

Meeting minutes



Meeting: **Transportation Policy Alternatives Committee (TPAC)**
Date/time: Friday, February 4, 2022 | 9:00 a.m. to 12:00 p.m.
Place: Virtual online meeting via Web/Conference call (Zoom)

Members Attending

Tom Kloster, Chair
Karen Buehrig
Allison Boyd
Chris Deffebach
Lynda David
Eric Hesse
Jaimie Lorenzini
Jay Higgins
Don Odermott
Tara O'Brien
Chris Ford
Karen Williams
Laurie Lebowsky
Lewis Lem
Idris Ibrahim
Rachael Tupica
Katherine Kelly

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 Hillsboro and Cities of Washington County
TriMet
Oregon Department of Transportation
Oregon Department of Environmental Quality
Washington State Department of Transportation
Port of Portland
Community Representative
Federal Highway Administration (FHWA)
City of Vancouver, WA

Alternates Attending

Jamie Stasny
Mark Lear
Dayna Webb
Julia Hajduk
Tom Markgraf
Glen Bolen
Gerik Kransky

Affiliate

Clackamas County
City of Portland
City of Oregon City and Cities of Clackamas County
City of Sherwood and Cities of Washington County
TriMet
Oregon Department of Transportation
Oregon Department of Environmental Quality

Members Excused

Rob Klug
Shawn M. Donaghy
Jeremy Borrego
Rich Doenges

Affiliate

Clark County
C-Tran System
Federal Transit Administration
Washington Department of Ecology

Guests Attending

Alice Bibler
Jean Senechal Biggs

Affiliate

Oregon Department of Transportation
City of Beaverton

Guests Attending, (continued)

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| Cody Field | City of Tualatin |
| Garet Prior | Oregon Department of Transportation |
| Mandy Putney | Oregon Department of Transportation |
| Jessica Horning | Oregon Department of Transportation |
| Adriana Antelo | Oregon Department of Transportation |
| Della Mosier | Oregon Department of Transportation |
| Rian Windsheimer | Oregon Department of Transportation |
| Seth Brumley | Oregon Department of Transportation |
| Tia Williams | Oregon Department of Transportation |
| Nick Fortay | FHWA, Oregon Department of Transportation |
| Councilor Shirley Craddick | Metro Councilor, JPACT Chair |
| Will Farley | City of Lake Oswego |
| William Burgel | Portland and Metro Freight Committees |
| Laura Edmonds | North Clackamas County Chamber of Commerce |
| Brett Sherman | Madrona Wealth |
| Shatrine Krake | West Linn Chamber of Commerce |
| Laura Kelly | Department Land Conservation and Development |
| Sarah Iannarone | The Street Trust |
| Steve Kopper | City of Tualatin |
| J. Walters | City of West Linn |
| Sara Wright | Oregon Environmental Council |
| Doug Allen | AOITA |
| Chris Smith | No More Freeways |
| Jack Rasmuson | |
| Paul Edgar | |
| Ed (no last name given) | |
| Paul Comery | WSP |
| Aliza Whalen | WSP |
| Gregory Mallon | WSP |
| Heather Willis | WSP |
| Brooke Jordan | WSP |
| Amy Ruiz | Strategies 360 |
| Kristen Pennington | KLP Consult |
| Camilla Dartnell | Kittelson & Associates |
| 2 Phone Callers (unidentified) | |

Metro Staff Attending

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|---|---|
| Margi Bradway, Dep. Director Planning, Development & Research | |
| Ted Leybold, Resource & Dev. Manager | John Mermin, Senior Transportation Planner |
| Kim Ellis, Principal Transportation Planner | Michelle Bellia, Office of Metro Attorney |
| Ken Lobeck, Senior Transportation Planner | Lake McTighe, Senior Transportation Planner |
| Dan Kaempff, Principal Transportation Planner | Grace Cho, Senior Transportation Planner |
| Eliot Rose, Transportation Tech & Analyst | Chris Johnson, Research Manager |
| Malu Wilkinson, Investment Areas Manager | Alex Oreschak, Associate Transportation Planner |
| Ally Holmquist, Senior Transportation Planner | Caleb Winter, Senior Transportation Planner |
| Cindy Pederson, Research Center Manager | Clint Chiavarini, Senior GIS Specialist |
| Thaya Patton, Sr. Researcher & Modeling | Tim Collins, Senior Transportation Planner |
| Grace Stainback, Associate Transportation Planner | Connor Ayers, Program Support Council Office |

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. Guests, public and staff were noted as attending. Reminders where Zoom features were found online was reviewed.

Comments from the Chair and Committee Members

- **Committee input form on creating a Safe Space at TPAC** (Chair Kloster) The link to adding comments and input for creating a safe space at TPAC was noted in the chat area of the meeting, which members are welcome to use at any time during the meeting. Comments will be collected and shared at the end of the meeting.
- **Updates from committee members and around the Region** - none provided
- **Monthly MTIP Amendments Update** (Ken Lobeck) Chair Kloster referred to the memo in the packet provided by Ken Lobeck on the monthly submitted MTIP formal amendments during early to mid-January, 2022. For any questions on the monthly MTIP amendment projects you may contact Mr. Lobeck directly.
- **Fatal crashes update** (Lake McTighe) Due to ODOT staffing shortages the preliminary crash data was not received in time for this update. This material will be included in next months' packet. It was announced Metro will be hosting a training webinar on Applying the Safe System Approach in greater Portland, presented by the Federal Highway Administration on March 23rd from 10 – 11:30 a.m. A 'Save the Date' will be sent out for this. Part 2 of the training will take place this fall, either October or November 2022. Follow up questions can be directed to Ms. McTighe, lake.mctighe@oregonmetro.gov
- **Department Land Conservation & Development (DLCD) Climate Friendly & Equitable Communities Rulemaking February update** (Kim Ellis) Ms. Ellis reported the DLCD Commission met yesterday and gave additional direction to staff on the rulemaking process. They are targeting March 1 for the final draft of rules, with the Commission then holding hearings beginning March 31 or April 1. Final approval and adoption is scheduled May 19 or 20. More technical discussions and meetings are happening. The parking reform rules have been discussed with the Commission approving staff recommendation statewide, which provides Metro a provision to propose an alternate approach with a short-term requirement on this to the end of this year. It was noted the Oregon Transportation Commission was considering \$15 million from IJJA funding to help support with TSP updates statewide. As discussions continue Metro staff will provide briefings to Metro Council and committees. The link to LCDC rulemaking: <https://www.oregon.gov/lcd/LAR/Pages/CFEC.aspx> Follow up questions can be directed to Ms. Ellis, kim.ellis@oregonmetro.gov
- **Competitive Infrastructure Funding Opportunities for Local Governments** (Ted Leybold) Mr. Leybold noted the link in the agenda that provides more Federal infrastructure funding opportunities at the local level. Various grant programs are listed including transportation programs, among which are the RAISE grants. The Metro region has been awarded several grants in this program and is encouraged to apply by the April 14, 2022 deadline. Local governments applying for any of the grants listed are encouraged to contact Metro for

assistance and support. Follow up questions can be directed to Mr. Leybold, ted.leybold@oregonmetro.gov

Public Communications on Agenda Items Chair Kloster noted two letters submitted to the committee that opposed the 2018 Regional Transportation Plan (RTP) Amendment 21-1467, I-205 Toll Project, and the Metropolitan Transportation Improvement Program (MTIP) Formal Amendment 21-5234, I-205 Toll Project. These were submitted by Doug Allen and Will Farley. Both letters were added to the final meeting packet. Doug Allen presented his letter verbally. Chris Smith added verbal testimony in opposition to the two agenda items.

Consideration of TPAC Minutes from January 7, 2022

MOTION: To approve minutes from January 7, 2022.

Moved: Karen Buehrig

Seconded: Jay Higgins

ACTION: Motion passed unanimously with no abstentions.

2018 Regional Transportation Plan (RTP) Amendment 21-1467, I-205 Toll Project (Kim Ellis, Metro, Mandy Putney & Garet Prior, ODOT) Kim Ellis began the presentation with an overview of the Regional Transportation Plan (RTP) amendment process. A brief overview of specifics of the RTP and Metropolitan Transportation Improvement Program (MTIP) and how each processes relate was provided. An upcoming I-205 Toll Project amendments schedule with discussions and consideration for actions was given.

Key concerns have been raised in local and regional discussions, which would be further discussed at the next presentation of this item.

- Future opportunity for local input and ability to influence the project
- Importance of “getting this right” as the region’s first effort to implement congestion pricing and desire for a system-wide approach
- Understanding the broader significance of tolling as a new revenue source in the region
- Lack of information on how the funds would be used
- Concern about the risk of the larger Regional Mobility Pricing Project not moving forward to complement this project
- Data on the performance and implications of the project is just beginning to be available
- More clarity will be needed on how diversion to local streets will be addressed and monitored
- Important to get I-205 Improvements Project completed

Mandy Putney, ODOT noted the busy schedule of meetings held in the region providing information on this project in the last several weeks. More information will be shared at webinars in the next weeks. ODOT is committed to partnering with agencies and local governments in the region to help develop the best project possible. Information was shared the night before this meeting, but uncertain if everyone was able to receive this, so it will be presented at this meeting.

Ms. Putney noted the I-205 Improvements Project is currently in the 2018 RTP, for preliminary engineering and construction phases, and is assumed in regional land use and transportation plans. However, the amendment is needed to clarify the source of construction funds for I-205 improvements and then allows ODOT to program funds in the MTIP for additional tolling analysis.

Following recent discussion, recent additions to the proposed project description have included references to HB 3055, clarification that toll revenue can be used on adjacent, connected, or parallel

roads to reduce congestion, address safety, or impacts of diversion, and ODOT shall implement a method for establishing equitable income-based toll rates to be paid for by users of tollways.

It was noted a yes vote on the amendment allows ODOT to proceed with NEPA to understand impacts and potential mitigation opportunities by amending the tolling project in the Regional Transportation Plan. It also programs NEPA project in the MTIP. Funds were allocated in March 2021 by the Oregon Transportation Commission for that purpose. This vote does not allow ODOT to unilaterally move forward building the I-205 Toll Project, and it does not allow ODOT to turn on tolling immediately. Construction funds will require a separate action and the rate setting process will occur after that.

It was noted more clarity around the financial connection between I-205 Toll Project and I-205 Improvements is needed, given the changed forecast. Other feedback and comments heard by ODOT included that ODOT should combine the I-205 Toll Project and Regional Mobility Pricing Project (RMPP) into one analysis. If not combined, clarify the coordination.

Mr. Prior described why the I-205 Improvements Project and Regional Mobility Policy Project (RMPP) are on different schedules.

- Tolling on I-205 is needed to complete the I-205 Improvements Project, future contracts are dependent on Toll Project schedule
- RMPP requires additional planning work and approvals with the NEPA process, which will begin in late 2022
- Combining projects would delay construction for the I-205 Improvements Project:
- Increasing construction costs and future toll rate
- Delaying congestion relief

Other comments heard by ODOT included that once tolls are in place, the oversight system and long-term plan for mitigation is unclear. Also, opportunities for regional-level decision-making, and depth of input and timing are unclear. A tolling timeline with work streams (policy & operations, I-205, and RMPP) was given. These same work streams were shown on a timeline for Metro/JPACT engagement opportunities.

ODOT also heard feedback on the need for assurances from ODOT now, before allowing the I-205 Toll Project to proceed. Ms. Putney noted HB 3055 is the starting point for ODOT Commitments. These were listed as:

- Better connecting the Regional Mobility Pricing Project and I- 205 Toll Project
- Centering equity and climate
- Supporting transit and multimodal transportation
- Addressing diversion
- Including regional voices (JPACT, Metro Council, etc.) in the process

Noting ODOT understands there are a lot of unknowns and questions before tolling would start on I-205, this amendment would help move forward – in coordination with TPAC – on the next step. Concluding the presentation, ODOT asked what commitments or clarity is needed for your agency to support moving forward with the I-205 Toll Project RTP/MTIP amendment during JPACT.

Comments from the committee:

- Karen Buehrig asked that everyone have the same information being discussed and proposed with the amendment, with knowledge on what the proposed amendment to the RTP is since

proposed changes are emailed out the night before. All TPAC members should have these available. Noting that the presentation showed high-level categories for commitments, details behind these commitments were not provided in meeting materials, and if expected to be discussed at this meeting TPAC should have them available.

It was noted the one-page pdf titled “DISCUSSION DRAFT: 2/2/2022 I-205 Toll Project: Policy and Project Development Commitments was not sent the night before the meeting, but sent to TPAC members prior to the meeting in the morning. Attempts to place the document for viewing during the meeting were made. It was added to the packet following the meeting.

- Jaimie Lorenzini acknowledged the volume of work on this project. Noting the difficulty to be informed with short notice of changes to the amendment language proposed, it was asked to have ODOT talk through these changes and any other edits in addition to the amendment and exhibits.

Ms. Putney shared changes in Exhibit A, which includes additional language:

The proposed I-205 Toll Project would toll I-205 near the Abernethy and Tualatin River Bridges (see Figure 8.13b) to raise revenue for construction of the planned I-205 Improvements Project and manage congestion between Stafford Road and Oregon Route 213 to give travelers a better and more reliable trip. Significant impacts caused by tolling will need to be addressed as part of this project through mitigation, which will be described in the Environmental Assessment under the National Environmental Policy Act process.

As identified in HB 3055, money in the [State Tollway Account] Toll Program Fund may be used by the department to make improvements or fund efforts on the tollway and on adjacent, connected or parallel highways to the tollway to reduce traffic congestion as a result of a tollway project, improve safety as a result of a tollway project and reduce impacts of diversion as a result of a tollway project.

Additionally, HB 3055 specifies that before the Department of Transportation assesses a toll, the department shall implement a method for establishing equitable income-based toll rates to be paid by users of tollways. This shall be done at least 90 days before the date the Oregon Transportation Commission seeks approval from the Federal Highway Administration to use the income-based toll rates, the department shall prepare and submit a report on the method developed to the Joint Committee on Transportation and the Oregon Transportation Commission. The department may also submit to the Joint Committee on Transportation any recommended legislative changes. The report shall be provided to the Joint Committee on Transportation, in the manner provided under ORS 192.245, on or before September 15, 2022.

In addition, Exhibit A reads “The Oregon Transportation Commission approved a Cost to Complete Report for the project that was shared with the Oregon Legislature in January 2018, as mandated by HB 2017. The Cost to Complete Report defines the project scope and recommended a project delivery method and phasing plan to complete the project by 2025, which is no longer possible.”

That report captured the understanding of the scope and delivery that we can’t do anymore. Full delivery of the I-205 by 2025 cannot happen at this point. Again, from new language added to Exhibit A, “Construction financing for Phase 1A, including Abernethy Bridge and adjacent

intersections, is identified in HB 3055 (2021 Session). Variable Rate Tolls priced to manage travel demand as well as provide revenue will be used to fund the rest of the project (Phase 1B, 1C, 1D and Phase 2).” Phase 1A construction is due to start this summer and end toward the end of 2025.

- Mark Lear asked for clarity on the Oregon Transportation Commission (OTC) limited revenues in a corridor. How far away can diversion be from these corridors before you have reached the limited OTC ruling on revenues? Ms. Putney noted the definition of a corridor will be defined as we move forward. Part of the NEPA analysis identifies potential impact based on preliminary travel information in the area of potential impact. The transportation section of the report is quite large. ODOT is working with partners to share information on intersections in the project area, with 50 different intersections within this area of impact. Mr. Prior added they are looking to find answers on these questions as part of policy decisions.
- Jaimie Lorenzini asked for clarification on the language change that spoke to the broader I-205 corridor and not just Phase 1 of the Abernathy Bridge project section. Ms. Putney agreed.
- Laurie Lebowsky acknowledged the amount of work done by ODOT on this project. It was asked what kind of process there would be if in corridors if the tolling was expanded. Ms. Putney noted the NEPA process, purpose and need statement to find funding to manage congestion for the 7-mile section of I-205 has been done, and they have a separate process that has an expanded process area looking at all I-205 and I-5. If looking at a different project different from either of these two it would need to start at the beginning and then move forward from there. Mr. Prior noted the coordination of regional impact being done with I-205 and I-5 projects.

Comments from the chat area attendees:

- Laura Edmonds: North Clackamas Chambers formally requests that we delay the tolling projects long enough for staff to review changes currently proposed, as well as a delay in order to perform impact studies for our region; costs to commuters, businesses and impacts to surrounding communities due to traffic diversions. There are still too many unanswered questions that still need to be addressed. All this should be understood prior to formal approval of tolling.
- Paul Edgar: In discussions direct with Senator Wyden on Tolling and the adverse effects it would create with diversion, he stated it was unfair. We asked why the Bi-Partisan Transportation and Infrastructure bill could not be allocated to this I-205 Improvement Project and he thought it should. We cannot allow this proposed amendment to fund phase 1A of the I-205 Project to advance with wording that attaches Tolling as the Funding source. The diversion on to the historic Arch Oregon City - West Linn Bridge will kill downtown Oregon City and there is NO Way to mitigate that. Diversion will flood side streets, roads, highways and bridge that are not designed to safely handle that diverted traffic. Tolling will increase accidents and injuries and deaths, disproportionately in Clackamas County.
- Paul Edgar: The commitment process should move forward but without the financial link to Tolling. We do not want a delay, we in Clackamas County and the city's have to understand what you do to prevent disproportionate harm that cannot be mitigated, as there is limited options to get across the Willamette River for 50 miles and if the I-205 Abernathy Bridge is Tolloed, it is easy to see a minimum of 25% diversion factor and that mean major impacts of 25,000 vehicles going everywhere.

MOTION: To recommend approval to JPACT on Ordinance 21-1467 amending the 2018 RTP on the I-205 Toll Project to include the preliminary engineering phase of the I-205 Toll Project, and to clarify the financial connection of the I-205 Toll Project to the I-205 Improvement Project.

Moved: Tom Markgraf

Seconded: Laurie Lebowsky

Discussion on the motion:

- Tom Markgraf noted TriMet has been deliberating this issue for a long time which is big, complicated and contains a lot of unknowns. There is a need to continue studying this so we understand how it will work. Analysis on diversion has not been done yet and remains unknown. TriMet is working with Metro and ODOT on modeling and analysis all trying to understand this with the financial situation, and feel we need to move forward. It was noted this is not the end point but continuing the study of it. TriMet is supportive of ODOT in this effort.
- Karen Buehrig acknowledged the time with this discussion and all the hard work put into this. Understanding the new language of the amendment given just the night before is challenging, especially as a staff member who supports our elected officials and jurisdictions. It is hard to adequately evaluate the information. Regarding the packet of materials, the RTP amendment did reflect our past TPAC meeting and what was discussed in Dec. with JPACT. Between the time of JPACT and when we received the material, it was difficult to tell how the comments ODOT has heard was folded in.

At this point in time Clackamas Co. does not believe these amendments are acceptable. The County has a request to be able to make sure that these commitments have been talked about at a very high level, but not currently in an equitable way for all of us to see what we are talking about. More time is needed for us to give an appropriate recommendation to our JPACT representatives.

It was proposed to delay one month action on this amendment. The RTP is the regional policy document on transportation, and we are talking about amending the policy. Currently in the RTP is says “congestion pricing in an important tool”, but does not give guidance on how to use this tool. As a region our jurisdictions want to be involved in how that tool is to be used, and better understand how that is connected. There is a gap between congestion pricing and strategy, and how we implement the tolling program.

The County has communicated with ODOT that I-205 isn’t tolled until we know that the full Regional Mobility Pricing Project is approved. We want better understanding of how the I-205 and RTP fit together and that we’re not getting too far ahead of ourselves. Better connection is desired. It is important to establish an agreement for a formal structure for input and process in regard to the local jurisdictions. This would work in partnership with EMAC with their direct responses to the OTC on issues of equity. We need direct connections to the OTC for the local jurisdictions to have information on impacts with local roads. Having this in the commitments with a committee formed to develop fully, in long-term engagement of the I-205 project and RTP was suggested. This is a critical piece of our future transportation system and it was stressed that being able to take this next month to work to make sure we get this right was preferred.

- Jay Higgins noted he shared many of the same concerns. He agreed more time is needed to fully evaluate the new language and list of commitments, and where this fits in the process. ODOT was commended for their efforts in sharing information and responding to comments on

what they are hearing. The five high level bullets (HB 3055 starting point of slide show) was great, but specific details have yet to become known. This has not been done so as a region yet, so it is hard to say yes with approval of amendment. It was suggested to table the amendment and wait a month to sort out details and then recommend to JPACT the revised amendment.

- Chris Deffebach noted the Washington Co. Board submitted a letter to approve the RTP Amendment. In this letter they expressed a desire for the program to be successful, look to improve travel times, and addressed equity, mitigation and suggested travel options. The letter also addressed continuing work to find answers to concerns. Future analysis of data and building upon past legislature with bottle neck projects authorized by HB 2017 and other actions. That was the basis of support with this letter.

However, it was noted this is one of the biggest regional projects that has surfaced in years. The County supports ODOT in work to identify commitments for better clarity on this project. Agreement was given to Ms. Buehrig's comments, but questioned how to proceed with them. It was noted that a timeline that goes several years is difficult to plan with much unknown. But if we wait to know everything we'll never get started. The County wants to support the RTP amendments but recognizes we have more work to do to develop the amendments. Questions were noted on how the commitments are attached or included in the amendments. Ms. Deffebach agreed more time is needed before sending comments to JPACT with suggested TPAC meeting to work through direction on these issues.

- Jaimie Lorenzini recognized ODOT as a partner and wanting success in this project. Respectfully a request to delay action on this amendment was made, so that ODOT has the best foundation to develop the needed PE phase of the project. Recognizing quick delivery to answer concerns, this still leaves little time to evaluate the materials produced yesterday and realistically we need to pause and check in with the impacts on communities to be sure they are included in considerations.

In addition to the proposed commitments, consideration of not only the long-term mitigations but also the short-term impacts and being prepared to offer a suite of resources to communities, including but not limited to land incident management and capital to adjust traffic flows. It was suggested to work some of these issues into the commitments to recognize we will come back to them later in the NEPA process. The request to delay action on the amendment to drill down into these commitments for NEPA can help produce a more successful project in the long run.

- Don Odermott noted this is a significant decision we are facing and need to get this right. He echoes previous comments of having information come out on such short notice and with responsibilities coordinating will the cities of Washington County this is difficult. Agreement was given to delay this action for no more than one month. It's an important project with important set of approvals and we need to get there.
- Karen Williams noted that given the conversation leaning toward either a delay or needing more time, she offered considerations rather than amendments for ODOT and JPACT to consider. One, the list of commitments to include a commitment that to the greatest extent possible be environmental assessment when the results are conveyed. That there will be every effort made to convey how each access of the combined projects (tolling and improvements) affect emissions of criteria pollutions air toxics and greenhouse gases.

Second, the amendment language itself be amended, specifically the PE language, to include the need for tolling revenue to address also mitigating effects of air quality affects, in addition to mitigation effects of safety, diversion and congestion. Specifically, toll revenue can be, and should be, used to mitigate effects of adverse air quality.

- Mark Lear noted that establishing congestion pricing in the region has to be very difficult. And having really good policy support for this is important. There is total understanding of how hard it is to see these projects get delayed and have inflation affect budgets. But what we're trying to do in the region is not have just one congestion pricing project, but have a system. From what is heard the jurisdictions are going to need clear information talking about this issue. If we're not careful and move these projects quickly and not see how they work together, we have the potential to delay even further a much bigger investment in total projects. Mr. Lear strongly supports taking more time to understand that we have the policy right. Policy should guide the implementation of a region-wide system.

Communities need to be part of the storytelling on these projects. Right now there seems to be a disconnect. Last JPACT meeting the City of Portland representative made it clear the more clarity was needed. At this point Mr. Lear can't supply that clarity for her. The commitments don't have enough detail such as a non-toll travel available option. Mr. Lear is not supportive of these amendments.

- Laurie Lebowsky asked if we delay how that impact the ODOT timeline would and work happening. Ms. Putney answered per the one month delay discussion, ODOT would continue to move forward sharing analysis and able to adjust if needed. If the amendment could be considered first, then further considerations with analysis and final list of commitments later that might be a process.

If another schedule adjustment in a month with specific feedback and information is available they could come back in a month's time. It was suggested to have TPAC work with JPACT and MPAC during the month. ODOT has the ability to prioritize this; it's crucial foundation for this project. More refinement will continue as we move forward. Some parts will be a working document for quite some time. It was noted ODOT will have soon preliminary information on traffic analysis and start working on solutions for the impacted areas. This will be compiled and presented to the region this summer. The final environmental assessment is due at the end of this year. It's important to understand the impacts on travel changes with this project.

- Chris Ford noted the good comments and conversation. He concurred on this being a big project that is complex with not all questions answered. Currently the preliminary engineering is not in the RTP, but the project needs this funded for the work planned to continue to find more answers and keep the conversation going.
- Allison Boyd noted that Multnomah County supports the project as long as ODOT can demonstrate progress being made on transit and transportation alternative options on low-income tolling and incorporating the I-205 project in the Regional Mobility Pricing Project. The high level commitments are making progress with more refinement on details needed. Multnomah County is willing to work with ODOT on this. If this could happen before JPACT, great. If not just keep the project moving forward.
- Karen Buehrig asked a procedural question if she could make a motion to delay the motion on the table, and have this action considered at the March TPAC meeting.

Chair Kloster recommended discussion currently be completed, then have Tom Markgraf finish comments from his motion with any edits or changes to his motion, then call the question. Following clarification questions on motions, Michelle Bellia with Oregon Metro's Attorney office noted that it was fine for a member to move to postpone to a different date an action while a motion is pending. This type of action takes precedence over a motion or a motion to amend. With these clarifications discussion continued on the agenda item.

- Chris Deffebach recognized the concerns mentioned and need for more time to bring this to a recommendation to JPACT, knowing that not everything will be known without taking a risk and leap of faith as we continue to work together to clarify more of the process in the next month. It was noted that TPAC's role is to recommend to JPACT actions, including concerns and consideration of more time needed, if necessary.
- Tom Markgraf appreciated the conversation and comments. Noting involvement in many large projects, it was recognized the difficulty of what ODOT was trying to manage. It was noted it was a JPACT decision and the end, but good conversations shared.

MOTION: To delay the vote on the recommended approval to JPACT on Ordinance 21-1467 amending the 2018 RTP on the I-205 Toll Project to include the preliminary engineering phase of the I-205 Toll Project, and to clarify the financial connection of the I-205 Toll Project to the I-205 Improvement Project, that is currently on the table, to the TPAC March 4, 2022 meeting. In the next month we work with ODOT on details and refinements of the commitments and are able to review the amendment language and materials issued to TPAC the night before. This language will be communicated to JPACT requesting them to delay action until after the March 4 TPAC meeting.

Moved: Karen Buehrig

Seconded: Jaimie Lorenzini

Discussion on the motion:

- Laurie Lebowski asked from Karen Buehrig was the commitments meant. Ms. Buehrig noted these referred to list that ODOT started that fall under the five categories discussed in our presentation, which would allow the ability to review and discuss what's missing from the jurisdictional perspective.
- Lewis Lem asked if these conversations would be forwarded to JPACT to help inform them on the concerns and considerations. Chair Kloster noted staff would be sending their summary of the conversations to JPACT.
- Chris Ford acknowledge a great job Chair Kloster was doing managing a complex issue. He noted he was challenged by the current motion to delay action one month. It seemed from a logical standpoint it would suggest TPAC did not trust ODOT to come back next month to continue discussion on these concerns. JPACT could chose to move forward on the issue without the recommendation from TPAC. It was asked if a motion to just proceed with the understanding that ODOT would come back next month and continue to come back to discuss these commitments.
- Jaimie Lorenzini acknowledged Mr. Ford's comments, in that some point this needs to move forward beyond TPAC. So much good work has produced good information, but since only received yesterday there is not enough time to go back to communities to share this with them. The one month provided gives breathing space to connect with the people that will directly be impacted, and to build consensus. My hope is this that in this month we can drill down into the commitment list, as they are a framework we need for the NEPA study as a good foundation to be successful. The opportunity to have dialogue to understand how we work

together for NEPA to create a project for a good legacy will help set precedence for the next project.

- Mark Lear noted that TPAC is responsible to help elected officials and other decision makers, and have JPACT understand the issues. As technicians, TPAC does this work and has not had enough time with the information forwarded to review and evaluate. In regard to ODOT coming again at the next meeting to share more information after JPACT has taken action, it was noted this is our first shot at doing congestion pricing in the region. For technicians to say we don't have enough information to confidently recommend this amendment would not be advised. It was noted that working with ODOT to help get this information to understand concerns and understand the process and address the list of commitments was a winning strategy for this and further processes in the future, and supported the one month delay.
- Chris Deffebach agreed this is a big regional issue, and we can't use this to avoid tolling. It was acknowledged there are strong viewpoints on the issue and not always possible to solve everything. But we can propose agreed upon commitments that we feel good about to bring forward to JPACT. We need to keep working together. At this point it makes the most sense to delay one month for further discussions.

MOTION RESTATED: To delay the vote on the recommended approval to JPACT on Ordinance 21-1467 amending the 2018 RTP on the I-205 Toll Project to include the preliminary engineering phase of the I-205 Toll Project, and to clarify the financial connection of the I-205 Toll Project to the I-205 Improvement Project, that is currently on the table, to the TPAC March 4, 2022 meeting. In the next month we work with ODOT on details and refinements of the commitments and are able to review the amendment language and materials issued to TPAC the night before. This language will be communicated to JPACT requesting them to delay action until after the March 4 TPAC meeting.

Moved: Karen Buehrig

Seconded: Jaimie Lorenzini

ACTION: Votes to approve the delay: Karen Buehrig, Allison Boyd, Chris Deffebach, Lynda David, Mark Lear, Jaimie Lorenzini, Jay Higgins, Don Odermott (from chat, not accepted), Karen Williams, and Lewis Lem. Vote to not approve: Tom Markgraf and Chris Ford. Abstaining: Laurie Lebowsky. Motion was approved.

Metropolitan Transportation Improvement Program (MTIP) Formal Amendment 21-5234, I-205 Toll Project (Ken Lobeck, Metro) – *This item was not presented due to deferred action on prior item agenda.*

Regional Flexible Fund Allocation (RFFA) revenue forecast update (Margi Bradway & Ted Leybold, Metro) Margi Bradway began the presentation by explaining how quickly this addition of funds in flex funds became known, with a fairly quick time in which to decide where the funds would be allocated. Metro staff has coordinated with ODOT to forecast expected transportation revenues provided by the new IIJA authorization legislation. Revenue increases have been forecasted for the existing federal transportation revenue streams that flow through MPOs: Surface Transportation Block Grant (STBG), Transportation Alternatives Program set-aside (TAP), and Congestion Management & Air Quality (CMAQ). The increase in these funds forecasted for Metro through the federal fiscal year 2027 above the previous pre-IIJA forecast is approximately \$10.4 million.

Ted Leybold presented information on how these investments fit with the revenue forecast with original RFFA allocations planned. Metro wants to update the forecast we did to include the program direction adopted last fall with these new numbers. The updated forecast predicted is approximately \$10.4 million, which is larger than expected. It was noted the IIJA also created a new funding program, the Carbon Reduction Program, which like the STBG funding program, has a portion allocated by State Departments of Transportation and a portion allocated by large MPOs such as Metro. This funding

program has its own unique policy objectives and eligible activities and will be subject to federal rule making to provide further direction and guidance on its implementation. In order to expedite the expenditure of IJA funds, Metro will separately propose an approach to allocating these funds to transportation projects and programs, and will be presented to TPAC when appropriate to deal with these funds.

The memo sent to the committee has laid out a proposal with the existing 2-step split of RFFA for the \$10.4 million. It was noted TPAC is not taking a vote on this proposal at this meeting, but staff is interested in feedback for the proposal to get the conversation started quickly. It was decided to make the split between steps in funds that same as original percentages; Step 1 40%, Step 2 60%. Minus the bond fund repayment, the total amount in the existing cycle is \$77 million, now adding this additional \$10.4 million for RFFA considerations.

Per memo:

Local Projects – Add \$6.1 million to future allocation (Step 2)

\$6.1 million is proposed to increase the funding available for RFFA Step 2 to award to local projects. This would bring that funding to a total of approximately \$47.35 million. This is in addition to \$20 million of Metro Parks Bond funding for trails projects being administered in a process coordinated with the allocation of RFFA Step 2 funding. This is an increase from previous cycles.

Region-wide Strategic Programs - \$4.3 million (Step 1)

Project Development and Grant Application Support for IJA Discretionary Revenues: \$3.5 million total

The IJA has authorized \$100 billion of funding available through competitive grant application processes – both by increased funding within existing funding programs, including New Starts and Small Starts transit capital programs, and creating new competitive funding programs.

Federal Discretionary Grant Application Support: \$.5 million

This \$.5 million allocation will be utilized to provide resources to make regional priorities competitive by securing consultant support for the region’s priority federal discretionary grant applications.

Regional Corridor Planning and Project Development - \$3 million

Our region needs to spend funds on project development in order to be competitive with applications from other cities. Given that ODOT is going to take the lead on developing major highway projects in our region, Metro should focus on further project development on the top three corridors identified by stakeholders in the 2020 Transportation Measure (aka T2020) which are: 82nd Avenue, TV Highway and McLoughlin Ave.

Transportation System Management and Operations (TSMO) strategic plan implementation: \$.5 million

This allocation would support TSMO projects focused on enhanced mobility, deployment of new technology, and communications infrastructure to provide trip option information to the public.

Regional Photo (LiDAR) program - \$300,000

The Regional Aerial Photo Consortium (the Consortium) is an informally organized group of local governments and special districts in the Portland metropolitan area. The Consortium, administered by Metro, has pooled resources to share the costs and leverage public dollars for the purpose of acquiring high-quality aerial photography and fixed-wing aircraft LiDAR collection since the mid-1990s. Consortium products are available exclusively to contributing organizations for 3 years and then released as web services to the public through Metro’s Regional Land Information System (RLIS).

Comments from the committee:

- Mark Lear noted one of the challenges we have in using this money with IGA grants is needed intent for the funds before 2025. Will the funds be available or possible sooner? Mr. Leybold indicated the new bill states that as soon as we get the appropriations increased capacity may start this year, 2022. It will be part of the 2025-27 RFFA allocations.
- Chris Deffebach noted that with many IGAs proposed we should be prepared to go after them. It was suggested we be strategic on how we go after funding since the limited amount will only go so far. It was asked if we might set aside some funds for matches with development grants which can be key to leveraging for additional funding. Regarding the consultation services, this is a good idea since proven to help with limited resources. Concern given however on amount of money and time spent making a big process of this, and questions on who would get access to this consulting money with what criteria. Ms. Bradway noted a possible cross-team to help design this process.
- Chris Ford noted this came up quickly and ODOT is still reviewing the information, and agreed that investment with good grant writers' help in project funding capabilities. Step 2 is another conversation at the RFFA table. ODOT feels the focus on safety is important. In conversations about what should be the top corridors to identify for funding, it was noted the transportation measure did not pass and times have changed. It was asked if these are the only corridors or top corridors now. It might be needed to reassess them. Ms. Bradway noted this proposal would be brought back to TPAC next month in more concrete details from feedback and discussions. We need clarification in terms of how to proceed with the policy framework.
- Tom Markgraf noted the proposal makes sense and TriMet will definitely support this.

2024-27 ODOT Administered Funding Program – Infrastructure Investment and Jobs Act (IIJA)

Funding Scenarios and Timeline Update (Chris Ford & Glen Bolen, ODOT) Chris Ford noted that TPAC can watch the Region 1 Area Commission on Transportation meeting on Monday night for a very similar presentation from Travis Brouwer: <https://www.oregon.gov/odot/Get-Involved/Pages/ACT-R1.aspx>

It was also recommended watching the Jan 20 OTC presentation and discussion. Go to 5:25 in the YouTube recording: <https://www.youtube.com/watch?v=hH1oBo7sCio>

Following the presentation:

ODOT staff presented 4 funding scenarios. Public comment suggested others. For more detail, see ODOT's memo to the OTC with proposed funding scenarios (on the last page of the packet: https://www.oregon.gov/odot/Get-Involved/OTCSupportMaterials/Agenda_K_IIJA_PACKET.pdf

Look for an online open house in February, and we encourage providing written comments through the OTC public comment form or verbal comments at OTC meetings on February 17 and March 10. OTC's action on IIJA funding is anticipated for its March 30 meeting. Public comment can be provided here: <https://www.oregon.gov/odot/Get-Involved/Pages/OTC-Comments.aspx>

It was noted that \$200 million IIJA funding would come to the state incrementally every year for six years. Projects and programs would need to use this by end of each fiscal year or lose it. However, STIP may help cover some of the obligatory needs since this covers 3 or 4 year cycles. Amendments may be needed for these purposes.

Oregon Transportation Commission meetings were noted, which include opportunities for public comments. Proposed investment areas listed in the presentation (added to the packet following the

meeting) were noted. It was noted that the region needs to act strategically and quickly in order to get funds moved along in the most beneficial manner.

Public and Active Transportation selection process input (Jessica Horning, ODOT) The presentation began with an overview of the Pedestrian and Bicycle Strategic Program identified funding and program goals; Address gaps for people walking and biking on the state system such as missing sidewalks, bike lanes, and crossings, prioritize projects at locations that provide an equity and safety benefit and identify cost savings through leverage with other ODOT projects such as repaving or curb ramp replacement at high priority pedestrian or bicycle locations.

The project selection strategy was described with emphasis on cost-effectiveness and project readiness and capacity. From the draft 150% project list, six projects have advanced for 2021-24 delivery, and 32 projects are now being scoped. Included with project website and discussions are meetings statewide, an online open house was held between September through October, 2021. Responses from this was shared.

Next steps in the program:

- Develop framework for 150% list transition to 100% list
- Strategy for any additional IJA funds
- Identify 21-24 PE needs
- Communicate back to public 100% list
- Do better. Identify program improvements in public engagement and internal processes.

Now through May 2022 staff will receive and review info from scoping teams, assemble preliminary statewide programmatic ranking, acquire ATNI scores (overall, safety, equity), discuss risks and changes from scoping, ask regions to rank priorities, meet with other program managers, determine joint priorities for leverage projects, and identify other bundling opportunities. TPAC was asked to share their ideas and input on what other filters or lenses might be applied.

Comments from the committee:

- Mark Lear noted hearing that almost half the BIPOC population in the state is inside the Metro boundary. When allotting funding in regard to communities, how does that concentration of population within certain centers help inform your decision making. Ms. Horning noted the criteria used in the Active Transportation Needs Inventory, with a link provided: www.oregonwalkbike.org under the "data and research" section. Included in the criteria is Transportation Disadvantaged Communities, Transit Stop Data and Access to Scenic Bikeways/Other Bikeways.
- Jay Higgins inquired how this is related to the Safe Routes to School grant programs open now. Ms. Horning indicated these two programs are along the statewide highway system. In the 2024-27 STIP one of the changes made is that \$10 million was set aside in the SRTS, addressing them on the statewide facilities, removing ODOT from that competitive grant process. This allows more funding for the local jurisdictions to use these funds that need them.

Committee comments on creating a safe space at TPAC (Chair Kloster) - No comments received.

Adjournment

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

Respectfully submitted,

Marie Miller

Marie Miller, TPAC Recorder

Attachments to the Public Record, TPAC meeting, February 4, 2022

| Item | DOCUMENT TYPE | DOCUMENT DATE | DOCUMENT DESCRIPTION | DOCUMENT No. |
|------|-------------------|----------------|---|--------------|
| 1 | Agenda | 2/4/2022 | 2/4/2022 TPAC Agenda | 020422T-01 |
| 2 | TPAC Work Program | 1/28/2022 | TPAC Work Program as of 1/28/2022 | 020422T-02 |
| 3 | Memo | 1/26/2022 | TO: TPAC and interested parties From: Ken Lobeck, Funding Programs Lead RE: TPAC Metropolitan Transportation Improvement Program (MTIP) Monthly Submitted Amendments from Early to Mid- January 2022 | 020422T-03 |
| 4 | Handout | 1/11/2022 | Climate-Friendly and Equitable Communities Rulemaking Advisory Committee MEETING 11 | 020422T-04 |
| 5 | Draft Minutes | 1/7/2022 | Draft TPAC minutes from January 7, 2022 | 020422T-05 |
| 6 | Ordinance | N/A | ORDINANCE NO. 21-1467 FOR THE PURPOSE OF AMENDING THE 2018 REGIONAL TRANSPORTATION PLAN TO INCLUDE THE PRELIMINARY ENGINEERING PHASE OF THE I-205 TOLL PROJECT, AND TO CLARIFY THE FINANCIAL CONNECTION OF THE I-205 TOLL PROJECT TO THE I-205 IMPROVEMENT PROJECT | 020422T-06 |
| 7 | Exhibit A | 1/27/2022 | Exhibit A to Ordinance No. 21-1467 2018 REGIONAL TRANSPORTATION PLAN (RTP) AMENDMENT | 020422T-07 |
| 8 | Exhibit B | N/A | Exhibit B to Ordinance No. 21-1467 Summary of Comments Received and Recommended Actions | 020422T-08 |
| 9 | Staff Report | 1/27/2022 | STAFF REPORT IN CONSIDERATION OF ORDINANCE NO. 21-1467 FOR THE PURPOSE OF AMENDING THE 2018 REGIONAL TRANSPORTATION PLAN TO INCLUDE THE PRELIMINARY ENGINEERING PHASE OF THE I-205 TOLL PROJECT, AND TO CLARIFY THE FINANCIAL CONNECTION OF THE I-205 TOLL PROJECT TO THE I-205 IMPROVEMENT PROJECT | 020422T-09 |
| 10 | Attachment 1 | 1/27/2022 | Coordinated Timeline for Proposed I-205 Toll Project Amendments September 2021 to March 2022 | 020422T-10 |
| 11 | Attachment 2 | Sept. 22, 2021 | Attachment 2 to Staff Report to Ordinance No. 21-1467 I-205 Toll Project | 020422T-11 |
| 12 | Attachment 3 | Nov. 23, 2021 | Attachment 3 to Staff Report to Ordinance No. 21-1467 I-205 Toll Project, RTP Amendment Public Comment Report | 020422T-12 |

| Item | DOCUMENT TYPE | DOCUMENT DATE | DOCUMENT DESCRIPTION | DOCUMENT No. |
|------|-----------------------|---------------|--|--------------|
| 13 | Resolution | N/A | RESOLUTION NO. 21-5234 FOR THE PURPOSE OF AMENDING THE 2021-26 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO ADD THE PRELIMINARY ENGINEERING PHASE FOR ODOT'S I-205 TOLLING PROJECT ALLOWING NEPA AND DESIGN ACTIVITIES TO BEGIN (FB22-06-FEB) | 020422T-13 |
| 14 | Exhibit A | N/A | Exhibit A to Resolution 21-5234 | 020422T-14 |
| 15 | Staff Report | 1/25/2022 | TO: TPAC and Interested Parties From: Ken Lobeck, Funding Programs Lead RE: February 2022 MTIP Formal Amendment & Resolution 21-5234 Approval Request | 020422T-15 |
| 16 | Attachment 1 | July 5, 2018 | Attachment 1: Final PAC Recommendations to OTC Portland Metro Area Value Pricing Feasibility Analysis FINAL Policy Advisory Committee Recommendation to the Oregon Transportation Commission | 020422T-16 |
| 17 | Attachment 2 | N/A | Attachment 2: Regional Mobility Pricing Project Draft Purpose and Need Statement | 020422T-17 |
| 18 | Attachment 3 | N/A | Attachment 3: OTC August 16 2018 Action | 020422T-18 |
| 19 | Attachment 4 | N/A | Attachment 4: FHWA Reply Letter | 020422T-19 |
| 20 | Attachment 5 | 12/19/2021 | Attachment 5: ODOT Tolling Program Adjustments | 020422T-20 |
| 21 | Attachment 6 | N/A | Attachment 6: ODOT I-205 Tolling Project Scope Elements | 020422T-21 |
| 22 | Presentation | 02/04/2022 | 24-27 PEDESTRIAN AND BICYCLE STRATEGIC PROGRAM UPDATE | 020422T-22 |
| 23 | Public Comment Letter | N/A | Public Comment Letter From: Doug Allen, RE: I-205 Tolling Project RTP Amendment | 020422T-23 |
| 24 | Public Comment Letter | NA | Public Comment Letter From: Will Farley RE: I-205 Tolling Project RTP Amendment | 020422T-24 |
| 25 | Revised Exhibit A | N/A | Exhibit A to Ordinance No. 21-1467 2018 REGIONAL TRANSPORTATION PLAN (RTP) AMENDMENT | 020422T-25 |
| 26 | Handout | N/A | I-205 Toll Project Timeline | 020422T-26 |
| 27 | Handout | 2/2/2022 | DISCUSSION DRAFT: 2/2/2022 I-205 Toll Project: Policy and Project Development Commitments | 020422T-27 |

| Item | DOCUMENT TYPE | DOCUMENT DATE | DOCUMENT DESCRIPTION | DOCUMENT No. |
|------|---------------|---------------|---|--------------|
| 28 | Memo | Jan. 27, 2022 | TO: TPAC and interested parties From: Margi Bradway, Ted Leybold, Metro RE: Infrastructure Investments and Jobs Act (IIJA) Funding to Metro | 020422T-28 |
| 29 | Presentation | 2/4/2022 | I-205 Toll Project (PE Phase) Amendment Process | 020422T-29 |
| 30 | Presentation | 2/4/2022 | I-205 Toll Project: Regional Transportation Plan (RTP) Amendment | 020422T-30 |
| 31 | Presentation | 2/4/2022 | Infrastructure Investment and Jobs Act | 020422T-31 |