


Date: February 26, 2025

To: Board of Directors

From: Sam Desue, Jr. 

Subject: **RESOLUTION NO. 25-02-07 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PORTLAND FOR THE 82ND AVENUE TRANSIT PROJECT**

1. Purpose of Item

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to execute an Intergovernmental Agreement with the City of Portland (City) for permitting, design and construction management services for the 82nd Avenue Transit Project.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other: Intergovernmental Agreement

3. Reason for Board Action

Board approval is required for all Intergovernmental Agreements (IGAs) obligating TriMet to pay in excess of \$1,000,000.

4. Type of Action

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

5. Background

Portland’s 82nd Avenue, also known as State Highway 213, runs north-south and generally parallel to Interstate 205 (I-205) and is sometimes used as an alternative route to I-205. The roadway serves one of the most diverse populations in the District, has the highest bus line ridership in the region, and provides access to the MAX Blue, Green, and Red lines. The portion of 82nd Avenue within the City of Portland is identified as a Civic Corridor.

The 82nd Avenue Transit Project (Project) will create the infrastructure for a Bus Rapid Transit line similar to TriMet’s recently added FX2 Division line. As envisioned, it will carry passengers to and from bus stations between the Clackamas Town Center and NE Killingsworth and NE Lombard in the Cully neighborhood. The Project is included in the 2024-2027 Statewide Transportation Improvement Program adopted by the Oregon Department of Transportation (ODOT) on July 13, 2023.

Metro's 2023 Regional Transportation Plan (RTP) identified the 82nd Avenue corridor as a location for major high-capacity transit investment and included it in the RTP's 2030 Near-Term Constrained Project list. Metro also has identified it as a Tier 1 corridor in the RTP's 2023 High Capacity Transit Strategy update, the top level of regional prioritization for near-term development.

To date, regional partners, including Metro, ODOT, Clackamas County, the City of Portland, and TriMet, have collaborated on initial phases of the Project, developing transit elements of the Project to a conceptual design level and identifying the mode, alignment, and general station locations along the corridor. These elements will make up the Locally Preferred Alternative, which will be formally adopted in Metro's 2025 Regional Transportation Plan.

As a condition of moving into the Project Development phase of the Federal Transit Administration's Capital Investment Grants program, the Project was required to secure all funds necessary to develop the Project through 100% design (\$30,000,000). A portion of this Project funding is reflected in an IGA with Metro authorizing the use of \$5,000,000 from its Carbon Reduction Program and \$1,000,000 of federal Surface Transportation Block Grants. Under a separate IGA with ODOT and the City, ODOT will convey \$5,000,000 in Surface Transportation Block Grant funds to the City, which the City will commit to the Project.

In addition to this \$11,000,000 from its regional partners, TriMet will contribute \$19,000,000 in general funds and bond revenues as part of the Project Development phase, over fiscal years 2025, 2026 and 2027. In March 2024, via Resolution No. 24-03-20, the Board authorized TriMet's contribution and recognized the commitment of these partner funds for Project Development.

The Board's approval of this Resolution will authorize an IGA with the City that will allow TriMet to reimburse the City for staff work necessary to ensure the successful design, permitting and construction of portions of the Project that fall within the City's jurisdiction. The estimated cost of reimbursing the City for its design and permitting work is approximately \$4,500,000.

6. Financial/Budget Impact

The estimated cost of these City services is accounted for in the overall Project budget, and within the Engineering & Construction Division's projected budgets for FY2025, FY2026 and FY2027.

7. Impact if Not Approved

The City's involvement and review of drawings are essential, because it is the roadway authority and permitting agency for the Project segments within Portland. Close partner coordination throughout the design process is necessary for Project approvals, permitting, and adherence to the delivery schedule. In addition, the City's participation is necessary for our joint pursuit of greater transit reliability through the implementation of signal priority and bus priority lanes as part of the Project.

RESOLUTION NO. 25-02-07

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TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING
AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF
PORTLAND FOR THE 82ND AVENUE TRANSIT PROJECT**

WHEREAS, TriMet has authority under ORS 267.200 to enter into an Intergovernmental Agreement (IGA) with the City of Portland (City), for the 82nd Avenue Transit Project; and

WHEREAS, by Resolution No. 22-05-35, dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to authorize all IGAs and contracts obligating TriMet to pay in excess of \$1,000,000; and

WHEREAS, the IGA will obligate TriMet to expend more than \$1,000,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That this IGA shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute an IGA with the City in the amount of not more than \$4,500,000, to reimburse the City for its design and permitting work on the Project.

Dated: February 26, 2025

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department