

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF PROVIDING)	RESOLUTION NO. 21-5209
CONCURRENCE TO ODOT TO SEEK DIRECT)	
ALLOCATION OF FEDERAL)	Introduced by: Chief Operating
TRANSPORTATION FUNDING UNDER THE)	Officer Marissa Madrigal in
REVENUE LOSS PROVISION OF THE)	concurrence with Deputy
CORONAVIRUS RESPONSE AND RELIEF)	Council President Shirley Craddick
SUPPLEMENTAL APPROPRIATION ACT AND)	
DIRECT TO TRANSPORTATION USES IN THE		
METRO AREA		

WHEREAS, the Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA) was passed by Congress and signed by the President in late December 2020 and included a total of \$10 billion for transportation related activities; and

WHEREAS, Oregon will receive \$123,980,570 in CRRSAA funds and Metro’s share will be \$12,160,987; and

WHEREAS, the funding is to mitigate costs associated with economic impacts of the pandemic, including any costs related to preventive maintenance, routine maintenance, operations, personnel, including salaries of employees (including those employees who have been placed on administrative leave) or contractors, debt service payments, availability payments and coverage for other revenue losses in addition to normally eligible projects and programs associated with the federal Surface Transportation Block Grant program; and

WHEREAS, the Oregon Department of Transportation (ODOT) has submitted an application to the Federal Highway Administration (FHWA) to utilize a provision of the Act that allows for a direct distribution of federal funds available to ODOT and the large Metropolitan Planning Organizations (MPOs) within Oregon by demonstrating a loss of transportation revenues; and

WHEREAS, the FHWA requires concurrence by the large MPOs for ODOT to utilize the revenue loss provision and receive a direct fund payment; and

WHEREAS, a direct fund payment, sub-allocated as federally required by ODOT, would simplify administrative procedures normally associated with federal transportation funding and save costs; and

WHEREAS, the FHWA has tentatively approved the ODOT revenue loss application pending concurrence from Oregon’s large MPOs, and

WHEREAS, there are immediate needs eligible for CRRSAA funds that will progress the region’s delivery of projects and programs as identified in Exhibit A; and

WHEREAS, the Transportation Policy Alternatives Committee (TPAC) considered this resolution on November 5, 2021 and recommended adoption to JPACT and the Metro Council; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT on November 18, 2021 to concur with ODOT to utilize the revenue loss provision of the CRRSAA and

request direct allocation of funds to ODOT and the state's large MPOs for the purposes described in Exhibit A of the staff report to Resolution No. 21-5209.

ADOPTED by the Metro Council this 18th day of November 2021.

Shirley Craddick

Shirley Craddick, Deputy Council President

Approved as to Form:

Carrie MacLaren

Carrie MacLaren, Metro Attorney

EXHIBIT A
STAFF REPORT TO RESOLUTION NO. 21-5209

Uses of Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Funding

Transportation Activity	Funding Amount
Transit Planning	\$2.00 million
Project Development	\$2.10 million
MPO Compliance	\$.70 million
GIS and Public/Stakeholder Engagement	\$.65 million
Climate Tracking and Monitoring	\$.60 million
Better Bus Program	\$6.01 million
Grand Total	\$12.16 million

Transit planning (\$2 million)

These funds would be used for transit program that serves the region. JPACT and Metro Council members have requested that Metro staff analyze and report on opportunities, issues and barriers to transit service, especially in the suburban and outer areas of the region. Metro laid off a senior transportation planner as part of the budget cuts of 2020. This position originally supported regional transit planning, and was responsible for developing and shaping the Regional Transit Strategy and coordinating closely with TriMet and other transit agencies on their service planning. A portion of these funds would go to restore this position and services for 3 years and lead the Micro-transit Study.

Project Development (\$2.1 million)

Metro has long-standing practice of providing project development support for projects of regional significance. Metro's budget for project development decreased in 2020 due to reduction in Metro general funds. Due to reduced funding in its budget, Metro was unable to fill an Engineer II position that has been vacated. The Engineer II plays a critical leadership role in the Department and the region, leading design and input in corridor planning and project development for major projects as well as some of the smaller RFFA projects. The Investment Areas Team also needs to be able to leverage federal funds for existing or new projects, like the TV Highway, 82nd Avenue, Westside Multimodal Study and other corridors. Lastly, a portion of these funds would go to support a Risk Assessment Analysis, public engagement with our equity partners and project development of the Regional Flex Fund projects.

In summary:

- 82nd Avenue Corridor Plan - \$500,000 to City of Portland for early project development, \$300,000 for Metro staff to partner on transit planning and equitable development
- TV Highway Corridor Plan - \$500,000 for Metro staff to lead project and match federal grant
- Metro staff engagement and technical support for Rose Quarter, I-205 Abernathy Bridge, Regional Mobility Pricing Project, I-205 Tolling projects, and other major ODOT projects - \$600,000

- Risk Assessment, Engagement and Project Development of RFFA Projects - \$200,000

MPO Compliance (\$700,000)

On April 12, 2021, the US DOT issued Metro's certification letter for federal certification. The letter included corrective actions and recommendations to improve Metro's process in how MTIP funds are estimated and organized. Furthermore, the USDOT made recommendations asking Metro to do a more detailed analysis in their Congestion Management Process (CMP) as part of the next RTP update. For the MTIP, Metro staff have spent years identifying and researching Metro's needs for a new database which will improve efficiency of how the MTIP is managed and improve communication with US DOT, ODOT and local agencies. This will require the MPO to purchase proprietary Software as a Service. Metro needs additional funds for Metro's Research Center to be able to support the database and also do the additional modeling, data analysis and reporting work needed in the upcoming RTP for the CMP. In short, these funds will be used to respond to the USDOT corrective actions and recommendations.

GIS, graphics, engagement and storytelling (\$650,000)

Metro eliminated our Storytelling Program during the 2019 budget cuts. Furthermore, the department did not hire 3 intern positions due to decreases in funding. In the past, the MPO part of the Department heavily relied on interns – one geographic information systems (GIS) intern and 2 interns in the planning section – for support in GIS mapping, graphics, engagement, and layout of reports and communication materials. In addition, the Research Center laid off staff and their ability to support GIS needs is limited. The PD&R department has a need for more GIS and graphic support for all of projects and programs, especially to support the MPO in transportation and land use.

Climate Monitoring and Analysis (\$600,000)

The Planning and Research Center staff currently lack the funding to respond to the requests of Metro Council, JPACT and other stakeholders regarding the monitoring of GHG emissions. Furthermore, the practice and science of climate modeling, analysis and monitoring continues to change. While Planning and Research Center staff continue to work with our state and local partners to develop new tools, consult support and extra resources are needed. These resources would allow Metro to hire a consultant and/or acquire tools to best position the region for the next 2023 Regional Transportation Plan. Metro will be engaging an Expert Review Panel on climate change modeling, and also seeking the technical expertise of TPAC and the statewide Oregon Modeling Group.

Better Bus (\$6.01 million)

This would restore funding for an extremely effective Better Bus program, also known as Enhanced Transit Corridor (ETC), administered by Metro in partnership with transit agencies and local governments in 2018 and 2019. \$5.01 million of the CRRSAA funds would be used to invest in Enhanced Transit Corridors around the region, in partnership with TriMet, SMART and local delivery agencies. These funds would be used for:

- 1) technical support for local governments to plan and design Better Bus projects, and

2) directly allocated to local governments to leverage the construction of capital Better Bus projects.

A proposal would be brought to TPAC and JPACT to shape and inform the program.

IN CONSIDERATION OF RESOLUTION NO. 5209, FOR THE PURPOSE OF PROVIDING CONCURRENCE TO ODOT TO SEEK DIRECT ALLOCATION OF FEDERAL TRANSPORTATION FUNDING UNDER THE REVENUE LOSS PROVISION OF THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATION ACT AND DIRECT TO TRANSPORTATION USES IN THE METRO AREA

Date: November 9, 2021
Department: Planning, Development & Research
Meeting Date: December 2, 2021

Prepared by: Ted Leybold
Presenter(s): Margi Bradway, Ted Leybold
Length: 20 minutes

ISSUE STATEMENT

The Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) has provided approximately \$12.16 million of transportation funding to Metro as the MPO to address transportation related coronavirus 2019 (COVID-19) impacts. The Oregon Department of Transportation (ODOT) has proposed, in cooperation with the large MPOs in Oregon, to utilize a provision of the Act to receive a direct allocation of the funds for demonstrated revenue losses, rather than seeking reimbursement for eligible spending. MPOs must approve ODOT utilizing this provision of the Act and direct revenues to eligible transportation uses.

ACTION REQUESTED

Approve concurrence for ODOT to seek a direct allocation of federal transportation funding under the revenue loss provision of the CRRSAA and direct to transportation uses as described in Exhibit A to this staff report.

IDENTIFIED POLICY OUTCOMES

Concurring that ODOT seek a direct allocation of federal transportation funding under the revenue loss provision of the CRRSAA will reduce the time and administrative costs of utilizing the available funds.

Use of the funds as described in Exhibit A will support delivery of projects and programs that implement the RTP investment priorities of safety, equity, climate emission reduction and congestion relief. It will also support upcoming work with JPACT and the Metro Council to develop updated investment policy priorities and implementation strategies for consideration as a part of the 2023 RTP process.

POLICY QUESTION(S)

This is an administrative action, not a policy action. No policy questions for consideration. Approval of this action would support the development and evaluation of transportation policy questions identified by JPACT and the Metro Council during the 2023 RTP update process.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

None – see above.

STAFF RECOMMENDATIONS

Provide concurrence to ODOT to seek direction allocation of federal transportation funding under the revenue loss provision of the Coronavirus Response and Relief Supplemental Appropriation Act and utilize funding as shown in Exhibit A.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

This element of CRRSAA provides transportation funds to metropolitan areas for transportation related COVID-19 impact relief. Exhibit A summarizes a spending plan on activities and projects that advance implementation of the region's priority transportation investment policies as defined in the Regional Transportation Plan (RTP). The RTP and its associated topical and modal plans applies Metro's Strategic Plan, racial equity goals, climate action goals and other policy direction to the region's transportation system.

In addition to significant capital investments in the transportation system, the proposal also addresses losses to regional planning capacity due to budget cutbacks experienced during the pandemic. This will allow Metro to meet federal planning obligations and support implementation of the region's desired policy outcomes as the region continues to recover, invest and develop the transportation system moving forward. This budget capacity will support these efforts for approximately three years.

BACKGROUND

In 2020, the Planning, Development and Research Department suffered losses due to the economic downturn due to COVID-19. This required MPO funds to be spread thin or reallocated for other uses. These losses resulted in a layoff of a senior planner in the Planning Transportation Team with expertise and the MPO was unable to hire interns. The interns played a critical role supplementing MPO needs in GIS, maps, graphics and layout of materials. In the Investment Areas Team, we lost the ability to pay on an ongoing basis an Engineer II who supported major projects and project development work throughout the department. These losses also impacted the Resources team because there was less staff support for joint efforts around project development. Federal funds in the Resources Team were also stretched thinner, making it difficult to pay for essential work items, such as a new database. Lastly funding for programs like Enhanced Transit, Transit Planning and Project Development have decreased, been eliminated or the funds simply ran out. In

summary, departmental losses or decreases in staff capacity and/or resources in 2020 and 2021 were in the following areas:

- Transit Planning
- Project Development
- MPO Compliance
- Engagement, storytelling, graphics and GIS
- Emerging Technology Program
- Enhanced Transit Program (Better Bus Program)

At the same time, the business needs for the Planning and Development Department planning and programs needs are the same, and in some cases, those needs have grown. For example, Metro Council and JPACT members have asked staff to do a deeper dive into micro-transit to best assess the needs and opportunities to provide transit in the suburban and rural parts of the region. Similarly, Metro Council is considering creating a new transit group to advise JPACT. Also, there is an increased expectation that Metro staff are engaged at the policy and technical level on the growing list of ODOT major projects and large transit projects such as I-205 Bridge, 82nd Avenue and TV Highway. In the past, this type of work would have been supported with project development funds. While Metro staff have worked to obtain federal grants, ask for partner contributions and do Intergovernmental Agreement fund exchanges, those efforts have not been enough to fill the gaps. When comparing the 2019-20 budget to the 2020-21 budget, the Planning and Investment teams individually have over a 10% deficit.

Congress is providing \$12.16 million to Metro as an MPO to make up for COVID losses. The federal funds are like STBG funds sub-allocated to MPOs, although eligible uses also include staff and operations. There is no required match for the funds, and they must be federally obligated by 2024. Metro staff has worked with ODOT to utilize a provision of the Act to obtain a direct allocation of funds for documented transportation revenue losses, subject to approval by JPACT and Metro Council.

ATTACHMENTS

Exhibit A