

Date: January 24, 2018

To: Board of Directors

From: Neil McFarlane



Subject: **RESOLUTION 18-01-05 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE OREGON DEPARTMENT OF TRANSPORTATION FOR PROJECT DEVELOPMENT OF MULTIMODAL AND ARTERIAL CONNECTIONS**

1. Purpose of Item

The purpose of this item is to request that the TriMet Board of Directors (Board) authorize the General Manager to execute an intergovernmental agreement with the Oregon Department of Transportation (ODOT) for contribution of \$10,000,000 backed by a commitment of regional transportation funds from Metro and bonded by TriMet for Project Development of the multimodal and arterial connections for three projects currently being developed by ODOT.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other Intergovernmental Agreement

3. Reason for Board Action

Board approval is required for intergovernmental agreements obligating TriMet to pay in excess of \$1,000,000.

4. Type of Action

- Resolution
- Ordinance 1st Reading
- Ordinance 2nd Reading
- Other _____

5. Background

As the federally mandated metropolitan planning organization for the Oregon portion of the Portland metropolitan area, Metro is responsible for approving the expenditure of all federal transportation funds in the region. Metro's Regional Flexible Funds Policy Statement (adopted by Metro Resolution No 16-4702) dedicates regional federal funds to projects of regional significance, including the Division Transit Project, the Southwest Corridor Project, highway arterial project development for highway bottleneck projects, the active transportation/safe routes to school project, and the enhanced transit project to support work in critical transit corridors.

TriMet entered into an intergovernmental agreement with Metro whereby Metro would commit regional flexible funds over several years to TriMet, and TriMet would then issue bonds backed by those pledged funds for various projects. At its October 2017 meeting, the Board passed Resolution 17-10-75, which authorized TriMet to issue bonds backed by future regional flexible funds from Metro. That resolution noted that the bonds will be used to support several projects, including ODOT's Project Development.

The multi-year commitment of regional funds from Metro to TriMet, as amended, provides for net project funding in the following amounts:

Funded Projects and Net Project Funding	
Project Activity	Amount
Southwest Corridor Project	\$60,000,000
Division Transit Project	\$25,000,000
Project Development: Highway/Arterial	\$10,000,000
Active Transportation/Safe Routes to Schools	\$2,000,000
Enhanced Transit	\$5,000,000
Total	\$102,000,000

TriMet's agreement with Metro states that TriMet will enter into a separate intergovernmental agreement with ODOT to provide these bonded regional funds to plan the multimodal and arterial connections for three projects being developed by ODOT. Those three projects are:

- 1) Construction of a northbound auxiliary lane along OR 217 between SW 72nd Avenue and SW Scholl's Ferry Rd.
- 2) Improvements to I-205 between Abernethy Bridge and Stafford Road.
- 3) Construction of an auxiliary lane and shoulders on I-5 near the Broadway/Weidler interchange, and replacing existing overpasses with a land bridge.

This resolution authorizes TriMet to provide \$10,000,000 to ODOT upon the completion of TriMet's bond sale to assist in the development of these projects and as part of a multi-agency strategy to address transportation, safety, and congestion issues in the region. ODOT will use these funds to plan and develop improvements to the multi-modal and connecting arterial portions of each Project upon which or adjacent to which TriMet operates.

8. Financial/Budget Impact

Since TriMet is acting as a conduit of regional flexible funds, the IGA is cost neutral to TriMet.

9. Impact if Not Approved

TriMet's has no options if it desires to facilitate the net project funding for all projects described. These funds cannot be allocated for different purposes.

RESOLUTION 18-01-05

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE OREGON DEPARTMENT OF TRANSPORTATION FOR PROJECT DEVELOPMENT OF MULTIMODAL AND ARTERIAL CONNECTIONS

WHEREAS, TriMet has authority under ORS 267.200 to enter into an Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT) for Project Development for multi-modal and arterial connections portions of the following three ODOT projects:

- 1) Construction of a northbound auxiliary lane along OR 217 between SW 72nd Avenue and SW Scholl's Ferry Rd.
- 2) Improvements to I-205 between Abernethy Bridge and Stafford Road.
- 3) Construction of an auxiliary lane and shoulders on I-5 near the Broadway/Weidler interchange, and replacing existing overpasses with a land bridge.

WHEREAS, the total amount of the IGA will exceed \$1,000,000; and

WHEREAS, the TriMet Board of Directors (Board), by Resolution dated October 25, 2017, adopted a Statement of Policies requiring the Board to approve intergovernmental agreements obligating TriMet to pay in excess of \$1,000,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement shall be in conformance with applicable laws.
2. That the General Manager or the General Manager's designee is authorized to execute the Agreement in an amount not to exceed \$10,000,000.

Dated: January 24, 2018

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department