

# Meeting minutes



**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

Meeting: **Transportation Policy Alternatives Committee (TPAC)**  
Date/time: Friday, May 3, 2024 | 9:00 a.m. to 12:00 p.m.  
Place: Virtual online meeting via Web/Conference call (Zoom)

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## **Members Attending**

Tom Kloster, Chair  
Karen Buehrig  
Allison Boyd  
Dyami Valentine  
Judith Perez Keniston  
Eric Hesse  
Jaimie Lorenzini  
Jay Higgins  
Mike McCarthy  
Tara O'Brien  
Chris Ford  
Gerik Kransky  
Lewis Lem  
Bill Beamer  
Marianne Brisson  
Sarah Iannarone  
Sara Westersund  
Jasia Mosley  
Indi Namkoong  
Ashley Bryers  
Katherine Kelly  
Steve Gallup

## **Alternates Attending**

Sarah Paulus  
Francesca Jones  
Dayna Webb  
Dakota Meyer  
Gregg Snyder  
Glen Bolen  
Jason Gibbens

## **Members Excused**

Laurie Lebowsky-Young  
Shawn M. Donaghy  
Danielle Casey  
Shauna Hanisch-Kirkbride

## **Affiliate**

Metro  
Clackamas County  
Multnomah County  
Washington County  
SW Washington Regional Transportation Council  
City of Portland  
City of Happy Valley and Cities of Clackamas County  
City of Gresham and Cities of Multnomah County  
City of Tualatin and Cities of Washington County  
TriMet  
Oregon Department of Transportation  
Oregon Department of Environmental Quality  
Port of Portland  
Community member at large  
OPAL Environmental Justice Oregon  
The Street Trust  
Oregon Walks  
Community member at large  
Verde  
Federal Highway Administration  
City of Vancouver  
Clark County

## **Affiliate**

Multnomah County  
City of Portland  
City of Oregon City and Cities of Clackamas County  
City of Troutdale and Cities of Multnomah County  
City of Hillsboro and Cities of Washington County  
Oregon Department of Transportation  
Washington State Department of Transportation

## **Affiliate**

Washington State Department of Transportation  
C-Tran System  
Federal Transit Administration  
Washington Department of Ecology

### **Guests Attending**

Ari Del Rosario  
Bryan Graveline  
Cody Field  
Jan Tysoe  
Jeff Owen  
Jessica Engelmann  
Mat Dolata

### **Affiliate**

Portland Bureau of Transportation  
Portland Bureau of Transportation  
City of Tualatin  
City of King City  
HDR  
City of Beaverton  
City of Hillsboro

### **Metro Staff Attending**

Ally Holmqvist, Blake Perez, Caleb Winter, Eliot Rose, Grace Cho, Grace Stainback, Jake Lovell, John Mermin, Kate Gregory, Ken Lobeck, Kim Ellis, Lake McTighe, Marie Miller, Marne Duke, Monica Krueger, Noel Mickelberry, Ted Leybold, Tim Collins, Tom Kloster.

### **Call to Order, Declaration of a Quorum and Introductions**

Chair Kloster called the meeting to order at 9:00 a.m. Introductions were made. A quorum of members present was declared. Reminders where Zoom features were found online was reviewed.

### **Comments from the Chair and Committee Members**

Chair Tom Kloster announced we will soon have a Transportation Director on staff in the Metro Planning Department. There are two limited duration associate planners being recruited for climate funded positions at Metro. Later in May these will be posted. Sharing information on these opportunities is encouraged for interest with your contacts.

Ted Leybold announced recruitment for an assistant planner in our regional travel options will be posted in a few weeks. This role will include work with our system management operation program.

Allison Boyd announced Multnomah County Transportation Division is hiring a project manager that will be working with our engineering capital teams. A link was shared in chat:

[https://multco.wd1.myworkdayjobs.com/en-US/Multco\\_Jobs/job/Transportation-Division-Project-Manager\\_R-14473](https://multco.wd1.myworkdayjobs.com/en-US/Multco_Jobs/job/Transportation-Division-Project-Manager_R-14473)

**Monthly MTIP Amendments Update** (Ken Lobeck) Reference to the memo in the packet was made on the monthly submitted MTIP formal amendments submitted end of March to Mid-April 2024. Questions on the memo can be directed to Mr. Lobeck.

### **Fatal crashes update** (Lake McTighe)

The monthly fatal traffic crash report for Clackamas, Multnomah and Washington Counties was given. We are continually committing to systematic change on our system using the safe systems approach to prevent future traffic deaths. This includes safe streets, safe speed, safe people, safe vehicles, and post-crash care response.

Some of the actions regional partners are taking for safer streets:

- **PBOT, City of Portland:** To help manage speeds for safety, recently reduced speed limits at five new locations, and will reduce speeds at another six locations in upcoming months.

<https://www.portland.gov/transportation/vision-zero/news/2024/4/11/pbot-vision-zero-april-2024-newsletter>

- **ODOT and WSDOT:** To encourage a culture of safe driving, road workers share their stories as part of

National Work Zone Awareness Week.

<https://content.govdelivery.com/accounts/ORDOT/bulletins/395999d>

- **USDOT NHTSA:** To reduce pedestrian and rear end crashes, finalized a new standard requiring vehicle manufacturers install automatic emergency braking in all new cars and light trucks starting in 2029.

<https://content.govdelivery.com/accounts/USDOT/bulletins/3997dc0>

As part of the SS4A project Metro will be sharing a weekly social media post relating to safety and safety culture. We are kicking it off this month for Bicycle Safety month, so keep a look out. We may be tagging some of our partners. Please share and repost! We all have a part in creating a positive culture of safety.

**ODOT-DLCD TSP Funding Program Update** (Kim Ellis) An update was shared on the ODOT program to fund critical transportation system plan updates to implement the new state transportation planning rule. Last month ODOT and DLCD convened a meeting of local governments across the state to announce some of the funding changes. The fact sheet in the packet was noted. Because of the overlap with meetings an invitation to local governments in our region was sent for a special meeting to discuss further. It's an opportunity to learn more about the changes, ask questions and discuss next steps. We know there's a need to fund transportation system plan updates and implement new roles. Information on this meeting was shared in the chat:

### **ODOT TSP Funding Program Meeting for Portland area Communities**

Friday, May 10th from 1:00 – 2:00 pm

As a follow-up to their April 5th webinar, ODOT, and DLCD invite Portland Metro area communities to attend a virtual meeting to recap key takeaways from the webinar and have a conversation about the next steps. ODOT and DLCD are committed to helping cities, counties, and Metro work toward achieving Oregon's statutory climate goals and policy, including implementing the updated Transportation Planning Rules.

Zoom link: <https://us02web.zoom.us/j/83777382645?pwd=OVlpdkp5c0FldlNkdFBFWkjiYWpFdz09>

Meeting ID: 837 7738 2645

Passcode: 664211

Slides from April 5 ODOT-DLCD webinar: [https://www.oregon.gov/odot/Planning/Documents/ODOT-DLCD\\_TSP\\_Funding\\_Program\\_Webinar\\_Slides\\_04.05.24.pdf](https://www.oregon.gov/odot/Planning/Documents/ODOT-DLCD_TSP_Funding_Program_Webinar_Slides_04.05.24.pdf)

Recording of April 5 webinar (passcode: 9vfrmt\$?): <https://us02web.zoom.us/rec/component-page?action=viewdetailpage&sharelevel=meeting&useWhichPasswd=meeting&clusterId=us02&componentName=need-password&meetingId=Yaznb55n7jASjMyNAX0sIPAQxC9YwKNI2IcTJenBnnknEcDUlOdq3Yvxn-Q8iZRC.Mt9TH3D9PrPFul1b&originRequestUrl=https%3A%2F%2Fus02web.zoom.us%2Frec%2Fshare%2FdelTfOs4xA0aFhLeq0Lr-lkx5otRN-QCo7Mhcx1JrSDBt008Uipk0Bk0izOYNkJf.QJOH0-CYcf9EivVz>

If you have further questions, please reach out to Theresa Conley

([Theresa.L.CONLEY@odot.oregon.gov](mailto:Theresa.L.CONLEY@odot.oregon.gov)) or Bill Holmstrom ([Bill.HOLMSTROM@dlcd.oregon.gov](mailto:Bill.HOLMSTROM@dlcd.oregon.gov)).

Comments from the committee:

Karen Buehrig noted this made me think of the work Metro will be doing related to the development of the functional plan. I noticed in the TPAC work program this wasn't listed in the future. It might be helpful to understand how we can start to align with our local jurisdictions what the work plan is for the transportation functional plan. Because that also helps guide the changes that we might need to be doing in the TSP as we all might be thinking about updating our TSPs. Can you give us a preview

from what you know on when we might start seeing some of that? Ms. Ellis noted we have been working internally just to get ourselves set up to start having those conversations. We will be engaging TPAC and MTAC and scoping out what we need to do. We'll make sure to add some time on upcoming agendas to start talking about what we're thinking and the overall timing. Generally, our thought was we'd begin in the summer and go through the end of the year. There will be lots of time for conversation and discussion because we know there's additional work on the regional mobility policy in addition to the new state transportation planning rules and implementing the new RTP.

Eric Hesse asked a clarifying question on the timeline. Is scoping going to be sooner than that? And that's the work plan you're hoping kicks in by then? Or is that the scoping process? Ms. Ellis noted we'll be scoping it over the summer between now and the fall. But we're working to still publish the final RTP which we're close to doing that. We have some reporting that we need to do to DLCD by the end of May. That's in response to the new state rules. We've been trying to get through all of that before transitioning to the functional plan work.

**Public Communications on Agenda Items** – none received

**Consideration of TPAC Minutes from April 5, 2024**

Minutes from TPAC April 5, 2024 were approved unanimously with one abstention: Chris Ford.

**Metro Transportation Improvement Program (MTIP) Formal Amendment Resolution 24-5412**

**Recommendation to JPACT (action item)** (Ken Lobeck) The May 2024 Formal Metropolitan Transportation Improvement Program (MTIP Formal/Full Amendment bundle adds two new project projects. Both are ODOT funded and managed projects. The first project is an Americans with Disabilities Act (ADA)/ Complete Streets type upgrade project on north Lombard Street/US30BY. The project will provide ADA curb and ramp upgrades, redesign and add bike lanes, reconfigure roadway to 3 lanes (Boston to Lancaster) and complete a traffic signal upgrade at Denver St. The second new project is a Bus on Shoulder Lane on I-205. The project will design, construct, and implement a bus on shoulder lane to expand transit service on I-205 between Sunnybrook Rd and Stafford Rd.

Additional notes were made on project #2:

- OTC approval was required and occurred during their September 2024 meeting.
- The project is a component of the larger ODOT Carbon Reduction Strategy Plan also approved last September by OTC.
- The new Bus on Shoulder Lane will exist from Sunnybrook St south and west along I-205 to Stafford Rd.
- The construction phase is being programmed for FFY 2025.
- The Bus on Should Lane concept is considered an Active Traffic Management (ATM) element and part of a larger Transportation Systems Management and Operations (TSMO) strategy to help manage congestion on the existing transportation system.

Comments from the committee:

Karen Buehrig appreciated seeing the expenditure of these different types of funds, both the Great Streets funds and the carbon reduction funds, in our area. Clarification was asked regarding the description for the I-205 project to expand transit service along the I-205 corridor between Stafford and Sunnybrook by creating a Bus on Shoulder. It wasn't believed this project expanded transit service. It is providing infrastructure to allow for transit service. This was highlighted because it

might confuse people because this isn't funding transit service. It's funding the infrastructure to allow for transit to use an exclusive transit way.

Chris Ford agreed this is an infrastructure project that allows for Bus on Shoulder to operate. A correction for the presentation was noted that ODOT doesn't operate transit service. We have had some conversations with transit providers about the potential for transit service. It appears a presentation on Bus on Shoulder will be given at JPACT. The Bus on Shoulder is an opportunity for a bus to use the shoulder when there is congestion, for more reliability and operations for transit providers when on a highway system. This is a place where a pretty small amount of investment can make transit service more efficient. Mr. Lobeck agreed to confirm the description of the project with these clarifications.

**MOTION: To provide JPACT an approval recommendation of Resolution 24-5412 to add the two new projects to the 2024-27 MTIP with clarification noted on the description of Bus on Shoulder project that it is providing the infrastructure to allow for expanded transit operations.**

Moved: Karen Buehrig

Seconded: Chris Ford

**ACTION: Motion passed unanimously with no abstentions.**

**2027-2030 Metro Transportation Improvement Program (MTIP) Program Direction Resolution 24-XXXX Recommendation to JPACT (action item)** (Blake Perez & Ted Leybold)

Blake Perez presented information on the MTIP background, program direction and objectives. The 2027-30 MTIP process was described with timeline phases, and the four program direction objectives:

Objective 1 – Advance 2023 RTP Implementation

Objective 4 – Ensure Federal Compliance

Objective 2 – Apply the Strategic Regional Funding Approach

Objective 3 – Foster Regional Funding Coordination

Comments from the committee:

Dyami Valentine asked how is this similar to or different from prior MTIP program directions. Mr. Leybold noted the funding strategy is something that we have updated with decisions that have been made since the last adoption of that direction. That direction as noted by Mr. Perez is an interim at this point, but what we've done is adopted that funding strategy. And then as individual programs have updated, or new programs have been initiated we reflect those decisions and update that funding strategy element of the document. That's one primary thing. Again, it now serves as a starting point for future discussions, for instance the regional flexible fund allocation program direction.

Mr. Perez added the coordination informing MPO as early as possible on any applications for additional funding so Metro and partner agencies could collaborate and stay informed. Mr. Leybold added that is to help ensure that if you are awarded funding from a discretionary source that you've applied for, that we've already prepared to incorporate that into the MTIP. So that the MTIP isn't a delay to the process of you accessing those funds, as well as the ability to have a regional conversation with other agencies who might be applying for those same funds.

Grace Cho noted ultimately the program direction for the MTIP is one we've adopted previously. We know that the large components of the program direction, for example the RTP, the policy direction of the MTIP is derived out of the RTP. Since the last time we adopted a program direction for the MTIP we have had a new RTP adopted and the bipartisan infrastructure laws come into effect. So

ultimately updating to be able to regulate up to those rules. From a perspective of the question, it's not a large departure from what has been adopted as program direction in the past. The main components still remain. It's just we're updating according to the direction we received from those major components, federal requirements as it relates to the development and programming of an MTIP new regional policy direction. Updating the regional funding approach in accordance to reflect current funding sources and then the coordination side of the program direction. If there's a discretionary award that comes to this region Metro want to be in a position to support you in being able to get that programmed and act at getting those funds accessible as quickly as possible.

Karen Buehrig appreciated learning of the reasons why there may be changes. It was noted there was a map included in the program direction packet materials that includes all of the regional planning boundaries. It shows the complexity of the region that we're dealing with and all the different categories that we have to consider as we move forward. There were questions about the strategic regional funding approach. One of the things that has been done is make that more accessible as listed in attachment one. I do not think that regional funding approach had a connection. I see it as a way that connects to what we're going to be talking about next when we start talking about the RFFA program direction. I wanted to make a few comments.

One has to do with the category just as we think about transportation project or activity type. This might be something that you think about as some of these categories become difficult to discern in the sense of the description of a roadway can be different, depending on where you look at it.

Regarding functional classification, under the project activity type, there is a category, highways and bridges, or it might be highway expansion. What we might consider highway under the federal functional classification may be different than what is on the regional system. I don't want there to be a creation of obstacles but maybe some clarification. I would ask Metro staff consider that in general, such as how do these things relate.

Another comment was on the same table footnotes three and four. Under arterial expansion and improvements in reconstruction there is a footnote three used. I'm trying to figure out if we can also use footnote four for that, be able to both understand it to be limited to our arterial freight facilities, et cetera, but then also limited to project development on large discretionary funding opportunities. I would think those footnotes three and four probably should apply to that arterial expansion under regional flexible funds. Depending on what is considered a highway, three and four should also apply under highway expansion, under regional flexible funds. Mr. Leybold asked for clarification on footnotes three and four to apply both to arterial expansions and highway expansions, depending on our classification of highway. Ms. Buehrig confirmed this.

Jaimie Lorenzini had a question on objective two, the regional funding approach. I noticed that the document was last updated in 2021, and that it's periodically updated. It's not necessarily needed to happen each cycle. Know that we are going to be heading into a 2025 state transportation package if it might be beneficial to maybe prepare this document for a refresh. In looking through it, it doesn't look like it's exhaustive of all existing funding sources from partner agencies. Additionally, as a resource for your jurisdictional partners, if it wouldn't make sense to append maybe a chart of other existing grant programs that are available to those transportation project activity types. And then, as we start contemplating electrification of our vehicle fleet I'm wondering where in this chart of table 8.1 electric vehicle charging infrastructure may fall.



Mr. Perez noted your first point was how can this chart help regional partners identify funding sources, maybe doing some coordination with partners. This list isn't quite exhaustive, so we'll dig deeper a bit more. And then where does electric infrastructure land in this approach was your second point, correct? Ms. Lorenzini agreed. To the first point, one of the programs I would bring up through one of the coordinating agencies, ODOT, is the Oregon Community Paths Program, which funds trail improvements that are consistent with the things that we're doing. Just making sure that the document is up to date before we head into the 2025 session. I would like to know more about where electric infrastructure would fall into this diagram, especially knowing the new funding streams that are now available.

Eric Hesse noted maybe just amplifying a little bit of what Ms. Lorenzini said, recognizing that while I'm confident staff have done a good job reflecting those additional guidance and decisions, I also see this table last updated in 2021. It points out new programs, supporting electrification and the said federal surface transportation authorization, like the Neighborhood Electric Vehicle Initiative, and other ODOT programs that are not listed. Having these included with the document update may be a key opportunity relative to the upcoming reauthorization of the federal program and the 2025 session.

I think a lot of this is probably still exactly what we believe but how can we raise this up even more with JPACT as part of the discussion. And to include this as part of the MTIP and RFFA program direction. I think the more obvious intent that Metro appropriately puts out in the work plan this year, leading into those conversations around this funding strategy about how we stay informed of opportunities and think how we should be using funds, seeking funds, applying funds feels like a good policy position to validate with JPACT and Metro Council here is where we are going into those major opportunities.

Grace Cho noted after Ms. Buehrig speaks, she will add some comments to bring some context and respond to the kind of main questions I think I'm hearing between these comments. Ms. Buehrig acknowledged this is an action item and am thinking that as part of the motion perhaps there's a way we can make sure there's flexibility within this regional funding approach or be able to acknowledge as it does in the description of objective two, talk about that this should be considered interim. It says it will remain as an interim approach. I'd like to be able to say that we will be able to come back, or that the strategic funding approach will be revised before the final MTIP.

Grace Cho noted one of the key points I wanted to emphasize is that with this funding approach we are seeking to have a discussion funding in the region, in parallel by the requirements of the federal rules. We need to also develop an MTIP at the same time. We are not in a position to be able to delay that process in terms of the development of the MTIP. So we are looking to move forward, to draw upon previous direction but update accordingly and still staying with the consistent previous direction that has been received as it relates to that specific table and that funding approach. I recognize that it's probably not comprehensive in terms of all funding sources necessary. Metro staff would welcome receiving information as to which funding sources should be included as part of that, particularly as we look at identified local sources and getting that understanding.

We also know that funding programs change frequently so being able to stay on top of those can be challenging. I wanted to note specifically the section about the strategic regional funding approach, the last time JPACT had a discussion when it was originally developed in 2009. In 2016 discussion was held on some modifications to that approach but largely kept as identified. Our region has

further discussions to have to ask what function or role does our region want to play when it comes to certain emerging areas of our transportation system, particularly as we're talking about the electrification of our transportation network. So there is some rationale as to why we may keep some of those things off that document in this interim position because we don't want to move ahead of the regional discussion at JPACT and directives that may come as part of the 2025 session.

Chair Kloster proposed Mr. Perez recap what you've heard from the committee as things that could be part of a motion with amendments in providing to JPACT for their consideration. The committee can further add to your list if something wasn't first captured.

Mr. Perez noted specific comments around footnotes three and four, and if clarification under arterial expansion and highway expansion apply to both depending on the definitions of them. Comments were heard about the strategic regional funding strategy. Asking for it to be more exhaustive and thorough with identifying funding sources more currently known. Making sure we are validating what we're doing with policymakers and making sure there is some flexibility within this interim regional funding approach. A more specific comment was where does electric infrastructure land.

**MOTION: To provide JPACT an approval recommendation of Resolution 24-XXXX of the 2027-30 Metro Transportation Improvement Program (MTIP) Program Direction, and direct Metro staff to make amendment changes outlined by Mr. Perez in the recommendation to JPACT.**

Moved: Jaimie Lorenzini

Seconded: Karen Buehrig

**ACTION: Motion passed unanimously with no abstentions.**

*Meeting break for 5-minutes*

**Federal Transportation Redistribution Funding to Local Projects and Project Delivery – Introduction and Proposed Options** (Ted Leybold & Grace Cho)

The presentation began with an overview of the redistribution funding proposal. This was described as Federal funding awarded to Metro by ODOT, Region contractually obligated more than 80% of project funding on schedule, and approximately \$13.6 million available. The allocation approach was presented. It would support ability of region to meet future obligation targets, qualify for additional redistribution funds and avoid penalties. In addition, it would address inflation impacts to previous project awards approaching construction, prepare new projects to minimize risk of schedule delays, and provide the region with tools to improve project delivery.

Details on the redistribution funding proposal was provided.

- Supplemental allocation to prior awarded Step 2 capital projects - \$10M
- Early project development support of 2028-30 RFFA Step 2 projects - \$3M
- RFFA process support - \$.6M
  - 2028-30 project risk assessment
  - 2028-30 local agency application support
  - Project development monitoring and reporting tools

Comments from the committee:

Jaimie Lorenzini appreciated the enclosure of small agency support reflected in this proposal. A question was asked regarding the \$10 million for prior RFFA projects. With it being federal funding, will that carry the 10.27 match for local dollars? Mr. Leybold agreed. If we award additional funding,



you will have to provide, if you're not already over matching on the project, you will have to provide additional local funds to meet that.

Karen Buehrig acknowledged a lot of this information is given to our project delivery team that has the details. When I talked with our capital projects manager it occurred to me it would be good to have some place of the process and making sure it makes sense. For example, there was something said about what projects would be available. It was specifically noted they couldn't be under contract for construction. I'm not quite sure what that means. For example, we have a project that received RFFA funds two cycles ago, so it would not have fallen within the window. I know it is under contract with a firm and they are doing preliminary design. They're at 30% design. And we're getting information about how, because of costs, the cost estimates are off. So how does that fall into that project contracted for construction, or is that project and project design?

Mr. Leybold noted my interpretation of that, and I probably should have more precise language, and this might be where your project staff can help with that, but the idea being that if you're still in design phase, that's typically what I'd call the preliminary engineering phase of the project. That's ok because that's when you may discover some unknown issues that you couldn't have foreseen. Some of those might be due to either inflation impacts or other issues you couldn't have foreseen. Those projects would still be eligible where I was talking about the contract under construction or under construction for construction phase. They've agreed to construct the project at the agreed price. You have executed that contract with them. That's where I proposed to have the cutoff occur. If you're in preliminary design and developing new estimates so that you can go out and bid that construction phase, you would still be eligible.

Jay Higgins was supportive of the idea with better project delivery and some funding for the region that we've seen in the last couple of years difficult to get. The question I had was under early project development assistance and the memo references that there's a portion of the funds is used by ODOT technical staff to assist with completion of these TSPs and environmental perspectives. I believe ODOT already does that role. So, I wasn't sure what's their value added. What are we paying them for? Because there are questions about payments, we make to ODOT when we're doing these federal projects to have their review throughout the process.

Mr. Leybold noted he can address that. There's a couple of aspects of that. First, if we're doing this early project development work, ODOT would potentially be providing additional resources beyond what their existing role is. A project could access their technical center staff if there was an issue for a potential issue that needed investigation. You wanted to request specific expertise in the ODOT tech center, and ODOT would bill to the project or bill to the \$3 million pot of funds. Secondly, other staff in ODOT who vacillators are generally. This might be different between a certified agency and a non-certified agency for non-certified agencies. For non-certified agencies they will be relying more heavily on other ODOT project delivery staff. Typically, ODOT project delivery staff will do very minimal work prior to the PE phase being started. So then when they can bill to the project, this would make funds available earlier to them so that they could provide more of that project support prior to the PE phase being started. Which then the PE phase is going to be more accurately scoped and more ready to go. For certified agencies those type of ODOT staff have limited resources in terms of how much support they provide even to a certified agency. At the agreement of project staff, Metro staff and ODOT staff would figure out what's the appropriate role and support they could provide during this period before they actually start the PE process. It does provide them with the resource they need to get the project off to a better start.

Mr. Higgins noted that's helpful. My confusion from the memo seemed to suggest we are paying both outside consultants and then providing it to ODOT to do more. Your point about the difference between certified and non-certified is important. I think what we'd prefer to see is that there's control on the Metro side and the funded agency side to decide how much of that, when do we need to tap into ODOT and not just have it be a blanket thing. We keep it on the project team to decide the funding. Mr. Leybold added I think that would intend to be a collaborative process between the three agencies. I don't think there's any interest on ODOT project staff to talk about and try to influence your project scope necessarily. They would be there as a resource and experience to resource as necessary to identify issues that might need to be addressed in terms of your local agency staff or your consultant staff with questions.

Dyami Valentine had a question whether you have a sense of how many projects this might be seeking these funds, and then a question in terms of under awarded, because in the last round we had a handful of projects that were under awarded funds, and whether those would be eligible for seeking these funds as well. Mr. Leybold asked for clarity if asking about the \$10 million supplemental allocation. Again, any project that we have previously awarded funding to that has not made it to the construction, not as actively in that construction phase would be eligible. There is a universe of projects out there that fit that description. We'd certainly be able to provide that with updated information on which those projects are. Again, it would then be application based. What I've proposed is that once we have that we'd have to set that application process up, probably give folks a couple of months to say here's what we need and here's why we need it with the rationale. And then come back, have a review with the criteria in mind that I talked about where it was costs that are outside their control, addressing that funding gap in an adequate way. And that we are funding projects, providing the supplemental funding to projects across the region. We would come back to you with a proposal on how to award those funds. That's the concept. I would estimate the pool of eligible projects is probably in the neighborhood of 25 to 30 projects.

For the second question I think there were two projects in the last funding cycle where they accepted a reduced amount of funding to do project development work on two projects in order to be able to fund both of them. I don't have an answer on that today. Maybe something we would develop and come back with when we actually have the proposal in June about eligibility for project development. I had targeted this towards projects that were short on construction and getting to construction, but I'll give some thought to whether a shortfall for a project development phase or project engineering only phase makes sense in this regard or not and what to do about those. Mr. Valentine added we have heard from those two proposals in particular, those two project development projects that there's some challenge in terms of the initial scope and being able to deliver on that based on that reduced funding. I appreciate the consideration.

Eric Hesse appreciated the discussion and clarifications. It was felt the proposal was responsive to some of the key themes flagged. Previous meetings have noted the concern with inflationary impacts and how we move forward with these previously prioritized projects even as we look ahead to the future. It's also sensitive to how that could impact the always limited funding available in the next step 2. This has recognized that past performance is getting rewarded while coupling that. I appreciate your proposal for the application process to try to hone in on where is that not about project management decisions, but really the fact that some of those external materials and even labor inputs are substantially more expensive than when good appropriate estimation was done many years ago. How do we acknowledge that challenge, recognizing even that \$10 million is probably going to be short of the need.

I think it will still help in many cases and continue to help at other tables where we're looking to augment funding coming to the region in general. I'm a little concerned about some of the cannibalization of other funding streams in terms of supporting that early project development. But this is a good use of those funds to help continue to ensure we are meeting those timelines and expectations.

Jaimie Lorenzini had two small points. I appreciate that the current focus is on projects, on the inflationary impacts of projects within their current scope. I'm not opposed to the idea of circling back to projects that were underfunded the first time around, but I think if we open that door we also need to look at projects that weren't funded in the original round because of the reduction in funding. That said, I don't know if it's even going to come to that because we don't know what the demand is in the current scope. My second point, as Metro rolls out an application process, if the dollars are oversubscribed and there's a large demand, I'm curious if there might be a conversation about factoring in population size as a lens for the locating dollars. So dollars are going first to smaller jurisdictions that have less capacity to fill the shortfall. Mr. Leybold didn't know if that would get a lot of support in terms of the other agencies at the region who might feel like the inflation impacts on them are just as significant as the inflation impacts on others, but we are certainly open to motions and considerations.

Mr. Lobeck asked to go back to that \$10 million. In the memo, did you intend for the projects in the 24-27 RFFA Call for Projects not to be eligible because we're just starting them and it'd be projects funded prior to that, or were the projects in the 24-27 last call also eligible? Mr. Leybold noted I've come to allow them to be eligible, but I think what I've done here is laid out criteria that said we're going to prioritize projects that can demonstrate their inflationary impacts that were unforeseen and that we would fill a funding gap that would be part of a strategy to adequately fill a funding gap. I think in the last cycle in our application materials we were very direct about ensuring local agencies used the latest cost thresholds for materials and services. That was well through the pandemic era. When a lot of that inflation had already taken place, they had to factor in future inflation as through the pandemic era, and they had to factor in future inflation to the start of their project. It'd be harder for those projects to adequately demonstrate relative to other projects they're more deserving than maybe a project that was funded in the previous cycle that I think reasonably couldn't have estimated the degree of impact on inflation. I think it gives those older projects a bump in the terms of their ability to make that demonstration to make their case.

Gregg Snyder noted kudos to Mr. Leybold and his team for what I call a good governance type of project approach here for the reallocation. Everywhere in the region we are all aware that we have to cash up projects on a regular basis. We've looked at our own transportation system development charge structure in Hillsboro and just based on our escalatory annual indexing we're up nearly 30% in a matter of four years. So projects that have been awarded in the past are undoubtedly in that same kind of box. So that kind of funding is good for that. The only thing that I will mention is that the \$3million, I look at it in proportion to the overall size of the award going up next. That's around \$60million roughly. If we looked at it in terms of percentage wise, the three million is about 5% of that. I think it seems reasonable to scope at that kind of a level to get the best quality projects. So I'm supportive of that \$3 million advancement. It seems reasonable and in proportion to the size of the program.

Mr. Leybold thanked everyone for their comments. I'll try to see if there's any further clarification we can provide in the final proposal. We'll be bringing this back next month for action. And hopefully

put this process in motion. The awards themselves would be to come back for incorporation of those awards into the MTIP and for approval of that as well.

**2028-2030 Regional Flexible Fund Program Direction – Discussion of Options** (Grace Cho & Ted Leybold) Mr. Leybold began the program with an overview of the 2028-30 RFFA Program Direction. The past RFFA program direction:

Committed:

- Bond repayment (Step 1A) - \$52 million
- Regionwide programs & planning (Step 1B) - \$41 million

Discretionary – estimated \$60 million

- New Step 1 initiative?
- Remainder to Step 2 capital grants

Staff is proposing continuation from existing RFFA program direction:

- Step 1B – region-wide programs & planning activities
- Federal eligibility and requirements
- E.g. No sub-allocation, CMAQ eligible projects
- Project delivery considerations

Proposed update options include developing a new bond proposal, Step 2 evaluation criteria, and Step 2 RFFA cycle objectives and process.

Mr. Leybold provided further details on a new bond proposal.

Step 2 evaluation criteria proposed was provided by Grace Cho. Program Direction Update Options for Step 2 RFFA Cycle Objectives & Process was given. Feedback from TPAC and JPACT was described with response from staff to incorporate into the process options.

Comments from the committee:

Tara O'Brien noted on behalf of TriMet we support going forward with a Step 1 bond proposal and think that those themes generally make sense to guide the direction of what would go into a bond. Also, just to clarify that in the past we have used these funds match for major transit investments. Happy to follow up with the spreadsheet because it shows critical leverage additional federal funds. A primary purpose of being able to leverage those bond funds for major transit investments is really important to us and hopefully to the region as well. I wanted to clarify one question for next month's approval process. Do we need to articulate the size of the bond that we would be moving forward with in order to have a better sense of the amount of other funding pots? There was a lot of discussion about that at JPACT with some support for going bigger than 55, but to a level that wouldn't significantly threaten Step 2 funds.

Mr. Leybold noted what I put in the proposed program direction is that the size and content of the bond would be framed and need to be consistent with the purpose and principles that are laid out. It doesn't identify a specific amount, but it does indicate where it's headed. Generally, because it lists things like the development proposal it should protect against the risk of there being reductions to future amounts of funding in that Step 2 phase or Step 1B programs. Whatever the proposal puts together needs to minimize the risk that's going to impact that. So that's going to target the amount of funds that are available to make payments to be bond proposal. When I presented the risk assessment a month or so ago, that you referenced that had a \$55 million proposal and \$105 million proposal, the bottom line of that was we can afford a \$55 million bond proposal without hardly any risk unless we have a severe reduction in federal funding in the future. But that the \$105 million

option started to present some risk at a mid-level revenue forecast in the future that might then impact those funding levels available for Step 2 projects or Step 1B regional programs. My guess it's going to be somewhere in between those in terms of where we're going to try to target. We'll want to do more advanced and refined analysis on that as we put the proposal together.

Ms. O'Brien asked if we don't necessarily need to call out a specific amount in order to begin moving forward next month. Mr. Leybold agreed. We can give the development of the proposal a little bit of flexibility in trying to make sure we're addressing the issues that people have identified and the principles that people have identified they want the proposal to be responsive to. It's going to be somewhere in that range.

Karen Buehrig asked in June when JPACT votes, will there be a specific amount or will it still be in this range. What we're proposing now is that it won't be as a specific approach. Mr. Leybold noted what we're proposing now is that it won't be a specific approach. If you want to use the previous risk analysis, I can say it will be in that range. But what we're trying to say as we develop the proposal it needs to be consistent and responsive to those principles as much as possible. We may do initial analysis before we put a specific proposal together, but rather than saying a specific amount, we want to give ourselves the ability to trying to do these projects, making sure it covers particular projects needs. Not putting too much risk on those Step 2 projects and future allocations. That's what we're proposing as the direction that we would adopt in June.

Ms. Buehrig thanked Metro staff for reaching out and listening to different stakeholders through this process. Speaking directly to the new bond proposal, I support the purpose of the new project bond as it's written, and I understand the principles for the new project bond. But as we got to the project category themes I feel it wasn't as direct in the materials as it was in your presentation. What I see in the presentation for the project category themes is that this project bond would be limited to transit. That's how it's being proposed. There was more flexibility presented in the materials with project types to be supported, and that it had capital improvement grants, which I believe are transit specific/federal funding leverage. I would like to be able to have included in potential conversation for the bond federal funding leverage separate from the capital improvement grants. And that at this stage that we're not saying it's just transit. I would propose this and it would be important to continue to talk about.

Again, in the materials it talked about past uses of project bonds that had been used for things like active transportation, the better bus program and limited project development for throughway traffic congestion bottleneck projects. I wonder if there maybe other opportunities where we could leverage these funds for more significant projects that are above and beyond the Step 2 projects. That's why I think we need to continue to maintain some flexibility within this project one. Mr. Leybold noted this is something where Metro's Planning Director has been out leading the conversations with folks around this. I think her intent was that it would be transit focused but will provide this feedback to her.

Jaimie Lorenzini noted I have local jurisdiction that's been vocal about the project development minimums, and to address some of their concerns, would it be possible to include a sentence in your staff report about what project development actually includes which I believe is fairly broad. Mr. Leybold agreed, that was a good point. We've maintained that flexibility in terms of what is included in the RFFA process. We wouldn't want to program it necessarily as PE unless you had a funding strategy to implement next steps. But it could be anything from a planning activity project, pre

planning work, to a full PE phase if you wanted to apply for a full PE phase under project development. We'll try to provide some clarity on that. I'll preface that by saying it will be difficult to get a very clear description of when you actually have to enter into preliminary engineering rather than a planning phase. But we'll describe it for the purposes of a RFFA process.

Ms. Lorenzini noted my biggest concern is when elected ask about the \$1 million minimum of how we get a planning project that expensive, being about to describe more how it's not just planning work in a project development process. It would include some engineering and these things contribute to larger project costs. Also, knowing how broad the project development bucket is, I wonder if there might be a way we could further bring a little bit more nuance to create a hybrid third category of project refinement or projects that are only going up 30% design. Mr. Leybold noted we would have to consider that in the context of we're assuming that anything we're funding here for the project development is going to be eventually a federal aid project for construction. We'll give that some thought.

Eric Hesse appreciated the clarifications around the intent of the bond which makes sense of focus on those principles and purposes. Recognizing discussion on both the current interest rate consideration as well as upcoming legislative session and reauthorization, we might want to have some clarity about how much we're talking about and the types of things we could invest in going into those conversations to identify the leverage that we're talking about. Around the bond I wanted to emphasize how important thinking strategically about that leverage opportunity is for policymakers to understand and confirm collectively what those different strategic opportunities look like relative to the federal programs. Both what those potential match levels are, particularly how some of those programs function in terms of getting leveraging with monies into the pipeline, keeping things moving forward when there's a gap. We look at various federal programs, federal transit administration, capital investment grants that can fund substantial projects, but also smaller ones that raise other BIL programs by federal programs on the FHWA side. As we refine this proposal we can dig and get specific around some of the opportunities of where that leverage is. Ultimately our strategy needs to be grounded in the reality of what we're going to get back to the regional table.

Gregg Snyder noted we had a discussion at WCCCT and in general there was support for the bond. I can't help but reflect back at what this bond Step 1 money has been used for and three of the most important major investments for transit have been built with this money, all projects that use the money to get off the ground and build something. Is that building something or having projects in there in the bond proposal that can lead to something being built important. The idea we're not just investing in planning or engineering but going to get a big transit project at the end I think is important. We aren't going to get much from a small amount of money. If we break the money up into different pieces it has to be diluted, and it's a magnifying effect. I would suggest CIG grants from the FDA, small starts are new starts, and those are two big buckets. There're all kinds of other federal categories that are not FTA related where we could leverage money. The leverage ability of the bond projects is key. But the focus on CIG maybe no so much. How much federal money total can you bring to the table. How much local money can we bring to the table. In terms of the mandatory minimum we've looked at federal aid projects, they're expensive to deliver and only make sense in smaller cases. The minimum might be problematic at first, but if you use those federal funds we only want to do that for those projects where it makes sense.

Jay Higgins noted that speaking to the project development minimums, I feel I need to know more



about the types of projects that would still be under the \$800,000. What would that cover for projects and what's the scale of the project creation. Following comments from the committee Mr. Leybold recapped input. It was noted the proposal would be refined and brought back to the committee for consideration of a recommendation to JPACT next month.

**Adjournment**

There being no further business, meeting was adjourned by Chair Kloster at 11:55 a.m.

Respectfully submitted,



Marie Miller, TPAC Recorder

Attachments to the Public Record, TPAC meeting, May 3, 2024

Item	DOCUMENT TYPE	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
1	Agenda	5/3/2024	5/3/2024 TPAC Agenda	050324T-01
2	2024 TPAC Work Program	4/25/2024	2024 TPAC Work Program as of 4/25/2024	050324T-02
3	Memo	4/24/2024	TO: TPAC and interested parties From: Ken Lobeck, Funding Programs Lead RE: TPAC Metropolitan Transportation Improvement Program (MTIP) Monthly Submitted Amendments: End of March to Mid-April 2024	050324T-03
4	Handout	4/11/2024	Funding for Critical Transportation System Plan Updates	050324T-04
5	Minutes	April 5, 2024	Draft minutes from TPAC April 5, 2024 meeting	050324T-05
6	RESOLUTION NO. 24-5412	N/A	Draft resolution 24-5412 FOR THE PURPOSE OF ADDING TWO NEW ODOT MANAGED PROJECTS TO THE 2024-27 MTIP TO MEET FEDERAL TRANSPORTATION PROJECT DELIVERY REQUIREMENTS	050324T-06
7	Exhibit A to Resolution 24-5412	3/28/2024	Exhibit A to Resolution 24-5412	050324T-07
8	Staff Report to Resolution 24-5412	April 23, 2024	May FFY 2024 MTIP Formal Amendment & Resolution 24-5412 Approval Request	050324T-08
9	Resolution 24-XXXX	N/A	RESOLUTION NO. 24-XXXX FOR THE PURPOSE OF ADOPTING THE 2027- 2030 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM PROGRAM DIRECTION FOR THE PORTLAND METROPOLITAN AREA	050324T-09
10	2027 – 2030 Program Direction	April 26, 2024	2027 – 2030 Program Direction For the Metropolitan Transportation Improvement Program	050324T-10
11	Memo	May 3, 2024	TO: TPAC and interested parties From: Blake Perez, Associate Transportation Planner Ted Leybold, Resource Development Manager RE: 2027-2030 Metropolitan Transportation Improvement Program (MTIP) Program Direction	050324T-11
12	Memo	April 25, 2024	TO: TPAC and interested parties From: Grace Cho, Senior Transportation Planner Ted Leybold, Resource Development Section Manager RE: 2028-2030 Regional Flexible Fund Allocation (RFFA) – Program Direction for Consideration	050324T-12

13	Memo	March 29, 2024	TO: TPAC and interested parties From: Grace Cho, Senior Transportation Planner RE: Attachment 1 Part A – Summary of Input Received on the 2028-2030 Regional Flexible Fund Allocation (RFFA) Program Direction	050324T-13
14	Memo	April 25, 2024	TO: TPAC and interested parties From: Ted Leybold, Resource Development Section Manager RE: Redistribution Funds – Allocation Proposal	050324T-14
15	Slide	May 3, 2024	April traffic deaths in Clackamas, Multnomah and Washington counties	050324T-15
16	Presentation	May 3, 2024	May 2024 Formal MTIP Amendment Resolution 24-5412	050324T-16
17	Presentation	May 3, 2024	2027-2030 Metropolitan Transportation Improvement Program (MTIP) Program Direction	050324T-17
18	Presentation	May 3, 2024	Redistribution Funding Proposal	050324T-18
19	Presentation	May 3, 2024	2028-30 Regional Flexible Funds Allocation (RFFA) Program Direction - Proposed Options	050324T-19