



**BUSINESS AND COMMUNITY SERVICES
NORTH CLACKAMAS PARKS AND RECREATION DISTRICT**

Development Services Building
150 Beaver Creek Road, Oregon City, OR 97045

Laura Zentner, BCS Director

January 21, 2021

Board of County Commissioners
Clackamas County
Board of North Clackamas Parks and Recreation District

Members of the Board:

Board Order Authorizing the North Clackamas Parks and Recreation District to apply for an Oregon Community Paths Program Grant from the Oregon Department of Transportation for Development of Trolley Trail Segment at Milwaukie Bay Park

Purpose/Outcome	NCPRD requests approval to apply for an Oregon Community Paths Program (OCP) Grant from the Oregon Department of Transportation (ODOT) to develop the permanent alignment of the Trolley Trail segment at Milwaukie Bay Park.
Dollar Amount and Fiscal Impact	The OCP grant application seeks \$423,525 in funding, with a 10.27% required match (\$48,475). The trail segment is a part of the full project to complete Milwaukie Bay Park, which has a total project cost estimated at \$9,600,000.
Funding Source	General Fund (for grant match)
Duration	If awarded, projects must be completed within three years.
Previous Board Action/Review	<ul style="list-style-type: none"> • January 19, 2021 Policy Session: Milwaukie Bay Park Project Update • December 3, 2020 Business Meeting: Board approval of IGA between the City of Milwaukie and NCPRD for transfer of city funds • December 3, 2020 Business Meeting: The Board approval of personal services contract between NCPRD and Shields Obletz Johnsen for Owner’s Representative Services • May 21, 2020 Business Meeting: Resolution 2020-36 for exemption and authorization to use the Request for Proposals Method to Obtain a Construction Manager/General Contractor • March 19, 2020 Business Meeting: Board Orders approving submission of grant applications (Order 2020-18, Order 2020-19) • February 18, 2020 Policy Session: Milwaukie Bay Park Final Design Project Update [older sessions not listed]
Strategic Plan Alignment	<ul style="list-style-type: none"> • Provide economic development, public spaces, and community enrichment services to residents, businesses, visitors, and partners so they can thrive and prosper in healthy and vibrant communities. • Promote a <i>Healthy and Active Lifestyle</i> by providing a park with recreational pathways, equipment and spaces • Designed with a lens of <i>Equity, Diversity and Inclusion</i>, engaging diverse audiences and maximizing park connections

	<ul style="list-style-type: none"> Promote <i>Carbon Neutrality</i> by providing higher quality natural areas and access by alternative modes of transportation
Counsel Review	January 11, 2021 (JM)
Procurement Review	N/A
Contact Person	Heather Koch, NCPRD Project Manager, 503-742-4354 Laura Zentner, BCS Director, 503-742-4351
Contract No.	N/A

BACKGROUND:

NCPRD is seeking approval to submit this grant application for the "Trolley Trail Segment at Milwaukie Bay Park." This piece of the Milwaukie Bay Park project is to develop the permanent alignment of the 1,065-foot Trolley Trail segment along the park, separated from OR-99E/McLoughlin Boulevard. The multi-use path will replace a temporary alignment, creating a wider path throughout the length with turns eliminated, more clear delineation, design treatments and indicated crossings to improve safety by mitigating risks to trail users and those crossing. It will also integrate the path with the concurrent improvements to complete Milwaukie Bay Park as a District-wide recreational amenity. A safer segment better connects users to nearby jobs, housing, neighborhoods, schools, retail businesses, public services, parks, light rail and bus throughout the six-miles of the regional Trolley Trail and beyond.

The OCPP grant administered by ODOT is a fitting funding source for this Trolley Trail Segment project due to its goal to build off-road transportation projects that address barriers and hazards for pedestrians and bicyclists. The grant selection process prioritizes projects that will provide safety benefits and meet equity measures. This project will provide safety improvements by constructing a new path that meets today's standards and is designed to mitigate potential conflicts. The project will help achieve greater equity for nearby transportation disadvantaged areas and members of the community. As a major point of connection, this segment location in particular offers better connection and access to many key areas for those experiencing transportation disadvantage: (1) the downtown retail and public services for all residents without autos; (2) the highly diverse Milwaukie High School; (3) new and much more dense housing with fewer cars; (4) and new affordable housing whose residents may rely more heavily on alternative transportation modes.

In the OCPP grant application, NCPRD seeks \$423,525 in funding to construct the path improvements, and indicates the required 10.27% required match (\$48,475). NCPRD plans to provide the match from the General Fund. Other local funds or state funds are also eligible for cash match and could be substituted. All submittals are due no later than January 31, 2021.

The Trolley Trail segment is a key feature of the full Milwaukie Bay Park Project. NCPRD partnered with the City of Milwaukie ("City") in 2018-19 to develop a final design to complete three

acres of undeveloped waterfront land at Milwaukie Bay Park. The design includes this permanent alignment for the Trolley Trail as well as an amphitheater, nature play area, interactive water feature, plaza with picnic terrace, pedestrian pathways, natural areas, public art and restrooms. NCPRD has engaged a broad and diverse range of over 1,300 community members throughout the District, advanced a funding strategy to leverage local, regional, state and other funds, and developed a process to build a preconstruction and construction services team in FY20-21. Construction is planned to begin in 2022.

The full project cost to complete Milwaukie Bay Park is estimated at \$9,600,000, including construction costs as well as preconstruction costs such as design, engineering, permitting and the CM/GC preconstruction services. The draft funding plan relies on multiple grants and sources as described most recently at the January 19, 2021 Board Policy Session. A project of this magnitude requires a diverse set of partners and funding commitments to succeed. The improvements planned for this District-wide amenity are valuable to the District, but also seen as a benefit to regional and state funders, making this success achievable. When complete, this riverfront park will benefit District residents as well as Clackamas County residents and visitors.

The park is identified as a high priority need in the 2004 NCPRD Master Plan and 2007 NCPRD Parks and Recreation System Development Charges (SDC) Update Methodology Report and Capital Improvements Plan. NCPRD is partnering with the City to complete design and construction documents and construct the park. The City owns the park and NCPRD plans for, develops and manages the City's parks under an Intergovernmental Agreement. The District-City IGA was created as part of the formation of the District in 1990, and last amended in 2020 to reflect the adoption of new bylaws for the District Advisory Committee (DAC). An additional Intergovernmental Agreement between the NCPRD and the City must be executed prior to construction to address terms for protecting the District's and City's assets in the event of future property disposition or changes to the City continuing to be part of NCPRD.

RECOMMENDATION:

Staff respectfully recommends the Board of County Commissioners of Clackamas County, acting as the Board of Directors of the North Clackamas Parks and Recreation District, approve the Board Order authorizing staff to proceed with the Oregon Community Paths Program application.

ATTACHMENTS:

1. Board Order Authorizing NCPRD to Apply for an Oregon Community Pathways Program grant
2. Grant Application Lifecycle Form

Respectfully submitted,

Laura Zentner

Laura Zentner, Director
Business and Community Services

**In the Matter of authorizing the North
Clackamas Parks and Recreation District
to apply for an Oregon Community Paths
Program Grant from the Oregon Department
of Transportation for Development of Trolley
Trail Segment at Milwaukie Bay Park**

Order No. _____

Whereas, the Oregon Department of Transportation (ODOT) has invited the North Clackamas Parks and Recreation District (NCPRD) to apply to the Oregon Community Paths Grant Program (OCPP) after submission of a Letter of Intent in October 2020; and

Whereas, NCPRD desires to participate in this grant program to the greatest extent possible as a means of providing needed path improvements to improve safety as well as improved access for those with transportation disadvantage; and

Whereas, the Trolley Trail Segment is located in the existing Milwaukie Bay Park in downtown Milwaukie owned by the City of Milwaukie (“City”) and operated and maintained by NCPRD in accordance with an approved Intergovernmental Agreement (IGA); the IGA also states that NCPRD may undertake improvements to parks under the jurisdiction of the City, subject to approval by the Milwaukie City Council; and

Whereas, the NCPRD Advisory Board and the Clackamas County Board of Commissioners, acting as the Board of Directors of NCPRD, have identified completion of the Special Use Park (formerly “Riverfront Park”) providing District-wide service as “Priority 1” in the 2004 NCPRD Master Plan and 2007 NCPRD Parks and Recreation System Development Charges (SDC) Update Methodology Report and Capital Improvements Plan; and

Whereas, the City approved a 2010 Master Plan for the park, led two initial phases of the park’s development, and approved plans calling for its completion, including the Downtown and Riverfront Landuse Framework Plan (2015) and the Milwaukie Vision Action Plan (2017); and

Whereas, NCPRD and the City have worked together to revise the City-approved 2010 Master Plan with the April 2019 100% Final Schematic Design to complete the park, including the Trolley Trail Segment as a key feature to promote active transportation and enhance connectivity; and

Whereas, NCPRD led a process to engage a diverse range of over 1,300 District residents during development of the Schematic Design, providing input and ideas for the Segment and full park design; and

Whereas, the Trolley Trail Segment will be constructed concurrently with the full park completion, integrating it with key features that support bicyclists and pedestrians who use the path for transportation, such as restrooms, places to rest, and ADA-compliant access throughout the site, and terms for the construction, maintenance, operations and investment for all improvements in the full park completion will be included in an amendment to the existing NCPRD-City IGA or a new additional NCPRD-City IGA prior to construction; and

Whereas, NCPRD has available matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and

Whereas, NCPRD will provide adequate funding for ongoing operations and maintenance of this facility should the grant funds be awarded; and

NOW, THEREFORE, IT IS HEREBY ORDERED that the Clackamas County Board of Commissioners, acting as the Board of Directors of NCPRD, demonstrates its support for the submittal of a grant application to ODOT OCPP for development of the Trolley Trail Segment at Milwaukie Bay Park and does hereby authorize NCPRD to apply for approximately \$423,525 for path improvements.

DATED this _____ day of January 2021

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

Recording Secretary

Grant Application Lifecycle Form

Use this form to track your potential grant from conception to submission.

Sections of this form are designed to be completed in collaboration between department program and fiscal staff.

** CONCEPTION **

Note: The processes outlined in this form are not applicable to disaster recovery grants.

Section I: Funding Opportunity Information - To be completed by Requester

Application for: Subrecipient funds Direct Grant
Lead Department: North Clackamas Parks and Recreation District Grant Renewal? Yes No

Name of Funding Opportunity: Oregon Community Paths
Funding Source: Federal State Local: _____
Requestor Information (Name of staff person initiating form): Heather Koch
Requestor Contact Information: hkoch@ncprd.com 503-539-4208
Department Fiscal Representative: Elizabeth Gomez
Program Name or Number (please specify): Milwaukie Bay Park
Brief Description of Project:

This construction project, "Trolley Trail Segment at Milwaukie Bay Park," is to develop the permanent alignment of the 1,065-foot Trolley Trail segment along the park in Milwaukie and separated from OR-99E/McLoughlin Boulevard. The multi-use path will replace a temporary alignment that now runs partially on a sidewalk, turns cyclists onto a short parallel loop, then combines users again on a single shared path. A wider path throughout the length with turns eliminated, more clear delineation, design treatments and indicated crossings will improve safety by mitigating risks to active transportation corridor users and those crossing. It will also best integrate the path with the concurrent improvements to complete Milwaukie Bay Park as a District-wide recreational amenity. A safer segment better connects users to nearby jobs, housing, neighborhoods, schools, retail businesses, public services, parks, light rail and bus -- in the immediate area, throughout the six-miles of the regional Trolley Trail and in the larger regional active transportation network.

Name of Funding (Granting) Agency: Oregon Department of Transportation (ODOT)

Agency's Web Address for Grant Guidelines and Contact Information:
<https://www.oregon.gov/odot/Programs/Pages/OCP.aspx>

OR

Application Packet Attached: Yes No
Completed By: Heather Koch Date: 1/6/2021

** NOW READY FOR SUBMISSION TO DEPARTMENT FISCAL REPRESENTATIVE **

Section II: Funding Opportunity Information - To be completed by Department Fiscal Rep

Competitive Grant Non-Competing Grant/Renewal Other Notification Date: Awards Summer 202
CFDA(s), if applicable: N/A (federal)
Announcement Date: 11/1/2020 Announcement/Opportunity #: N/A (federal)
Grant Category/Title: Development Projects Max Award Value: \$423,525
Allows Indirect/Rate: Uncertain but does not appear to allow Match Requirement: 10.27% (\$48,475)
Application Deadline: 1/31/2021 Other Deadlines: past - Nov 15, 2020
Grant Start Date: tbd 7/1/2021 Other Deadline Description: Letter of Intent (in order to be invited to apply)
Grant End Date: 3 years from date agreement executed
Completed By: Elizabeth Gomez
Pre-Application Meeting Schedule: November 2020 + January 2021

Section III: Funding Opportunity Information - To be completed at Pre-Application Meeting by Dept Program and Fiscal St.

Mission/Purpose:

1. How does the grant support the Department's Mission/Purpose/Goals?

Developing the path segment at the park better connects Trolley Trail users to provide economic development opportunities, public spaces, and community enrichment services to residents, businesses, visitors, and partners so they can thrive and prosper in healthy and vibrant communities.

2. How does the grant support the Division's Mission/Purpose/Goals? (If applicable)

Developing the path segment supports safer active transportation options for District residents, helping NCPRD use parks and recreational amenities to enrich community vitality and promote healthy living. The grant also supports two project-specific goals: (1) Integrate and enhance connectivity through pedestrian and bicycle circulation patterns; and (2) Ensure a safe and welcoming environment that provides accessibility, engagement and inclusion for all ages, mobility types, and backgrounds.

3. What, if any, are the community partners who might be better suited to perform this work?

The City of Milwaukie remains a close partner in this effort to develop all amenities at Milwaukie Bay Park -- in coordination, funding and ownership of the land; however, as a site NCPRD operates and manages, we are best suited for this work. NCPRD has also worked with various partners on the Trolley Trail for almost 20 years to create and provide ongoing improvements for the 6-mile regional transportation and recreation corridor. Although this segment construction for which NCPRD is seeking funding is in Milwaukie, it is a District-wide amenity and serves residents District wide. NCPRD planning and project management staff are best suited for this work.

4. What are the objectives of this grant? How will we meet these objectives?

The goal of the OCP Program is to build off-road transportation projects that address barriers and hazards for pedestrians and bicyclists. The grant selection process prioritizes projects that will provide safety benefits and meet equity measures. This project will provide safety improvements by constructing a new path that meets today's standards and is designed to mitigate potential conflicts among path users and between path users and those in the surrounding area accessing Milwaukie Bay Park and OR-99E/McLoughlin Blvd. The project helps achieve greater equity for some transportation disadvantaged areas and members of the community. As a major point of connection, this segment location in particular offers better connection and access to many key areas for those experiencing transportation disadvantage: (1) the downtown retail and public services for all residents without autos; (2) the highly diverse Milwaukie High School; (3) new and much more dense housing with fewer cars; (4) and new affordable housing in which reliance on alternative transportation tends to be higher.

5. Does the grant proposal fund an existing program? If yes, which program? If no, what should the program be called and what is its purpose?

N/A - the grant proposal is for a project rather than a program

Organizational Capacity:

1. Does the organization have adequate and qualified staff? If yes, what types of staff are required? If no, can staff be hired within the grant timeframe?

Yes, NCPRD has a Project Manager for Milwaukie Bay Park, a design team under contract, and a construction team for which a solicitation is being finalized. The contracts will allow NCPRD to complete preparation of construction documents and then be amended for the construction phase within the grant timeframe.

2. Is there partnership efforts required? If yes, who are we partnering with, what are their roles and responsibilities, and are they committed to the same goals?

NCPRD is partnering with the City of Milwaukie on the Milwaukie Bay Park Project overall. Since the City owns the land and regulates land use, partnership is required for success. Roles and responsibilities are described in an existing Intergovernmental Agreement. City roles and responsibilities include: owning the property, overseeing and providing land use approvals, providing advisory input on the design and/or process, and contributing funds. The City is committed to our shared goal to complete the park as a District-wide amenity.

3. If this is a pilot project, what is the plan for sunseting the program or staff if it does not continue (e.g. making staff positions temporary or limited duration, etc.)?

N/A

4. If funding creates a new program, does the department intend that the program continue after initial funding is exhausted? If so, how will the department ensure funding (e.g. request new funding during the budget process, discontinue or supplant a different program, etc.)?

As a development project rather than a program, once the project is complete, development will be complete. NCPRD budgets annually for ongoing maintenance and management for all properties managed in the District.

Collaboration

1. List County departments that will collaborate on this award, if any.

NCPRD-BCS only

Reporting Requirements

1. What are the program reporting requirements for this grant?

Grant recipient: (1) tracks project and submits monthly progress reports and invoices; (2) sends quarterly progress report to CommunityPaths@odot.state.or.us; (3) sends final invoice for payment, closeout documentation, and final report.

2. What is the plan to evaluate grant performance? Are we using existing data sources? If yes, what are they and where are they housed? If not, is it feasible to develop a data source within the grant timeframe?

Grants require the projects to be in compliance with progress reporting and be completed within three years. The Project manager will conduct progress reporting and submit any other reports necessary. Once a grant is awarded, specific program requirements will be communicated from OCP, as OCP is responsible from administering Federal Highway Administration (FHWA) Transportation Alternative Program (TA) funds that would be the source for this grant through the OCP program.

3. What are the fiscal reporting requirements for this grant?

Grant recipient: (1) tracks project and submits monthly progress reports and invoices; (2) sends quarterly progress report to CommunityPaths@odot.state.or.us; (3) sends final invoice for payment, closeout documentation, and final report. NCPRD must also partner with Clackamas County Finance on federal grant management.

Fiscal

1. Will we realize more benefit than this grant will cost to administer?

Yes.

2. What other revenue sources are required? Have they already been secured?

Yes, more sources are required. An IGA has been signed for future transfer of funds from City of Milwaukie (\$1 million) and the Land and Water Conservation Fund recommended a \$1 million award for which agreements are expected Spring 2021. The draft funding plan also includes: (1) NCPRD funds (SDCs, Metro Bond Local Share) that will be discussed with the NCPRD Board, District Advisory Committee and public; (2) other grants through Oregon Parks and Recreation Department and Metro (for which we have applied and will soon be applying); (3) private donations pledged from Milwaukie Parks Foundation not-for-profit organization.

3. Is there a match requirement? If yes, how much and what type of funding (CGF, Inkind, Local Grant, etc.)?

Yes, a 10.27% cash match is required, and local or state funds may be used. NCPRD plans to use General Fund dollars but could use other local or state funds if determined to be available later. Cash match can only be for expenditures after the date the Intergovernmental Agreement (IGA) is signed by all parties and executed. Cash match is actual funds provided by the applicant that are reasonable, necessary, and directly related to the project and funded by the applicant. Examples of cash match include engineering, design, utility relocation, right-of-way acquisition, and construction costs.

4. Is this continuous or one-time funding? If one-time funding, how will program funding be sustained?

This is a one-time grant for construction. There is no program to sustain.

5. Does this grant cover indirect costs? If yes, is there a rate cap? If no, can additional funds be obtained to support indirect expenses and what are they?

There is no indication that it covers indirect cost, however the funding is being sought only for construction costs associated with construction of the permanent path. NCPRD funds from SDCs, Metro Local Share and General fund are planned to support indirect expenses.

Program Approval: (completed by Project Manger)

Heather Koch

1/7/2021

Heather Koch (digitally provided)

Name (Typed/Printed)

Date

Signature

**** NOW READY FOR PROGRAM MANAGER SUBMISSION TO DIVISION DIRECTOR****

Section IV: Approvals

DIVISION DIRECTOR OR ASSISTANT DIRECTOR (or designee, if applicable)		
Kandi Ho	1/7/2021	<i>Kandi Ho (Digitally provided)</i>
Name (Typed/Printed)	Date	Signature

DEPARTMENT DIRECTOR		
Laura Zentner		
Name (Typed/Printed)	Date	Signature

IF APPLICATION IS FOR FEDERAL FUNDS, PLEASE SEND COPY OF THIS DOCUMENT BY EMAIL TO FINANCE (FinanceGrants@clackamas.us). ROUTE ORIGINAL OR SCANNED VERSION TO COUNTY ADMIN.

Section V: Board of County Commissioners/County Administration

*(Required for all grant applications. All grant **awards** must be approved by the Board on their weekly consent agenda regardless of amount per local budget law 294.338.)*

For applications less than \$150,000:

COUNTY ADMINISTRATOR	Approved: <input type="checkbox"/>	Denied: <input type="checkbox"/>
Name (Typed/Printed)	Date	Signature

For applications greater than \$150,000 or which otherwise require BCC approval:

BCC Agenda item #: Date:

OR

Policy Session Date:

County Administration Attestation

**County Administration: re-route to department contact when fully approved.
Department: keep original with your grant file.**