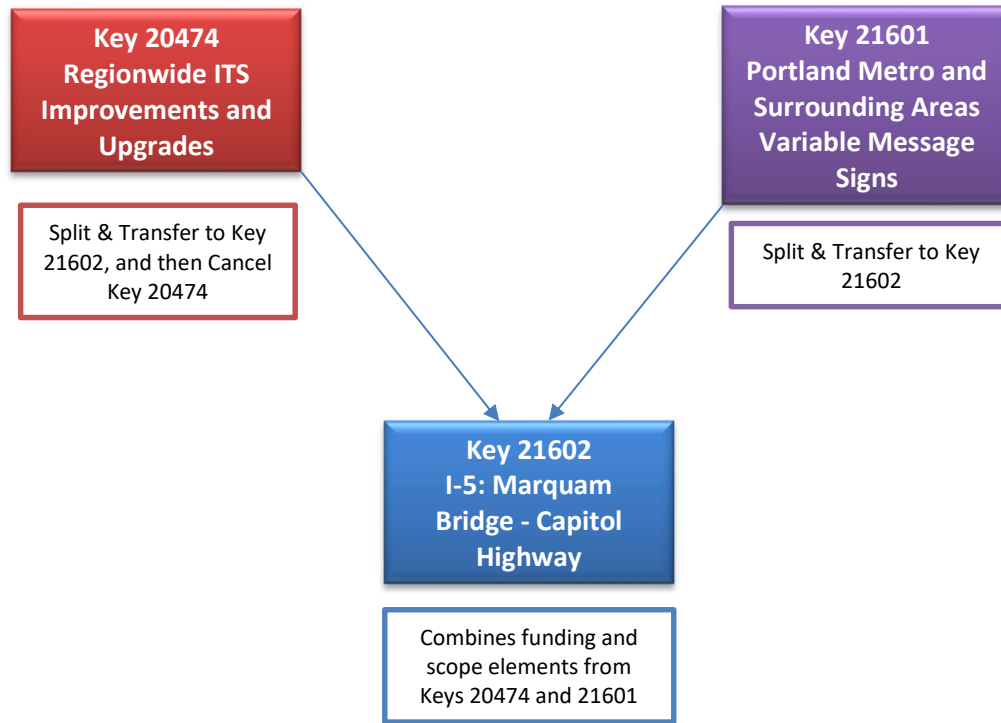
Key 21601 functions as a regional revenue project grouping bucket (PGB) supporting Active Traffic Management Improvements across the three counties within the Metro MPA boundary.



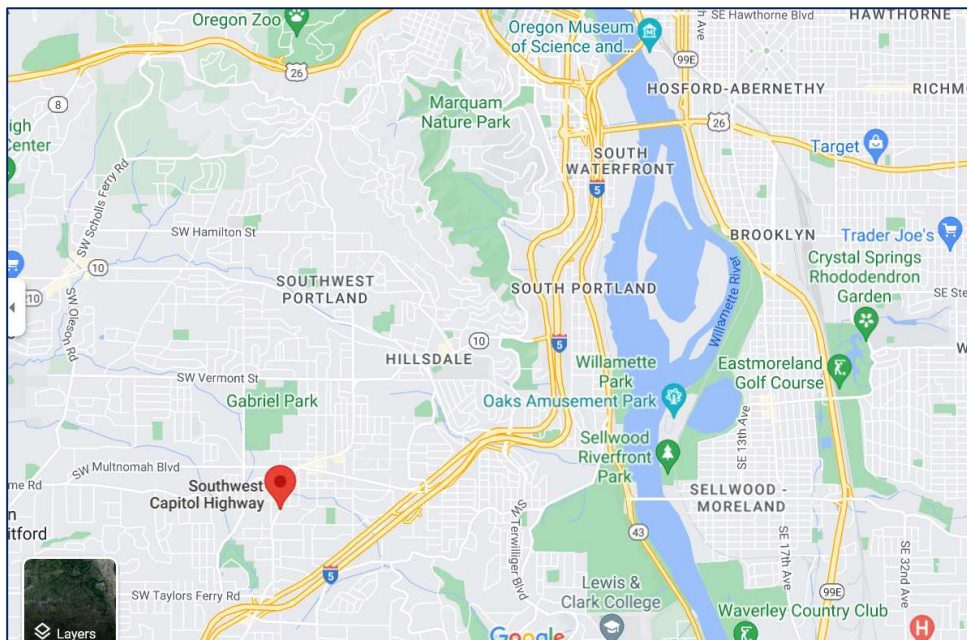
Project #3 Key 21602	I-5: Marquam Bridge - Capitol Highway (Split & Transfer) Lead Agency: ODOT
<p><u>Project Description:</u> Install Variable Advisory Speed (VAS) and truck warning signs to improve safety by informing drivers of expected downstream conditions.</p>	
<p>Identifications/Key Consistency Check Areas:</p> <ul style="list-style-type: none"> • Lead Agency: ODOT • ODOT Key Number: 21602 • MTIP ID#: 71156 • RTP ID: 11584 • Proof-of Funding/Fiscal Constraint Demonstrated: Yes • Conformity Status: Exempt from air quality analysis and transportation demand modeling requirements • OTC approval required: No. • Performance Measurements applicable: No. Funding is being split and transferred to Key 21602 • Special Amendment Performance Assessment Required: No • Were overall RTP Consistency checks achieved and satisfactory: Yes • Can the required changes be made, or can the project be added to the MTIP without issues: Yes 	
<p><u>Description of Changes</u></p> <p>The formal amendment completes the funding splits and scope transfers from Key 20474 and 21601. Changing the scope between Key 20474 and Key 21602 was a result that the total PE design estimate that covers (ODOT fess in addition to the consultant fees) came much higher than the STIP PE budget. The PE budget in the STIP that was underestimated during the scoping.</p> <p>ODOT went through several exercises to evaluate the scope and budget for this project also evaluated other locations from other projects based on their priorities in addition to find other source of safety fund to cover the gap.</p> <p>Advance investigation was performed by ODOT and based on traffic recommendations it was recommended to Move the NB-Iowa Location from K20474 to K21602 based on the priority and high ranked.</p> <p>Budget change actions:</p> <ol style="list-style-type: none"> 1. The PE phase budget is increased to cover the gap on the PE fund to cover (ODOT fees and the consultant fees) that came much higher than the estimated STIP PE amount. The current PE budget that shows in the STIP was underestimated during the scoping. 2. Other actions included the creation of the Other phase to make it available to the ITS' group to purchase the VMS signs utilizing the current contract. The VMS cost is locked in the current contract and Salem ITS group recommended to use the contract to avoid the cost getting higher because of the material inflation. 	

- 3. The final action decreases the construction phase to move \$514,000 to the OTHER phase to purchase the VMS.

Summary of Splitting, transfer, canceling, and combining actions to Keys 20474, 21601, and 21602
All three projects involve related Intelligent Transportation System (ITS) Active Traffic Management (ATM) improvements



Support Item(s): General project location map



<p>Project #4 Key 22164 The Key # will be changed</p>	<p>Transit Oriented Development (TOD) program (FFY 2023) Preventive Maintenance Support (FFY 2023) (Scope Change) Lead Agency: Metro TriMet</p>
<p><u>Project Description:</u> Partner with developers and local jurisdictions to attract private development near transit stations to reduce auto trips and improve the cost-effectiveness of regional transit investments. (FY 2023 allocation year) Metro (RFFA Step 1) STBG/Local exchange supporting TriMet's Bus and Rail Preventative Maintenance program needs for labor and materials/services used for on-going maintenance of Bus and Rail fleets in TriMet's 3- county service district.</p>	
<p>Identifications/Key Consistency Check Areas:</p> <ul style="list-style-type: none"> • Lead Agency: TriMet • ODOT Key Number: 22164. Note: The project is being advanced from FFY 2025 which is outside of the constrained STIP to FFY 2023. From the STIP perspective, it appears a new project is being added. Because of this, a new ODOT Key number must be assigned to the project to be reprogrammed in FFY 2023. • MTIP ID#: 71103 • RTP ID: 11335 • Proof-of Funding/Fiscal Constraint Demonstrated: Yes • Conformity Status: Exempt from air quality analysis and transportation demand modeling requirements • OTC approval: No. • Performance Measurements applicable: Yes – Congestion mitigation • Special Amendment Performance Assessment Required: No • Were overall RTP Consistency checks achieved and satisfactory: Yes • Can the required changes be made, or can the project be added to the MTIP without issues: Yes 	
<p><u>Description of Changes</u></p> <p>Each year Metro and TriMet complete a fund exchange to help better leverage both agency's funds. Metro exchanges allocated Surface Transportation Bloc Grant (STBG) for TriMet local funds. Metro uses the local funds to support their Transit Oriented Development (TOD) program outreach activities. By defederalizing the TOD program and funding it with local funds, a greater and more efficient use of the funds results.</p> <p>TriMet receives STBG from Metro. The STBG is eligible to be flex transferred over to FTA to support various FTA transit program areas. TriMet already commits federal funds to their annual Preventative Maintenance program. Through the exchange, TriMet adds the STBG to their federalized annual Preventative Maintenance program.</p> <p>In a few past years, FTA's formula fund apportionments (5307, 5310, 5339, etc.) were not consistent. To provide maximum flexibility from the fund exchange, Metro set-up a federalized TOD placeholder project that provided extra time to TriMet to resolve any apportionment issues and decide how they wanted to apply STBG. The current TOD project in Key 22164 was created</p>	

with the understanding that it would be converted into the final transit support area when TriMet was ready to flex transfer and obligate the funds.

The formal now occurring is converting the project base don TriMet’s confirmation to support their annual Preventative Maintenance program

ODOT Key: 22164 | MTIP ID: 71103
 Transit Oriented Development (TOD) program (FFY 2023) - Cycle 2021-26

Current Programming

phase	year	fund type	federal amount	minimum local match	other amount	total	hold from mtip
Other (explain)	2025		\$3,600,373	\$412,079		\$4,012,452	<input type="checkbox"/>
	2023	STBG-URBAN	\$3,600,373	\$412,079		\$4,012,452	
Totals >>			\$3,600,373	\$412,079	\$0	\$4,012,452	

METRO REQUIRED PROJECT AMENDMENT REVIEWS

In accordance with 23 CFR 450.316-328, Metro is responsible for reviewing and ensuring MTIP amendments comply with all federal programming requirements. Each project and their requested changes are evaluated against multiple MTIP programming review factors that originate from 23 CFR 450.316-328. The programming factors include:

- Verification and eligible to be programmed in the MTIP.
- Passes fiscal constraint verification.
- Passes the RTP consistency review. Identified in the current approved constrained RTP either as a stand- alone project or in an approved project grouping bucket
- Consistent with RTP project costs when compared with programming amounts in the MTIP
- If a capacity enhancing project, the project is identified in the approved Metro modeling network and has completed required air conformity analysis and transportation demand modeling
- Satisfies RTP goals and strategies consistency: Meets one or more goals or strategies identified in the current RTP.
- If not directly identified in the RTP’s constrained project list, the project is verified to be part of the MPO’s annual Unified Planning Work Program (UPWP) if federally funded and a regionally significant planning study that addresses RTP goals and strategies and/or will contribute or impact RTP performance measure targets.
- Determined the project is eligible to be added to the MTIP, or can be legally amended as required without violating provisions of 23 CFR450.300-338 either as a formal Amendment or administrative modification:
- Does not violate supplemental directive guidance from FHWA/FTA’s approved Amendment Matrix.
- Reviewed and determined that Performance Measurement will or will not apply.
- Completion of the required 30-day Public Notification period:
- Meets MPO responsibility actions including project monitoring, fund obligations, and expenditure of allocated funds in a timely fashion.

APPROVAL STEPS AND TIMING

Metro’s approval process for formal amendment includes multiple steps. The required approvals for the December FFY 2023 Formal MTIP amendment (DC23-04-DEC) will include the following:

<u>Action</u>	<u>Target Date</u>
• TPAC Agenda mail-out.....	November 22, 2022
• Initiate the required 30-day public notification process.....	November 29, 2022
• TPAC notification and approval recommendation.....	December 2, 2022
• JPACT approval and recommendation to Council.....	December 15, 2022
• Completion of public notification process.....	December 30, 2022
• Metro Council approval.....	January 5, 2023

Notes:

- * The above dates are estimates. JPACT and Council meeting dates could change.
- ** If any notable comments are received during the public comment period requiring follow-on discussions, they will be addressed by JPACT.

USDOT Approval Steps (The below timeline is an estimation only):

<u>Action</u>	<u>Target Date</u>
• Final amendment package submission to ODOT & USDOT.....	January 12 ,2023
• USDOT clarification and final amendment approval.....	Early to mid-February 2023

ANALYSIS/INFORMATION

1. **Known Opposition:** None known at this time.
2. **Legal Antecedents:**
 - a. Amends the 2021-24 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 20-5110 on July 23, 2020 (FOR THE PURPOSE OF ADOPTING THE 2021-2024 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA).
 - b. Oregon Governor approval of the 2021-24 MTIP: July 23, 2020
 - c. 2021-2024 Statewide Transportation Improvement Program (STIP) Approval and 2021 Federal Planning Finding: September 30, 2020
3. **Anticipated Effects:** Enables the projects to obligate and expend awarded federal funds, or obtain the next required federal approval step as part of the federal transportation delivery process.
4. **Metro Budget Impacts:** None to Metro

RECOMMENDED ACTION:

JPACT approved Resolution 22-5299 on December 15, 2022 and now recommends Metro Council provide the final approval step to Resolution 22-5299 consisting of the four remaining amended projects enabling federal reviews and fund obligations to then occur.

No Attachments

Agenda Item No. 3.4

**Resolution No. 23-5303 For the Purpose of Organizing the Metro Council and Confirming the
Deputy President
*Resolutions***

Metro Council Meeting
Thursday, January 5, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ORGANIZING THE) RESOLUTION NO. 23-5303
METRO COUNCIL AND CONFIRMING)
COMMITTEE MEMBERS) Introduced by Council President Lynn
) Peterson

WHEREAS, the Metro Charter, Chapter IV Section 16(5) directs the Metro Council to adopt an annual organizing resolution for the orderly conduct of Council business; and

WHEREAS, Chapter 2.01 directs the Metro Council at its first meeting after the first Monday in January to elect a Deputy Council President for the ensuing year; directs the Metro Council to establish such committees as the Council deems necessary for the orderly conduct of Council business; and provides that the Council President shall appoint certain committee members and committee chairs subject to confirmation by the Council by resolution; and

WHEREAS, the Council President has nominated Councilor Christine Lewis to serve as the Deputy Council President for 2023; and

WHEREAS, the Council President has appointed Councilor Juan Carlos González as Chair of the Joint Policy Advisory Committee on Transportation (JPACT), Councilor Christine Lewis as Vice Chair, and Councilor Ashton Simpson as a member of JPACT, and Councilor Duncan Hwang as an alternate member of JPACT; and

WHEREAS, the Council President has appointed Councilors Duncan Hwang, Mary Nolan, and Gerritt Rosenthal as members of the Metropolitan Policy Advisory Committee (MPAC); and

WHEREAS, the Council President has appointed Councilors to chair and serve as members or alternates on those committees, commissions and boards as set forth in the attached Exhibit A for 2023, and the remaining Councilors wish to confirm those appointments; and

WHEREAS, the Council President has also designated Councilors to serve as liaisons or representatives of the Council for various functions, organizations, and issues determined to be related to carrying on the orderly business of the Council as also set forth in attached Exhibit A; now therefore,

BE IT RESOLVED:

1. That the Metro Council confirms the Council President's appointments of Councilors to JPACT and MPAC.
2. That the Metro Council approves the designation of Councilors to serve as liaisons or representatives of the Council as also set forth in Exhibit A.

ADOPTED by the Metro Council this 5th day of January 2023.

Approved as to Form:

Lynn Peterson, Council President

Carrie MacLaren, Metro Attorney

2023 Metro Council Liaison Assignments

Revised January 3rd 2023

SECTION I: ASSIGNMENTS and/or APPOINTMENTS REQUIRED BY LAW, CODE OR STATUTE

Obligatory liaison assignments are required by the Metro Charter, Metro Code or other statute. These positions are appointed by the Council President and confirmed by the Metro Council.

COMMISSION or ADVISORY COMMITTEE	SOURCE OF REQUIREMENT	COUNCILOR(S) ASSIGNED
Deputy Metro Council President	Metro Charter	Lewis
Joint Policy Advisory Committee on Transportation (JPACT)	Federally mandated/MPO role; JPACT Bylaws	Gonzalez (Chair) Lewis (Vice Chair) Simpson
JPACT Alternate	Federally mandated/MPO role; JPACT Bylaws	Hwang
Metro Policy Advisory Committee (MPAC)	Metro Charter	Hwang Nolan Rosenthal

SECTION II: OTHER REQUIRED APPOINTMENTS

Other liaison assignments are required by Metro legislation or intergovernmental agreements. These positions are appointed by the Council President. Confirmation by the Council is not required.

OTHER COMMITTEE	SOURCE OF REQUIREMENT	COUNCILOR(S) ASSIGNED
Committee on Racial Equity (CORE)	Bylaws; 2 Metro Councilors serve as non-voting members	Hwang Nolan
Forest Grove Community Enhancement Grant Committee	IGA / District 4 duty	Gonzalez
Gresham Community Enhancement Grant Committee	IGA / District 1 duty	Simpson
Metro Audit Committee	Metro Code/Metro ordinance	Rosenthal
Metro Central Enhancement Committee	Metro Code / District 5 duty	Nolan

Metropolitan Exposition-Recreation Commission (MERC) Council Liaison	Metro Code	Rosenthal Simpson (Alternate)
Natural Areas Capital Program Oversight Committee	Metro Code	Simpson Nolan Rosenthal
Oregon City Metro Enhancement Committee	IGA / District 2 duty	Lewis
Oregon Zoo Foundation (OZF) Board Ex Officio Members	Agreement with OZF	Lewis Rosenthal Simpson
Supportive Housing Services Regional Oversight Committee	Metro Code	Lewis
Sherwood Community Enhancement Grant Committee	IGA District 3 duty	Rosenthal
Southwest Washington Regional Transportation Council (SWRTC)	IGA	Gonzalez Simpson (Alternate)
Suttle Road Community Enhancement Grant Committee	IGA District 5 duty	Nolan
Supportive Housing Services Tri County Planning Body	IGA	Lewis
Transit Oriented Development (TOD) Steering Committee	Metro resolution	Hwang Rosenthal (Alternate)
Travel Portland Board	Agreement with Travel Portland	Peterson
Troutdale Community Enhancement Grant Committee	IGA District 1 duty	Simpson
Urban Flood Safety and Water Quality District	IGA	Simpson Rosenthal (Alternate)
Visitor Development Fund (VDF) Board	IGA President and one other councilor	Peterson Simpson
Willamette Falls Partners Group	MOU; President and 1 Councilor	Lewis Peterson Nolan (Alternate)

Willamette Cove Liaison	Metro resolution	Nolan
Wilsonville Community Enhancement Grant Committee	IGA District 3 duty	Rosenthal

SECTION III: EXTERNAL OR OPTIONAL ASSIGNMENTS

External assignments relate to committees or organizations that request participation from the Metro Council. The Council President appoints external and optional liaisons, unless otherwise noted. Confirmation by the Council is not required.

ASSIGNMENTS	COUNCILOR(S) ASSIGNED
82nd Avenue Transit Corridor Committee	Hwang Lewis
Affordable Housing Bond Oversight Committee Liaison	Nolan
Clackamas County Coordinating Committee (C4)	Lewis Simpson (Alternate)
Community Place Making Advisory Committee	Hwang Lewis
Construction Career Pathways Project (C2P2) (Executive Sponsors)	Hwang Simpson
Earthquake Ready Burnside Bridge Policy Group (Multnomah County)	Nolan
Expo Futures Committee	Peterson Lewis Rosenthal (Alternate)
Greater Portland Inc. (GPI)	Simpson Peterson (Alternate)
Identity Clark County	Peterson
Interstate Bridge Replacement Executive Steering Group	Peterson Nolan (Alternate)
Land Conservation and Development Commission (LCDC) Local Officials Advisory Committee (LOAC)	Rosenthal

Legislative Liaison	Lewis Nolan Peterson
ODOT Region 1 Area Commission on Transportation (ACT)	Gonzalez
Oregon Transportation Planning (OTP) Committee [<i>external appointment</i>]	Gonzalez
Oregon Metropolitan Planning Organization Consortium (OMPOC)	Gonzalez Lewis (Alternate)
Portland State University (PSU) Institute for Metropolitan Studies (IMS) Board	Lewis
Regional Arts and Culture Council (RACC)	Lewis
Regional Economic Associations 1. Columbia Corridor Assoc. 2. Westside Economic Alliance 3. East Metro Economic Alliance 4. Clackamas County Business Alliance	1. Nolan 2. Gonzalez 3. Simpson 4. Lewis
Regional Disaster Preparedness Organization (RDPO)	Rosenthal
Regional Solutions Advisory Committee	Hwang
Regional Toll Advisory Committee	Peterson Lewis (Alternate)
TV Highway Steering Committee	Gonzalez Rosenthal (Alternate)
TriMet – State Transportation Improvement Fund (STIF) Committee	Hwang
Waste Prevention and Environmental Services (WPES) Innovation & Investment Grant Selection Committee	Rosenthal
Westside Multimodal Improvements Study	Peterson Gonzalez (Alternate)
Willamette Locks Commission [<i>external appointment</i>]	Lewis
Workforce Development Board	Peterson Simpson (Alternate)
Ultra-High Speed Ground Transportation Policy Committee [<i>external appointment</i>]	Peterson

IN CONSIDERATION OF RESOLUTION NO. 23-5303 - FOR THE PURPOSE OF ORGANIZING
THE METRO COUNCIL AND CONFIRMING COMMITTEE MEMBERS

Date: December 23, 2022

Prepared by: Andrea Celentano, Policy
Advisor, Council Office

Meeting Date: January 5, 2023

ISSUE STATEMENT

To satisfy Metro Charter and Metro Code requirements, the Metro Council must adopt an annual organizing resolution for the orderly conduct of Council business, including the election of a Deputy Council President, establishment of such committees as the Council deems necessary, and the appointment and confirmation of councilors to various committees.

ACTION REQUESTED

Consideration and adoption of an organizing resolution for the orderly conduct of business and for the appointment and confirmation of councilors to various committees for 2023.

IDENTIFIED POLICY OUTCOMES

N/A

POLICY QUESTION(S)

N/A

POLICY OPTIONS FOR COUNCIL TO CONSIDER

N/A

STAFF RECOMMENDATIONS

Staff recommends the adoption of Resolution No. 23-5303

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

There is no known opposition to this resolution.

LEGAL ANTECEDENTS

Metro Charter, Chapter IV, Section 16 (5)

Metro Code, Chapter 2.01

ANTICIPATED EFFECTS

Adoption of this resolution would:

- a. Elect Councilor Christine Lewis as Deputy Council President for 2023.
- b. Confirm appointment of Councilor Juan Carlos Gonzales as Chair of the Joint Policy Advisory Committee on Transportation (JPACT), Councilor Christine Lewis as Vice Chair, Councilor Ashton Simpson as a member, and Councilor Duncan Hwang as an alternate member of JPACT for 2023.
- c. Confirm the appointment of Councilors Duncan Hwang, Mary Nolan, and Gerritt Rosenthal as members of the Metro Policy Advisory Committee (MPAC);
- d. Confirm the designation of councilors to serve as liaisons or representatives of the council as set forth in Exhibit A for 2023.

BACKGROUND

The Metro Charter, Chapter IV, Section 16(5) directs the Metro Council to adopt an annual organizing resolution for the orderly conduct of council business. Further, Metro Code, Chapter 2.01 directs the Metro Council at its first meeting after the first Monday in January each year to:

- a. Elect a Deputy Council President for the ensuing year;
- b. Establish such committees as the council deems necessary for the orderly conduct of council business; and
- c. Confirm by resolution the Council President's appointment of certain committee members and committee chairs.

ATTACHMENTS

Exhibit A – 2023 Metro Council Liaison Assignments

[For work session:]

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

Agenda Item No. 3.5

**Resolution No. 23-5304, For the Purpose of Confirming Members of the Metro Regional
Waste Advisory Committee**
Consent Agenda

Metro Council Meeting
Thursday, January 5, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING) RESOLUTION NO. 23-5304
MEMBERS OF THE METRO REGIONAL)
WASTE ADVISORY COMMITTEE) Introduced by Chief Operating Officer
) Marissa Madrigal in concurrence with
) Council President Lynn Peterson
)

WHEREAS, Metro is the solid waste system planning authority for the region and acts pursuant to its constitutional, statutory, and charter authority; and

WHEREAS, Metro Code Section 2.19.130 establishes the Metro Regional Waste Advisory Committee; and

WHEREAS, Metro Code Section 2.19.130(b) describes the membership of the Committee; and

WHEREAS, Metro Code Section 2.19.130(d) establishes the process by which members are nominated and confirmed; and

WHEREAS, under Metro Code Section 2.19.130(d) (1) (local government members), a jurisdiction's presiding officer nominates a member, subject to appointment by the Metro Council President and confirmation by the Metro Council; and

WHEREAS, three vacancies have occurred in representation of the city or county government representatives: and

WHEREAS, the Council President has appointed Ryan Largura, nominated by City of Troutdale City Manager, Raymond Young, is subject to confirmation by the Metro Council; and

WHEREAS, the Council President has appointed Andrew Bartlett, nominated by City of Hillsboro City Manager, Robby Hammond, is subject to confirmation by the Metro Council; and

WHEREAS, the Council President has appointed Eben Polk, nominated by City of Portland Waste Operations Manager, Quintin Bauer, is subject to confirmation by the Metro Council; and

WHEREAS, the Metro Council desires to confirm these appointments; now therefore

BE IT RESOLVED that the Metro Council confirms the appointment of Ryan Largura, Andrew Bartlett and Eben Polk to the Regional Waste Advisory Committee for the two-year term ending on January 31, 2025.

ADOPTED by the Metro Council this 5th day of January, 2023.

Lynn Peterson, Council President

Approved as to Form:

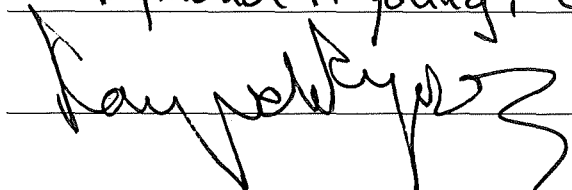
Carrie MacLaren, Metro Attorney

Metro Regional Waste Advisory Committee
2022 NOMINATION FOR LOCAL GOVERNMENT POSITIONS



Nominee's Name: Ryan Largura
Email address: Ryan.largura@troutdaleoregon.gov
Phone: 503-674-3311
Mailing address: 342 SW 4th Street, Troutdale, OR 97060
Jurisdiction name: City of Troutdale

Nominator (City manager/County administrator or Mayor/Chair of County Commission)

Name: Raymond P. Young, City Manager
Signature and date:  10-13-22

Description of nominee's local government job responsibilities:

Public Works Wastewater Division – implement Industrial Pretreatment Program

Public Works Stormwater Division – implement Municipal Separate Storm Sewer System Program

Public Works Recycling and Solid Waste Program – oversee hauler and rate reviews, implement Annual

Waste Reduction Plan, and conduct Obrist landfill monitoring


Metro Regional Waste Advisory Committee
2022 NOMINATION FOR LOCAL GOVERNMENT POSITIONS



Nominee's Name: Andrew Bartlett
Email address: andrew.bartlett@hillsboro-oregon.gov
Phone: 503-681-5204
Mailing address: 150 East Main St. Hillsboro, OR 97123
Jurisdiction name: City of Hillsboro

Nominator (City manager/County administrator or Mayor/Chair of County Commission)

Name: Robby Hammond, City Manager

Signature and date:  12/13/22

Description of nominee's local government job responsibilities:

Program Manager for the City's solid waste and recycling collection franchises.

Specific responsibilities include oversight of the franchised collection companies contracts with the City, provides customer service support to community members inquires related to solid waste and recycling, and develops and implents policy related to solid waste.

Metro Regional Waste Advisory Committee
2022 NOMINATION FOR LOCAL GOVERNMENT POSITIONS



Nominee's Name: Eben Polk
Email address: eben.polk@portlandoregon.gov (starting 1/18/2023)
Phone: _____
Mailing address: 1810 SW 5th Ave, Suite 710, Portland, OR 97201
Jurisdiction name: City of Portland

Nominator (City manager/County administrator or Mayor/Chair of County Commission)

Name: Quintin Bauer - Waste Operations Manager

Signature and date: *Quintin Bauer* 12/15/2022

Description of nominee's local government job responsibilities:

Eben will be starting on January 18th, 2023 as the City of Portland Solid Waste Manager.

This position leads the City's waste portfolio and staff including oversight of Portland's commercial and residential waste collections, the public trash can program, waste reduction, reuse, and prevention policies, and education and outreach related to these programs. Eben will be and managing three team managers, administering and developing operation budgets, and overseeing the annual rate and fee setting process. He will also be responsible for representing the City in waste related networks, associations, and collaboratives.

IN CONSIDERATION OF RESOLUTION NO. 23-5304, FOR THE PURPOSE OF
CONFIRMING THE MEMBERS OF THE METRO REGIONAL WASTE ADVISORY
COMMITTEE

Date: Dec. 9, 2022 Prepared by: Marta McGuire,
marta.mcguire@oregonmetro.gov
Department: Waste Prevention and Environmental Services Presenter(s): Marta McGuire, Director
Meeting Date: Jan. 6, 2023 Length: Consent

ISSUE STATEMENT

In March 2019, Metro Council adopted the 2030 Regional Waste Plan. As a part of the plan's oversight framework, the Metro Council established the new Regional Waste Advisory Committee to help guide the implementation of the plan's goals and actions. In September 2019, Metro Council confirmed the appointment of members to the committee, for two-year terms ending September 30th, 2021. Metro Code requires that committee members be either reappointed for an additional term or that new members be appointed.

ACTION REQUESTED

Staff requests approval of Resolution No. 23-5304, confirming the appointment of new members to the Regional Waste Advisory Committee:

New appointments for first term:

Ryan Largura, City of Troutdale: term ending Jan. 31, 2025
Andrew Bartlett, City of Hillsboro: term ending Jan. 31, 2025
Eben Polk, City of Portland: term ending Jan 31, 2025

IDENTIFIED POLICY OUTCOMES

Metro Council adopted the 2030 Regional Waste Plan to guide the development of the garbage and recycling system. The Regional Waste Advisory Committee helps advance two primary policy outcomes:

- Advancing racial equity by increasing access and representation in decision-making for historically marginalized communities
- Implementing the accountability framework set forth in the plan

POLICY QUESTION(S)

None

POLICY OPTIONS FOR COUNCIL TO CONSIDER

None

STAFF RECOMMENDATIONS

Staff recommends approval of Resolution No. 23-5304.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The 2030 Regional Waste Plan guides the greater Portland area's efforts to reduce the environmental impacts of the products we make, use and discard, provide a more equitable distribution of services and benefits to communities of color and other historically marginalized communities, and ensure a high quality, resilient garbage and recycling system. To help achieve this, the plan identifies an oversight structure to include:

- Metro Council
- Metro Committee on Racial Equity
- Metro Policy Advisory Committee
- Metro Regional Waste Advisory Committee

The Regional Waste Advisory Committee is intended to:

- Provide input on legislative and administrative actions that the Metro Council or Chief Operating Officer (COO) will consider related to implementing the Plan
- Provide input to staff on development of policies, programs and projects to implement actions in the Plan
- Review and provide input on the status of implementing the Plan

The membership is structured to strengthen the likelihood that the committee will focus on outcomes that best achieve the public interest in terms of the plan's focus on equitable system benefits and services, and environmental and human health benefits. The membership is:

- Five city or county government representatives
- Three individuals representing the interests of communities of color and other historically marginalized groups
- One individual representing the interests of environmental or health advocates
- One user of the solid waste system
- One representative from the Oregon Dept. of Environmental Quality
- The Oregon Refuse and Recycling Association's (ORRA) Metro-area regional director
- A Metro staff person designated by the COO to serve as Chair of the committee

BACKGROUND

As described in Issue Statement and Strategic Context

ATTACHMENTS

Exhibit A: Nomination form for Ryan Largura (City of Troutdale) – 2 year term ending Jan. 31, 2025

Exhibit B: Nomination form Andrew Bartlett (City of Hillsboro) -2 year term ending in Jan. 31, 2025

Exhibit C: Nomination form Eben Polk (City of Portland) -2 year term ending in Jan. 31, 2025

Agenda Item No. 4.1

Ordinance No. 22-1487, For the Purpose of Amending Metro Code Section 2.02.010
Ordinances (First Reading and Public Hearing)

Metro Council Meeting
Thursday, January 5, 2023

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO) ORDINANCE NO. 22-1487
CODE SECTION 2.02.010)
) Introduced by Chief Operating Officer
) Marissa Madrigal in concurrence with
Council President Lynn Peterson

WHEREAS, Metro Code Section 2.02.010 generally requires that the Metro Council approve written employment agreements with Metro staff; and

WHEREAS, Ordinance No. 14-1350 amended Metro Code Section 2.02.010 to allow the Metro Council to delegate the authority to the Chief Operating Officer to execute employment agreements in certain situations; and

WHEREAS, the Metro Council desires to continue to have the power to delegate authority to the COO to negotiate and execute employment agreements by resolution in certain situations; and

WHEREAS, the Metro Council also desires to clarify language in Metro Code Section 2.02.010 regarding the scope of delegation and execution of employment agreements; now therefore

BE IT RESOLVED that the Metro Council hereby ordains as follows:

The Metro Code Section 2.02.010 is amended as in Exhibit "A" attached to this Ordinance.

ADOPTED by the Metro Council this 5th day of January 2023.

Lynn Peterson, Council President

Attest:

Approved as to Form:

Connor Ayers, Recording Secretary

Carrie MacLaren, Metro Attorney

Chapter 2.02 Personnel Code

New language for Chapter 2.02 is indicated by underlined text, and deleted language is indicated by ~~strikethrough~~ text.

1. Amend Section 2.02.010 "Personnel Code" as follows:

Sections ~~2.02.001~~ 2.02.010 to 2.02.110 of this Metro Code ~~shall~~ will be known as and ~~may be~~ cited as the "Metro Personnel Code."

The provisions in this chapter do not ~~constitute~~ create a contract of employment. ~~Moreover, in order to meet future challenges, the~~ The Council retains the flexibility to change, substitute, and discontinue the policies and benefits described ~~herein in this chapter~~, at any time, with or without notice to employees. No person ~~shall~~ has, or will be ~~deemed considered~~ to have, a vested interest in, or legitimate expectation of, continued employment with Metro, or any policy or benefit described ~~herein in this chapter~~ or otherwise generally followed by Metro. No contract of employment can be created, nor can an employee's at-will status be modified, by any oral or written agreement, or course of conduct, except by a written agreement signed by the Council President or Chief Operating Officer and the employee, and subject to the approval of the Council.

Notwithstanding the ~~foregoing, however~~ above paragraph, the Metro Council may delegate by resolution to the Chief Operating Officer the authority to execute a written employment ~~agreements on a case by case basis~~ agreement for: (1) an individual Executive-level position, or as (2) for a group for Director of Executive-level employment agreements where positions in which all terms in those employment agreements are identical except salary for compensation. An employment agreement may not be amended unless approved by the Metro Council.

(a) ~~Duties of Chief Operating Officer. Administration~~ The Chief Operating Officer administers and enforcement of enforces the personnel code ~~shall be the responsibility of~~. The Chief Operating Officer or ~~his or her delegee~~ the Chief Operating Officer's designee, shall must:

- (1) Establish and maintain:
 - (A) A record of all employees in Metro service;
 - (B) The Metro employee classification plan;
 - (C) The salary plan and salary administration policies, including employee benefits.
- (2) Prepare ~~such~~ rules, policies, and procedures as are necessary to carry out the duties, functions, and powers of this personnel code, and to effectively administer Metro personnel.
- (3) Establish a system of personnel administration based on merit, governing recruitment, appointment, tenure, transfer, layoff, separation, and discipline of employees.
- (4) ~~Devise~~ Develop and implement employee training programs, for the purpose of improving the quality of service rendered by Metro personnel.

- (5) ~~Conduct labor negotiations~~ Negotiate with the authorized ~~collective-bargaining labor~~ representatives of Metro employees.
 - (6) Serve as the final grievance adjustment officer in personnel matters.
 - (7) ~~Make Report~~ quarterly ~~reports~~ to the Council regarding the personnel administration ~~of Metro~~.
- (b) The Metropolitan Exposition-Recreation Commission ~~shall~~ must adopt personnel rules consistent with and subject to Metro Code Section 6.01.040 ~~of the Metro Code~~ notwithstanding any provision of this chapter to the contrary. The Chief Operating Officer ~~shall through the General Manager will~~ administer the policies adopted by the Commission through the General Manager. [Ordinance 05-1082, Sec. 1; Ordinance 09-1229, Sec. 2.]

2. *Amend Section 2.02.030 "Definitions of Personnel Terms" as follows:*

For the purposes of this chapter ~~unless the context requires otherwise~~, the following terms ~~shall~~ have the meanings indicated, unless the context requires otherwise:

Auditor means the elected Auditor of Metro or ~~his/her~~ the Auditor's designee.

Chief Financial Officer means the person responsible for managing the financial affairs and budget of Metro and designated as such by the Chief Operating Officer.

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

Council means the elected governing body of Metro.

Department means a major functional unit of Metro as designated by the Chief Operating Officer.

Department Director means a person designated by the Chief Operating Officer to be responsible for the administration of a department ~~or his/her designee~~.

Employee means an individual who is salaried or who receives wages for employment with Metro.

Executive-level means any Department Director, Venue Director, Deputy Chief Operating Officer, General Manager of Visitor Venues, and any position at or above these classifications.

Full-time means a position in which the scheduled hours of work are 40 hours per week and which is provided for in the adopted budget.

Layoff means a separation from employment because of organizational changes, lack of work, lack of funds, or for other reasons not reflecting discredit upon the employee.

Part-time means a position in which the scheduled hours of work are less than 40 hours per week but at least 20 hours or more per week and which is provided for in the adopted budget.

Human Resources Director means the employee appointed by the Chief Operating Officer to administer the provisions of this chapter, regardless of whether the person is also a Department Director.

Represented employee means an employee who is in a recognized or certified bargaining unit.

Separation is the cessation of employment with Metro not reflecting discredit upon the employee.

Status refers to the standing of an employee.

Termination means the cessation of employment with Metro. [Ord. 81-116, Sec. 6; Ord. 94-523B; Ord. 95-602A, Sec. 1; Ord. 02-965A, Sec. 1; Ord. 05-1082, Sec. 1.]

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 22-1487, FOR THE PURPOSE OF AMENDING METRO CODE SECTION 2.02.010

Date: December 15, 2022
Meeting Date: January 5, 2023

Prepared by: Carrie MacLaren, Metro
Attorney and Joyce Wan, Senior Attorney

ISSUE STATEMENT

Code Section 2.02.010 requires that the Metro Council approve all written employment agreements. In 2014, the Metro Code was amended to delegate authority to perform this function to the Chief Operating Officer (COO) in certain situations. While this approach has worked well, certain ambiguous terms in the Code now require clarification to ensure employment agreements at Metro remain consistent with the Code.

The amended language clarifies the following:

1. Employment agreements may be entered into for “Executive-level” positions (such as the Deputy Chief Operating Officer and General Manager of Visitor Venues, as well as directors). There was some question whether the existing description of “director level” was adequate to include venue directors or positions in classifications above a department director (e.g., Deputy Chief Operating Officer).
2. Employment agreements may only be amended if approved and authorized by resolution by the Metro Council.
3. The terms of Executive-level employment agreements must be identical except for compensation (rather than salary).

As described, the purpose of the proposed amendments is to clarify ambiguities in the Code, not to change the meaning. Therefore, the COO may continue to seek the authority to execute employment agreements for either an individual Executive-level position, or a group of Executive-level positions. Such authority must be delegated by the Metro Council by resolution specifying the positions to which it applies.

In addition, the Office of Metro Attorney has reviewed the particular Code sections amended by Ordinance No. 22-1487 for plain and inclusive language best practices. The intent and purpose of these amendments is to make the Code easier to read and understand, not to change the meaning. For example, passive voice has been removed, and legalese has been replaced with plain language words (e.g., “must” used in place of “shall”).

ACTION REQUESTED

Approve Ordinance No. 22- 1487 which amends code language as reflected in attached Exhibit "A."

IDENTIFIED POLICY OUTCOMES

The COO would continue to have flexibility to negotiate and execute employment agreements for Executive-level positions using a form of agreement approved by the Metro Council. The COO would continue to also have the option to seek approval of employment agreements for an individual Executive-level position. Clarifies that any amendments to such agreements must be approved by Metro Council.

POLICY QUESTION(S)

None

Known Opposition: None

Legal Antecedents: Metro Code Section 2.02.010; Ordinance No. 14-1350

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Approve Ordinance No. 22- 1487

Reject Ordinance No. 22- 1487

ATTACHMENTS

Ordinance No. 22-1487

Exhibit A to Ordinance No. 22-1487

No additional materials were distributed at the meeting.