
AGENDA
Bend Metropolitan Planning Organization
Policy Board

Date: December 14, 2021

Time: 12:00 – 2:00 pm (note later end time and revised date)

Location: Virtual meeting. Participation information provided below:

Register for this meeting using the following link:

https://bendoregon-gov.zoom.us/webinar/register/WN_xr_yWUU2ScG4AB-dchzxZA

After registering, you will receive a confirmation email containing information about joining the webinar or call in options.

To Join by Phone: 888-788-0099 (Toll Free)

Webinar ID: 835 5465 5681 Event Passcode: bmpo

The ID and password are not typically required. To comment, use the "raise hand" feature and staff will call on you. Phone participants use *9.

YouTube Stream Option: <https://youtu.be/aCXBb9AabNo>.

Contact: Tyler Deke, BMPO Manager (541) 693-2113 or tdeke@bendoregon.gov

1. **Call to Order & Introductions..... Barb Campbell**
2. **Virtual Meeting Guidelines..... Jovi Anderson**
3. **Public Comment..... Barb Campbell**

Information Items

4. **Oregon Speed Statute Mark Barrett, ODOT**

Background: The Oregon Department of Transportation is responsible for establishing speed zones on most roadways in Oregon. Some speeds are established in Oregon statute. Setting speeds outside of the statutory speed limits requires a speed zone investigation to determine appropriate recommendations for setting speeds on local roadways. ODOT supports local jurisdictions by maintaining a Speed Zone Program. Mark Barrett, ODOT Region 4 Traffic Manager, will discuss speed zones and speed limits on Oregon's roadways.

Attachments: None. Information may be distributed at the meeting

Action Requested: None. Information item

5. US97/Baker Road Interchange Area Management Plan Don Morehouse, ODOT

Background: ODOT is developing a long-range plan for the US97/Baker Road interchange and surrounding facilities. Don Morehouse, ODOT Senior Planner, will review the project status, discuss next steps and answer Board questions.

Attachments: None. Project information is posted on the following site:
<https://www.oregon.gov/odot/projects/pages/project-details.aspx?project=US97BakerRd>

Action Requested: None. Information item

Action Items

6. Meeting Minutes..... Barb Campbell

Review and approve the November 16, 2021 Policy Board (**Attachment A**) draft meeting minutes

Recommended Language for Motion: I move approval of the November 16, 2021 Policy Board draft meeting minutes as presented.

7. Draft Policy Language for Unused/Returned STBG Awards..... Andrea Napoli

Background: In 2020, the Bend MPO developed and approved a competitive application process for the use of a portion of the annual allocation of STBG funds that the MPO receives. This agenda item seeks to establish policy on how unused and renounced awards are addressed. The attached draft policy language has been developed and recommended for approval by the Technical Advisory Committee (TAC).

Attachments: **Attachment B**, Memo: Draft Policy Regarding Use of Awarded, Unused and Renounced Surface Transportation Block Grant (STBG) Funding Awards

Action Requested: Review and consider approval of draft policy language

Recommended Language for Motion: I move approval of the draft policy language for unused and returned STBG awards as presented

8. 2021-2022 Unified Planning Work Program Amendments Tyler Deke

Background: The Unified Planning Work Program (UPWP) outlines all planning activities undertaken by the BMPO each fiscal year. The 2021-2022 UPWP must be amended to include a supplemental budget previously approved by the Policy Board. Additionally, the descriptions for several work tasks need to be updated. Staff will review the updates and changes.

Attachments: None. Information will be shared during the meeting. The 2021-2022 UPWP is posted on the BMPO website:
<https://www.bendoregon.gov/home/showpublisheddocument/49684/637553817955900000>

Action Requested: Review and consider approval of the proposed UPWP changes

Recommended Language for Motion: I move approval of the UPWP amendments as presented by means of Resolution 2021-06

9. Federal Infrastructure Investment and Jobs Act Tyler Deke

Background: Congress recently approved the Infrastructure Investment and Jobs Act (IIJA). The surface transportation component of the IIJA combines reauthorization of the FAST Act with a one-time transportation funding package. The IIJA will significantly increase funding to Oregon over the next 5 years.

Attachments: None. Information may be distributed during the meeting.

Action Requested: The Oregon Transportation Commission (OTC) is seeking input on use of the increased funds. Review and consider approval of draft letter.

Recommended Language for Motion: I move approval of the letter regarding the use of new funding available to Oregon through the federal Infrastructure Investment and Jobs Act

10. Other Business Barb Campbell

11. Public Comment Barb Campbell

12. Next Policy Board Meeting

The next meeting of the Policy Board is scheduled for January 18th from 12 to 1:30 pm.

13. Adjourn

Additional Attachments

- News Release - Metropolitan Transportation Improvement Program Amendments for consideration at January 2022 Policy Board meeting (**Attachment C**)



Accessible Meeting/Alternate Format Notification

This meeting event/location is accessible. Sign or other language interpreter service, assistive listening devices, materials in alternate format, such as Braille, large print, electronic formats, or any other accommodations are available upon advance request at no cost. Please contact Jovita Anderson no later than 24 hours in advance of the meeting at (541) 693-2122, or janderson@bendoregon.gov. Providing at least 2 days-notice prior to the event will help ensure availability.

DRAFT
BEND METROPOLITAN PLANNING ORGANIZATION
POLICY BOARD
Virtual Meeting – MINUTES
November 16, 2021

YouTube video link: <https://youtu.be/tQn8SsqoC5b0>

Policy Board Members Present

Bend City Council: **Chair** Barb Campbell, **Vice-Chair** Megan Perkins, Rita Schenkelberg
Deschutes County Commission: *Phil Chang absent*
Oregon Department of Transportation (ODOT): Bob Townsend

Policy Board Alternates Present

County: Chris Doty, *Deschutes County Road Department Director*
ODOT Region 4: Rick Williams, *Principal Planner*

MPO Staff: Tyler Deke, *Manager*; Jovi Anderson, *Program Coordinator*

Visitors: Cameron Prow, *TYPE-Write II* (minutes consultant); Greg Bryant, *Bend MPO Technical Advisory Committee*; Liz Dickson, *Dickson Hatfield LLC*

Media: None

(The 3 digits after a motion title show the number of member jurisdictions voting in favor/opposed/abstaining.)

1. Call to Order – Introductions

Chair Campbell called the regular meeting of the Bend Metropolitan Planning Organization (Bend MPO) Policy Board to order at 12:03 p.m. on Tuesday, November 16, 2021, with a quorum of member jurisdictions present (3 of 3).

2. Virtual Meeting Guidelines

Ms. Anderson reviewed the meeting guidelines.

3. Public Comment

None.

ACTION ITEMS

4. Review/Approve Policy Board Minutes

Data: October 19, 2021 (Agenda Attachment A)

Motion 1 (3/0/0): Vice-Chair Perkins moved approval of the October 19, 2021, draft meeting minutes as presented. Mr. Doty seconded the motion which passed unanimously.

5. 2021-2024 Metropolitan Transportation Improvement Program Amendment

Data: Summary of proposed MTIP amendment (Agenda Attachment B)

Ms. Anderson provided an overview of a proposed full amendment to Key 14892 (US20 at Tumalo Path). Bend Bike submitted a comment in favor of the proposed amendment. She also discussed the proposed full amendment to Key 22499 (Bend MPO Planning FY 2024-2025). Administrative amendments are posted online at <https://www.bendoregon.gov/MTIP>.

Mr. Townsend clarified the proposed amendment applied to the design and construction of a multi-use path to tie into the undercrossing to be built as part of the US20: Tumalo-Cooley Rd.) project. Funding sources for this project: Deschutes County and ODOT.

Policy Board concerns included why the amendment had to be included in the MTIP.

Mr. Bryant asked if the projects being delayed were caused by staffing issues due to the ongoing COVID-19 pandemic. Mr. Townsend responded that each project had its own schedule.

Motion 2 (3/0/0): Vice-Chair Perkins moved approval of the proposed amendments to the 2021-2024 MTIP as presented. Mr. Doty seconded the motion which passed unanimously.

Ms. Schenkelberg arrived at about 12:20 p.m. (after Motions 1 and 2).

6. COVID Relief Act Funds

Action: Provide direction on next steps to help determine future use of funds (wait for results of North Corridor bike/ped undercrossing feasibility study OR explore other options)

Mr. Deke reviewed the timeline for COVID Relief Act funds coming to the Bend MPO and identified possible bike/pedestrian projects. These federal funds are more flexible than usual, being unrestricted as to transportation use and not requiring match funding. MPO staff checked with other Oregon MPOs and met with City, County, Bend Park and Recreation District, Cascades East Transit (CET), and ODOT for priority bike/pedestrian-related projects. He asked if the Policy Board wanted to wait for update/results of the City-led US97 North Corridor Project Trail Crossing Study or explore other options. These funds must be allocated by September 2024 and associated projects completed by 2029.

Following discussion, Policy Board members agreed to wait for results of the bike/pedestrian undercrossing feasibility study to allocate the COVID Relief Act funds.

7. ODOT Transportation Growth Management (TGM) Grant, Intergovernmental Agreement (IGA) for Bend Mobility Hub Feasibility Study

Data: BMPO Policy Board-signed letter of support (Agenda Attachment C) dated July 21, 2020

Mr. Deke discussed the value of a multi-centric transit system in Bend. In July 2020, the MPO, City, and CET submitted a joint TGM grant application for the Bend Mobility Hub Feasibility Study project. The Policy Board provided a letter of support for the grant which was awarded in September 2020. MPO staff will serve as the local project manager. Due to a lengthy review process of the grant agreements and contract, he requested authorization for the Board Chair to sign the IGA.

Following discussion, Policy Board members agreed by consensus to authorize the Board Chair to sign the IGA when it is completed within the next few weeks.

INFORMATION ITEMS

8. Project Status Updates, 2021 Surface Transportation Block Grant Fund Awardees

Data: Table showing original awards from 2020 STBG project application process (Agenda Attachment D)

MPO staff provided an annual update on three projects awarded 2021 STBG funds:

- Bend Park & Recreation District (BPRD). **Central Oregon Historic Canal Trail**: \$26,000 for 2021 (Phase 1) and \$38,218 for 2022 (Phase 2) safety improvements at three crossings. Phase 1 (Blakely Road, Brosterhous Road) is under construction and should be completed by November 30, 2021. BPRD requested, and the Policy Board approved, moving \$20,000 from Phase 2 to cover higher than expected Phase 1 construction costs.
- City of Bend. **Relaunch Bikeshare in Bend**: \$33,750 for 2021. Due to the worldwide shortage of computer chips, hardware upgrades to the bikes donated by the Portland Bureau of Transportation have been delayed. City Project Manager Toby Marx is exploring other operator/provider options. Chair Campbell noted the computer chips were needed to facilitate bike rentals and return of the bikes to docking stations.

Mr. Bryant asked why BPRD needed additional funds for Phase 1. Mr. Deke stated all construction projects were experiencing higher costs for right-of-way, materials, and labor. Ms. Anderson added BPRD planned to cover the balance needed for Phase 2 improvements with other grant funds or its capital improvement budget.

- City of Bend and Bend-La Pine School District. **SE Brosterhous Road**: \$158,718 for 2021 and \$142,532 for 2022 awarded for sidewalks and a pedestrian undercrossing of the BNSF (Burlington Northern Santa Fe) railroad. The City used cost savings from the Murphy Road extension project to fund this project. Therefore, the City is returning the 2021 and 2022 funds (\$301,250 total) to the MPO. Construction schedule: November 2021-January 2022. MPO staff are working with the TAC on a policy for what happens when STBG funds are unused or returned. The Policy Board will consider the TAC-recommended policy at its December 14 meeting.

9. **Federal Infrastructure Investment & Jobs Act (IIJA) Overview**

Mr. Townsend provided an overview of Congress's recently approved IIJA and implications for Oregon. His summary included discretionary grant opportunities for roads, transit, passenger rail, airports, ports, and other transportation modes.

Policy Board discussion covered that the need outstripped the funding available, IIJA funding source, importance of sustainable transportation funding, making safety projects a high priority, opportunity to leverage grant application funding, and filling funding gaps in other transportation projects. Following discussion, Board members agreed by consensus that Mr. Deke should draft a letter for consideration at their December 2021 meeting.

10. **Other Business**

US97 Parkway Plan: Mr. Deke reported the US97 Parkway Plan (started in November 2016) was scheduled for Oregon Transportation Commission adoption this week.

Budget Committee Roster: Ms. Anderson reported the application deadline is December 1, 2021. She has received several applications. She will work with Chair Campbell on a process for the Policy Board to review these applications and appoint new Budget Committee members at the December 2021 meeting.

Building a Better Bend Lecture on November 8, 2021: Chair Campbell encouraged everyone to review the YouTube video of Charles L. Marohn, Jr., who spoke at the Tower Theatre in November 2021. The MPO partnered with Build a Better Bend to fund this

educational lecture about America's transportation system. Ms. Schenkelberg added her appreciation for the information presented.

11. Public Comment

None.

12. Next Policy Board Meeting

- December 14, 2021, 12 noon-1:30 p.m. (2nd Tuesday)

13. Adjourn

Motion 3 (3/0/0): Ms. Perkins moved to adjourn. The motion was seconded and passed unanimously.

With no further business, Chair Campbell adjourned the meeting at 1:27 p.m.



MEMO**To:** BEND MPO POLICY BOARD**FROM:** ANDREA NAPOLI, AICP, SENIOR PLANNER**DATE:** DECEMBER 7, 2021**RE:** DRAFT POLICY REGARDING USE OF AWARDED, UNUSED AND RENOUNCED SURFACE
TRANSPORTATION BLOCK GRANT (STBG) FUNDING AWARDS

Request

Review and consider approval of draft policy language.

Background

In 2020, the Bend MPO developed and approved a competitive application process for the use of a portion of the annual allocation of STBG funds that the MPO receives. This agenda item seeks to establish policy on how unused and renounced awards are addressed. The draft policy language below has been developed and recommended for approval by the Bend MPO Technical Advisory Committee (TAC).

DRAFT: Proposed Policy Regarding Use of Awarded, Unused, and Renounced STBG Application Process Funding Awards

1. Bend MPO Policy Board makes all final decisions regarding STBG application process awards.
2. All awards are specific to a project, and must be spent on that project.
3. Funds that are not used on the project for which they were allocated will be addressed as follows:
 - a. When a completed project has funds remaining, and/or when an award is no longer needed for the project, and/or when an awardee determines it will not implement the project, unused funds will go back to the MPO for re-allocation.
 - i. The Policy Board will make all final decisions for re-allocation of the unused funds with consideration given to all of the following:
 1. Projects awarded funding that are experiencing a funding shortfall to complete the project;
 2. Projects awarded funding in an out-year and are requesting advancement;
 3. Projects that applied and underwent review during the most recent STBG application process, but were not awarded funding. Original scoring and ranking to be used in reconsideration;
 4. A substitute project(s) proposed in lieu of an awarded project where the funding is no longer needed, or the project has been cancelled. Substitute project(s) will be evaluated according to current Bend MPO evaluation criteria.

As a reminder, only...

2022 Anticipated STBG Funding Schedule

April / May 2022 Policy Board Meetings:

- Determine how *additional** STBG funds will be allocated. (e.g.: Revisit prior 2020 Policy Board decision to split STBG funds 60% to City of Bend Streets Department and 15% to competitive application process.)

June / July 2022 TAC & Policy Board Meetings:

- Review STBG competitive application process for potential changes to criteria or process for 2025-2027 STBG dollars (including any amounts of *additional** 2021-2024 STBG funds rolled into the 2022 project solicitation).

September 1, 2022:

- STBG Competitive Application Project Submittal Opens (2025-2027 funds, including any amounts rolled in from 2021-2024 *additional** STBG funds).

*Definition of *additional* STBG funds: the actual vs estimated STBG funds allocated to the Bend MPO for years 2021-2024. Actual funding is approximately \$127,600 higher per year than was originally estimated, for a net increase of \$510,400.

News Release – Public Notice

12/8/2021

 Metropolitan Transportation Improvement Program (MTIP)
 -- Public Comment period open –

The Bend Metropolitan Planning Organization (MPO) Policy Board will consider amendments to the 2021 -2024 Metropolitan Transportation Improvement Program (MTIP) upon a 20-day public comment period. *The meeting will be held on 1/18/2022.* The amendments will be considered at a public meeting of the Bend [MPO Policy Board](#). Public Comment can be provided via email to janderson@bendoregon.gov or during public comment at the Bend MPO Policy Board meeting.

Sign up to have notifications sent directly to your inbox here: <https://www.bendoregon.gov/services/advanced-components/subscribe-to-enevs> in the list, choose Bend MPO.

Summary of Amendments –

Project Key Number	Project Name	Proposed Project Total	Amendment Type	Amendment Decision Date (MPO)	Change Reason
20714	US97: Multi-Use Trail (Baker Rd. - Lava Butte)	\$5,977,172	Administrative Amendment	1/18/2022	A Right of Way (RW) phase is needed for this project to appraise property at High Desert Museum. The need for a RW phase was not identified in the original scoping of this project. The RW phase is being funded from the PE phase of this project.
21667	US20: Ward / Hamby Rd. Intersection	\$6,002,890	Full Amendment	1/18/2022	Increase Construction by \$689,890. Total project cost from \$3,900,000 to \$4,589,890 due to bid cost increased. ODOT Safety Funds used for this increase.
21229	US97 and US20 Bend North Corridor	\$121,951,613	Full Amendment	1/18/2022	Add \$13M in Right of Way (RW) from the INFRA Grant and HB2017 funds. These funds were discussed with prior amendments and approved at \$50M for HB2017 and \$60M in INFRA grant funds, grant funds have a 40% match obligation.
21489	US20: 3rd St - 15th St (Greenwood, Bend)	\$4,875,093	Full Amendment	1/18/2022	Add a total of \$1.95 Million (\$975,000 in Right of Way & Preliminary Engineering and \$975,000 for Construction) from ODOT ADA funds due to increased costs of ADA ramps along corridor.

23 CFR § 450.316 requires explicit consideration and response to public comment received during the program development process. Public, staff, agency, and other interested party comments received prior to the adoption hearing are first reviewed by staff. Comments requiring minor revisions are addressed by staff. Such comments might include requests for additional information or clarification of information. Comments on policy issues or specific projects will be considered by the Policy

Board at the public hearing. Comment received during the public hearing will be discussed at the public hearing. The Policy Board and staff will determine the most appropriate manner to respond to comments received. If significant changes to the proposed MTIP are recommended as a consequence of comments received, a revised final draft document will be resubmitted to the public for an additional review and comment period. Copies are free of charge and, upon request, will be made available in CD, print, and accessible formats. Upon request, in advance of the meeting, through any of the means listed above, every effort will be made to prepare materials in other formats and in languages other than English, and to provide interpreters in American Sign Language and other languages. Assistive listening devices and large-print materials will be available at the meeting upon request. The Central Oregon Intergovernmental Council (COIC), which is the FTA Section 5307(c) applicant, has consulted with the MPO and concurs that the public involvement process adopted by the MPO for the development of the MTIP satisfies the public hearing requirements that pertain to the development of the Program of Projects for regular Section 5307, Urbanized Area Formula Program, grant applications, including the provision for public notice and the time established for public review and comment. Sign up to have notifications sent directly to your inbox here: <https://www.bendoregon.gov/services/advanced-components/subscribe-to-enews> in the list, choose Bend MPO.