
AGENDA
Bend Metropolitan Planning Organization
Policy Board

Date: March 17, 2023
Time: 12:00 – 1:30 pm
Location: Hybrid meeting

In-Person Location: City of Bend Growth Management Conference Room, 709 NW Wall Street, Suite 102, Bend

Virtual Option: Register for this meeting using the following link: https://bendoregon.gov.zoom.us/webinar/register/WN_fGwa4wSqRKadOH9gSJhKDw

After registering, you will receive a confirmation email with a link to joining the meeting

To join by Phone: 888-788-0099 (Toll Free), Enter webinar ID: 876 6642 5147 and 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 Option: <https://youtube.com/live/ezHkezrZPpU?feature=share>

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

1. **Call to Order & Introductions** **Chair Campbell**
2. **Hybrid Meeting Guidelines** **Tyler Deke**
3. **Public Comment** **Chair Campbell**

Action Items

4. **Meeting Minutes** **Chair Campbell**
Review and approve the February 23, 2023, Policy Board (**Attachment A**) draft meeting minutes.

Recommended Language for Motion: I move approval of the February 23, 2023, Policy Board draft meeting minutes as presented.

5. Federal Performance Measures Tyler Deke

Background: Federal transportation legislation established performance requirements for state DOTs and MPOs. Staff will provide an overview of the bridge, pavement and system performance requirements and options for addressing the requirements. The Technical Advisory Committee recommends the Policy Board support the ODOT performance targets.

Attachments: Performance measures overview memo (**Attachment B**)

Action Requested: Support the adopted ODOT pavement, bridge, and highway system performance targets

Recommended Language for Motion: I move to support the adopted ODOT safety, pavement, bridge, and system performance measure targets

6. Federal COVID Funding Tyler Deke and Local Agency Staff

Background: The “Consolidated Appropriations Act, 2021” was approved in December 2020 and included significant COVID related funding. From that legislation, approximately \$1.5 million was allocated to the Bend MPO. Through several discussions with the Chair and full Board over the past 18 months, staff have investigated possible project options. MPO and local agency staff will review possible project options.

Attachments: None. Information will be distributed at the meeting.

Action Requested: Discuss project options and provide direction to staff on next steps to allocate the funds.

Information Items

7. Other Business Chair Campbell & Staff

- The next meeting of the Policy Board is scheduled for April 21st at 12 noon
- Policy Board member meeting topic requests
- Federal Carbon Reduction funding

8. Public Comment Chair Campbell

9. Adjournment

**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 Tyler Deke no later than 24 hours in advance of the meeting at (541) 633-9298 or tdeke@bendoregon.gov. Providing at least 2 days-notice prior to the event will help ensure availability.



Policy Board

Draft Minutes

February 23, 2023

Oregon Department of Transportation
Region 4, Building M, Baney Conference Room
63055 North Highway 97, Bend, Oregon

Link to meeting:

<https://www.youtube.com/live/Wi2qG08Ykrg?feature=share>

Present during the meeting (in person and virtually) were:

Policy Board: **BMPO Chair** Barb Campbell, Ariel “Ari” Mendez, *Mike Riley absent, Bend City Councilors*; **BMPO Vice-Chair** Phil Chang, *Deschutes County Commissioner*; Bob Townsend, *Oregon Department of Transportation (ODOT) Region 4 Area Manager*

Policy Board Alternates: David Abbas, *City of Bend Transportation and Mobility Director*; Chris Doty, *Deschutes County Road Department Director*; Rick Williams, *ODOT Region 4 Principal Planner*

MPO Staff: Jovi Anderson, *Program Coordinator*; Tyler Deke, *Manager*; Andrea Napoli, *Senior Planner*

Visitors: Cameron Prow, *type Write II (contractor/meeting recorder)*; Eric Lint, *Cascades East Transit*; Greg Bryant, *BMPO Technical Advisory Committee (TAC)*; Jack Farley, *Tumalo Irrigation District Board of Directors*; Janette Townsend, *City of Bend Finance Director*; John Heylin, *City of Bend Accessibility Advisory Committee (COBAAC)*; Robin Lewis, *City of Bend Transportation Engineer*; Tobias Marx, *City of Bend Parking Services Division Manager*

Media: None

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

1. **Call to Order and Introductions**

Chair Campbell called the regular meeting of the Bend Metropolitan Planning Organization (Bend MPO) Policy Board to order at 3:41 p.m., Thursday, February 23, 2023, with a quorum of member jurisdictions present (3 of 3).

2. **Hybrid Meeting Guidelines**

Ms. Anderson reviewed the meeting guidelines.

3. **Public Comment**

None.

ACTION ITEMS

4. **Elect Chair and Vice-Chair**

Mr. Mendez nominated Ms. Campbell to serve as Chair for calendar year 2023. Mr. Chang seconded the nomination. Ms. Campbell agreed to serve.

Mr. Chang volunteered to serve as Vice-Chair for calendar year 2023.

Motion 1 (3/0/0): Mr. Mendez moved that Ms. Campbell serve as Chair and Mr. Chang serve as Vice-Chair of the Policy Board for 2023. Mr. Townsend seconded the motion which passed unanimously.

6. Meeting Minutes

Materials: January 17, 2023, Policy Board draft meeting minutes (Agenda Attachment A)

Ms. Prow requested correction of **Action Item 5** (Community Member Advisory Committee Appointments) in the January 17, 2023, draft Policy Board minutes to change the spelling of Aryn Seilor's last name to Seiler.

Motion 2 (3/0/0): Mr. Chang moved approval of the January 17, 2023, Policy Board draft meeting minutes as amended. Mr. Townsend seconded the motion which passed unanimously.

5. Annual Financial Report Presentation

Materials: Bend MPO financial report for Fiscal Year (FY) 2021-2022 is posted at <https://www.bendoregon.gov/government/departments/bend-metro-planning-organization/plans-and-programs/work-plan-budget>

City of Bend Finance Director Janette Townsend presented an overview of the annual MPO audit conducted by Moss Adams LLP for the fiscal year ending June 30, 2022. The independent auditing firm stated in its report the annual audit was "clean" with no significant deficiencies noted.

Policy Board concerns included information about a large grant referenced by Bend Finance Director Townsend.

Mr. Deke explained how the MPO is managing COVID relief grant funds including when and how they must be spent ([see](#) Agenda Item 10 for further discussion).

Motion 3 (3/0/0): Mr. Mendez moved acceptance of the 2021-2022 annual financial report. Mr. Chang seconded the motion which passed unanimously.

Chair Campbell commended MPO staff for keeping the finances in order. She also expressed her appreciation to the City Finance Department for its assistance with financial requirements.

7. Review Meeting Date and Time

Mr. Deke asked the Policy Board to confirm the date and time for the next three meetings and possibly the remainder of calendar year 2023. The standing date and time of Policy Board meetings for several years has been the 3rd Tuesday, 12 noon-1:30 p.m. However, this date/time conflicts with Mr. Mendez's work schedule. Mr. Townsend stated his preference for a mid-day meeting time, noting the 3:30-5 p.m. time of today's meeting required ODOT staff to work overtime.

Following discussion, Policy Board members agreed to take a Doodle poll to determine the date of the next meeting. Chair Campbell stated that, at their next meeting, Policy Board members will vote on a new meeting schedule that will accommodate the concerns of both Mr. Mendez and Mr. Townsend.

8. **2021-2024 Metropolitan Transportation Improvement Program (MTIP) Amendment**

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

Project Details: <https://www.oregon.gov/odot/projects/pages/project-details.aspx?project=22442>

Ms. Anderson provided an overview of the proposed MTIP amendment (Key 22442). The amendment would add \$8,591,030 in ADA (Americans with Disabilities Act) program funds, increasing the construction phase estimate from \$9,042,316 to \$17,633,346. The project will cover 150 ramp replacements on portions of US20 and US97 in Bend not included in recent ODOT projects and 76 ramp replacements on US20 through Sisters.

Mr. Bryant expressed concern about the average cost of \$78,000 per ramp.

Policy Board concerns included ramp life expectancy, if the proposed ramp design was the safest one to use, and how to prevent motorists from driving vehicles over curb ramps. Mr. Chang stated driving over curb ramps was a regulatory compliance issue.

Mr. Townsend provided additional details about Key 22442 and identified factors contributing to higher curb-ramp costs.

Motion 4 (3/0/0): Mr. Chang moved approval of the proposed amendment to the 2021-2024 MTIP as presented. Mr. Mendez seconded the motion which passed unanimously.

9. **Oregon MPO Consortium Legislative Priorities**

Mr. Deke reviewed the proposed OMPOC (Oregon MPO Consortium) priorities for the 2023 state legislative session. Mr. Doty noted HB 2102 should be relabeled as HB 2101.

Mr. Chang explained the importance of a fund exchange program to help both the City of Bend and Deschutes County with project delivery.

Policy Board (PB) discussion covered:

- HB (House Bill) 2101: Sustainable funding to preserve State Fund Exchange Program (OMPOC, AOC [Association of Oregon Counties]). *PB recommendation: **Keep.***
- HB 2677: Requires ODOT to have maintenance funding plan when projects add new lane miles (OMPOC). *PB concerns*: Is this the right mechanism? Does this mean additional lane miles can't be added if there's no funding for maintenance? Mr. Doty stated this requirement was just intended to start a conversation. Clarification of how this bill would help ODOT going forward is needed.
- HB 2095: Expand photo radar to all cities (OMPOC, LOC [League of Oregon Cities]). *PB recommendation: **Keep.***
- Increase flexibility for local speed setting authority (LOC, OMPOC). *PB recommendation: **Keep.***
- HB 3113: Expand "Great Streets" programs and increased funding for upgrades to state-owned arterials (OMPOC, LOC). *PB recommendation: **Keep.***

- Tolling: Maintain tolling as option to fund mega projects (LOC, OMPOC). *PB concerns*: Reliability, equity implications. *PB recommendation*: **Don't keep.**
- HB 2619: Modifies membership of the Oregon Transportation Commission (OMPOC) to expand the OTC. *PB concerns*: Broader representation (under 25 years old, someone whose primary travel method is not a motor vehicle, someone with a disability or who has a family member with a disability, tribal).
- HB 2301 (HB 2658, HB 3131): Imposes tax on electricity to charge electric vehicles (OMPOC). *PB concerns*: How would you know which electricity source was being used? VMT (vehicle miles traveled) is a better measure of the wear you're putting on the road. Equitability? Is this just an OTC concern? Should new projects be postponed until maintenance is done?
- HB 3014: *PB concerns*: Would school districts have more flexibility to use transportation dollars to fund SRTS (Safe Routes to School) projects?
- SJR (Senate Joint Resolution) 2: Amendment to Oregon Constitution to allow use of state transportation revenues (gas tax, registration fees) outside of road rights-of-way (OMPOC). *PB concerns*: Would this cover sidewalks and trails? Does this account for future transportation revenues? Okay as long as there's funding to go along with whatever's being built outside the right-of-way that isn't there today.
- Funding to address ODOT's Operations and Maintenance budget shortfall issues, starting in FY 2025. *PB concerns*: General maintenance not funded well through HB 2017. Does the legislature need to amend/modify HB 2017?

Chair Campbell asked Mr. Deke to summarize/present his notes about today's discussion to her, so she can take them to the next OMPOC meeting.

Next steps:

- Next OMPOC meeting: March 20, 2023 – potentially endorse legislative priorities, discuss engagement strategy.
- City of Bend and Deschutes County are actively tracking and engaged in the 2023 state legislative session.
- MPO staff are tracking several transportation-related bills.

10. **Federal COVID Funding**

Chair Campbell summarized prior Policy Board discussions on this topic.

Mr. Deke suggested postponing discussion to the March Policy Board meeting and provided a quick list of projects. He will send the slides of this presentation to the Policy Board following today's meeting.

Policy Board members identified issues for future consideration: funding flexibility (one large project or several smaller ones), favoring projects with system-wide benefit (transit, active transportation), sidewalks for affordable housing projects, seeking more input on how these funds could move other projects forward, and continuing to look for projects in Deschutes River Woods and Tumalo.

Chair Campbell stated she will share her outreach results (City committees: Accessibility, Affordable Housing) at a future Policy Board meeting.

COBAAC Chair Heylin noted that on-demand vehicles provide flexibility for riders with disabilities.

INFORMATIONAL ITEMS

11. Annual Listing of Federally Funded Transportation Projects

Materials: Federal Fiscal Year (FFY) 2022 Annual Listing of Federally Funded Projects (Agenda Attachment C)

Not addressed due to lack of time.

12. Other Business

- Next Policy Board meeting: Date and time to be determined by a Doodle poll.
- Federal Carbon Funding: Not addressed due to lack of time.
- Chair Campbell thanked Ms. Anderson for her service to the MPO.

13. Public Comment

None.

14. Adjourn

With no further business, Chair Campbell adjourned the meeting at 5:09 p.m.