



Memo

Date: February 22nd, 2022
To: Clackamas County Board of Commissioners
From: DTD Staff – Dan Johnson – Director of DTD
CC: Mike Bezner – Assistant Director of DTD, Karen Buehrig – Long Range Planning Manager,
Jamie Stasny – Regional Transportation and Land Use Policy Advisor, Trent Wilson –
PGA, Abe Moland – H3S
Subject: I-205 Toll Project RTP and MTIP Amendment Request Update

Purpose:

To provide an update on the I-205 Toll Project RTP and MTIP Amendment Requests from ODOT.

Background:

The Oregon Department of Transportation (ODOT) has submitted requests to amend both the 2018 Regional Transportation Plan (RTP) and the 2021-24 Metropolitan Transportation Improvement Program (MTIP) to continue work on the I-205 tolling program. The proposed amendments would add a Preliminary Engineering (PE) project phase for the I-205 Toll Program. . The proposed amendment would also clarify the intended financial connection of the I-205 Toll Project to the I-205 Capital Project as required by the Federal Highway Administration (FHWA).

The RTP is a federally recognized long-range transportation plan that guides planning and investments for all forms of travel – motor vehicle, transit, bicycle and walking – and the movement of goods and freight throughout the Portland metropolitan region. The plan was last updated in 2018. The next full update is due by Dec. 2023.

The Metropolitan Transportation Improvement Program (MTIP) is a federally required process that encourages the cooperative development, evaluation, and adoption of the near-term investments in regional transportation.

Both requests are being coordinated with and taken up at the same meetings. If approved, the RTP amendment action is proposed to occur prior to the MTIP amendment action as inclusion of the project in the RTP is a pre-requisite to its inclusion in the MTIP.

What it Means:

If the proposed RTP and MTIP amendments are approved ODOT would be authorized to spend \$28 million to complete the NEPA process for the I-205 Toll Project and complete preliminary engineering for toll infrastructure.

If the amendments fail our understanding is that ODOT will have to stop work on the I-205 Toll Project NEPA process until such time that the MTIP and RTP can be amended.

According to a letter sent by the Oregon Transportation Commission (OTC) to JPACT (attached), if JPACT and Metro Council fail to approve the amendments by March 30th, 2022 they will be forced to delay phase 1A of the 205 Capital Improvements Project.

Approval Process:

Ultimately both the RTP and MTIP Amendments must be approved by the Joint Policy Advisory Committee on Transportation (JPACT) and Metro Council. Other committees will be making recommendations to these bodies on the requests including the Metro Policy Advisory Committee (MPAC), Metro Technical Advisory Committee (MTAC) and Transportation Policy Alternatives Committee (TPAC).

Current Status:

On Jan. 26, the Metro Policy Advisory Committee (MPAC) discussed the proposed amendment to the 2018 Regional Transportation Plan (RTP) and raised many concerns including:

- 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
- Importance of completing I-205 Improvements Project

On Feb 17th, JPACT granted TPAC’s request to delay the vote to allow time for updates to the RTP/MTIP Amendments and Commitments list to be developed. They directed TPAC to address the following concepts:

- Lack of consistency between the tolling programs
- Concern about plan to toll I-205 first and without assurance that the regional tolling program will be approved
- Lack of local and regional input and decision making opportunities
- Support for Phase 1A of the I-205 Capital Project to remain on the current construction schedule
- Lack of Financial Transparency

Next Steps:

County staff will be working with our cities and regional partners to develop a cohesive set of edits to the ODOT amendments to address these shared concerns.

Staff will return to you prior to the anticipated votes on these items so that you can provide direction to your MPAC and JPACT representatives.

Attachments:

- 1) OTC letter to JPACT 2.16.22
- 2) 2022_2_15 C4 Emphasis Letter to OTC
- 3) Lake Oswego Resolution
- 4) Oregon City Resolution
- 5) West Linn Resolution
- 6) Tualatin Resolution
- 7) Metro Council Values Outcomes and Actions for ODOT Tolling for JPACT



Oregon

Kate Brown, Governor

Oregon Transportation Commission

Office of the Director, MS 11

355 Capitol St NE

Salem, OR 97301-3871

February 16, 2022

Joint Policy Advisory Committee on Transportation
c/o Chair Shirley Craddick
METRO
600 NE Grand Ave
Portland, OR 97232-2736

Dear Chair Craddick and Members of the Committee:

In our capacity as the Oregon Transportation Commission, thank you for your commitment to a safer, more equitable, more environmentally focused transportation system in the Portland region. The Commission and ODOT recognize that a diverse set of investments is required to serve the broad range of needs that exist in the region and are committed to a robust multi-modal regional transportation network to build a stronger economy, improve the quality of our environment, and enhance livability in the metro region.

In 2017, the Legislature directed the Commission and ODOT to develop a variable rate regional toll program on I-5 and I-205. The Legislature designated this new tool as a means to manage congestion through pricing and finance key congestion relief and seismic resiliency projects in the Portland area, including modernizing the Abernethy Bridge and making related improvements on I-205.

A variable rate toll program functions as both a tool to raise revenue for system improvements and a tool to reduce congestion, especially during peak travel times. Variable rate tolling places a modest price to driving that encourages carpooling, transit use and mode shifts that help to reduce vehicle miles traveled and ultimately reduce carbon emissions from the transportation sector. The tolling program we are pursuing, beginning with tolls on I-205 and then on I-5, is a central component in helping the region achieve its collective climate goals.

This spring, we are poised to begin construction of the I-205 Improvements project (I-205 project). We intend to start with the Abernethy Bridge improvements at a total cost of approximately \$375 million. Your support of this project and the tolling necessary to finance its construction is critical. Your decision does not represent a deviation from our collective goals. To the contrary, it simply reflects our continued commitment to long-standing regional priorities.

We plan to toll the Abernethy Bridge beginning in 2024, and expand tolling on I-205 and begin tolling on I-5 shortly thereafter in 2025. By doing so, we can immediately begin to construct improvements to

the Abernethy Bridge which, when improved, will provide critical seismic and congestion relief benefits and make the Abernethy the only interstate bridge in the metro area built to current seismic standards.

The Metro Policy Advisory Committee (MPAC) and JPACT are uniquely positioned to enable, or impede, progress on the region's tolling and investment program with your upcoming decision on the I-205 tolling project. MPAC, JPACT and the Metro Council, as you know, must approve tolling on I-205 in order for the I-205 project to be financed and move forward. An unfortunate consequence of failure to approve the tolling proposal before March 30 is that it will preclude ODOT's ability to move forward with the Abernethy Bridge project as planned, including the in-water work scheduled to occur in the Willamette River this summer. Given the size and scope of the I-205 project, there is no reasonable alternate path in lieu of tolling to fund the bridge or other elements of the I-205 project, including from the Federal Infrastructure Investments and Jobs Act of 2021. Beginning tolling on I-205 is also the first step in the broader tolling program described above to implement congestion pricing and realize corresponding carbon emissions reductions. Delaying tolling on I-205 not only affects the I-205 Abernethy Bridge construction but delays that congestion pricing program as well.

Finally, approval of our tolling request before March 30 will still enable significant time before tolling begins on the Abernethy Bridge in 2024 to continue to discuss questions you may have about the tolling program. We hope you will approve our tolling request before March 30 and continue to engage with us while we further develop the congestion pricing program and I-205 project.

Thank you for your thoughtful consideration of our request.

Regards,

Robert D. Van Brocklin
Chair, Oregon Transportation Commission

Alando Simpson
Vice Chair, Oregon Transportation Commission

Julie Brown
Commissioner

Sharon Smith
Commissioner

Marcilynn Burke
Commissioner



Public Services Building
2051 Kaen Road
Oregon City, OR 97045
503-655-8581

February 15, 2022

Oregon Transportation Commission
355 Capitol Street NE, MS #11
Salem, OR 97301

Re: Emphasizing the Opportunity IIJA Funding Presents to Oregonians Dependent on I-205

Dear Chair Van Brocklin and Members of the Commission:

This body submitted the attached public comment to the Oregon Transportation Commission (OTC) with the expectation our request would be heard, considered, and discussed for the benefit of the public and those communities facing the impacts of tolling. However, prior to your first public hearing the ODOT Urban Mobility Office (UMO) instead responded to our public comment on your behalf. While the technical discourse in UMO's letter to C4 was informational, it did not address the policy question posed to the OTC. Our expectation is that the OTC still consider our public comments and respond to our policy request.

We therefore feel obligated to write again to reemphasize our public comment so that the OTC, ODOT, stakeholders, and the public clearly understand our request.

Please use existing resources, which may include funding from IIJA and HB 3055, to diversify the funding for the I-205 Widening and Seismic Improvements Project to accomplish the following goals:

- **Protect the current construction timeline of Phase 1A of the I-205 Bottleneck Project**
- **Delay tolling on I-205 to allow time for a cohesive regional approach to congestion pricing and tolling to be developed and implemented in a thoughtful, regionally supported manner.**

To be clear, we are not requesting that all of the IIJA funds be used solely for the I-205 Bottleneck Project to avoid tolling. Rather, we are asking you to develop a funding plan to keep Phase 1A of the I-205 project on its current construction schedule while providing the region the time it needs to develop a toll program that is balanced and thoughtful. We suggest that ODOT staff use the tools created in HB 3055 together with a portion of the IIJA funds to accomplish this goal.

As we noted in our last letter, ODOT supported a regional request to our federal delegation to deliver new federal funds to Oregon in order to "diversify funding" for the I-205 project. The congressional delegation made good on that request, and now we implore you to honor what ODOT co-supported in that letter.

Why do all of these communities along the southern I-205 corridor continue to press this issue? The legislature identified the I-205 Widening and Seismic Improvement Project as a statewide priority in HB 2017, and it is the only project that did not receive direct construction funding in HB 2017 even though it was more ready and affordable than other projects of its size. The daily failure of I-205 to handle existing traffic leads to crippling diversion today in Gladstone, Oregon City, West Linn, Canby, and other nearby communities throughout and around Clackamas County. ***Tolling this corridor ahead of the rest of the region will add undue burden on our communities, and additionally leads to diversion on already failing systems.*** ODOT's current communications suggest that by 2045 the impacts of diversion caused by tolling could be minimized, but that completely ignores the Oregonians you represent today. Our collective constituencies need certainty that there is a path to solving current and future diversion issues. The future safety and livability of these communities is threatened by the current proposal.

ODOT's current approach would toll I-205 before the regional tolling plan receives federal approval. This is problematic as the Regional Mobility Pricing Program (RMPP) may never be approved. We ask that you direct ODOT staff to develop a cohesive, region-wide plan for congestion pricing and tolling that shows how the I-205 Toll Program is integrated into the RMPP and direct staff not to toll I-205 until such time that the RMPP obtains full federal approval.

You have received legislative direction to develop a regional tolling and congestion pricing system. This system, if successful, will impact the way people choose to move through the region. It could create new travel options, generate revenue, and fund repairs and improvements to our ailing system. It will also fundamentally change travel behavior in the region, impact where families work and live, change where businesses locate and grow, and put pressures on many Oregonians who feel stressed by the cost of living in an already expensive place to live. For this new program to work it must be done right and it must be done in partnership with the region. We simply ask that you use some of the IJA resources along with the tools available in HB 3055 to keep Phase 1A of the I-205 project on schedule while allowing the region the time it needs to develop an integrated approach to implement congestion pricing and tolling.

Sincerely,



Commissioner Paul Savas
Clackamas County
C4 Co-Chair
RIACT Vice Chair



Mayor Brian Hodson
City of Canby
C4 Co-Chair
RIACT Member

C4 Membership: Clackamas County; the Clackamas Cities of Canby, Estacada, Gladstone, Happy Valley, Lake Oswego, Milwaukie, Molalla, Oregon City, Rivergrove, Sandy, Tualatin, West Linn, Wilsonville; Clackamas CPOs, Hamlets, and Special Districts; Ex Officio Members including Metro, MPAC Citizen Port of Portland, Urban and Rural Transit

Attachment:

December 06, 2021 Public Comment to the OTC RE: Allocation of Infrastructure Investment and Jobs Act Funding to I-205 Improvements Project

CC:

Governor Kate Brown
Senators Ron Wyden and Jeff Merkley
Congressional Representatives Kurt Schrader, Suzanne Bonamici, Earl Blumenauer, and Peter DeFazio
Oregon Senate President Peter Courtney
Oregon House Speaker Dan Rayfield
Oregon Legislature Joint Committee on Transportation
Clackamas Caucus
Equity and Mobility Advisory Committee
Metro, including JPACT and MPAC
Metro Mayors Consortium
Multnomah and Washington Counties (and respective Coordinating Committees)
Clackamas County Business Alliance
Westside Economic Alliance
Chambers of Commerce along the I-205 Corridor

December 06, 2021

Oregon Transportation Commission
355 Capitol Street NE, MS #11
Salem, OR 97301

Re: Allocation of Infrastructure Investment and Jobs Act Funding to I-205 Improvements Project

Dear Chair Van Brocklin and Members of the Commission:

On behalf of the Clackamas County Coordinating Committee (C4), we request the State of Oregon use a portion of the funding from the Infrastructure Investment and Jobs Act (IIJA) to diversify the revenue sources for the I-205 capital improvements bottleneck project between Stafford Rd and OR-213, including the Abernethy Bridge. While we recognize the IIJA is bigger than just one project, it is the priority of this policy group to advocate on behalf of the I-205 project and the communities that will be directly impacted by any diversion stemming from a toll program. ODOT's current proposal to toll I-205 ahead of the rest of the region is not necessary. Tolling and congestion pricing has regional implications and must be implemented in a cohesive and coordinated manner.

In June 2021, ODOT joined C4 and 35 other stakeholders on a letter that explicitly stated new federal investments could "diversify the funds to construct this critical project now, and potentially prevent the need to toll the Abernethy Bridge years ahead of the implementation of a comprehensive regional pricing program." That letter is attached.

Between the \$1.2 billion coming to Oregon directly and the \$100 billion in competitive grants made available through IIJA, we believe there is enough flexibility to change the funding paradigm of this bottleneck project of regional and statewide significance. Combined with the funds made available by HB 3055 in the 2021 State Legislature, ODOT has the opportunity to correct a policy decision that unfairly tolls a roadway that has no meaningful alternative routes and that already experiences diversion into local communities.

IIJA is a gift to Oregon, and can be a resource that brings our communities together. Please take this opportunity to prioritize IIJA funds for the I-205 capital project in order to allow time for a cohesive regional approach to congestion pricing and tolling to be developed and implemented in a thoughtful, regionally supported manner.

Thank you again for your consideration.

Sincerely,



Commissioner Paul Savas
Clackamas County
C4 Co-Chair
RIACT Vice Chair



Mayor Brian Hodson
City of Canby
C4 Co-Chair
RIACT Member

Attachment: June 2021 Federal Funding Support Letter to Oregon Congressional Delegation

RESOLUTION 22-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE OSWEGO CALLING FOR COMPLETION OF THE REGIONAL MOBILITY PRICING PROJECT PRIOR TO A DECISION ON TOLLING I-205 AND FOR CONSTRUCTION OF THE ABERNETHY BRIDGE WITH OTHER FUNDS

WHEREAS, after the passage of HB 2017 in 2017, Oregon Department of Transportation (ODOT) began planning to replace the Abernethy Bridge and widen I-205 from four lanes to six lanes from the Willamette River to the Stafford Road exit. HB 2017 also kicked off the Regional Mobility Pricing project and tied the widening of I-205 to tolling; and

WHEREAS, replacement of the Abernethy Bridge with a structure that can withstand a major earthquake is needed to make Oregon and the Portland metropolitan area more resilient and prepared for disaster; and

WHEREAS, funding can be made available to complete replacement of the Abernethy Bridge without imposing tolls on I-205; and

WHEREAS, funding for other phases of the I-205 project, including adding additional freeway lanes and improving other bridges on I-205, depends on the imposition of tolls. ODOT has applied to amend the Regional Transportation Plan (RTP) to include tolling as part of the I-205 project; and

WHEREAS, in addition to I-205, tolls are being considered as part of the Regional Mobility Pricing Project, the Interstate Bridge Replacement Project, and the Road User Fee Task Force. These overlapping projects are causing substantial public confusion; and

WHEREAS, we support efforts to replace the gasoline tax with user fees that reduce congestion, encourage use of alternative modes, reduce greenhouse gas emissions, and ensure all users are fairly charged and generate revenue for maintenance and enhancement of our transportation system; and

WHEREAS, there is near universal public opposition to tolling I-205, and imposing tolls in the may cement public opposition rather than improve the public's understanding of the need for new revenue for transportation; and

WHEREAS, ODOT's modeling shows that a substantial number of trips and hours of congestion will move from I-205 to county roads and local streets; and

WHEREAS, diversion remains unaddressed by the I-205 Tolling project. Many of the roads that will experience diversion are already congested, have inadequate transit service, and lack bicycle and pedestrian facilities; and

WHEREAS, diversion will substantially harm Regional and Town Centers in Oregon City, West Linn, Tualatin, and Lake Oswego, which are important to the Region in managing future population and employment growth and creating vibrant communities. The health of these centers is the first goal of the RTP; and

WHEREAS, ODOT has failed to apply their own Equity Framework to analyze the impact of tolling on historically marginalized communities, particularly the elderly, low income residents, and Latinx households who will be impacted by expected diversion; and

WHEREAS, ODOT's application to amend the RTP asks our region to find that tolling is consistent with regional goals and objectives before critical modeling work, coordination with transit providers, analysis of environmental benefits, and funding for mitigation measures is complete.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Oswego that:

Section 1. The region should complete the Regional Mobility Pricing Project before implementing tolling on any single section of highway.

Section 2. Prior to amending the RTP, ODOT should convene a working group to develop a plan for capital and programmatic projects needed to deal with the impacts that communities, neighborhoods, and residents will experience from diversion from a toll on I-205.

Section 3. ODOT should evaluate funding the construction of Phase 1A of the I-205 project, the construction of a seismically sound Abernethy Bridge.

Section 4. ODOT, Metro, and the Cities and Counties of the region should recognize the widespread and substantial public opposition to tolling, and should invest in an extensive public campaign and interagency coordination to increase public acceptance of user fees and congestion pricing.

Section 5. The 2023 update of the Regional Transportation Plan should explicitly address the question of whether road user fees may be used as a funding source for future capital projects. The RTP should also set policy for the elements that need to be in place prior to implementation of user fees and congestion pricing, such as an equity framework, programs for low income residents, policies for analyzing diversion, adequate transit service, infrastructure for carpooling and vanpooling, and safe and connected bicycle and pedestrian infrastructure.

Section 6. Effective Date. This Resolution shall take effect upon passage.

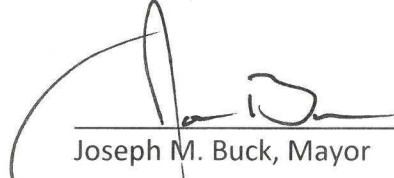
Considered and adopted at the regular meeting of the City Council of the City of Lake Oswego on the 18th day of January, 2022.

AYES: Mayor Buck, Manz, Mboup, Wendland, Nguyen, Verdick, Rapf

NOES: None

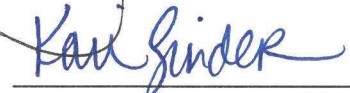
EXCUSED: None

ABSTAIN: None



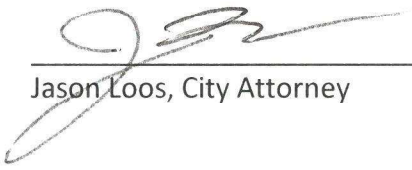
Joseph M. Buck, Mayor

ATTEST:



Kari Linder, City Recorder

APPROVED AS TO FORM:



Jason Loos, City Attorney

RESOLUTION NO. 22-06

A RESOLUTION CALLING FOR COMPLETION OF THE REGIONAL MOBILITY PRICING PROJECT PRIOR TO A DECISION ON TOLLING I-205 AND FOR CONSTRUCTION OF THE ABERNETHY BRIDGE PROJECT WITH OTHER FUNDS

WHEREAS, after the passage of HB 2017 in 2017, Oregon Department of Transportation (ODOT) began planning to replace the Abernethy Bridge and widen I-205 from four lanes to six lanes from the Willamette River to the Stafford Road exit. HB 2017 also kicked off the Regional Mobility Pricing Project and tied the widening of I-205 to tolling; and

WHEREAS, replacement of the Abernethy Bridge with a structure that can withstand a major earthquake is needed to make Oregon and the Portland metropolitan area more resilient and prepared for disaster; and

WHEREAS, funding can be made available to complete replacement of the Abernethy Bridge without imposing tolls on I-205; and

WHEREAS, funding for other phases of the I-205 project, including adding additional freeway lanes and improving other bridges on I-205, depends on the imposition of tolls. ODOT has applied to amend the Regional Transportation Plan (RTP) to include tolling as part of the I-205 project; and

WHEREAS, in addition to I-205, tolls are being considered as part of the Regional Mobility Pricing Project, the Interstate Bridge Replacement Project, and the Road User Fee Task Force. These overlapping projects are causing substantial public confusion; and

WHEREAS, we support efforts to replace the gasoline tax with user fees that reduce congestion, encourage use of alternative modes, reduce greenhouse gas emissions, and ensure all users are fairly charged and generate revenue for maintenance and enhancement of our transportation system; and

WHEREAS, there is near universal public opposition to tolling I-205, and imposing tolls on this project alone may cement public opposition rather than improve the public's understanding of the need for new revenue for transportation; and

WHEREAS, ODOT's modeling shows that a substantial number of trips and hours of congestion will move from I-205 to county roads and local streets; and

WHEREAS, diversion remains unaddressed by the I-205 Tolling Project. Many of the roads that will experience diversion are already congested, have inadequate transit service, and lack bicycle and pedestrian facilities; and

WHEREAS, diversion will substantially harm Regional and Town Centers in Oregon City, West Linn, Tualatin, and Lake Oswego, which are important to the Region in managing future population and employment growth and creating vibrant communities. The health of these centers is the first goal of the RTP; and

WHEREAS, ODOT has failed to apply their own Equity Framework to analyze the impact of tolling on historically marginalized communities, particularly the elderly, low-income residents, and Latino households who will be impacted by expected diversion; and

WHEREAS, ODOT's application to amend the RTP asks our region to find that tolling is consistent with regional goals and objectives before critical modeling work, coordination with transit providers, analysis of environmental benefits, and funding for mitigation measures is complete.

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The region should complete the Regional Mobility Pricing Project before implementing tolling on any single section of highway.

Section 2. Prior to amending the RTP, ODOT should convene a working group to develop a plan for capital and programmatic projects needed to deal with the impacts that communities, neighborhoods, and residents will experience from diversion from a toll on I-205.


Section 3. ODOT should evaluate funding the construction of Phase 1A of the I-205 project, the construction of a seismically sound Abernethy Bridge, with other sources of funding.

Section 4. ODOT, Metro, and the Cities and Counties of the region should recognize the widespread and substantial public opposition to tolling and should invest in an extensive public campaign and interagency coordination to increase public acceptance of user fees and congestion pricing.

Section 5. The 2023 update of the Regional Transportation Plan should explicitly address the question of whether road user fees may be used as a funding source for future capital projects. The RTP should also set policy for the elements that need to be in place prior to implementation of user fees and congestion pricing, such as an equity framework, programs for low-income residents, policies for analyzing diversion, adequate transit services, infrastructure for carpooling and vanpooling, and safe and connected bicycle and pedestrian infrastructure.

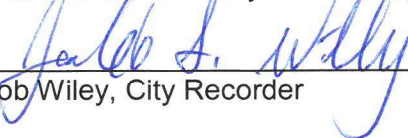
Section 6. Effective Date. This Resolution shall take effect upon passage.

Approved and adopted at a regular meeting of the City Commission held on the 2nd day of February 2022.



Rachel Lyles Smith, Mayor

Attested to this 2nd Day of February 2022



Jakob Wiley, City Recorder

Approved as to legal sufficiency:



City Attorney

RESOLUTION NO. 2022-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST LINN CALLING FOR COMPLETION OF THE REGIONAL MOBILITY PRICING PROJECT PRIOR TO A DECISION ON TOLLING I-205 AND FOR CONSTRUCTION OF THE ABERNETHY BRIDGE PROJECT WITH OTHER FUNDS.

WHEREAS, after the passage of HB 2017 in 2017, Oregon Department of Transportation (ODOT) began planning to replace the Abernethy Bridge and widen I-205 from four lanes to six lanes from the Willamette River to the Stafford Road exit. HB 2017 also kicked off the Regional Mobility Pricing project and tied the widening of I-205 to tolling; and

WHEREAS, replacement of the Abernethy Bridge with a structure that can withstand a major earthquake is needed to make Oregon and the Portland metropolitan area more resilient and prepared for disaster; and

WHEREAS, alternative sources of funding appear adequate to replace the Abernethy Bridge without imposing tolls on I-205; and

WHEREAS, funding for other phases of the I-205 project, including adding additional freeway lanes and improving other bridges on I-205, depends on the imposition of tolls. ODOT has applied to amend the Regional Transportation Plan (RTP) to include tolling as part of the I-205 project; and

WHEREAS, in addition to I-205, tolls are being considered as part of the Regional Mobility Pricing Project, the Interstate Bridge Replacement Project, and the Road User Fee Task Force. These overlapping projects are causing substantial public confusion; and

WHEREAS, we support efforts to replace the gasoline tax with user fees that reduce congestion, encourage use of alternative modes, reduce greenhouse gas emissions, and ensure all users are fairly charged and generate revenue for maintenance and enhancement of our transportation system; and

WHEREAS, there is significant public opposition to tolling I-205, and imposing tolls on this project alone may cement public opposition rather than improve the public's understanding of the need for new revenue for transportation; and

WHEREAS, ODOT's modeling shows that a substantial number of trips and hours of congestion will move from I-205 to county roads and local streets; and

WHEREAS, diversion remains unaddressed by the I-205 Tolling Project. Many of the roads that will experience diversion are already congested, have inadequate transit service, and lack bicycle and pedestrian facilities; and

WHEREAS, diversion will substantially harm Regional and Town Centers in Oregon City, West Linn, Tualatin, and Lake Oswego, which are important to the Region in managing future population and employment growth and creating vibrant communities. The health of these centers is the first goal of the RTP; and

WHEREAS, ODOT has failed to apply their own Equity Framework to analyze the impact of tolling on historically marginalized communities, particularly the elderly, low income residents, and Latinx households who will be impacted by expected diversion; and

WHEREAS, ODOT's application to amend the RTP asks our region to find that tolling is consistent with regional goals and objectives before critical modeling work, coordination with transit providers, analysis of environmental benefits, and funding for mitigation measures is complete.

NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:

SECTION 1. The region should complete the Regional Mobility Pricing Project before implementing tolling on any single section of highway.

SECTION 2. Prior to amending the RTP, ODOT should convene a working group to develop a plan for capital and programmatic projects needed to deal with the impacts that communities, neighborhoods, and residents will experience from diversion from a toll on I-205.

SECTION 3. ODOT should evaluate funding the construction of Phase 1A of the I-205 project, the construction of a seismically sound Abernethy Bridge, with other sources of funding including funds from the federal Infrastructure Investment and Jobs Act.

SECTION 4. ODOT, Metro, and the Cities and Counties of the region should recognize the widespread and substantial public opposition to tolling, and should invest in an extensive public campaign and interagency coordination to increase public awareness and understanding of potential incoming user fees and congestion pricing.

SECTION 5. The 2023 update of the Regional Transportation Plan should explicitly address the question of whether road user fees may be used as a funding source for future capital projects. The RTP should also set policy for the elements that need to be in place prior to implementation of user fees and congestion pricing, such as an equity framework, programs for low income residents, policies for analyzing diversion, adequate transit service, infrastructure for carpooling and vanpooling, and safe and connected bicycle and pedestrian infrastructure.

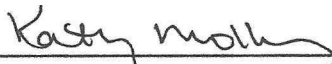
SECTION 6. Effective Date. This Resolution shall take effect upon passage.

This resolution was PASSED and ADOPTED this 18th day of January, 2022, and takes effect upon passage.



JULES WALTERS, MAYOR

ATTEST:



KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:



CITY ATTORNEY

RESOLUTION NO. 5595-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUALATIN
ESTABLISHING RECOMMENDATIONS FOR THE I-205 TOLLING PROJECT

WHEREAS, after the passage of HB 2017 in 2017, the Oregon Department of Transportation (ODOT) began planning to replace the Abernethy Bridge and widen I-205 from four lanes to six lanes from the Willamette River to the Stafford Road exit; and

WHEREAS, funding can be made available to complete replacement of the Abernethy Bridge without imposing tolls on I-205; and

WHEREAS, ODOT's modeling shows that a substantial number of trips and hours of congestion will move from I-205 to county roads and local streets; and

WHEREAS, diversion remains unaddressed by the I-205 Tolling Project. Many of the roads that will experience diversion are already congested, have inadequate transit service, and lack bicycle and pedestrian facilities; and

WHEREAS, ODOT has failed to apply their own Equity Framework to analyze the impact of tolling on historically marginalized communities, particularly the elderly, low income residents, and Latino households who will be impacted by expected diversion; and

WHEREAS, ODOT's application to amend the Regional Transportation Plan (RTP) asks the Portland Metropolitan Region to find that tolling is consistent with regional goals and objectives prior to completing critical modeling work, coordination with transit providers, analysis of environmental benefits, and funding for mitigation measures.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The Portland Metropolitan Region should complete the Regional Mobility Pricing Project before implementing tolling on any single section of highway.

Section 2. Prior to amending the RTP, ODOT should convene a working group to develop a plan for capital and programmatic projects needed to deal with the impacts that communities, neighborhoods, and residents will experience from diversion from a toll on I-205.

Section 3. ODOT should evaluate funding the construction of Phase 1A of the I-205 project, the construction of a seismically sound Abernethy Bridge, with funds other than from tolling, including from the Infrastructure Investments and Jobs Act (IIJA).

Section 4. The 2023 update of the Regional Transportation Plan should explicitly address the question of whether road user fees may be used as a funding source for future capital projects. The RTP should also set policy for the elements that need to be in place prior to implementation of user fees and congestion pricing, such as an equity framework, programs for low income residents, policies for analyzing diversion, adequate transit service, infrastructure for carpooling and vanpooling, and safe and connected bicycle and pedestrian infrastructure.

Section 5. This resolution is effective upon adoption.

Adopted by the City Council this 24th Day of January, 2022.

CITY OF TUALATIN, OREGON

BY Frank Bubenik
Mayor

ATTEST:

BY Sherilyn Lombos
City Recorder

Signature: 

Email: fbubenik@tualatin.gov

Signature: 
Sherilyn Lombos (Jan 28, 2022 08:42 PST)

Email: slombos@tualatin.gov

Discussed at Metro Council Work Session on 2/8/22.
 Revised draft (2/11/22) based on Metro Council requests
 For JPACT discussion on 2/17/22



Values, Outcomes and Actions (VOA): I-205 Tolling Project and Regional Mobility Pricing Project

Purpose: Clarify the values, outcomes and actions wanted from a statewide congestion pricing program and the initial projects therein.

Background: The Oregon Department of Transportation (ODOT) is developing a Toll Program and the first two congestion pricing projects proposed by ODOT are the Regional Mobility Pricing Project and I-205 Toll Project. Each of these projects are working towards federal approval or milestone decisions by 2024.

In terms of policy framework, the current Regional Transportation Plan (RTP) calls for the use of congestion pricing to manage demand and reduce greenhouse gases. In 2021, Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) adopted the findings and recommendations of Metro's Regional Congestion Pricing Study based on two years of modeling, data analysis and input from an expert panel. Congestion pricing has been shown to address issues of mobility, greenhouse gas emissions, equity, and safety where it has been applied. The success of a project or program is largely based on how it is developed and implemented. JPACT and Metro Council directed Metro staff to incorporate the findings and recommendations from Metro's study into the 2023 RTP.

Metro appreciates the work by our ODOT partners to improve congestion in the Portland Metro region by implementing congestion pricing. In general, Metro Council supports the use of congestion pricing to manage traffic demand and reduce greenhouse gases. However, Metro believes that we need a stronger policy framework and more evaluation of the issues before moving forward. Our regional partners on the JPACT and MPAC committees have been clear that they want to see congestion pricing implemented on I-5 and I-205 as part of a larger long-term plan for system-wide congestion management.

For the purpose of this document, congestion pricing is defined as a strategy that charges drivers for driving on a particular roadway or for driving or parking in a particular area. There are various tools to implement congestion pricing, including tolling (where a road owner charges a fee to drive on a certain roadway, bridge, or corridor) and a road user charge, also referred to as a vehicle miles traveled fee (where drivers pay a fee for every mile they travel).

Below are Metro Council's Values, Outcomes and Actions desired for ODOT's tolling projects, which align with Metro's Regional Transportation Plan and the recommendations in Metro's Regional Congestion Pricing Study.

Value: Reduce Congestion and Manage Demand.

- **Outcome: Integrate the I-205 Tolling project with ODOT's Regional Mobility Pricing Project (RMPP) in terms of timing and approach to develop a comprehensive regional tolling and congestion pricing plan.** A system-wide approach is supported by the findings and recommendations from Metro's Regional Congestion Pricing Study and an Expert Panel Review, and is aligned with the ODOT's Office of Urban Mobility's strategy in the Portland Metro region. The implementation of the I-205 Tolling project should be in sync with ODOT's Regional Mobility

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Pricing Project. State decisions around congestion pricing costs, revenues, and reinvestment decisions should happen at a regional scale and follow regional priorities as pricing programs have benefits and impacts across the region.

Actions

- Integrate the I-205 Toll project into the Regional Mobility Pricing Project so that the system starts at approximately the same time across the region
- Use a consistent and standard approach to setting variable toll rates across the region; including a program for low-income users
- Apply tolling to all lanes of traffic
 - Use data and modeling to manage the system and the demand throughout the system
 - Use data and modeling to identify benefits, impacts, and mitigations at a local and regional level
- Share information on estimated revenues and proposed allocation of revenues, and work with regional partners to develop local oversight of revenue allocation.
- Local oversight over the revenues and an agreement with local jurisdictions on oversight of local projects.

Value: Address Traffic Safety on Local Streets.

- **Outcome: Prioritize safety on local streets by minimizing diversion from the Interstate to local roads.** Based on modeling data, there is a high likelihood that ODOT's I-205 Tolling Project and other ODOT tolling projects could cause substantial diversion from the Interstate system onto local streets owned by the counties and cities. ODOT needs to have a clear plan in place to manage traffic diversion, including coordination with transit agencies to provide robust transit options. In addition, State law HB 3055 makes clear that ODOT is to address safety issues on local streets and that tolling revenues could be used on a wide-range of multi-model projects to create a comprehensive approach to managing traffic diversion.

Actions

- Set aside funds to manage diversion on local streets. State law (HB 3055) allows ODOT to use the revenue from tolling for traffic safety and diversion, and explicitly on roadways that are parallel or adjacent to any interstate highway tolled by the State.
- Identify specific, local projects that will be funded with the tolling revenue along the I-205 corridor and along I-5 as part of the RMMP
- Create a Transit Action Plan for the "impact area" of the tolling projects, coordinating with TriMet and SMART, and identify the specific capital investments in transit that ODOT will make to increase access to transit in the tolling locations
- Use traffic data to continue identifying and mitigating diversion to local streets after tolling projects are implemented.
- Provide transparency in terms of the estimated revenue and proposed allocation of that revenue.

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Value: Reduce Greenhouse Gases.

- **Outcome: Create a pricing system that is truly responsive to travel demand to reduce greenhouse gases.** There is an opportunity to combine the RMPP with the I-205 Toll project to create an efficient, regional system. Congestion pricing has the potential to improve travel times and reduce greenhouse gas emissions, if done correctly and comprehensively. Ongoing monitoring of performance is necessary to adjust and optimize a region-wide program once implemented.

Actions

- Set up operations to manage the I-205 Tolling Program, the RMPP, and variable rate tolling on the I-5 Bridge Replacement project as one comprehensive, dynamic congestion pricing system.
- Measure and monitor vehicle miles travelled on the Interstate and local roadways, taking into account potential and observed diversion caused by tolling.
- Increase multi-modal options; fund with tolling revenue

Value: Address Equity and Reduce Impacts to Low-Income Drivers

- **Outcome: Equity and affordability should be built into the project from the outset.** A tolling project should build equity, safety, and affordability into the project definition so a holistic project that meets the need of the community is developed rather than adding “mitigations” later. Per the recommendation of ODOT’s Equity and Mobility Advisory Committee on Tolling, ODOT should use the tolling revenue to provide travel benefits to low-income users, pay for multi-modal needs in the project area, and minimize harm to Black, Indigenous and People of Color (BIPOC) communities.

Actions

- Use a co-creation process with local communities to make decisions on tolling project goals, toll rates, and revenue allocation.
- When setting up tolling rates, create a special program and/or discounts for low-income users of the transportation system that consider the costs of transportation to users compared to their relative incomes
- When allocating revenues, invest in low-income and BIPOC communities who are disproportionately impacted by the costs of the toll.
- Work with partners to provide toll-free transportation options such as transit
- Conduct modeling, data analysis, and mapping to understand where impacts and benefits are concentrated and use that information to inform where mitigations and discounts should be targeted; in addition, conduct analysis of cost burdens on users compared to travel-time benefits
- Set up a program to diversify the workforce for the toll operation, considering the Construction Career Pathways framework that has been adopted by Metro and other local agencies.