
Wednesday, December 16, 2020

7:30 AM – 9:00 AM

Digital Meeting

https://clackamascounty.zoom.us/webinar/register/WN_LG3ZDI4Sh-uqImFdLjwBg

Meeting ID: 871 0434 8255

Passcode: 991141

Telephone option: 1 (346) 248 7799

Agenda

7:30 a.m. Welcome & Introductions

7:35 a.m. JPACT Issues

- Regional Framework for Highway Jurisdictional Transfer Study
Presented by John Mermin (Metro) and Glen Bolen (ODOT)
- Comments on Transportation Planning Certification (SMART)
Presented by Mark Ottenad, City of Wilsonville; and Dwight Brashear, SMART
- JPACT Cities Membership Discussion/Update
Presented by Trent Wilson, Clackamas County

8:40 a.m. MPAC Issues

- Updates and Open Discussion

8:50 a.m. Other Issues

- As needed

9:00 a.m. Adjourn

Attachments:	JPACT/MPAC Work Programs	Page 02
	Jurisdictional Transfer Resolution and Exec Summary	Page 05
	SMART Letter to FHWA	Page 10
	JPACT Memo re Appointments	Page 23
	TPAC Memo	Page 32



600 NE Grand Ave.
 Portland, OR 97232-2736
 oregonmetro.gov

2020 JPACT Work Program

As of 10/6/20

Items in italics are tentative

<p><u>October 15, 2020</u></p> <ul style="list-style-type: none"> • Resolution No. 20-5130 For the Purpose of Amending or Adding New Projects to the 2021-24 Metropolitan Transportation Improvement Program (MTIP) which Involves Five Projects Impacting ODOT and TriMet (OC21-03-OCT) (Consent) • Mobility Policy Update (Kim Ellis, Metro; 20 min) • Burnside Bridge Update (Megan Neil, Multnomah County; 20 min) <p><i>October 15-17: League of Oregon Cities Conference, Salem</i></p> <p><i>October 15: Oregon Mayor’s Association Meeting, Salem</i></p>	<p><u>November 19, 2020</u></p> <ul style="list-style-type: none"> • Jurisdictional Transfer Assessment – Draft Recommendations (John Mermin, Metro; 20 min) • Interstate Bridge Replacement Program Partner Resolution (Margi Bradway, Metro; 45 min; Information/Discussion)
<p><u>December 17, 2020</u></p> <ul style="list-style-type: none"> • Metro Jurisdictional Transfer Project Action to accept Final Report for inclusion in 2023 RTP Technical Appendix(John Mermin, Metro) (consent) • Emergency Transportation Routes Update (Who Does this one?; 20 min) 	

Parking Lot:

- *TSMO Plan Update (Ted Leybold/Caleb Winter, Metro)*
- *Emerging Technology (Ted Leybold/Eliot Rose, Metro)*



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2020 MPAC Work Program

as of 10/07/20

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<p><u>Wednesday, September 9, 2020 - cancelled</u></p>	<p><u>Wednesday, September 23, 2020</u></p> <ul style="list-style-type: none"> • MTAC Nominations for MPAC consideration (consent) • State housing legislation rulemaking update (DLCD; 5 min)- during Chair comments • Building Blocks Workshop (Sasha Pollack, Metro; 45 min) • Regional Waste Plan code update (Jennifer Erickson, 20 min) • Federal Agenda item for Affordable Housing (Jes Larson, Metro; 45 minutes)
<p><u>Wednesday, October 14, 2020</u></p> <ul style="list-style-type: none"> • Site Readiness Toolkit Update(Jeff Raker, Metro; 30 min) • MPAC discussion of its role and composition (Commissioner Jayapal & Vice Chair Callaway; Facilitated by Eryn Kehe Metro; 90 min) <p><i>October 15-17: League of Oregon Cities Annual Conference, Salem, OR</i></p>	<p><u>Wednesday, October 28, 2020 - cancelled</u></p>
<p><u>Wednesday, November 11, 2020- Veteran's Day- cancelled</u></p>	<p><u>Wednesday, November 25, 2020 - cancelled (day before thanksgiving)</u></p>

<p><u>Wednesday, December 9, 2020</u></p> <ul style="list-style-type: none"> • <i>Regional Mobility Policy Update: Case Studies and Policy Approaches (Kim Ellis, Metro/Lidwien Rahman, ODOT; 40 min)</i> • <i>Regional Emergency Transportation Routes Update: Draft Map and Recommendations for Future Work (Kim Ellis, Metro/ Laura Hanson, RDPO40 min)</i> 	<p><u>Wednesday, December 23, 2020 – cancelled</u></p>
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Parking Lot & notes:

- 2020 Census Follow Up
- Regional forecast distribution (Metro staff TBD; 30 min)
- Community Partnerships Program
- Regional Data Strategy
- 2040 Planning and Development Grants: Tigard Triangle Urban Renewal Implementation Project (TBD; 45 min)
- Regional supportive housing services program update (Jes Larson, Metro; 30 min)
- Regional Site Readiness Toolkit (Alex Joyce, Cascadia Partners/ Lise Glancy, Port of Portland /Brittany Bagent or Matt Miller, GPI/ Jeff Raker, Metro, TBD)
- Minority Contracting discussion
- Agenda on Reimagine Oregon updates –suggested early priority for 2021
- Metro’s role in planning and investing in our economic future (Jeff Raker)

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ACCEPTING THE
FINDINGS IN THE REGIONAL FRAMEWORK
FOR HIGHWAY JURISDICTIONAL TRANSFER
STUDY

RESOLUTION NO. 20-5138
Introduced by Chief Operating Officer
Marissa Madrigal in concurrence with
Council President Lynn Peterson

WHEREAS, In greater Portland, ownership patterns of streets, roads, and highways reflect historical patterns; these patterns do not necessarily reflect current transportation, land use, and development needs; and

WHEREAS, many of these highway segments have significant needs and deficiencies, such as pedestrian and bicycle facility gaps, inadequate transit infrastructure, poor pavement conditions, or inadequate safety infrastructure, and many of these segments travel adjacent to areas with high concentrations of people of color, people with low incomes, or people who speak English as a second language; and

WHEREAS, The facility design and management approaches articulated in ODOT's Blueprint for Urban Design can address immediate community needs in advance of a jurisdictional transfer, while also reducing the cost of transfer and long-term maintenance of the facility; and

WHEREAS, Metro's 2018 Regional Transportation Plan (RTP) identified a jurisdictional transfer assessment as one approach to help the region meet its equity, safety and multimodal goals; and

WHEREAS, The Regional Framework for Highway Jurisdictional Transfer Study identifies which state-owned routes in greater Portland could be evaluated and considered for a jurisdictional transfer based on regional priorities, and summarizes key opportunities and barriers to transfer the routes; and

WHEREAS, The study was developed with input from several regional committees and elected bodies, such as the Transportation Policy Advisory Committee (TPAC), the Metropolitan Transportation Advisory Committee (MTAC), the County Coordinating Committees, and direction from the Joint Policy Advisory Committee on Transportation (JPACT), and the Metro Council; and

WHEREAS, The study was released for public comment and responses were received through an online survey, letters and virtual briefings; and

WHEREAS, The study identified technical and readiness methodologies for use by state, regional and local jurisdiction leaders to identify promising candidate roadways for transfer and facilitate successful transfer or roadway ownership; and

WHEREAS, the study identified 11 state-owned highway segments in greater Portland considered to be most promising for a jurisdictional transfer based on an assessment of technical, readiness, and equity considerations at this point in time; and

WHEREAS, the study recognized all corridors in the study are of importance and that the technical and readiness factors will change over time and, as a result the most promising corridors for a jurisdictional transfer will change over time as well; and

WHEREAS, The Metro Council hereby recognizes that jurisdictional transfer depends on readiness and funding and that jurisdictional transfer is one but not the only approach to addressing the needs on statewide highways; and

WHEREAS, The Metro Council further recognizes the value in using the findings of this report to inform ongoing efforts to advance the use of facility design and management approaches and to develop funding strategies in advance of any jurisdictional transfers, now therefore,

BE IT RESOLVED:

1. That the Metro Council hereby accepts the findings in the Regional Framework for Highway Jurisdictional Transfer study to inform policy development in the 2023 Regional Transportation Plan update as shown in Exhibit A.

3. That the Metro Council accepts the public comments received in Exhibit B

ADOPTED by the Metro Council this 17th day of December, 2020.

The Regional Framework for Highway Jurisdictional Transfer Study identifies which state-owned routes in greater Portland could be evaluated and considered for a jurisdictional transfer based on regional priorities, and summarizes key opportunities and barriers to transfer the routes. For the purposes of this study, jurisdictional transfer (also referred to as interjurisdictional transfer) is the process of changing ownership of a highway right-of-way from the State to a local jurisdiction – a city or county.¹ The decision framework serves as a tool for the state, regional and local jurisdiction leaders to identify promising candidate roadways for transfer and facilitate successful transfer of roadway ownership. The study was convened by Metro in collaboration with the Oregon Department of Transportation (ODOT).

Metro's 2018 Regional Transportation Plan (RTP) identified a jurisdictional transfer assessment as a necessary step to help the region meet its equity, safety and multimodal goals. In greater Portland, ownership patterns of streets, roads, and highways reflect historical patterns; these patterns do not necessarily reflect current transportation, land use, and development needs.

Several arterials in greater Portland were originally constructed to provide connections from farmland to the cities (referred to as "farm-to-market" roads). Over time, they grew to become highways. In 1956, the federal government began building the Interstate Highway System (known as the Dwight D. Eisenhower National System of Interstate and Defense Highways) and between 1960 and 1980, the highway system in the Portland area was built. It included limited access facilities such as Interstate 5 (I-5), I-205, and Highway 26, which provided more efficient long-distance travel options and replaced the function of the existing state system.

Since then, much of the land surrounding these highways has evolved to accommodate population growth, new development, and diversified land uses. As a result, many of the original roads now serve multiple travel needs, providing space for people walking and biking, taking transit, and making short- and medium-distance trips by motor vehicle. Roadway designs that catered to convenient auto access and were useful last century do not always work for our communities today. Managing these roads – ones that used to function as highways – to meet the needs of our communities, especially people of color, people with low-incomes, or limited-English speakers, has become increasingly complex due to historic lack of public and private investment in areas serving disadvantaged communities of color or communities with lower incomes.

While roadway functions have changed, for many, their roadway classification and physical design have not. Roadways that remain state highways retain the same classification identified in the 1999 Oregon Highway Plan (OHP), as amended. Transferring non-limited access state highways that function as urban arterials to local jurisdictions could provide the opportunity for them to be re-constructed and operated consistent with local design standards that may respond better to modern transportation uses and mobility options, desired land use and development patterns, and community needs.

The study provides a toolkit for state, regional, and local jurisdiction leaders to identify promising candidate roadways for transfer and to facilitate successful transfer of roadway ownership. It identified 11 state-owned highway segments in greater Portland that could be considered for a jurisdictional transfer and addressed some of the opportunities and barriers to transferring the routes. These 11 highway segments have significant needs and deficiencies, such as pedestrian and bicycle facility gaps, poor pavement conditions, or inadequate safety infrastructure. Many of these segments travel adjacent to areas with high concentrations of people of color, people with low incomes, or people who speak English as a second language. In general, these characteristics make them more promising candidates for jurisdictional transfer to local jurisdictions. In some cases, there is current interest from the local jurisdictions to pursue transfer in attempts to align existing and future land uses with community interest. As such, an investment in a jurisdictional transfer is not just a transportation investment, but also a community investment.

1. A jurisdictional transfer can also be the transfer of ownership from a local jurisdiction to ODOT.

In addition to briefings and workshops with members of Metro’s Transportation Policy Alternatives Committee (TPAC) and Metro Council, project-focused committees were established to inform the study.

The Project Executive Team included representatives from Metro and ODOT and the Project Steering Committee included representatives from Metro, ODOT, TriMet, Washington County, Clackamas County, Multnomah County and the City of Portland.

Inventory of non-interstate highways

The study team prepared an atlas including all state-owned highways within the Portland metropolitan area that are not freeways. The atlas identifies jurisdictional boundaries, national, state, regional and local roadway classifications or designations and other roadway characteristics or elements such as surrounding land use, average annual daily traffic volume, presence of sidewalks, bike lanes, and bridges, and environmental factors. The atlas provided an inventory to help identify which roadways were studied further to develop findings regarding the most promising candidates for jurisdictional transfer. The atlas is included as Attachment A.

Policy framework

The study team summarized the legal, regulatory, and policy framework for highway jurisdictional transfers in Oregon. The team also identified major constraints to the transfer process and provided best practices based on examples of completed roadway transfers in Oregon. The summary gives decision-makers the overarching policy framework, relevant case studies and best practices needed to identify, analyze and implement jurisdictional transfers in the region. (see Section 2 and Attachment B)

Corridor evaluations and findings

The study team evaluated 78 corridor segments within the Portland metropolitan area to determine the most promising corridor segments for transfer. For the purposes of this evaluation, a corridor segment is defined as a portion of an arterial highway within a single jurisdiction in the Portland Metropolitan Planning Area (MPA).^{2,3} The evaluation methodology consists of two parallel processes, each consisting of one screening round and one evaluation round.

- Round 1: Preliminary screening of all ODOT-owned arterial highway corridor segments in the Portland MPA to screen out segments that are not viable candidates for jurisdictional transfer because of their intended vehicle and freight throughput function
- Round 2a: Technical evaluation of the remaining segments from Round 1 to select promising segments for potential transfer
- Round 2b: Readiness evaluation of the remaining segments from Round 1 to select promising segments for potential transfer

The results from Round 1, preliminary screening, equally informed subsequent evaluation rounds. After Round 1, the study team evaluated the remaining corridor segments to identify the most promising segments as candidates for jurisdictional transfer from two perspectives: technical (Round 2a) and readiness of the local jurisdictional to accept and manage an arterial (Round 2b). The technical evaluation examined segments using technical considerations related to the existing and future function of the roadway. Starting with a technical perspective allows considerations about the function of a roadway to inform conversations about jurisdictional transfer. The readiness evaluation examines the same universe of segments using readiness considerations related to local support and interest, including characteristics such as jurisdictional capacity, leadership interest, or experience with jurisdictional transfers.

Historically, identifying a single, comprehensive funding source for jurisdictional transfers in the region has been a challenge. Jurisdictions are typically only interested in transfers when accompanied by funding to improve the roadway, and it is difficult to provide a meaningful funding amount by piecing different funding

2. The MPA is a federally-mandated boundary designated by Metro and encompasses all cities in the metropolitan area.

3. Corridor segment definitions are for this evaluation only. Highway transfer recommendations may combine or split corridor segments based on what makes sense at the time of a transfer.

buckets together. The study team recognizes the need for a wholistic and comprehensive funding strategy to fully accomplish jurisdictional transfers. Refer to the Consultant Recommendation memorandum (November 2020) for a list of funding sources and a broader funding discussion.

The study team also conducted an equity consideration evaluation to identify highway corridors with higher-than-average levels of people of color, low-income households, people who are unemployed and people with limited English proficiency and/or disabilities. Those corridors with higher than regional averages of equity-focused populations were given additional consideration as most promising for jurisdictional transfer.

The team evaluated and compared results from Round 2a and Round 2b, informed by the equity considerations evaluation, to identify segments that appeared most promising for jurisdictional transfer discussion (see Sections 3 and 4 and Attachment C for evaluation criteria and scoring and Attachment D for the Equity Considerations).

While all of the corridors in this report are of importance, the team identified the 11 corridors with mile points (MP) listed below (as shown in Figure ES-1) for consideration for further jurisdictional transfer discussions. These corridors showed the strongest characteristics for potential jurisdictional transfer based on an assessment of technical, readiness and equity considerations. Many of these highway corridors are within areas that have higher than average concentrations of people of color and people who are low-income. In addition, many of these highway corridors demonstrated traffic safety needs. Of the factors used in the analysis, these factors were identified of critical concern in the 2018 RTP. Figure ES-2 illustrates the evaluation process.

1. Powell Boulevard (U.S. 26): MP 0.2 - 10.0
2. Barbur Boulevard (OR 99W): MP 1.2 - 7.6
3. SE/NE 82nd Avenue (OR 213): MP -0.1 - 7.2
4. Tualatin Valley Highway (OR 8): MP 2.9 - 5.9
5. Pacific Highway W (OR 99W): MP 7.6 -11.5
6. Tualatin Valley Highway (OR 8): MP 5.9 - 17.9
7. Pacific Highway W (OR 99W): MP 11.5 - 14.5
8. Farmington Road (OR 10): MP 5.9 - 7.3
9. SW Hall Boulevard (OR 141: MP 2.6 - 7.1 and MP 7.7 - 8.9
10. SE McLoughlin Boulevard (OR 99E): MP 5.7 - 6.7
11. Willamette Drive (OR 43): MP 8.0 - 11.5

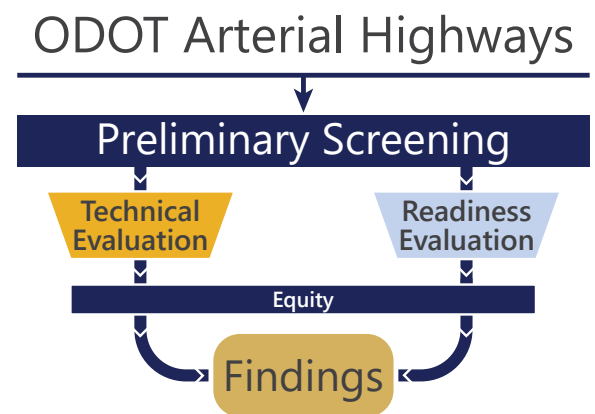


Figure ES-2: Screening, technical evaluation and readiness evaluation process

Needs and deficiencies

The study team prepared a high-level assessment of the needs and deficiencies based on today's conditions and sentiments of the 11 potential jurisdictional transfer candidates identified above to help inform future conversations about investment and/or jurisdictional transfer. The needs and deficiencies assessment is designed and organized primarily as a tool for cities and counties most likely to receive these facilities and secondarily for regional and state agencies. See Section 5 and Attachment E.

Cost estimating methodology

The study team developed a cost estimating methodology to provide partners with a consistent process for use in developing and understanding the costs associated with a highway jurisdictional transfer in greater Portland. The methodology is based on industry practices, asset management strategies, past jurisdictional transfers, and technical expertise in consultation with ODOT staff and technical experts. Roadways require maintenance, improvements, and oversight over the course of ownership. The methodology ensures partners have consistent, necessary tools to consider these variables as local jurisdictions, Metro and ODOT engage in conversations regarding highway jurisdictional transfer. See Section 6 and Attachment F.



December 7, 2020

Submitted via email to:

Rachael Tupica, Federal Highway Administration, Oregon Division *rachael.tupica@dot.gov*

Matt Kunic, Federal Highway Administration, Washington Division *matthew.kunic@dot.gov*

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RE: Comments on transportation planning certification review for Portland, OR, MPO

Dear FHwA and FTA Administrators:

The City of Wilsonville, operator of the award-winning South Metro Area Regional Transit (SMART) agency, is providing comment and recommendation regarding the transportation planning certification review for the Portland, OR, Metropolitan Planning Organization (MPO) that is administered through Metro regional government's Joint Policy Advisory Committee on Transportation (JPACT) policy board that serves the transportation management area (TMA) of Portland, OR.

SMART is the Portland metropolitan area's only other FTA urbanized-area transit provider, working in partnership with the Tri-County Metropolitan Transit District (TriMet), as well as the adjacent Salem, OR, MPO transit operator (Salem Area Mass Transit District (SAMTD) and rural transit providers located outside of the Portland and Salem MPO boundaries. SMART plays a strategic role as the sole transit operator in providing service in the greater South Metro urban region with connections to the Salem MPO and adjacent growing rural Canby area.

SMART operates a full range of public transit services, including fixed-route and ADA/paratransit service, that focus on the rapidly growing South Metro region of Portland with connections to the cities of Salem and Canby. SMART provides highly-rated transit services within Wilsonville, a community of 25,000 residents that hosts 20,000 jobs where approximately 90% of the workforce commutes to employment in Wilsonville.

SMART provides connecting transit service to TriMet's high-capacity Westside Express Service (WES) at the Wilsonville Transit Center, as well as to the state capital of Salem and to the rural city of Canby. SMART is working with the Oregon Department of Transportation (ODOT) to improve public transit service in the South Metro Portland area through a new

pilot program for bus-on-shoulder transit services along the heavily congested I-5 Wilsonville-to-Tualatin corridor and along the I-205 Wilsonville-to-Oregon City corridor.

SMART constantly receives requests from nearby elected officials in the South Metro region of the MPO and adjacent rural areas for public transit service that is not provided for currently at the desired level to their communities. Leaders of the South Metro area cities of Oregon City, Tualatin, and West Linn, and adjacent rural areas of Canby and Woodburn have over the past several years inquired about SMART providing transit service in or connections to their communities.

In some instances, SMART has been able to obtain special grant funds from the FTA and ODOT's Statewide Transportation Improvement Fund (STIF) to provide new transit service to the South Metro cities of Tualatin, and is now examining the feasibility for new service to Oregon City, the Clackamas County seat of government. In a similar manner, new regular transit service connects the rural Canby area with Wilsonville and transit services of the Portland MPO.

In terms of the transportation planning certification review for Portland, OR, MPO, the JPACT policy board bylaws do not provide public transit with the level of direct representation at the MPO policy board that Congress intended in passing the Moving Ahead for Progress in the 21st Century Act (MAP-21), which requires representation by providers of public transportation in each metropolitan planning organization (MPO). As the Portland MPO's only other public transit provider, SMART has no direct representation at JPACT and pursuant to the JPACT bylaws is indirectly represented by the Cities of Clackamas County representative, who may or may not have any awareness and understanding of how public transit works and the role of public transit in MPO transportation planning; *see* JPACT Bylaws, page 4 (attached).

Indeed, given that the MPO JPACT policy board bylaws were last updated in 2008, it is highly unlikely that the bylaws comply with the updated MPO representation provisions as provided for in MAP-21, signed into law July 2012, and the subsequent FTA and FHWA jointly issued this guidance on implementation of provisions of MAP-21 as appearing in the Federal Register, Vol. 79, No. 105, June 2, 2014, Rules and Regulations.

The City of Wilsonville, by and through its FTA urbanized-area transit provider SMART, should have direct representation at the JPACT table. Chapter 53 of title 49, United States Code, as amended by MAP-21 effective October 1, 2012, contains several relevant MAP-21 provisions pertaining to SMART transit having direct representation at the MPO table.

MAP-21 Sec. 5303 Metropolitan transportation planning states:

“(a) Policy. --It is in the national interest--

(1) to encourage and promote the safe and efficient management, operation, and development of **surface transportation systems that will serve the mobility needs of people** and freight and foster economic growth and development within and **between States and urbanized areas**, while minimizing transportation-related

fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter;

(2) to encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by metropolitan planning organizations, State departments of transportation, **and public transit operators** as guided by the planning factors identified in subsection (h) and section 5304(d).”

Page 14, emphasis added.

Thus, MAP-21 demonstrates an intent by Congress for public transit operators to be fully engaged in MPO transportation planning efforts that “serve the mobility needs of people... between States and urbanized areas.” SMART is unique in that it is the only transit operator that provides public transit service between the urbanized Portland MPO and Salem MPO.

MAP-21 Sec. 5303 Metropolitan transportation planning further states that the MPO membership composition should include:

“(B) officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation;”

Page 16, emphasis added.

Currently, only one voting seat at JPACT represents “providers of public transportation”; however, Congress sought to have greater representation of “providers of public transportation.”

The issue of Wilsonville/SMART representation at the MPO may be accomplished through a simple amendment of the JPACT bylaws without having to go through a restructuring process. MAP-21 Sec. 5303 Metropolitan transportation planning notes that:

“(B) Restructuring.—A metropolitan planning organization may be restructured to meet the requirements of paragraph (2) without undertaking a redesignation.”

Page 16.

In 2014 the FTA and FHWA jointly issued this guidance on implementation of provisions of MAP-21 “that require representation by providers of public transportation in each metropolitan planning organization (MPO) that serves a transportation management area.” FTA/FHWA Policy Guidance on Metropolitan Planning Organization (MPO) Representation, June 2, 2014. This guidance states:

“The clear intent of this legislative provision is to ensure that providers of public transportation are represented on the MPO board and should have equal decisionmaking rights and authorities as the other members that are on the policy board of an MPO that serves a TMA. Contrary to the conclusions of some of the commenters, 23 U.S.C. 134(d)(2) and 49 U.S.C. 5303(d)(2) expressly provide

that MPOs serving TMAs must alter their board compositions, if necessary, in order to attain the statutorily required structure.”

Federal Register, Vol. 79, No. 105, June 2, 2014, Rules and Regulations, page 31214; emphasis added.

The FTA and FHWA jointly issued guidance on implementation of provisions of MAP-21 further strengthens the position that Wilsonville/SMART should have direct representation at the MPO JPACT “policy board”, and that doing so may be accomplished with a simple amendment of the JPACT bylaws:

“Congress amended 23 U.S.C. 134(d)(2)(B) and 49 U.S.C. 5303(d)(2)(B) to provide that, among other mandatory MPO members, MPOs serving an area designated as a TMA specifically “shall consist of . . . representation by providers of public transportation.” Congress also amended 23 U.S.C. 134(d)(5)(B) and 49 U.S.C. 5303(d)(5)(B) to provide that an MPO **“may be restructured to meet the requirements of paragraph (2) without undertaking a redesignation.”** Additionally, the Conference Report accompanying MAP- 21 states, **“The conference committee requires the structure of all Metropolitan Planning Organizations include officials of public agencies that administer or operate public transportation systems within two years of enactment.”** Congress also made clear that the term metropolitan planning organization refers to **“the policy board” of the organization, not its advisory or non-decisionmaking elements.**

Federal Register, Vol. 79, No. 105, June 2, 2014, Rules and Regulations, page 31216; emphasis added, footnotes omitted.

Furthermore, it would appear that the current MPO JPACT policy board bylaws contradict FTA and FHWA jointly issued guidance on implementation of provisions of MAP-21. The JPACT bylaws currently require the “Cities of Clackamas County representative” to represent SMART at the MPO policy board; see JPACT Bylaws, page 4. The Cities of Clackamas County representative must be an elected official from a Clackamas County city whose primary responsibility is to serve the interests of cities rather than represent public transit provider:

“The policy guidance states that a public transportation representative on an MPO should not serve as one of the other mandatory MPO members set forth in 23 U.S.C. 134(d)(2) and 49 U.S.C. 5303(d)(2). For example, a member of an MPO board whose assignment comes by virtue of his or her position as an elected official should not also attempt to serve as a representative of providers of public transportation on the MPO board.”

Federal Register, Vol. 79, No. 105, June 2, 2014, Rules and Regulations, page 31216; emphasis added.

Wilsonville/SMART anticipates that MPO representatives may claim that providing Wilsonville/SMART direct representation on the JPACT policy board “could introduce a

conflict or upset a carefully constructed balance on the MPO.” However, explicit FTA and FHWA jointly issued guidance rejects this argument:

“23 U.S.C. 134(a)(2) and 49 U.S.C. 5303(a)(2) state that ‘it is in the national interest...to encourage the continued improvement and evolution of the metropolitan and statewide planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators.’ The MAP-21’s establishment of a performance-based approach to transportation decisionmaking evolves and improves the metropolitan and statewide planning processes, increasing the accountability and transparency of the Federal surface transportation program and improving project decisionmaking.

“The inclusion of a representative of providers of public transportation in each MPO that serves a TMA is a critical element of MAP-21’s performance management framework as it will enable the MPO to establish balanced performance targets and improve its ability to develop plans and programs that support an intermodal transportation system for the metropolitan area. As such, it contributes to the continued improvement and evolution of the cooperative and collaborative metropolitan planning process.

“The guidance affirms that a representative of providers of public transportation on an MPO that serves a TMA, once designated, should have equal decisionmaking rights and authorities as the other members that are on the policy board of an MPO that serves a TMA.”

Federal Register, Vol. 79, No. 105, June 2, 2014, Rules and Regulations, page 31216; emphasis added.

As a direct, urbanized-area FTA recipient, SMART meets the qualifications set out by FTA and FHWA jointly issued guidance for direct representation at the MPO policy board:

“The policy guidance clarifies that the **representative of providers of public transportation on an MPO that serves an area designated as a TMA should be a provider of public transportation in the metropolitan planning area and a designated recipient, a direct recipient, or a subrecipient of Urbanized Area Formula funding**, or another public transportation entity that is eligible to receive Urbanized Area Formula funding.”

Federal Register, Vol. 79, No. 105, June 2, 2014, Rules and Regulations, page 31217; emphasis added.

The current MPO policy board structure violates the intent and FTA and FHWA jointly issued guidance for implementing MAP-21 by arbitrarily subordinating SMART’s representative to be the Cities of Clackamas County representative to JPACT and by not providing direct representation for SMART; *see* JPACT Bylaws, page 4. Currently, the only public transit operator with direct representation to the MPO policy board is TriMet, which

pursuant to the JPACT bylaws, does not consider the needs SMART, which pursuant to the JPACT bylaws is represented by the Cities of Clackamas County representative.

“An MPO serving a TMA should formally establish through a board resolution the role and responsibilities of a representative of providers of public transportation, including, at a minimum, that **the transit representative should (1) consider the needs of all eligible providers of public transportation in the metropolitan planning area and to address those issues that are relevant to the responsibilities of the MPO, and (2) have equal decisionmaking rights and authorities as the other members that are on the policy board of an MPO that serves a TMA.**”

Federal Register, Vol. 79, No. 105, June 2, 2014, Rules and Regulations, page 31219; emphasis added.

The current JPACT policy board bylaws do not comply with MAP-21 and FTA and FHWA jointly issued guidance by failing to describe how all (both SMART and TriMet) public transit operators are to be represented at the MPO policy board. To date, JPACT has failed to implement the policy guidance to “determine how the MPO will meet the requirement to include representation by providers of public transportation.” The failure is demonstrated by the JPACT bylaws that provide direct representation to only one of two urbanized-area transit operators (to TriMet), while providing indirect representation to SMART under the aegis of the Cities of Clackamas County representative; *see JPACT Bylaws, page 4.*

Indeed, JPACT Bylaws demonstrate complete disregard for the and FTA and FHWA jointly issued guidance for implementation of MAP-21 that seeks to elevate the role of transit operators for key decisionmaking authority:

“As the regional transit representative, **TriMet will periodically coordinate** with the South Metro Area Rapid Transit (SMART).”

JPACT Bylaws, page 4; emphasis added.

In passing MAP-21, Congress demonstrated a keen intent that MPO transit operators should be working in close coordination with each other and with other MPO transit agencies, as opposed to “periodically” when one transit operator decides it may coordinate with another. The FTA and FHWA jointly issued guidance provides the organizational solution to this issue by providing direct representation for Wilsonville/SMART at the MPO JPACT policy board.

The FTA and FHWA jointly issued guidance provides several examples of how the MPO may comply with the provisions of MAP-21:

“There are multiple providers of public transportation within most TMAs. **An MPO that serves an area designated as a TMA that has multiple providers of public transportation may need to cooperate with the eligible providers to determine how the MPO will meet the requirement to include representation by providers of public transportation.** There are various approaches to meeting

this requirement. For example, an MPO may allocate a single board position to eligible providers of public transportation collectively, providing that one representative of providers of public transportation must be agreed upon through a cooperative process. The requirement for representation might also be met by rotating the board position among all eligible providers or by providing all eligible providers with proportional representation. **However the representation is ultimately designated, the MPO should formally adopt the revised structure through a board resolution, bylaws, a metropolitan planning agreement, or other documentation, as appropriate."**

Emphasis added; Federal Register, Vol. 79, No. 105, June 2, 2014, Rules and Regulations, page 31219.

Thus, cumulatively based on the FTA and FHWA jointly issued guidance for MPO compliance with the provisions of MAP-21, Wilsonville/SMART must be provided direct representation with a seat on the JPACT MPO policy board. Doing so allows the MPO to come into compliance with the provisions of MAP-21 that seek to improve the operations and provisioning of public transit service within the metropolitan area, between MPOs and connections to adjacent rural areas. As the Portland, OR, MPO's only other FTA urbanized-area transit operator that provides strategic service to the rapidly growing South Metro area with connections to TriMet's high-capacity WES, to the Salem MPO, and to rural Canby area, SMART is ideally positioned to be a highly productive partner with other jurisdictions on the JPACT MPO policy board. With a simple amendment of the JPACT bylaws providing Wilsonville/SMART with direct representation at the JPACT policy board, the MPO can come into compliance with the provisions of MAP-21.

We are ready and pleased to provide any additional information that may be needed in your review of this important issue. Thank you for your time and consideration.

Sincerely,



Tim Knapp, Mayor
City of Wilsonville



Dwight Brashear, Director
South Metro Area Regional Transit (SMART)

Attachment: Joint Policy Advisory Committee on Transportation (JPACT) Bylaws

cc: Metro JPACT Planning and Development Department
Tri-County Metropolitan Transportation District of Oregon
Clackamas County Coordinating Committee
Washington County Coordinating Committee

**JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION
(JPACT)**

BYLAWS

ARTICLE I

This committee shall be known as the JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION (JPACT).

**ARTICLE II
MISSION**

It is the mission of JPACT to coordinate the development of plans defining required regional transportation improvements, to develop a consensus of governments on the prioritization of required improvements and to promote and facilitate the implementation of identified priorities.

**ARTICLE III
PURPOSE**

Section 1. The purpose of JPACT is as follows:

- a. To provide the forum of general purpose local governments and transportation agencies required for designation of Metro as the metropolitan planning organization for the Oregon portion of the Portland metropolitan area, defined as the Metro jurisdictional boundary or the Metro urban growth boundary whichever is greater, and to provide a mechanism for coordination and consensus on regional transportation priorities and to advocate for their implementation.
- b. To provide recommendations to the Metro Council under state land use requirements for the purpose of adopting and enforcing the Regional Transportation Plan.
- c. To coordinate on transportation issues of bi-state significance with the Clark County, Washington metropolitan planning organization and elected officials.

Section 2. In accordance with these purposes, the principal duties of JPACT are as follows:

- a. To approve and submit to the Metro Council for adoption the Regional Transportation Plan (RTP) and periodic amendments.
- b. To approve and submit to the Metro Council for adoption short and long-range growth forecasts and periodic amendments upon which the RTP will be based.
- c. To approve and submit to the Metro Council for adoption the Unified Planning Work Program (UPWP) and periodic amendments for the Oregon and Washington portions of the metropolitan area. The Metro Council will adopt the recommended action or refer it back to JPACT with a recommendation for amendment.
- d. To approve and submit to the Metro Council for adoption the Transportation Improvement Program (TIP) and periodic amendments. The Metro Council will adopt the recommended action or refer it back to JPACT with a recommendation for amendment.
- e. To approve and submit to the Metro Council for adoption the transportation portion of the State Implementation Plan for Air Quality Attainment for submission to the Oregon Department of Environmental Quality. The Metro Council will adopt the recommended action or refer it back to JPACT with a recommendation for amendment.
- f. To periodically adopt positions that represent the region's consensus on transportation policy matters, including adoption of regional priorities on federal funding, federal transportation reauthorizations and appropriations, the State Transportation Improvement Program priorities and regional priorities for Light Rail Transit (LRT) funding. The Metro Council will adopt the recommended action or refer it back to JPACT with a recommendation for amendment.
- g. To review and comment on the RTP and TIP for the Clark County portion of the metropolitan area and include in the RTP and TIP for the Oregon urbanized portion of the metropolitan area a description of issues of bi-state significance and how they are being addressed.
- h. To review and comment, as needed, on the regional components of local comprehensive plans, public facility plans and transportation plans and programs of ODOT, Tri-Met and the local jurisdictions.

**ARTICLE IV
COMMITTEE MEMBERSHIP**

Section 1. Membership

- a. The Committee will be made up of representatives of the following voting jurisdictions and agencies:

	<u>Members</u>	<u>Votes</u>
Multnomah County.....	1	1
Washington County.....	1	1
Clackamas County.....	1	1
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Cities of Multnomah County.....	1	1
Cities of Washington County.....	1	1
Cities of Clackamas County.....	1	1
Oregon Department of Transportation...	1	1
TriMet.....	1	1
Port of Portland.....	1	1
Department of Environmental Quality....	1	1
Metro.....	3	3
State of Washington.....	3	3
 TOTAL	 17	 17

- b. Alternates may be appointed to serve in the absence of the regular members.
 c. Members and alternates will be individuals in a position to represent the policy interests of their jurisdiction.

Section 2. Appointment of Members and Alternates

a. Members and alternates from the City of Portland and the Counties of Multnomah, Washington and Clackamas will be elected officials from those jurisdictions and will be appointed by the chief elected official of the jurisdiction. The member and alternate will serve until removed by the appointing jurisdiction. The Clackamas County seat shall represent the regional transit service providers Sandy Area Metro (SAM), South Clackamas Transit District (SCTD) or City of Molalla, and Canby Area Transit (CAT) that provide services within the MPO boundary.

b. Members and alternates from the Cities of Multnomah, Washington and Clackamas Counties will be elected officials from the cities represented by these positions of each county (except Portland) and will be appointed through the use of a mail ballot of all represented cities based upon a consensus field of candidates developed through a forum convened by the largest city being represented. The member and alternate will be from different jurisdictions, one of which will be from the city of largest population if that city's population constitutes the majority of the population of all the cities represented for that county. The member and alternate will

serve for two-year terms. In the event the member's position is vacated, the alternate will automatically become member and complete the original term of office. The member and alternate will periodically consult with the appropriate transportation coordinating committees for their area. **The Cities of Clackamas County seat represents the City of Wilsonville, which as the governing body represents South Metro Area Rapid Transit (SMART).**

c. Members and alternates from the two statewide agencies (Oregon Department of Environmental Quality and Oregon Department of Transportation) will be a principal staff representative of the agency and will be appointed by the director of the agency. The member and alternate will serve until removed by the appointing agency.

d. Members and alternates from the two tri-county agencies (TriMet and the Port of Portland) will be appointed by the chief board member of the agency. The member and alternate will serve until removed by the appointing agency. **As the regional transit representative, TriMet will periodically coordinate with the South Metro Area Rapid Transit (SMART).**

e. Members and alternates from the Metro Council will be elected officials and will be appointed by the Metro Council President and confirmed by the Metro Council and will represent a broad cross-section of geographic areas. The members and alternate will serve until removed by the Metro Council President.

f. Members and alternates from the State of Washington will be either elected officials or principal staff representatives from Clark County, the City of Vancouver, the Washington Department of Transportation, the Southwest Washington Regional Transportation Council and C-TRAN. The members will be nominated by Clark County, the City of Vancouver, the Washington Department of Transportation and C-TRAN and will serve until removed by the nominating agency. The three Washington State members will be selected by the Southwest Washington Regional Transportation Council.

h. Terms for all members and alternates listed above commence on January 1 of each year.

ARTICLE V MEETINGS, CONDUCT OF MEETINGS, QUORUM

a. Regular meetings of the Committee will be held monthly at a time and place established by the chairperson. Special or emergency meetings may be called by the chairperson or a majority of the membership. In the absence of a quorum at a regular monthly meeting or a special meeting, the chairperson may call a special or emergency meeting, including membership participation and vote by telephone, for deliberation and action on any matters requiring consideration prior to the next meeting. The minutes shall describe the circumstances justifying membership participation by telephone and the actual emergency for any meeting called on less than 24 hours' notice.

b. A majority of the voting members (or designated alternates) of the full

Committee (9 of 17 members) shall constitute a quorum for the conduct of business. The act of a majority of those present at meetings at which a quorum is present shall be the act of the Committee.

c. Subcommittees to develop recommendations for JPACT can be appointed by the Chair. The Chair will consult on subcommittee membership and charge with the full membership at a regularly scheduled meeting. Subcommittee members can include JPACT members, JPACT alternates and/or outside experts.

d. All meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised.

e. The Committee may establish other rules of procedure as deemed necessary for the conduct of business.

f. Each member shall be entitled to one (1) vote on all issues presented at regular and special meetings of the Committee. In the absence of the member, the alternate shall be entitled to vote.

g. Unexcused absence from regularly scheduled meetings for three (3) consecutive months shall require the chairperson to notify the appointing agency with a request for remedial action. In the case of the representative for the "cities" of Multnomah, Washington and Clackamas Counties, the chairperson will contact the largest city being represented to convene a forum of represented cities to take remedial action.

h. The Committee shall make its reports and findings public and available to the Metro Council.

i. Metro shall provide staff, as necessary, to record the actions of the Committee and to handle Committee business, correspondence and public information.

ARTICLE VI OFFICERS AND DUTIES

a. The chairperson and vice-chairperson of the Committee shall be appointed by the Metro Council President and confirmed by the Metro Council.

b. The chairperson shall preside at all meetings he/she attends and shall be responsible for the expeditious conduct of the Committee's business.

c. The chairperson shall vote only in the case of a tie.

d. In the absence of the chairperson, the vice-chairperson shall assume the duties of the chairperson.

**ARTICLE VII
RECOGNITION OF TPAC**

a. The Committee will take into consideration the alternatives and recommendations of the Transportation Policy Alternatives Committee (TPAC) in the conduct of its business.

**ARTICLE VIII
AMENDMENTS**

a. These bylaws may be amended or repealed only by a two-thirds vote of the full membership of the Committee and a majority vote of the Metro Council.

b. Written notice must be delivered to all members and alternates at least 30 days prior to any proposed action to amend or repeal Bylaws.

Memo



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Date: December 1, 2020

To: Joint Policy Advisory Committee on Transportation (JPACT) and interested parties

From: Carrie MacLaren, Metro Attorney
Michelle Bellia, Senior Attorney
Margi Bradway, Planning & Development Deputy Director

CC: Councilor Shirley Craddick, JPACT Chair

Subject: JPACT Member and Alternate Appointment Process

Purpose

To provide guidance to cities and counties in the Portland Metro area about appointments to the Joint Policy Advisory Committee on Transportation (JPACT) based on the JPACT bylaws, written and adopted by JPACT and the Metro Council in 1990 and amended in 2008.

Background

Metro is the federally mandated metropolitan planning organization (MPO) designated by the governor to develop an overall transportation plan and to program federal funds. Comprised of transportation representatives from across the region, JPACT recommends priorities and develops plans for the region. Before adopting transportation policies, the Metro Council must consider JPACT's recommendations. Federal law, MAP-21, requires that MPOs representing areas with populations over 200,000 (known as Transportation Management Areas, or TMAs) have a decision-making structure that incorporates input from local elected officials, transit agencies, and appropriate state officials. Across the country, MPO boards vary in size. Federal regulations further define the role of the "policy advisory committee" in terms provide oversight and guidance to the MPO on transportation planning and funding. Metro's Code and the JPACT Bylaws describe the makeup of JPACT membership, and the JPACT Bylaws explain the process for appointment. As explained below, the FHWA and FTA have approved the bylaws, and Metro must demonstrate ongoing compliance.

JPACT Bylaws

In 1990, JPACT and the Metro Council adopted bylaws for JPACT.¹ In or about 2004, the Federal Highway Administration and the Federal Transit Administration recommended reviewing JPACT bylaws and membership to reflect the dramatic changes to the region's area and population.² In response to this recommendation, JPACT prepared and endorsed revisions, which the Metro Council adopted in 2008.

JPACT Membership

Per the JPACT bylaws, JPACT is comprised of 17 members.³ Each jurisdiction or agency has one vote, except both Metro and the State of Washington have 3 votes each. Members are either elected officials or representatives of agencies across the region. A member jurisdiction or agency may also appoint an alternate to serve when the member is absent. The length of term varies by membership and is discussed in

¹ Metro Resolution No. 90-1189A, For the Purpose of Adopting the Joint Policy Advisory Committee on Transportation (JPACT) Bylaws.

² Metro Resolution No. 08-3901, For the Purpose of Amending the Joint Policy Advisory Committee on Transportation (JPACT) Bylaws, staff report.

³ A current version of the Bylaws is attached to this memo.

each section below. The length of term varies by type of membership; terms begin January 1 of each year. Generally speaking, members and alternates represent the policy interests of their jurisdiction. However, for Clackamas County and the Cities of Clackamas County seats there are additional requirements to represent the transit service within the area.

JPACT Member Appointment Process

Article IV of the JPACT Bylaws governs committee membership. Section 1 identifies the specific voting jurisdictions and agencies that are members of JPACT, and the number of votes per jurisdiction/agency.

Section 2 includes the process of appointing members and alternates:

- (a) members and alternates from the **City of Portland and Multnomah, Washington, and Clackamas Counties**
 - Must be elected officials from those jurisdictions;
 - Must be appointed by the chief elected official of the jurisdiction; and
 - Will serve until removed by the appointing jurisdiction.
- (b) members and alternates from the **Cities of Multnomah, Washington, and Clackamas Counties**
 - Must be elected officials from the cities represented by the position;
 - Must be appointed through use of a ballot⁴ submitted by all represented cities based on a consensus field of candidates developed through a forum convened by the largest city represented (the coordinating committees can serve as the “forum”);
 - Must be from different jurisdictions, and either the member or the alternate must be from the city of largest population only if that city’s population constitutes the majority of the population of all the cities represented for that county⁵; and
 - Will serve for two-year terms.⁶
 - If a member resigns or the position is otherwise vacated, the alternate becomes the member and serves for the remainder of the term.
- (c) members and alternates from **Oregon Department of Environmental Quality and Oregon Department of Transportation**
 - Must be a principal staff representative of the agency;
 - Must be appointed by the director of the agency; and
 - Will serve until removed by appointing agency.
- (d) members and alternates from **TriMet and the Port of Portland**
 - Must be appointed by the chief board member of the agency; and
 - Will serve until removed by the appointing agency.
- (e) members and alternates from **the Metro Council**
 - Must be elected officials;
 - Will be appointed by the Metro Council President and confirmed by the Metro Council; and
 - Will serve until removed by the Metro Council President.
- (f) members and alternates from **the State of Washington**
 - Must be either elected officials or principal staff representatives from Clark County, the City of Vancouver, the Washington Department of Transportation, the Southwest Washington Regional Transportation Council, and C-Tran;

⁴ The bylaws state “mail ballot.” Given current practices regarding the use of email, Metro interprets “mail ballot” to include a selection made in writing, either within or attached to an email. This vote can be made at or during a county coordinating committee meeting, provided all cities are given the opportunity to vote and it is in writing.

⁵ Based on PSU population estimates, Metro identified Gresham as a city the majority of the population of all the cities represented for Multnomah County. Note that the bylaws exclude the City of Portland from this category; accordingly its population is not counted.

⁶ The member and alternate must be reappointed to serve subsequent terms.

- Will be nominated by Clark County, the City of Vancouver, the Washington Department of Transportation, and C-Tran;
- Will be selected by the Southwest Washington Regional Transportation Council, and
- Will serve until removed by the nominating agency.

Communicating Appointments to JPACT

The Bylaws do not specify the how appointments are communicated, though traditionally such appointments have been communicated by letter, increasingly sent by email. Metro's preference is to continue that practice, which notification sent to the JPACT Chair, and a copy to the Metro President, to be shared with JPACT as a whole. Resignations and removals should be similarly communicated.

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(JPACT)**

BYLAWS

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Memorandum

To: C4 Metro Subcommittee
From: Dayna Webb, City of Oregon City
Jaimie Huff, City of Happy Valley
Cities of Clackamas County TPAC Representatives
Re: December 4, 2020 TPAC Meeting
Date: December 4, 2020

Overview

Following is a brief summary of the November 6, 2020 TPAC Meeting. The TPAC packet, as well as the full TPAC Work Program can be found [here](#).

General Updates

- There is a grant opening to apply for FY22–23 State of Oregon Special Transportation (STF) Formula Statewide Transportation Improvement (STIF) and 5310 Formula Funds. [More info here](#).

Fatal Crash Briefing

- As of November 30, ODOT preliminary fatal crash data suggests there have been 125 crash fatalities in the tri-county area year-to-date, of which 23 occurred in November. November fatalities include:
 - Carol, 79, walking, WashCo, 11/25/20
 - Unknown, driving, MultCo, 11/24/20
 - Unknown, driving, MultCo, 11/20/20
 - Unknown & Unknown, MultCo, 11.22.20
 - Garrett, 37, driving, WashCo, 11/21/20
 - Manuel, 16, driving, WashCo, 11/20/20
 - Colin, 26, driving, MultCo, 11/20/20
 - Sherry Lynn, 68, walking, ClackCo, 11/19/20
 - Obduwier, 18, driving, MultCo, 11/19/20
 - Tetteh, 35, walking, ClackCo, 11/19/20
 - Maxine, 94, driving, ClackCo, 11/18/20
 - Tracy, 37, walking WashCo, 11/17/20
 - Daniel, 27, walking MultCo, 11/17/20 (died 11/27)
 - Antonio, 28, bicycling, MultCo, 11/12/20
 - Kevin, 28, driving, WashCo, 11/10/20
 - Jennifer, 46, driving, MultCo, 11/8/20
 - Phoenix, 16, Rita, 16, Hailey, 16, driving, MultCo, 11/6/20
 - Randy, 66, walking, MultCo, 11/6/20
 - Armando, 27, driving, MultCo, 11/6/20
 - Mark, 53, driving, ClackCo, 11/4/20
- For scale, tri-county fatalities to-date appear to represent just over 27 percent of fatalities [statewide](#), and the volume of November fatalities appears to be a five-year high for the tri-county area.
- This spring, Metro is planning a regional safety forum, which will coincide with the second regional safety performance report.

Metropolitan Transportation Improvement Program (MTIP) Formal Amendment 20-5151

Purpose: For the Purpose of Amending Five Existing and Adding Six New Projects to the 2021-24 Metropolitan Transportation Improvement Program (MTIP) Impacting Clackamas County, Metro, ODOT, SMART, and TriMet (DC21-05-DEC)

- This item was advanced to JPACT.

Local Project Highlights			
ODOT Project Key	Agency	Project	Notes
NEW - TBD	Clackamas County	Clackamas County Regional Advance Traffic Controller & Signal Optimization	Adds the new Clackamas County ATC upgrade project to the 2021-24 MTIP. The ATC upgrade project is a Transportation Systems Management and Operations/ Intelligent

			Transportation System approved project which was awarded funding from Metro's 2019 TSMO project call.
20866	SMART	SMART Senior and Disabled Program 2019	The formal amendment adds SMART's 5310 funding to FY 2021 which is effectively a project slip from FY 2020.
20867	SMART	SMART Senior and Disabled Program (2020)	The formal amendment adds SMART's 5310 funding to FY 2021 which is effectively a project slip from FY 2020.
20869	SMART	Smart Bus and Bus Facilities (Capital) 2019	The formal amendment adds SMART's 5339 funding to FY 2021 which is effectively a project slip from FY 2020.
20870	SMART	Smart Bus and Bus Facilities (Capital) (2020)	The formal amendment adds SMART's 5339 FY 2020 funding to FY 2021 which is effectively a project slip from FY 2020.

Regional Framework for Highway Jurisdictional Transfer– Resolution 20-5138

Purpose: recommendation to JPACT to accept the Regional Framework for Highway Jurisdictional final report.

- TPAC recommended this item to JPACT and amended the resolution to appear before JPACT.
- This study serves to identify the technical and readiness methodologies as a tool for identifying promising candidate roadways for transfer. All corridors included in the study are important, however the study identifies 11 state-owned highway segments that are considered to be most promising based on technical, readiness, and equity considerations at a point in time. Local jurisdictions around “most promising” segments include the cities of Milwaukie (OR 99E, MP 5.7 - 6.7) and West Linn (OR 43, MP 8.0 – 11.5).

What does this mean for C4MS?

- Policy Implementation. JPACT and Metro Council will be asked to “accept” report findings to be carried forward to the next RTP update, where further evolution could occur through further discussion.
- Advocacy Value. It is not uncommon for the Legislative Assembly to consider bills relating to jurisdictional transfers. Metro’s study may assist in future conversations by articulating candidate corridors, cost methodologies, etc. Specific to the Clackamas area, if the cities of Milwaukie and West Linn are interested in the transfer identified segments of OR-99E and OR-43, then it may be appropriate for C4 to discuss how to be supportive of these cities’ pursuits.
- Action Potential. The study does *not* commit funds or jurisdictions to a transfer. That being said, in mid-October, the Metro Council discussed updates to its legislative agenda. At that time, Metro staff recommended support for legislation that would strategically advance the prospect of jurisdictional transfers of key facilities in the Portland region, and that such legislation should identify sources of funding that can be used to bring the most promising candidate facilities to a condition that would allow a local jurisdiction to accept a transfer and direct ODOT to develop technical, legal and financial tools that make transfers more efficient and accessible to local governments that wish to pursue them.
- Facility Management (West Linn). The Report recommends reclassifying the West Linn Hwy 43 segment from a Statewide Highway to a District Highway. The management objective for Statewide Highways is to provide safe and efficient, highspeed, continuous-flow operation in rural areas and moderate to high-speed operations in urban and urbanizing areas. A secondary function is to serve land uses in the vicinity of these highways. Conversely, the management objective for District Highways is to provide for safe and efficient, moderate to high-speed continuous-flow operation in rural areas reflecting the surrounding environment and moderate to low-speed operation in urban and urbanizing areas for traffic flow and for pedestrian and bicycle movements.

Feedback for Local JPACT Representatives

- C4MS discussed the Jurisdictional Transfer project in September. Highlighted, some comments expressed:
 - Concern that Hwy. 43 findings did not take into account regional context (full corridor into Lake Oswego, PDX from West Linn).
 - Concern about “being left out” if this effort is picked up again in the future and conditions change for a jurisdiction that does not currently float to the top in terms of the evaluation.

- Questions about how will this effort effect available funds and whether potential future funds would siphon dollars from a different funding bucket.
- Questions about whether the ODOT-owned arterials are also regional emergency routes, and whether discussions would take this factor into account.
- In response to C4MS' former comments and TPAC discussion, TPAC representatives offer the following feedback points for consideration:
 - Technical correction may be needed. The mileposts suggested for West Linn's Hwy. 43 segment include the Arch Bridge. Without regional discussions, it may be inappropriate to assign ownership of the Arch Bridge to West Linn.
 - Metro's report is robust, but findings are based on point-in-time assumptions. The evaluation should be repeated after a fixed period of time (e.g., RTP cycles) or following the next substantive infrastructure package, whichever comes first. By repeating the evaluation in the future, we acknowledge changing community conditions and may reconsider lower-scoring facilities that have since achieved greater readiness.
 - The region needs more resources. Jurisdictional transfers are one tool for addressing state-owned facilities. The region should seek *new* dollars to benefit willing transfers and consider how new dollars could affect or leverage existing revenue streams.
 - Transferred facilities remain part of the regional vision. Jurisdictional transfers may result in multiple jurisdictions owning small segments of a longer, regional corridor. Consideration should be given to how transferred segments will develop to achieve corridor-wide connectivity and resiliency within the regional system (e.g., Hwy. 43).

UPWP amendment bundle Resolution 20-5141

Purpose: Recommendation to JPACT to approve UPWP amendments.

- TPAC recommended approval of Resolution No. 20-5141 to amend the FY 2010-21 UPWP, affecting the ODOT I-5/I-205 Value Pricing project, TriMet Red Line Transit Oriented Development planning project, and Metro Tualatin-Valley Highway Transit and Development project.

Reimagining Public Safety & Security on Transit

Purpose: Provide an overview of recommendations given to the TriMet Board of Directors on Reimagining Public Safety and Security on Transit.

- TriMet is working in partnership with the Coalition of Communities of Color and DHM Research on a broad [outreach and engagement effort](#) to make the transit system more safe, welcoming and equitable.
- Over the course of seven meetings, a Transit Public Safety Advisory Committee reviewed and discussed the information gathered through community outreach and research, and developed a series of recommendations and priorities. TriMet's leadership is considering those recommendations, including the top three:
 - Conducting agency-wide training on anti-racism, cultural competency, mental health, and de-escalation techniques for TriMet employees that is based on real-world situations and offered on a continuous basis, leveraging community expertise.
 - Increasing the presence of TriMet personnel on the system and exploring community ambassador rider support models. The additional presence should strive to be diverse, reflecting the region's age, race, and ability, and focused on making the system safer and more welcoming.
 - Developing a Crisis Intervention Team model that is focused on supporting transit riders experiencing a mental health crisis or other behavioral health issues.

Upcoming Agenda Highlights

- December 16, 2020
 - Joint MTAC/TPAC workshop on Regional Mobility Policy Update
- January 8, 2021
 - Project Funding Obligation Targets - *Informational*
 - Oregon City/West Linn bike/ped crossing update – *Information/Discussion*
 - 2020-2021 TSMO Strategy Update Progress – *Information/Discussion*
- February 5, 2021
 - ODOT & Transit Agencies funding allocation processes update – *Informational*
 - RFFA Strategic Direction Process Update – *Information/Discussion*
 - Regional Mobility Policy Update – *Informational*
 - Regional Congestion Pricing Study Update – *Informational*
- March 5, 2021
 - Regional Emergency Transportation Routes Update: RETR Routes & Report – **Recommendation**
 - 2019 Regional Safety Targets Report and Safety Workplan – *Information/Discussion*
 - Review Draft 2021-22 UPWP – *Information/Discussion*
 - Regional Congestion Pricing Study – *Final Report*

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