

JOINT RESOLUTION OF THE
METRO COUNCIL
AND OREGON STATE HIGHWAY ENGINEER

FOR THE PURPOSE OF CERTIFYING THAT) RESOLUTION NO. 01-3039
THE PORTLAND METROPOLITAN AREA IS)
IN COMPLIANCE WITH FEDERAL) Introduced by Councilor Rod Monroe,
TRANSPORTATION PLANNING) JPACT Chair
REQUIREMENTS)

WHEREAS, Substantial federal funding from the Federal Transit Administration and Federal Highway Administration is available to the Portland metropolitan area; and

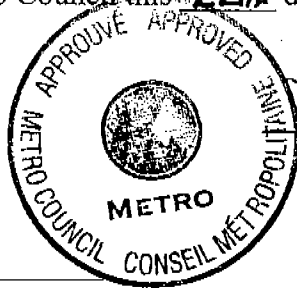
WHEREAS, The Federal Transit Administration and Federal Highway Administration require that the planning process for the use of these funds complies with certain requirements as a prerequisite for receipt of such funds; and

WHEREAS, Satisfaction of the various requirements is documented in Exhibit A; now, therefore,

BE IT RESOLVED,

That the transportation planning process for the Portland metropolitan area (Oregon portion) is in compliance with federal requirements as defined in Title 23 Code of Federal Regulations, Part 450, and Title 49 Code of Federal Regulations, Part 613.

ADOPTED by the Metro Council this 22nd day of March, 2001.



David Bragdon
David Bragdon, Presiding Officer

Approved as to form:

Daniel B. Cooper
Daniel B. Cooper, General Council

APPROVED by the Oregon Department of Transportation State Highway Engineer this 3rd day of April, 2001.

Thomas D. Nelson
State Highway Engineer

Attachment: Exhibit A – Metro Self-Certification

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Metro Self-Certification

1. Metropolitan Planning Organization Designation

Metro is the MPO designated by the Governor for the urbanized areas of Clackamas, Multnomah and Washington Counties.

Metro is a regional government with seven directly elected Councilors and an elected Executive Officer. Local elected officials are directly involved in the transportation planning/decision process through the Joint Policy Advisory Committee on Transportation (JPACT) (see attached membership). JPACT provides the “forum for cooperative decision-making by principal elected officials of general purpose governments” as required by USDOT and takes action on the Regional Transportation Plan (RTP), the Metropolitan Transportation Improvement Program (MTIP) and the Unified Work Program (UWP). The Metro Policy Advisory Committee deals with non-transportation-related matters with the exception of adoption and amendment to the Regional Transportation Plan (RTP). Specific roles and responsibilities of the committees are described on page 2.

2. Geographic Scope

Transportation planning in the Metro region includes the entire area within the Federal-Aid Urban boundary.

3. Agreements

- a. A basic memorandum of agreement between Metro and the Regional Transportation Council (Southwest Washington RTC) delineates areas of responsibility and coordination. Executed December 1997 and renewed yearly.
- b. An agreement between Tri-Met and Metro implementing the Intermodal Surface Transportation Efficiency Act of 1991. Executed April 1998.
- c. An agreement between ODOT and Metro implementing the Intermodal Surface Transportation Efficiency Act of 1991. Executed April 1998.
- d. Yearly agreements are executed between Metro and ODOT defining the terms and use of FHWA planning funds.
- e. Bi-State Resolution -- Metro and RTC jointly adopted a resolution establishing a Bi-State Policy Advisory Committee.
- f. An agreement between Metro and the Department of Environmental Quality (DEQ) describing each agency's responsibilities and roles for air quality planning. Executed May 1998.

4. Responsibilities, Cooperation and Coordination

Metro uses a decision-making structure, which provides state, regional and local governments the opportunity to participate in the transportation and land use decisions of the organization. The two key committees are the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Policy Advisory Committee (MPAC). These committees receive recommendations from the Transportation Policy Alternatives Committee (TPAC) and the Metro Technical Advisory Committee (MTAC).

JPACT

This committee is comprised of Metro Councilors (three); local elected officials (nine, including two from Clark County, Washington) and appointed officials from the Oregon Department of Transportation (ODOT), Tri-Met, the Port of Portland and the Department of Environmental Quality (DEQ). All transportation-related actions (including federal MPO actions) are recommended by JPACT to the Metro Council. The Metro Council can approve the recommendations or refer them back to JPACT with a specific concern for reconsideration. Final approval of each item, therefore, requires the concurrence of both bodies.

Bi-State Committee

The Bi-State Transportation Committee was created by joint resolution of the RTC Board and Metro in May of 1999. The Committee is charged with reviewing all issues of bi-state significance for transportation and presenting any recommended action to RTC and JPACT. The intergovernmental agreement between RTC and Metro states that JPACT and the RTC Board “shall take no action on an issue of bi-state significance without first referring the issue to the Bi-State Transportation Committee for their consideration and recommendation.”

MPAC

This committee was established by the Metro Charter to provide a vehicle for local government involvement in Metro’s planning activities. It includes local elected officials (11), appointed officials representing special districts (three), Tri-Met, a representative of school districts, citizens (three), Metro Councilors (two with non-voting status), Clark County, Washington (two) and an appointed official from the State of Oregon (with non-voting status). Under the Metro Charter, this committee has responsibility for recommending to the Metro Council adoption of or amendment to any element of the Charter-required Regional Transportation Plan.

The Regional Framework Plan was adopted on December 11, 1997 and addresses the following topics:

- Transportation
- Land use (including the Metro Urban Growth Boundary and urban reserves)
- Open space and parks

- Water supply and watershed management
- Natural hazards
- Coordination with Clark County, Washington
- Management and implementation

In accordance with this requirement, the transportation plan developed to meet TEA-21 Rule 12 and Charter requirements will require a recommendation from both MPAC and JPACT. This will ensure proper integration of transportation with land use and environmental concerns.

5. Metropolitan Transportation Planning Products

- a. The Unified Work Program (UWP) is adopted annually by JPACT, the Metro Council and the Southwest Washington Regional Transportation Council. It fully describes work projects planned for the Transportation Department during the fiscal year and is the basis for grant and funding applications. The UWP also includes major projects being planned by member jurisdictions, particularly if federal funds are involved.

b. Regional Transportation Plan (RTP)

An Interim Federal Regional Transportation Plan was adopted in July 1995 to meet ISTEA planning requirements, including an air quality conformity determination. An updated conformity determination on that plan was made in 1998. A major update to the plan is underway which is intended to complement the Region 2040 Growth Concept for land use and to address key state Transportation Planning Rule requirements. The current update began in late 1995 and has included extensive public involvement and inter-governmental review. The regional policy piece of the current update has been adopted and has set the direction for regional transportation system development and funding decisions since 1996. The proposed RTP update was adopted by Resolution No. 99-2878B in December 1999. The current update will conclude in mid-2000. At that time, the updated RTP will fully comply with all relevant federal and state planning requirements.

c. Transportation Improvement Program

The Metropolitan Transportation Improvement Program (MTIP) was last updated in 1999 and incorporated into ODOT's 2000-2003 STIP. The 1999 update completed projects or project phases with prior funding commitments and allocated \$75 million of STP, CMAQ and Enhancement funds. The adopted MTIP features a three-year approved program of projects and a fourth "out-year." The first year of projects are considered the priority year projects. Should any of these be delayed for any reason, projects of equivalent dollar value may be advanced from the second and third years of the program without processing formal TIP amendments. This flexibility was adopted in response to ISTEA (now TEA-21) planning requirements. The flexibility reduces the need for multiple amendments throughout the year. The FY 2000-2003 MTIP was completed in FY 2000.

FY 2000-2001 will see development of the FY 2002-2005 joint MTIP/ STIP and implementation of priority FY 2001 projects. The TIP and air quality conformity determination were approved by FHWA and FTA on January 31, 2000.

6. Planning Factors

Metro's planning process addresses the seven TEA-21 planning factors in all projects and policies. The table below describes this relationship. The TEA-21 planning factors are:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity and efficiency;
- Increase the safety and security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility options available to people and for freight;
- Protect and enhance the environment, promote energy conservation and improve quality of life;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient management and operations; and
- Emphasize the preservation of the existing transportation system.

Factor	System Planning (RTP)	Funding Strategy (MTIP)	HCT Planning
1. Support Economic Vitality	<ul style="list-style-type: none"> • RTP policies linked to land use strategies that promote economic development • Industrial areas and intermodal facilities identified in policies as "primary" areas of focus for planned improvements • Comprehensive, multi-modal freight improvements that link intermodal facilities to industry are detailed for 20-year plan period 	<ul style="list-style-type: none"> • All projects subject to consistency with RTP policies on economic development and promotion of "primary" land use element of 2040 development such as industrial areas and intermodal facilities • Special category for freight improvements calls out the unique importance for these projects 	<ul style="list-style-type: none"> • HCT plans designed to support continued development of regional centers and central city by increasing transit accessibility to these locations • HCT improvements in major commute corridors lessen need for major capacity improvements in these locations, allowing for freight improvements in other corridors

Factor	System Planning (RTP)	Funding Strategy (MTIP)	HCT Planning
1. Support Economic Vitality (continued)	<ul style="list-style-type: none"> • Highway LOS policy tailored to protect key freight corridors • RTP recognizes need for freight linkages to destinations beyond the region by all modes 	<ul style="list-style-type: none"> • All freight projects subject to funding criteria that promote industrial jobs and businesses in the "traded sector" 	
2. Increase Safety	<ul style="list-style-type: none"> • The RTP policies call out safety as a primary focus for improvements to the system • Safety is identified as one of three implementation priorities for all modal systems (along with preservation of the system and implementation of the region's 2040 growth management strategy) 	<ul style="list-style-type: none"> • All projects ranked according to specific safety criteria • Road modernization and reconstruction projects are scored according to relative accident incidence • All projects must be consistent with regional street design guidelines that provide safe designs for all modes of travel 	<ul style="list-style-type: none"> • Station area planning for proposed HCT improvements is primarily driven by pedestrian access and safety considerations.
3. Increase Accessibility	<ul style="list-style-type: none"> • The RTP policies are organized on the principle of providing accessibility to centers and employment areas with a balanced, multi-modal transportation system • The policies also identify the need for freight mobility in key freight corridors and to provide freight access to industrial areas and intermodal facilities 	<ul style="list-style-type: none"> • Measurable increases in accessibility to priority land use elements of the 2040 growth concept is a criterion for all projects • The MTIP program places a heavy emphasis on non-auto modes in an effort to improve multi-modal accessibility in the region 	<ul style="list-style-type: none"> • The planned HCT improvements in the region will provide increased accessibility to the most congested corridors and centers • Planned HCT improvements provide mobility options to persons traditionally underserved by the transportation system

Factor	System Planning (RTP)	Funding Strategy (MTIP)	HCT Planning
<p>4. Protect Environment and Quality of Life <i>(continued)</i></p>	<ul style="list-style-type: none"> • The RTP is constructed as a transportation strategy for implementing the region's 2040 growth concept. The growth concept is a long-term vision for retaining the region's livability through managed growth • The RTP system has been "sized" to minimize the impact on the built and natural environment • The region will be developing an environmental street design guidebook to facilitate making transportation improvements in sensitive areas, and to coordinate transportation project development with regional strategies to protect endangered species • The RTP conforms to the Clean Air Act • Many new transit, bicycle, pedestrian and TDM projects have been added to the plan in recent updates to provide a more balanced, multi-modal system that maintains livability 	<ul style="list-style-type: none"> • The MTIP conforms to the Clean Air Act • The MTIP focuses on allocating funds for clean air (CMAQ), livability (Transportation Enhancement) and multi- and alternative-modes (STIP) • Bridge projects in lieu of culverts have been funded through the MTIP 	<ul style="list-style-type: none"> • Light rail improvements provide emission-free transportation alternatives to the automobile in some of the region's most congested corridors and centers • HCT transportation alternatives enhance quality of life for residents by providing an alternative to auto travel in congested corridors and centers

Factor	System Planning (RTP)	Funding Strategy (MTIP)	HCT Planning
<p>4. Protect Environment and Quality of Life <i>(continued)</i></p>	<ul style="list-style-type: none"> • RTP transit, bicycle, pedestrian and TDM projects planned for the next 20 years will complement the compact urban form envisioned in the 2040 growth concept by promoting an energy-efficient transportation system • Metro is coordinating its system level planning with resource agencies to identify and resolve key issues 		
<p>5. System Integration/ Connectivity</p>	<ul style="list-style-type: none"> • The RTP includes a functional classification system for all modes that establishes an integrated modal hierarchy • The RTP policies and UGMFP* include a street design elements that integrates transportation modes in relation to land use for all regional facilities • The RTP policies and UGMFP include connectivity provisions that will increase local and major street connectivity • The RTP freight policies and projects address the intermodal connectivity needs at major freight terminals in the region • The intermodal management system identifies key intermodal links in the region 	<ul style="list-style-type: none"> • Projects funded through the MTIP must be consistent with regional street design guidelines • Freight improvements are evaluated according to potential conflicts with other modes 	<ul style="list-style-type: none"> • Planned HCT improvements are closely integrated with other modes, including pedestrian and bicycle access plans for station areas and park-and-ride and passenger drop-off facilities a major stations

Factor	System Planning (RTP)	Funding Strategy (MTIP)	HCT Planning
6. Efficient Management & Operations	<ul style="list-style-type: none"> • The RTP policy chapter includes specific system management policies aimed at promoting efficient system management and operation • Proposed RTP projects includes many system management improvements along regional corridors • The RTP financial analysis includes a comprehensive summary of current and anticipated operations and maintenance costs 	<ul style="list-style-type: none"> • Projects are scored according to relative cost effectiveness (measured as a factor of total project cost compared to measurable project benefits) • TDM projects are solicited in a special category to promote improvements or programs that reduce SOV pressure on congested corridors 	<ul style="list-style-type: none"> • Proposed HCT improvements include redesigned feeder bus systems that take advantage of new HCT capacity and reduce the number of redundant transit lines
7. System Preservation	<ul style="list-style-type: none"> • Proposed RTP projects includes major roadway preservation projects • The RTP financial analysis includes a comprehensive summary of current and anticipated operations and maintenance costs 	<ul style="list-style-type: none"> • Reconstruction projects that provide long-term maintenance are identified as a funding priority 	<ul style="list-style-type: none"> • The RTP financial plan includes the 20-year costs of HCT maintenance and operation for planned HCT systems

* UGMFP is the acronym for the Urban Growth Management Functional Plan, an adopted regulation that requires local governments in Metro's jurisdiction to complete certain planning tasks.

7. Public Involvement

Metro maintains a continuous involvement process which provides public access to key decisions and supports early and ongoing development. The Metro Council adopted public involvement procedures for Metro and area governments to follow for any activities that will result in modification to the MTIP or the RTP. The procedures reflect ISTEPA public involvement with adequate notice and broad participation. Metro actively seeks means to involve and recruit transportation underserved for its numerous studies and project committees.

All Metro UWP studies and projects that have a public comment period require an approved public involvement plan (PIP). Included in every PIP are creative strategies, tools and methods to best involve its diverse citizenry. Some of these may include citizen committees, task forces, newsletters, public opinion survey techniques, and media relations.

Both the RTP update and the South/North Environmental Impact Statement (EIS) had citizen advisory committees to help with key decisions. The South Willamette River Crossing Study utilized stakeholder groups and numerous community outreach activities. The Traffic Relief Options Study included a 12-member citizen Task Force and held a substantial number of focus group stakeholder workshop sessions. The MTIP does not have a formal citizen oversight committee, but hearings and workshops are held related to actions on the criteria, project solicitation, project ranking, and the recommended program. For FY 00-01, two new citizen committees are likely for the Highway 217 and I-5 corridor studies.

Finally, the Transportation Policy Alternatives Committee (TPAC) includes six citizen positions. TPAC makes recommendations to JPACT and the Metro Council.

8. Title VI – The last formal submittal was June 1999 to the Federal Transit Administration. No response was received. An in-house review with the ODOT Title VI Coordinator was held in June 1997. Based on that review, Metro was found in compliance. The next ODOT review will be in 2001.

9. Disadvantaged Business Enterprise

A revised DBE program was adopted by the Metro Council in June 1997 (Ordinance 97-692A); 49CFR 26 allows for recipients to use the DBE goal of another recipient in the same market. Metro's Executive Officer approved an overall DBE annual goal for in accordance with the Oregon Department of Transportation. This goal was established utilizing ODOT's methodology to determine DBE availability of "ready, willing and able" firms for federally funded professional and construction projects. The current goal is 12.4%.

Metro's DBE program was reviewed and determined to be in compliance by FTA after conducting a Triennial Review in August 1999.

10. Americans with Disabilities Act (ADA)

The Americans with Disabilities Act Joint Complementary Paratransit Plan was adopted by the Tri-Met Board in December 1991 and was certified as compatible with the RTP by Metro Council in January 1992. The plan was phased in over five years and Tri-Met has been in compliance since January 1997. Metro approved the 1997 plan as in conformance with the Regional Transportation Plan. FTA audited and approved the plan in summer 1999.

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COMMUNITY PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 01-3039, FOR THE PURPOSE OF CERTIFYING THAT THE PORTLAND METROPOLITAN AREA IS IN COMPLIANCE WITH FEDERAL PLANNING REQUIREMENTS

Date: March 21, 2001

Presented by: Councilor Monroe

Committee Recommendation: At its March 20 meeting, the Committee considered Resolution No. 01-3039 and voted unanimously to send the resolution to the Council for adoption. Voting in favor: Councilors Atherton, Bragdon, Burkholder, Hosticka, McLain, Monroe and Chair Park.

Background: Federal grants provide over 90% of the funding for the transportation planning programs in Metro's Planning Department. Receipt of such grant funding is contingent on Metro filing an annual certification that the planning program meets all applicable federal transportation planning requirements. The compliance process operates on a three-year cycle. During the first two years, agencies such as Metro must self-certify that they are in compliance and then during the third year, federal agency representatives conduct a field review to insure compliance. Metro's next field review will occur in the fall of 2001. Metro's self-certification also must be approved by ODOT.

Committee Discussion: Andy Cotugno, Planning Director, presented the staff report. Cotugno explained that the proposed self-certification resolution was a companion to Resolution 01-3038, which would adopt the proposed unified work program. Both the program and the self-compliance document must be filed with appropriate federal transportation agencies to insure Metro's continued receipt of federal transportation planning and project funds.

Committee members had no questions concerning the proposed resolution.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 01-3039 FOR THE PURPOSE OF CERTIFYING THAT THE PORTLAND METROPOLITAN AREA IS IN COMPLIANCE WITH FEDERAL TRANSPORTATION PLANNING REQUIREMENTS.

Date: February 16, 2001

Presented by: Andrew C. Côtugno

PROPOSED ACTION

This resolution certifies that the Portland metropolitan area is in compliance with federal transportation planning requirements as defined in Title 2.3, Code of Federal Regulations, Part 450 and Title 49, Code of Federal Regulations, Part 613.

EXISTING LAW

Federal transportation agencies (Federal Transit Administration [FTA] and Federal Highway Administration [FHWA]) require a self-certification that our planning process is in compliance with certain federal requirements as a prerequisite to receiving federal funds. The self-certification documents that we have met those requirements and is considered yearly at the time of Unified Work Program approval.

FACTUAL BACKGROUND AND ANALYSIS

Required self certification areas include:

- Metropolitan Planning Organization (MPO) designation
- Geographic scope
- Agreements
- Responsibilities, cooperation and coordination
- Metropolitan Transportation Planning products
- Planning factors
- Public Involvement
- Title VI
- Disadvantaged Business Enterprise (DBE)
- Americans with Disabilities Act (ADA)

Each of these areas is discussed in Exhibit A to Resolution 01-3039.

BUDGET IMPACT

Approval of this resolution is a companion to the Unified Work Program. It is a prerequisite to receipt of federal planning funds and is, therefore, critical to the Metro budget. The UWP matches the projects and studies reflected in the proposed Metro budget submitted by the Metro Executive Officer to the Metro Council and is subject to revision in the final adopted Metro budget.

Approval will mean that grants can be submitted and contracts executed so work can commence on July 1, 2001, in accordance established Metro priorities.

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