

Meeting minutes



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Meeting: **Transportation Policy Alternatives Committee (TPAC)**
Date/time: Friday, June 7, 2024 | 9:00 a.m. to 12:00 p.m.
Place: Virtual online meeting via Web/Conference call (Zoom)

Members Attending

Tom Kloster, Chair
Allison Boyd
Dyami Valentine
Judith Perez Keniston
Eric Hesse
Jaimie Lorenzini
Jay Higgins
Mike McCarthy
Tara O'Brien
Chris Ford
Gerik Kransky
Laurie Lebowsky-Young
Lewis Lem
Bill Beamer
Marianne Brisson
Sarah Iannarone
Jasia Mosley
Indi Namkoong
Ashley Bryers
Katherine Kelly
Shawn M. Donaghy

Affiliate

Metro
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
Washington State Department of Transportation
Port of Portland
Community member at large
OPAL Environmental Justice Oregon
The Street Trust
Community member at large
Verde
Federal Highway Administration
City of Vancouver
C-Tran System

Alternates Attending

Jamie Stasny
Sarah Paulus
Jessica Pelz
Francesca Jones
Will Farley
Gregg Snyder
Kate Lyman
Glen Bolen

Affiliate

Clackamas County
Multnomah County
Washington County
City of Portland
City of Lake Oswego and Cities of Clackamas County
City of Hillsboro and Cities of Washington County
TriMet
Oregon Department of Transportation

Members Excused

Karen Buehrig
Sara Westersund
Steve Gallup
Danielle Casey
Shauna Hanisch-Kirkbride

Affiliate

Clackamas County
Oregon Walks
Clark County
Federal Transit Administration
Washington Department of Ecology

Guests Attending

Adam Torres
Bellia
Casey Gillespie
Chris Connor
Cody Field
Dave Aulwes
Eve Nilenders
Jan Tysoe
Jeff Owen
Jonathan Plowman
Mat Dolata
Matchu Williams
Randall Olsen
Stephanie Millar
Trevor Sleeman
Vincent Ferraris
Zoie Wesenberg

Affiliate

Clackamas County

Oregon Department of Transportation
TriMet
City of Tualatin
TriMet
Multnomah County
City of King City
HDR
TriMet
City of Hillsboro
SE Uplift
Community Action of Washington County
Oregon Department of Transportation
Oregon Department of Transportation
TriMet
Oregon Department of Transportation

Metro Staff Attending

Catherine Ciarlo, Eliot Rose, Grace Cho, Jake Lovell, Jaye Cromwell, Jess Zdeb, John Mermin, Kelly Betteridge, Ken Lobeck, Kim Ellis, Lake McTighe, Marie Miller, Matthew Hampton, Monica Krueger, Noel Mickelberry, Robert Spurlock, Ted Leybold, Thaya Patton, 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

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 Mid-April to the End of May 2024. Questions on the memo can be directed to Mr. Lobeck. Mr. Lobeck noted the slip of the Clackamas River Trail (Happy Valley) project was in error. It is being corrected. The project will move forward to obligate in 2024 and not pushed out to 2027.

Rose Quarter Formal MTIP/STIP Amendment Update (Ted Leybold) It was announced we have gotten notice from ODOT that there will be a MTIP amendment coming to you next month. The public comments period will start very soon. We wanted to give you a heads up on that. When that's posted, notice will be made available. This is to program the \$450 million grant that ODOT received for the LID project portion of the project and will be done in coordination with the same funding source of grant funds that the City of Portland has received for the Broadway Weidler couplet improvement project.

Eric Hesse noted that while you'll be hearing about that Broadway Weidler project, we thought it might make sense to couple the JPACT briefing with the other projects since they connect in many ways. We'll just be a little skip step there if that works for everyone so they can understand the full packaging strategy going on in that part of the region.

Regional Trails Major Investment Strategy (Robert Spurlock) Mr. Spurlock shared news on a quick turnaround effort that we're working on in Metro Parks in Nature. We're calling it the Regional Trails Major Investment Strategy. <https://oregonmetro.sharefile.com/public/share/web-s9dd42693bf7d443d831f2a5462aeb2b6> We're trying to compile a list of highest priority projects or projects that are ripe for investment from around the region that we can then use to be ready for funding opportunities when they come around. These are projects that are on our regional trail system map. There's a link to that map within the link provided.

The way we're doing this is we have an online nomination form. Some of the answers we're looking for in the form are what's the RTP project number and how much money do you need for this project. The nomination form is due by June 21. We will produce fact sheets for each of the projects. We're aiming to have somewhere between six and 20 projects on the final list. Meetings are available to attend for questions on June 11 and June 13. This information was sent out to local agency contacts. For further information you can reach out directly to Mr. Spurlock.

Fatal crashes update (Lake McTighe)

The monthly fatal traffic crash report for Clackamas, Multnomah and Washington Counties was given. It was noted this is motorcycle safety month and five of the ten people killed in traffic crashes were riding motorcycles. Jamie Lorenzini noted there's a large representation of motorcycle fatalities this month. Do we know anything about contributing factors? Chair Kloster asked if that's something you would report back to us in the future in terms of is there a different trend there. Another question was what all is bundled into motorcycles. Ms. McTighe noted this is motorcycle season. That is why it is at the federal level through NITAS and FHWA for this being motorcycle safety month with riding more in better weather and increased crashes. Two-wheeled motorized vehicles are more at risk to serious injuries than enclosed vehicles.

Chris Ford noted I think it's good we're spending some time talking about that and the reasons some of your saw the Region 1 Act Area Commission on Transportation meeting on Monday. We gave an update on safety that has some statistics from across the state as well as Region 1 trends and some information on behavioral and education work that ODOT funds. <https://www.oregon.gov/odot/Get-Involved/ACT/R1ACT-060324-Safety-Presentation.pdf>

Ms. McTighe noted speed is a common factor with roadway design and other similar things that contribute to other crashes. Because people riding motorcycles are not protected inside a vehicle and vulnerable but can go at much higher speeds or be on a roadway with other vehicles that are traveling at high speeds it can result in more fatal crashes.

Ms. Lorenzini noted that looking at where these crashes occurred it looks like in the urban periphery. I wonder where some of these roads are longer and have fewer interruptions. Ms. McTighe agreed to follow up and bring back next time. It was noted as a reminder we're constantly committing to a systemic change to prevent future traffic deaths.

Monthly highlights of actions from our regional partners were shared:

- PBOT, City of Portland: Documenting community members' experiences and reflections on personal safety & ways governments and community organizations can engage to make public spaces safer in "Beyond Traffic Safety: Building community belonging and safety in public spaces."
<https://www.portland.gov/transportation/vision-zero/bts-toolkit>
- Oregon Walks: Bringing awareness to safety concerns that community members face in finding a safe

route to school with the Legislator Walking Series, kicking off in Aloha. <https://oregonwalks.org/> (see recent newsletter)

- Multnomah County SRTS with bike works by pear & PBOT: Offering new programs to help families learn to ride bikes and promote safety and active transportation, including a bike fleet, free helmets and lights, and a bike rodeo with a bike obstacle course. <https://www.multco.us/saferoutes>

A link was shared from a recent webinar. Watch June 6 webinar recording of “Dangerous by Design: How Street Design Contributes to the Pedestrian Safety Crisis”

<https://www.youtube.com/watch?v=2vc6lq4uDs>

Eric Hesse appreciated the information brought forward and resources shared on this issue. It’s an important step forward so we can continue to focus on solutions and paying attention to the trends we need to address. Allison Boyd appreciated the shared stories from around the region. It was pointed out that our SRTS work in East Multnomah County includes the City of Gresham as one of the partners working on that project.

2027-30 STIP update (Chris Ford) There was no update to share at this meeting, but it will be on the workshop agenda next week and more information will be shared in July.

Chris Ford noted we’ve had two interesting conferences in town recently. It might be considered to hold a future TPAC workshop to hear some of the big takeaways from people who attended. It could be a good place to share that information and learn about trends or best practices being developed.

Chair Kloster provided a Metro recruitment update. We had our final round of interviews for our transportation director. This person oversees our Metropolitan Planning Organization functions. We expect to have someone on board in the next few weeks. We’re also recruiting for some other positions at Metro. We appreciate your help getting word out for these opportunities.

Gerik Kransky noted Oregon’s DEQ is leading the program on the Environmental Protection Agency’s new clean heavy duty vehicle program. This is planned for about a \$20 million application process. It’s an opportunity to scrape old plastic six or seven heavy duty vehicles out of fleets operating in Oregon and purchase zero emissions replacements, either battery electric or fuel cell, along with associated charging and some workforce development. For more information the committee can contact Mr. Kransky directly as we put together fleets for consideration for this new federal grant application.

Tara O’Brien noted we hosted 2000 people for the American Public Transit Association Conference last month. We had a great turnout. We were excited to show off the system and all we’ve been doing. A quick ridership update with some coverage about some encouraging changes we’re seeing as a result of Forward Together changes was shared. https://www.portlandtribune.com/business/forward-together-changes-boosting-trimet-bus-ridership/article_fcfe48a-0c91-11ef-bac8-cbeeee051c29.html Ms. O’Brien announced she will be on parental leave for the next few months with TriMet alternate members providing coverage in her place until the end of September.

Public Communications on Agenda Items – none received

Consideration of TPAC Minutes from May 3, 2024

Minutes from TPAC May 3, 2024 were approved unanimously with two abstentions: Jamie Stasny and Chris Ford.

Metro Transportation Improvement Program (MTIP) Formal Amendment Resolution 24-5422

Recommendation to JPACT (action item) (Ken Lobeck)

The MTIP Formal/Full Amendment Resolution 24-5422 is one of two MTIP formal amendments moving forward through the Metro approval process. There are a total of five projects in the bundle. Two projects are new project being added to the MTIP:

ODOT Hayden Island Building Demolition project:

The project is considered a child-type project to the full I-5 IBR project and will proceed independently from I-5 IBR project under its own STIP Key number. As part of reaching the eventual construction phase for the bridge replacement, ODOT will need to complete demolition of two unused ODOT-owned buildings located on North Center Ave in Portland.

Portland Broadway Main Street and Supporting Connections:

This is Portland's new USDOT Neighborhood Access and Equity (NAE) Program/Reconnecting Communities Pilot (RCP) Program grant award supporting various active transportation/complete street upgrades on Broadway and Weidler.

The remaining three are existing projects require cost changes and phase cancelations.

NW Division Complete St Phase I: Wallula Ave – Birdsdales Ave:

o Lead Agency: Gresham.

o Description: The project will complete Phase 1 (of 2 phases) to extend NW Division St between NW Wallula Ave and NW Birdsdales Ave with active transportation improvements to include ADA improvements, sidewalks (gap fills), curbs and ramps, plus bike lanes.

o Funding Summary: The amendment adds local overmatch to the construction phase. Gresham is adding \$3,675,971 to the construction phase. The total project cost increases from \$6,140,589 to \$9,841,550.

I-5: Capitol Highway - OR217:

o Lead Agency: ODOT

o Description: The project will install electronic signs to provide advance warning of traffic up ahead on the highway to improve congestion, queuing and potential collisions.

o Funding Summary: The full project programming of \$15,917,009 decreases to \$4,052,000 as a result of the construction phase being canceled and the funding transferred over to the OR 217 – OR1- to OR99W in Key 18841 to address a funding shortfall.

Ice Age Drive: SW Oregon St-SW Dahlke Ln (Tonquin):

o Lead Agency: Sherwood.

o Description: The project Design and construct new industrial collector, Ice Age Drive between SW Oregon Street and SW Dahlke Ln to ease traffic flow on SW Tualatin-Sherwood Rd, improve I-5 access, and support companies' relocation to the Sherwood Tonquin Employment Area

o Funding Summary: The project includes a \$3,000,000 FFY 2023 Congressionally Directed Spending (CDS) award with local funds representing the remaining funds for the project being local funds. The UR phase cancelation frees up \$2,340,000 of local funds for the Construction phase with Sherwood adding another \$5,077,900 to cover the revised construction phase estimate of \$18,317,900. The total new total project cost from the amendment is now \$20,645,400.

Staff is requesting approval of this resolution with the understanding, that the new Portland Broadway Main Street and Supporting Connections project in Key 23646 will:

o Be pulled from the regular June 2024 Formal Amendment bundle that will proceed to JPACT on June 20th and be considered for JPACT approval during their July 18, 2024 meeting.

o Proceed from there to Metro Council with the Rose Quarter Improvement Project in Key 19071.
o Reason: ODOT will provide a presentation to JPACT about the Rose Quarter programming updates. Including Portland's project will enable the connection to be addressed and discussed as well.

Comments from the committee:

Jaimie Lorenzini noted when you were talking about cost over runs, you said something about needing to have a shadow contingency fund. What is that? Mr. Lobeck noted when you submit a technical scoping sheet or a funding plan for a project, you'll put in X amount of contingency. You may not have enough in your contingency. A shadow contingency just means in a worse case scenario, if you need to go back and get more funds, do you have it available or are you going to have problems getting that money is whatever you call that shadow. These are possible rising project costs beyond what they might have anticipated. Some projects put in up to 30% contingency, but maybe more just in case. If you have this problem and it is highlighted, the IGA will not be signed. The project phase will not obligate until that funding issue is resolved.

Ms. Lorenzini appreciated the twist of delaying when JPACT sees the Rose Quarter items, so that they are getting everything together. I think that makes it easier to understand the holistic impact of the project.

Eric Hesse noted, building on Ms. Lorenzini's comment and in the presentation appropriately related to the public comment timing, making sure we can get that in as we're then bundling this up and moving forward efficiently. We are moving quickly as our federal partners are encouraging this award. I agree it will help people understand the totality of the vision.

MOTION: To provide JPACT an approval recommendation of Resolution 24-5422 to amend the 2024-27 MTIP with the five projects;

- With the understanding, that new Portland Broadway Main Street and Supporting Connections project in Key 23646 will:
 - o Be pulled from the regular June 2024 Formal Amendment bundle that will proceed to JPACT on June 20th and be considered for JPACT approval during their July 18, 2024 meeting.
 - o Proceed from there to Metro Council with the Rose Quarter Improvement Project in Key 19071.
 - o Reason: ODOT will provide a presentation to JPACT about the Rose Quarter programming updates. Including Portland's project will enable the connection to be addressed and discussed as well.

Moved: Eric Hesse

Seconded: Chris Ford

ACTION: Motion passed unanimously with one abstention: Indi Namkoong.

Chris Ford noted OTC instituted an annual amendment process when it tries to process a large number of amendments at once for the sake of administrative process. Some of those will require full MTIP amendments. There will be a number of them coming in July, and I hope to take some time at the workshop on the agenda to preview some of those. Mr. Lobeck appreciated looking at ways to do them administratively. It's mostly about programming construction funds onto things. Most of the shifts are lateral, meaning you are going from existing bucket to an existing bucket.

Federal Transportation Redistribution Funding to Local Projects and Project Delivery Resolution 24-5414 Recommendation to JPACT (action item) (Grace Cho & Ted Leybold) The presentation began with an overview of the Redistribution Funding. This is Federal funding awarded to Metro by

ODOT, the region has contractually obligated more than 80% of project funding on schedule and will receive approximately \$13.6 million available funding. The allocation approach is designed to support the ability of the region to meet future obligation targets to qualify for additional redistribution funds and avoid penalties. The approach will 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.

Proposed by staff the redistribution funding has three parts.

Supplemental Step 2 Project Funding: \$10 Million

- Prior awarded RFFA Projects not already contracted for construction are eligible
- Request based
- Proposed allocation to address inflation and other impacts outside of agency control, likelihood to resolve funding gap, and fund projects throughout the region

Early Project Development: \$3 Million

- 2028-30 RFFA awarded construction projects
- Support early project development, prior to start of Preliminary Engineering work, examples are agency staff work, access to ODOT technical and project liaison staff, and consultant services
- Utilize Risk Assessment findings
- Equal allocation of funds among eligible projects

RFFA Process Support: \$.6 Million

- 2028-30 project risk assessment
- 2028-30 local agency application support
- Project development monitoring and reporting tools

Staff is asking for recommendation to JPACT for consideration and approval of Resolution No. 24-5414.

Comments from the committee:

Ken Lobeck asked for clarification on the \$10 million we're making available to the RFFA program, this next call is 2028-30 cycle, but the \$10 million will be available as 2025 because those funds are available now. Mr. Leybold agreed. We can start the application process. You don't have to wait until 2028 to be able to apply the funds because there's going to be a timing issue with some of these projects to go into and address. From basically federal fiscal year 2025, October and beyond, they are available. We'll run the process to actually allocate them out this summer and early fall, and they'll be available to apply to supplement the projects.

Eric Hesse noted to anticipate future steps to make sure procedurally we're doing this correctly we may want to confirm or clarify the relationship between this \$3 million of early assistance funding and how that may relate to the pre-application timelines that will be discussed later in August. It would help to understand the separation of potential use of assistance from whether this pre-application is optional to get support.

Mr. Leybold noted Grace Cho would go into more detail on the process later this agenda. The pre-application support is actually part of that \$600,000. Just to clarify, the \$3 million will happen post-award of the RFFA process, but we'll use part of that \$600,000 for support of the pre-application post and application process. The idea is that in the pre-application we're trying to use that to have

people identify if they want support in the development of their application. We're setting about \$150,000 of this aside for that pre-application support. If you want it as an applicant, you identify this in our pre-application. Based on resources available of the consultant, because we didn't limit the number of applications, we may not be able to fully support everyone who wants it. But we'll figure out what we can do. This provides what will limit you on putting the application together and doing some of the initial description of your scope support estimate. Depending on how many projects we fund and what some of the costs are, it's probably something in the neighborhood of \$200,000 and \$250,000 per project to do more extensive work. Examples are technical scoping sheet, refined cost estimate and environmental assessment sheet. To get to a signed contract with ODOT to begin your preliminary engineering phase with more support and more accuracy using the \$3 million of post award funds.

Grace Cho added she is coming back in July to walk through in detail the next steps for the flexible funds. I'll be able to speak more to the pre-application process at that point. Mr. Hesse thanked both for the clarification on the \$3 million intent. The structure of the monetary proposition seems correct as we move forward and continue to articulate any questions or concerns we may have around the pre-application process.

Mike McCarthy repeated thanks to everyone all over the region that's worked so hard to deliver so many projects and get through all the various processes involved to make things happen. The breakdown to get this money available, how it would be spent, makes sense. I can think of a lot of projects where I would have appreciated some of that early development funding support where it helps get projects started. I had a question about the \$10 million for inflation, which also makes sense since so many projects haven't got hit with inflation and how challenging that would be to decide which projects would that be going to and how is that selected and how do we ensure fairness.

Mr. Leybold noted there's a little more detail in your packet that I'll try to describe. We will be request based. We'll put out a notice once we get approval of this, noting all the projects that we've funded in the last many cycles that aren't to the stage where they're already wrapping up construction. That's basically your eligible pool of projects. Any agency that is leading those projects can then request funding. They'll write a short description of why they need the funding, why they were hit by some extraordinary inflation, what the situation is they're facing. Also explain how they will use these funds, plus any other additional funds they're going to bring to the table to fully address their funding gap, should they have one.

Then we will evaluate those and try to look at making sure these were issues that were out of the control of that lead agency in terms of the additional costs they're facing. We'll try to make sure they actually have a good financial plan to be able to move forward if they were awarded the funds. Again, we'll look at that program direction of trying to fund projects all across the region and have a good spread of projects that we're supporting across the region. Then we'll come back to you with a recommendation of the allocation to spend out of that \$10 million and award those out sometime in the fall.

Mr. McCarthy asked if that would be coming back to TPAC and JPACT. Mr. Leybold agreed. All that funding will have to get programmed in the TIP. We'll come back with details on the process and TPAC can weigh in. Chair Kloster confirmed these would also periodically be part of Mr. Lubeck's MTIP bundles as needed. That was confirmed, unless they are administrative. If they require an

amendment, they would come in with a TIP amendment. Mr. Lobeck added a note could be added saying this project includes X amount from that \$10 million, however we want to document it.

MOTION: To recommend consideration of Resolution 24-5414 to JPACT, for the purpose of directing the allocation of \$13.6 million of federal transportation redistribution funds to projects and programs.

Moved: Jaimie Lorenzini

Seconded: Mike McCarthy

Question on the motion: Dyami Valentine noted TPAC and my representative on JPACT had raised this issue on making a couple of the previously awarded projects during the previous cycle that received less award to project developments in Washington County whether those would be eligible to be made whole.

Mr. Leybold thought this was concerning Fanno Creek where costs are coming in much higher. The JPACT member was asking about the \$500,000 taken off that project which was a project development project and put on another project, Allen Blvd. What we're open to in this process is if there have been inflationary impacts to funding the scope of either of those projects, as they were promised to be delivered during the RFFA application process, that can be shown or documented, and you want to ask for additional funds to cover that, that would be OK. I think there's going to be a great need for all \$10 million of this and it would be difficult to make a compelling case for it. But if either of those projects have faced undue inflation and they are asking for additional funds to address that issue, that's certainly an eligible request.

In terms of keeping our obligation schedule, the other thing that's going to be more effective are projects that are in their right of way in construction phase and applying. And we have shortfalls. They are going to be the projects that are going to be most in need of moving forward to stay on schedule.

Motion called.

ACTION: Motion passed unanimously with no abstentions.

Meeting break for 5-minutes

2028-2030 Regional Flexible Fund Program Direction Resolution 24-5415 Recommendation to JPACT (action item) (Ted Leybold & Grace Cho) An overview of the RFFA Program Direction was given. It comprises 2023 RTP policy direction, strategic regional funding approach, cycle objectives that include federal eligibility and requirements and no sub-allocation CMAQ eligible projects, and Step 1A, 1B, and Step 2 Allocation Framework. Updated areas of the 28-30 RFFA Program Direction were described.

Step 1A.1 –Develop New Bond Proposal:

Purpose: Support corridor/regional scale projects and advance timeline of project benefits

Principles: Manage risks to the RFFA program, maximize priority RTP investment objectives, and leverage significant discretionary revenue

Project Category Themes: Transit Capital Improvement Grant, First/Last mile and save access to transit, and transit vehicle priority.

Step 2 Evaluation Criteria, Cycle Objectives, and Process:

- Refine existing and add evaluation criteria
- Alignment to 2023 RTP goals
- Modify eligibility requirements and cost thresholds for application
- Add application assistance and preapplication to process

Next steps in the 2028-30 RFFA process was given. Next steps with the new project bond development with a work plan summary was shared. In response to input and feedback heard this week, proposed clarification language was provided to the committee and referred to page 9 of Program Direction or 115 of TPAC meeting packet as a staff friendly amendment. With this included, staff asked for consideration to recommend JPACT approve Resolution 24-5415, for the purpose of adopting the 2028-2030 Regional Flexible Fund Allocation (RFFA) Program Direction statement for the Portland Area. Resolution 24-5415 includes four parts:

- Affirm repayment of existing RFFA bond commitments – Step 1A
- Develop new bond proposal for regional consideration – Step 1A.1
- Continue investment in region-wide programs and regional planning activities – Step 1B
- Begin Step 2 allocation process

Comments from the committee:

Tara O'Brien asked to see the slide with the process that you articulated for discussion around the regional bond development. Once on screen, it was noted this document would be shared with the committee, a quick summary looking to visualize what is anticipated of core steps and activities in the bond development process. Ms. O'Brien thought the general takeaway is still a lot of steps in the process before we agree on what would go into the bond, the size of the bond. It will come back through TPAC and JPACT to make that decision over several months.

It was asked to show the friendly amendment language slide. I think these clarification points make sense. Just in making sure we're all on the same page about what types of projects could be eligible for the process. And while still focusing on federal funding leverage for transit projects but acknowledging that it's not just capital investment grant projects, but projects of all sizes that could make a real difference for regional transit projects. This amendment was later added to the motion.

Jaimie Lorenzini noted I'm presuming bond projects will be significantly more expensive than some of the projects we typically see through Step 2. Will Step 1 projects be evaluated with the same amount of vigor as the Step 2 projects? Ms. Cho noted this time I suspect that we will be putting together some evaluation metrics that are necessary. We want to ensure that the candidates that are seeking Step 1A1 funding would meet the bond principles and the purpose that's been put forward as well as meeting within the criteria or falling within the product categories in terms of its project type. I anticipate that there would be some evaluation completed against those, the purpose and principle. I also anticipate that there will probably be a need to look at factors such as readiness and risk as well, knowing we're putting forward a significant investment. Will it be exactly as what we apply in Step 2? I don't know if I could fully say that for certain at this point, but we anticipate there would probably be some similarities.

Ms. Lorenzini noted I have no preference on whether it's a one-to-one match on the applications, but I would like to know for these very extensive, very large corridor projects how it's advancing us in the RTP. My second question is looking at the third category, transit vehicle priority investments. I know for Step 2 a project must be named on the constrained project list, but am curious if that also

needs to be true for the Step 1 new bond because it seems that would preclude if a project needed to be explicitly named in the RTP to qualify for Step 1A. That seems like it would preclude most Better Bus or transit signal priority type investments.

Ms. Cho noted it is my understanding that projects would need to be in the financially constrained RTP to be eligible for the Step 1A1, the new bond development project. I recognize that, especially when you talk about the First Mile/Last Mile, safe access to transit, and to a certain extent some of the transit vehicle priority projects, they may not explicitly be identified in the financially constrained RTP, but rather represented through some sort of bundle that was identified through a project sponsor. We would look across those cases. Ultimately, this is part of the function of the project identification process, or the candidate project identification process would look through that information to verify just as how we do with the Step 2 process, even though we ask you to directly verify for it, we're usually also verifying that information.

Ms. Lorenzini noted I don't think the approach is bad, but with the additional work that's been happening through the Better Bus to identify potential projects that may not have been previously submitted for the RTP, it may be relaxing that expectation a little bit. Maybe the expectation is that if you're selected for Step 1A funding, the expectation is that you be added to the RTP prior to funds being distributed since this is part of the 28-30. So there would be time to do so.

Ms. Lorenzini added a final thought regarding innovative solutions. I don't want to propose specific language but when I reflect on some of these criteria, sometimes I'm concerned that the traditional solutions won't always apply well to different contexts. By that, I think of our urban periphery where we have roads that were built in a rural context. Now development is caught up and now they're operating in an urban context. There are underlying issues that don't always align with our expectations for our road and how we help transit be successful. We've kicked around some language about what we could say to help recognize that issue. I don't think we're ready to propose language today, but if before JPACT meets maybe Metro staff could think about some language somewhere in the document that speaks to being open to innovative solutions to address systemic transit barriers. Because we might need some out of the box ideas to make progress.

Tara O'Brien noted TriMet has a Better Bus program category in the RTP constrained list as well as corridor specific projects if that helps? Ms. Lorenzini noted It does, but it also doesn't fully solve the equation. I love TriMet's interactive map about where, by corridor segment, system lines are experiencing delay. This may not be the right program, but it would be super cool if we held space for innovative solutions to emergent challenges.

Allison Boyd asked for more information about the pre-application process. It was listed as tentatively scheduled for August which is coming soon. Projects Multnomah County would be putting forward will be doing in partnership with our East County cities and more. Having some time to talk that through and try to figure out what we're applying for is helpful. I wanted to find out how flexible the pre-application letter of intent is as far as what we're submitting at that time, and how that aligns with the proposer workshop, and wanting to make sure we have enough time if they are looking for some of that assistance that was mentioned in the last agenda item for their applications where they aren't finding out too late in the process, because that pre-application window will come out before the call for projects and everything.

Grace Cho noted she will be coming back in July and speaking to that in much more detail in terms of the process, the expectations of the pre-app since it's new. We heard in earlier feedback that in putting in a pre-application process, while recognizing our need for it in order to be able to offer application assistance, we also heard you don't need this as a barrier to your process for coming into Step 2. I could probably say for now there will be some sense of flexibility in requirements if you are a jurisdiction seeking application assistance and will have to participate in the pre-application. Ms. Boyd agreed that would be helpful. It was noticed the letter of intent looking for the amount requested and things we're still refining like that project application over the next several months. It would be good to know this was prepared as a first stab, just throwing this out as a candidate and not being tied to anything that might be in that letter of intent this is recognized fully.

Dyami Valentine appreciated the work from staff putting this together and being responsive to the feedback received. I echo Ms. Boyd's concern about the timeframe with the process. August is a tough month for many folks. If there is a possibility to push that to September, I think there would be appreciation there. Also recognizing we have a tight timeline post application process.

Regarding the Better Bus project noted in the RTP by Ms. O'Brien, Washington County also has projects in the RTP related to Better Bus. So just to address some of those comments or concerns. Regarding the process overview it can help potentially get everybody on the same page in terms of what to expect moving forward. What I didn't see is if there's a TPAC or JPACT action through that process. I'm thinking the initial project selection, what's included in the package. I would anticipate there's probably some action item planned.

Ms. Cho noted I am coming to realize that it was more implicit than explicit, so I need to put that forward. We anticipate for the new project bond there will be TPAC, JPACT and Metro Council participation. The final action for adopting a new bond proposal will be part of the overall package where we'll also adopt the Step 2 projects. We also anticipate there will be an action taken for the identification of a bond proposal to put forward for public comment.

Jamie Stasny wanted to build on some points around the flexibility for a project to be in the RTP recognizing that there are some bundles already available, but just leaving space if there are new bundles that need to be created, and making sure we have that flexibility if it's needed. We're sort of figuring this out as we go along. I appreciate having space to sort through that as we get closer, moving down the path toward those steps that we've laid out.

I also appreciate the First Last Mile edition here. I've struggled with how to identify opportunities for corridors to move forward that maybe aren't meeting some of the traditional uses of this Step 1 Bond funding. Things are different now. People are living in different places. Times have changed and Metro is in the process of scoping the 2040 refresh. To think about how we want to grow and acknowledge some of these trends that have changed and figure out how we can work together to make sure that we have this connected system that's needed to support us moving forward toward the future. I think First Last Mile being included is really helpful in that.

I think it's important that we leave room for flexibility here. As an example, Happy Valley, one of the fastest growing cities in the state. Two thirds of the developable land inside the UGB is right there. Just outside Happy Valley there's the opportunity to house 43,000 people and there is very little transit. So to me there's a priority corridor that we need to sort out here that doesn't fit in a lot of the traditional sense of how these funds have been used in the past. I appreciate the

acknowledgement of that and know it's tricky and timing is important, but I want us to all work forward together to make sure that we're figuring that out. So it's not a problem for us when we come back to this in 20 or 40 years. How can we think forward and make sure we're building some opportunities to create the ridership that's needed to support more of these high-capacity transit approaches that have been the traditional focus of this corridor project.

Chair Kloster noted the next RTP will be adopted in 2028. For cities and counties that adopt an updated transportation system plan between now and that RTP, and the RTP will bring forward projects from local planning efforts, clarification was asked is the cycle that we're framing up now going to be able to draw from that RTP the set of financial constrained projects.

Ms. Cho noted the part of the process for the development of a new project bond will look to understand the candidate projects for bond proceeds, their desired timing and need for those funds. Essentially, we are looking to take on a new debt commitment to advance funds earlier. This is not like Step 2 where your new funds are technically not available until FFY 2028. To some degree there is flexibility with timing. It's about ensuring we are making a commitment of those funds. With that said, that's part of the broader assessment that needs to happen as we look to each of those individual candidate projects for bond proceeds to be able to understand that and able to manage whether or not we can advance that much funding on the timeframe that's being requested.

Mr. Leybold added part of the idea of bonding is that we can access the money faster, and we'll refine this in the next several months, but we're probably targeting something between 2026 and 2028 in terms of providing funds to projects. Again, with a little flexibility depending on the need of the candidate projects, that will be a part of it. In terms of targeting that we'll be trying to fund projects prior to the adoption of the next RTP. With that said, there are programmatic projects in this transit category in the RTP that we can work with agencies in terms of defining projects in their jurisdictions that meet the description and intent of the programmatic categories such as Better Bus and transit signal priority. We can work with you in terms of the ideas of what is appropriate in your local context in developing a project application that makes sense that still fits these criteria and an apparent project in the RTP.

Chair Kloster noted as mentioned Metro is kicking off a First Last Mile Study out of the last RTP that will also have recommendations for the next RTP in about a year and a half. To confirm, there's always new information and as long as it's in a pipeline to the RTP and it has a placeholder essentially, if it's got one of those programmatic buckets in the RTP those are the ways that you would look at potential projects that are out there. They may not be explicit but part of a bucket that defines a project effort. That was asked for clarification.

Mr. Leybold noted it depends on what that First Last Mile process is going to nominate. And proposed whether or not the timing of the particular project that gets defined and proposed meets those objectives or the direction that's coming out of those types of study and the timing of the incorporation of that into the RTP itself. We're open to working with folks in terms of their ideas of what they want and is appropriate in their local context and helping co-create the definition of the project with them in a way that's consistent with our policies, with the RTP and the bond principles that we're adopting here today.

Jaimie Lorenzini noted to mirror back what I heard is a project does need to be included in the RTP whether at a programmatic fund bundle or explicitly names the eligible for the bond component,

because the bond may advance faster than the next RTP update. I wonder if then the thread the needle and make some additional potentially transit projects available for Step 2 and a good compromise be to allow projects that are not currently explicitly named in the RTP to compete for Step 2 on the condition that they be accepted into the 2028 RTP.

Mr. Leybold noted the adoption of the next TIP is summer 2026. We can always adopt a planning study or programmatic thing to allocate regional flexible funds to something like development of the First Last Mile corridor in Happy Valley, for example. We can do some planning and project development on something like that because that's not required to be in the RTP. We'll just incorporate that into UPWP if it's an actual capital allocation. To be in the RTP I'd have to go back and review federal regulations and see if we could do a conditional allocation to something that would say we'll do this conditional on programming the funds after the next adoption of the RTP. And assuming that the RTP would include that, I'll do some investigation on that.

Sarah Iannarone had two questions about the pre-application process and one about the amendment. One of the things we're finding on the jurisdictional transfer advisory committee with the pre-app process is that there may be technical assistance for some of the smaller jurisdictions, even in that pre-app process. I'm wondering if that's built into here, helping some jurisdictions decide how to even use that pre-application process. I know we're on a short timeframe so that may be just Metro staff time, but I wanted to flag that.

The other question I had about the pre-app process had to do with attestations with regards to climate and equity in particular. How can you to the best of your ability certify that even through this pre-application process. I know we're trying to do this quickly but that is an alignment in particular with our VMT and GHG reduction goals.

My question about the amendment has to do with the leveraging piece because I know oftentimes we're thinking about leveraging in terms of transportation funding streams, but I know that the region has other really pressing priorities, especially with regard to affordable housing. I'm wondering if there are other leveraging types that we might want to think about prioritizing here where some of these investments could help us leverage other funding mechanisms outside the transportation realm.

Ms. Cho note we do have a bond principle in the development of the bond about considering candidates, recognizing that the regional flexible funds are not the only fund source across the region. It's in consideration and looking at the other funding sources across the region. Right now our bond principles focus specifically and heavily around federal leverage, particularly around our capital investment grant program. We see part of the reason for that is that there is a lot of federal money on the table right now. This is the opportunity we are seeking to be effective with the funds. It's not to say that other leverage opportunities may be put forward in consideration. We want to look at those things across the board as well. But I think our focus has been primarily on the federal side in terms of the questions about the pre-application. Noted about considering even assistance in the context of conducting the pre-application. The intention for the pre-application is not a barrier.

The other question you had in regard to the pre-application is maybe more appropriate toward how we are approaching the valuation of the Step 2 projects. Next week at the TPAC workshop I'll be going through the draft performance metrics as well as potential methods of how we would measure those performance metrics for Step 2. Then our applicants have a clear understanding of

how they may approach their project applications as well as what they may put forward that could compete well if it's measured against those metrics.

Tara O'Brien agreed with Ms. Iannarone's point and think we should slightly expand on the Metro friendly amendment language regarding the funding leverage to say other federal funding leveraging on transit projects. It's not only capital investment grants, acknowledging there's some other federal transit programs that could create some leverage.

MOTION: TPAC recommend JPACT approve Resolution 24-5415 for the purpose of adopting the 2028-2030 Regional Flexible Fund Allocation (RFFA) Program Direction statement for the Portland Area, that includes the Friendly Amendment language that staff presented today and to slightly expand that to include opportunities to leverage funding beyond capital investment grants with other federal funding opportunities.

Moved: Tara O'Brien

Seconded: Dyami Valentine

Discussion on the motion:

Jaimie Lorenzini suggested an amendment to the motion. Within Step 2 there's a project cost floor for construction and for project development projects. The original project development cost floor was a million dollars. Metro staff leaned into some concerns that were raised about barriers and reduced it to \$800,000. I've had a local community reach out who's interested in applying for Step 2. However, their project will only amount to \$700,000. I would appreciate if we could lower the project cost floor from \$800,000 to \$700,000 so that this local community could at least apply for consideration which doesn't change the project criteria or how they're evaluated, just their eligibility.

Ms. Cho noted my initial reaction to that is any project coming into the federal aid process needs to understand that as soon as you start working with federal dollars the cost starts to increase because of meeting all the necessary federal requirements. What we've seen historically is that these allocations towards project development, these very small allocations that we've seen come through the Step 2 process, really struggle when they are awarded that small federal amount to deliver the activities they said they would with the amount proposed and were awarded. We felt it was necessary to raise it to a million dollars for project development activities. We heard the feedback, recognized it, and brought it down to \$800,000.

Ted Leybold added that once you put a dollar into the project on a federal aid project you've federalized the project. That means you are committed to developing that project up to federal standards and following all the federal procedures that add to that project development cost. Again, that's why we were upping that minimum. That was the purpose. It's hard to say exactly what's appropriate for all the different kinds of projects. I'm torn between trying to be flexible but also trying to be realistic. I would say if the committee wanted to support reducing it by another hundred thousand we won't die on the sword over it.

I think what will happen in the risk assessment is we would be looking to make sure that a \$700,000 proposal would actually be able to complete its project scope in terms of that project development work. And it's setting itself up for success in future phases as a federal aid project. I think the risk here for the individual project coming in that low as it's going to probably have identified more risk in being able to complete its work. That's the tradeoff.

Chair Kloster noted part of advancing the 2023 growth concept is to build pedestrian enhancements and town centers and things like that. Typically, folks have bundled whole series of improvements into a corridor improvement to get at that threshold, but also get at the federal issue. Maybe a jurisdiction could provide project scope differently and include more to counteract the federalization impact.

Jay Higgins noted I'm trying to see if this is another way to think about it which is also kind of discouraging. Maybe the \$700,000 project, once it's federalized really costs \$800,000 but you're not actively delivering any more project. I'd advise to be careful if that's what is wanted to happen in Step 2 of this process, basically have a hundred thousand dollars' worth of overhead and additional administrative forms. I appreciate we thought through small projects because we don't want to miss out on those. But at the same time, I definitely appreciate the implications of federal effects.

Ms. Lorenzini noted I'm hearing about the risk. The challenge is for this project to get the technical assistance to see if those costs need to be increased. They have to be able to apply. And with the eligibility criteria they can't apply, see if they need to scope up their costs. So, if we lower the threshold just a little bit that gets a foot in the door to where they could start the work to start refining that scope. And it may ultimately be that they end up asking for more, but I'm hard pressed to say no to an applicant that we know wants to apply, who understands the risks and is willing to assume the risks.

Tara O'Brien noted since we don't apply for Step 2 projects ourselves at TriMet it does seem this change wouldn't necessarily significantly change the applicant pool. It seems like the two options are to either accept that change by lowering the threshold by a hundred thousand dollars to the amendment, or to ask for a vote on the amendment or a straw poll. Is that correct?

Chair Kloster agreed. I think where we're going is if you were friendly to accept this and Mr. Valentine to agree as the second to your motion, we'd go ahead and continue to deliberate. If you were not, then we would continue to deliberate but ask Ms. Lorenzini to make a motion to amend which would be a separate vote to amend. That would be a majority of the committee vote. The question is if you accept this and fold it into your motion.

Ms. O'Brien agreed to this friendly amendment to her motion. It seems like it's not a significant change and that the risk assessment process would draw out if the project is viable through the Step 2 process. Mr. Valentine agreed to this with his second on the motion for the same reasons. I feel the assessment will support or work out some of the issues with any kind of a lower request.

Chair Kloster restated the motion on the table that has been friendly amended to lower the threshold to \$700,000 for projects. It was suggested maybe at a future TPAC workshop would be to hear from folks who have done federalized projects on what federalization means as a training topic. For example, for Ms. Lorenzini championing a city within her county, they can learn from that as well. There are things in terms of the actual construction but also the processes that go with it.

Mr. Leybold noted next week at our workshop we invite you to come and talk about the scoping process for federal aid projects and what you are expected to go through. This includes costing of a federal aid project so that you know what to account for. Anybody who is going to be a potential applicant for RFFA funds is encouraged to come and bring your other project staff who are helping you develop the applications you plan to submit. You'll get a good start of a summary of that exact

issue from the ODOT staff who help local agencies work through the federal aid process once you're awarded funds.

Eric Hesse appreciated the discussion because these are important considerations around this program. It was noted the excellent strategic positioning that Ms. Iannarone helped organize for us as we think about the next legislative session. For many around this table it feels like the only pot of discretionary funding we can compete for, at least at a smaller scale rather than against the nation, but that's not how it should be. Rather than us trying to force a federal process which is really trying to fund much larger projects, we need state, local and regional funding to address these issues.

Chair Kloster called for a question on the motion as friendly amended.

ACTION: Motion passed with no abstentions.

TriMet FX Plan - Introduction (Jonathan Plowman) The presentation began with an overview of TriMet's Frequent Service (FX) system plan that will expand FX service in the region. The goal of the plan is to increase ridership and connections for future riders by accelerating delivery of cost effective and feasible FX projects. FTA Capital Investment Grant Small Starts grants are the source of funds for these services, tied to the current BRT pipeline. The average project cost: \$188M, and the average CIG funding: \$99M.

Challenges that make FX capital projects slower and costlier were noted:

- Long corridors = many communities that deserve service
- Substandard infrastructure (bike, pedestrian, stormwater, etc.)
- Major right of way issues (railroads, narrow rights of way)
- Requests to modify service
 - Vehicle type
 - Stop spacing
 - "Open BRT" lines (combining FX & regular bus)
 - Amenities

The FX Plan will complement and add detail to the High Capacity Transit Strategy's framework. To understand potential project costs, TriMet will request (1) your data and (2) your review of data we compile on road conditions, such as:

- Whether your design standards are met
- Pavement conditions
- Major utility locations
- Right of way widths
- Existing fiber optic connections
- Traffic signal readiness
- Anything else that speaks to project costs?

This will help refine and deepen the HCT Strategy analysis. The project schedule and anticipated partner engagement was reviewed.

Comments from the committee:

Tara O'Brien noted we didn't put the Tier 2 HCT corridors on our constrained RTP list because we really needed to do that additional analysis coming out of the plan, and we didn't prioritize within that. And so now doing that additional analysis we can start talking about where to look next and how to do it.

Eric Hesse noted this is important and exciting work. Seems like lots of planning work to do with those complicated issues you documented to understand how we position ourselves most strategically toward the federal program. And also reflecting on those peer cities and how they're moving forward. I would underscore the importance of our strategic development of this plan. Maybe even a bit long range vision toward FTA projects to expediate delivery of a clear regionally supported vision.

Dyami Valentine echoed Mr. Hesse's comments. We need a strong funding commitment and understand that might be one of the limitations. I'm hoping that this work will also articulate an assessment of if there are any other challenges or barriers that within our region are limiting our ability to deliver project more quickly. Why is it taking seven years versus one and a half or three years? Is it just a funding issue or are there other impediments that our region has that is causing those delays and how do we address those.

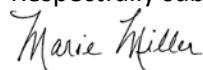
Mr. Hesse noted there is an expedited project delivery pilot program that FTA runs. I believe TriMet is looking at is as a way of thinking about those other impediments mentioned. If we're able to move forward with our next line, we can be testing that pilot in that area and see if that gives us some other benefits.

Ms. O'Brien added to one of the comments made earlier by Ms. Lorenzini. TriMet, Metro and the Streetcar just put in our comments on proposed changes to the capital investment grant project criteria. FTA was accepting comments and they're looking to update some of those criteria in the next year and a half. As we're evaluating these lines, we're also thinking about those future changes to the new starts and small starts and core capacity programs and how those could advantage our projects. The amount of rigor that we must put into CIG project analysis for new starts and small starts is a lot in terms of the level of detail we need to do to analyze the environmental benefits of various transit projects and things of that nature. We're hoping for some changes in the next year that will help projects like these to be able to move forward.

Adjournment

There being no further business, meeting was adjourned by Chair Kloster at 12:00 p.m.

Respectfully submitted,



Marie Miller, TPAC Recorder

Attachments to the Public Record, TPAC meeting, June 7, 2024

Item	DOCUMENT TYPE	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
1	Agenda	6/7/2024	6/7/2024 TPAC Agenda	060724T-01
2	2024 TPAC Work Program	5/30/2024	2024 TPAC Work Program as of 5/30/2024	060724T-02
3	Memo	5/29/2024	TO: TPAC and interested parties From: Ken Lobeck, Funding Programs Lead RE: TPAC Metropolitan Transportation Improvement Program (MTIP) Monthly Submitted Amendments: Mid-April to the End of May 2024	060724T-03
4	Minutes	5/3/2024	Draft minutes from TPAC May 3, 2024 meeting	060724T-04
5	Draft Resolution 24-5422	N/A	Draft resolution 24-5422 FOR THE PURPOSE AMENDING OR ADDING A TOTAL OF FIVE PROJECTS IN THE 2024-27 MTIP TO MEET FEDERAL TRANSPORTATION PROJECT DELIVERY REQUIREMENTS	060724T-05
6	Exhibit A to Resolution 24-5422	N/A	Exhibit A to Resolution 24-5422	060724T-06
7	Staff Report to Resolution 24-5422	May 30, 2024	June #1 FFY 2024 MTIP Formal Amendment & Resolution 24-5422 Approval Request – JN24-09-JUN1	060724T-07
8	Attachment 1 to Resolution 24-5422	April 24, 2024	OTC Staff Report Item	060724T-08
9	Attachment 2 to Resolution 24-5422	N/A	Project overview	060724T-09
10	Resolution 24-5414	N/A	Draft Resolution 24-5414 FOR THE PURPOSE OF DIRECTNG THE ALLOCATION OF \$13.6 MILLION OF FEDERAL TRANSPORTATION REDISTRIBUTION FUNDS TO PROJECTS AND PROGRAMS	060724T-10
11	Exhibit A to Resolution 24-5414	N/A	Exhibit A to Resolution 24-5414	060724T-11
12	Staff Report to Resolution 24-5414	June 2024	Staff Report to Resolution 24-5414	060724T-12

13	Resolution 24-5415	N/A	Draft Resolution 24-5415 FOR THE PURPOSE OF ADOPTING THE 2028-2030 REGIONAL FLEXIBLE FUNDS PROGRAM DIRECTION FOR THE PORTLAND METROPOLITAN AREA	060724T-13
14	Exhibit A to Resolution 24-5415	June 2024	Exhibit A to Resolution 24-5415 2028-2030 Regional Flexible Fund Allocation (RFFA) Program Direction	060724T-14
15	Staff Report to Resolution 24-5415	June 7 2024	Staff Report to Resolution 24-5415	060724T-15
16	Presentation	6/7/2024	Frequent Express (FX) System Plan Introduction	060724T-16
17	Slide	6/7/2024	May traffic deaths in Clackamas, Multnomah and Washington counties	060724T-17
18	Presentation	6/7/2024	June 2024 Formal MTIP Amendment Resolution 24-5422	060724T-18
19	Presentation	6/7/2024	Redistribution Funding Proposal	060724T-19
20	Presentation	6/7/2024	2028-30 Regional Flexible Funds Allocation (RFFA) – Draft Program Direction	060724T-20
21	Handout	N/A	Proposed Step 1A Edits – Metro Responses	060724T-21