

JOINT RESOLUTION OF THE
METRO COUNCIL
AND OREGON STATE HIGHWAY ENGINEER

FOR THE PURPOSE OF CERTIFYING THAT)
THE PORTLAND METROPOLITAN AREA IS IN)
COMPLIANCE WITH FEDERAL)
TRANSPORTATION PLANNING)
REQUIREMENTS)

RESOLUTION NO. 03-3289

Introduced by Councilor Rod Park

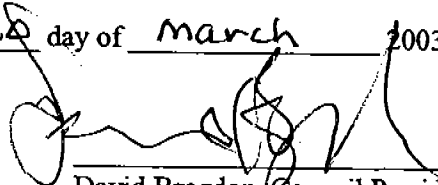
WHEREAS, Substantial federal funding from the Federal Transit Administration and Federal Highway Administration is available to the Portland metropolitan area; and

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 20 day of March 2003.



David Bragdon, Council President

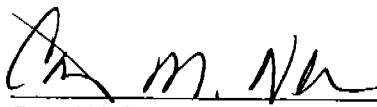
Approved as to form:



Daniel B. Cooper, Metro Attorney



APPROVED by the Oregon Department of Transportation State Highway Engineer this 10
day of April 2003.



State Highway Engineer

Metro Self-Certification

1. Metropolitan Planning Organization (MPO) 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 six directly elected district councilors and a regionally elected Council President. Local elected officials are directly involved in the transportation planning/ decision process through the Joint Policy Advisory Committee on Transportation (JPACT) (see membership roster). 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 (MPAC) 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.

2001 Review Corrective Action: 4.A.1 Metro should clarify their existing metropolitan planning area boundary and provide a map. The map should clearly show any differences between:

- 1) *the overall Metro boundary,*
- 2) *the air quality maintenance area boundary,*
- 3) *the urban growth boundary,*
- 4) *the federal urbanized area and small-urban boundaries and,*
- 5) *the MPO planning area boundary.*

The use of PL and Metro STP funds must be consistent with the official metropolitan area planning area, urbanized area and small-urban boundaries.

Response: A map is being provided which includes: 1) the overall Metro boundary, 2) the air quality maintenance area boundary, 3) the urban growth boundary, 4) the federal urbanized area and small-urban area boundary and 5) the MPO planning area boundary.

2001 Review Recommendation: 4.A.2 If the City of Wilsonville is not currently included in the Portland metropolitan planning area boundary, it is recommended that the MAPB be expanded to include the City.

Response: The map has been expanded to include Wilsonville.

3. Agreements

- a. A basic memorandum of agreement between Metro and the Regional Transportation Council (Southwest Washington RTC) delineates areas of responsibility and coordination. A revised document was executed February 2003.

- b. An agreement between TriMet and Metro implementing the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. Executed May 2001.
 - c. An agreement between the Oregon Department of Transportation (ODOT) and Metro implementing the ISTEA of 1991. Executed May 2001.
 - 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 2001.
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 JPACT and 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 three Metro Councilors; nine local elected officials including two from Clark County, Washington, and appointed officials from ODOT, TriMet, the Port of Portland and 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 Coordination Committee

Based on a recommendation from the I-5 Partnership Governors Task Force the Bi-State Transportation Committee became the Bi-State Coordination Committee in early 2003. This joint committee will advise the region, state and local jurisdictions on transportation and land use issues of bi state significance. 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 Coordination 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 eleven local elected officials, three appointed officials representing special districts, TriMet, a representative of school districts, three citizens, two non-voting Metro Councilors, two Clark County, Washington representatives and a non-voting appointed official from the State of Oregon. 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 RTP.

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 Transportation Efficiency Act of the 21st Century (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. Unified Work Program (UWP)

JPACT, the Metro Council and the Southwest Washington RTC adopt the UWP annually. 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 federally funded major projects being planned by member jurisdictions.

2001 Review Recommendation: 7.A.1 It is recommended that Metro and ODOT continue the work underway to insure that:

- 1) *funds programmed for planning activities in the MTIP/STIP are clearly identified in and coordinated with the UPWP,*
- 2) *all parties understand that Metro remains responsible for coordinating all federally-funded planning activities included in the UPWP, and*
- 3) *a clear distinction is made in the UPWP between funded activities and proposed activities (e.g., pending TSCP application, TGM applications, etc.).*

Response: Efforts continue to provide information in the UWP as indicated in the review recommendation. Metro is coordinating with the jurisdictions to clarify the understanding of what is a “planning project” and to make sure all MTIP/STIP planning projects are included in the UWP. We are working to more clearly identify unfunded or pending projects.

2001 Review Recommendation: 7.A.2 Federal-funded reports, that are not approved by FHWA and FTA, and prepared as a part of the UPWP, should include a statement that indicates that the views expressed and conclusions drawn do not reflect the views of the USDOT.

Response: Metro includes the federal disclaimer in its documents.

b. Regional Transportation Plan (RTP)

The 2000 RTP was adopted in August 2000, culminating a two-phase, five-year effort to reorient the plan to Metro’s 2040 Growth Concept. The updated plan contains a new emphasis on implementing key aspects of the 2040 land use plan with strategic transportation infrastructure

improvements and programs. The plan is fully organized around these land use goals, with modal systems for motor vehicles, transit, freight, bicycles and pedestrians geared to serve the long-term needs called for in the 2040 plan.

The 2000 RTP also includes a new level of detail, prescribing a number of new performance measures and system design standards for the 24 cities and 3 counties in the Metro region to enact. These include: new requirements for local street connectivity; modal orientation in street design; 2040-based level-of-service policy for sizing roads; targets for combined alternative modes of travel; and, parking ratios for new developments. The plan contains nearly 900 individual projects totaling \$7.2 billion in system improvements, and a corresponding series of financing scenarios for funding these projects. It also calls for more than a dozen corridor studies to define specific projects for many of the major corridors where more analysis is needed to determine which improvements best respond to expected demand. The next periodic update to the RTP is scheduled for 2004.

2001 Review Recommendation: 12.A.1. In order to avoid a future conformity lapse and the possible interruption of USDOT funds, we remind Metro that the RTP requires an update every three years. Because Metro is a maintenance area, EPA's air quality regulations require the Plan to be updated on a three-year cycle. This is because Plans need to be more sensitive to changing environmental conditions and responsive to goals established by the Clean Air Act, and to ensure that transportation activities do not worsen air quality or interfere with the purpose of the SIP. Therefore the schedule for updating the Plan is tied to the schedule for air quality conformity determinations. An update does not require a complete revisiting of underlying RTP policies, goals and assumptions; extend the planning horizon to minimum of 20 years; and complete the USDOT air quality conformity process for the financially constrained system before January 26, 2004.

Response: Metro will initiate an RTP update in May 2003, and is scheduled to be completed in January 2004 in order to avoid a conformity lapse. At a minimum, this update will cover all federal planning requirements, but may involve updates to non-federal aspects of the RTP.

2001 Review Recommendation: 12.A.2 It is recommended that every effort be made to advance the completion of the refinement plans identified as "outstanding issues" in Metro's 2000 RTP.

Response: Metro completed the Corridor Initiatives project in late 2001, and amended the RTP in 2002 to adopt the recommended priorities for completing major corridor studies in the region. Two of the 19 corridors have already been studied, or are underway using MTIP and state TGM monies, and two additional corridor studies are proposed for funding in the current MTIP solicitation. However, it should be noted that all of the refinement corridors are centered on ODOT facilities, and will require greater funding support from ODOT than is currently available to complete this work in a timely manner.

2001 Review Recommendation: 12.A.3 It is strongly recommended that short-term operations/management plans be developed expeditiously for the corridors identified in the RTP as having unmet needs but not scheduled for full corridor studies in the near-term. The goal should be to preserve and enhance mobility, reduce congestion and prevent the foreclosure of options that may occur if no action is taken until "deficiency thresholds" are reached.

Response: ODOT has undertaken an aggressive ITS system for principal routes that are identified as refinement plan corridors in the RTP, with almost all access points metered and travel information systems installed. ODOT does not plan to employ this level of system management

to the few major arterials that are called out as refinement plans, and instead will focus on access management as a strategy to protect interim mobility in these corridors.

2001 Review Recommendation: 12.A.4 Metro is encouraged to seek consensus on new approaches that might decrease the gap between the 2000 RTP's financially constrained and priority systems.

Response: Metro convened a Transportation Investment Task Force in 2002 to identify key improvements in the region, and propose mechanisms for increasing transportation funding to construct these improvements. The recommendations of the task force were accepted by JPACT and the Metro Council in February 2003, and the Metro Council has expressed an intent to continue working with the Task Force to implement the recommendations. The Oregon Legislature has also been working to reduce the transportation funding gap, with a major bond measure approved in the last session, and a follow up measure proposed for this session.

2001 Review Recommendation: 12.A.5 We recommend that Metro's next RTP update expand the discussion of Operating and Maintenance (O&M) costs in simplified terms (possibly charts, graphs, etc.) to help educate the public on the huge cost of operating and maintaining the existing and proposed transportation infrastructure (both transit and roadway).

Response: Metro will expand the discussion of O&M costs in the next update to better explain the growing financial burden in this area.

2001 Review Recommendation: 12.A.6 Minor RTP amendments are planned in the near future to reflect changes agreed to during the plan "acknowledgement" process with the Oregon Department of Land Conservation and Development. We recommend using this opportunity to make editorial corrections needed in the current document. Examples of corrections needed include:

- Clarify effective dates of federal RTP recognition*
- Clarify required update cycle*
- Complete missing tables and graphs*
- Publish referenced appendices*

Response: The recommended clarifications proposed by FHWA and FTA will be incorporated into the upcoming update of the RTP, to be completed in January 2004.

c. **Metropolitan Transportation Improvement Program (MTIP)**

The MTIP was updated in spring 2002 and incorporated into ODOT 2002-2005 State Transportation Improvement Program (STIP). The 2002 update includes projects or project phases with prior funding commitments and allocated \$50 million of State Transportation Program (STP) and Congestion Mitigation Air Quality Program (CMAQ). 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 Transportation Improvement Program (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 2000-03 MTIP was completed in FY 2000.

2001 Review Corrective Action: 13.A.1 Within 90 days of this report, Metro should produce a current MTIP document that meets the requirements of 23 CFR 450. As subsequent amendments are approved, the MTIP document must be kept current and accessible to the public. Further, Metro should publish, or otherwise make available for public review, an annual listing of projects for which Federal funds have been obligated in the preceding year. The list must be consistent with the categories identified in the transportation improvement program. (23 U.S.C. 134(h)(7)(B); 49 U.S.C.5303(c)(5)(B))

Response: Metro produced a current MTIP document in 2002 for the last allocation of funds, programming the years 2002-05. Metro also completed an annual listing of projects using federal funds for the year 2002, and is scheduled to complete annual lists in upcoming years. Metro is currently developing the 2004-07 MTIP, and will publish a document for this allocation in fall of this year.

2001 Review Comment: 13.A.2 It is recommended that Metro research and document the current delegation of the Governor's MTIP approval. If current delegation cannot be documented, the Governor should either be asked to provide the required MTIP approvals or make new delegations.

Response: ODOT working on this.

2001 Review Comment: 13.A.3 It is recommended that consideration to be given to adjusting the timing of Metro's MTIP update process to allow the full identification of State-selected projects and FTA-funded transit projects while the debate on MPO-selected projects is still underway. Earlier information on the full range of projects could allow for better-informed decisions, particularly in regard to alternative mode transfers.

Response: The current 2004-07 MTIP update was scheduled to help close the timing gap between STIP and MTIP updates, and will enable the next updates of the MTIP and STIP to be completely coordinated. For this round, Metro coordinated comments from the region on the draft STIP, which will be completed roughly four months in advance of the MTIP (scheduled for completion in July).

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)	High Capacity Transit (HCT)
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, multimodal freight improvements that link intermodal facilities to industry are detailed for 20-year plan period. • 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 projects subject to consistency with RTP policies on economic development and promotion of “primary” land use element of 2040 development such as centers, industrial areas and intermodal facilities. • Special category for freight improvements calls out the unique importance for these projects. • All freight projects subject to funding criteria that promote industrial jobs and businesses in the “traded sector.” 	<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.
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.

Factor	System Planning (RTP)	Funding Strategy (MTIP)	High Capacity Transit (HCT)
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.
4. Protect Environment and Quality of Life	<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 has developed an environmental street design guidebook to facilitate environmentally sound 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. 	<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-modal alternative – modes (STIP). • Bridge projects in lieu of culverts have been funded through the MTIP to enhance endangered salmon and steelhead passage. • "Green Street" demonstration projects funded to employ new practices for mitigating the effects of stormwater runoff. 	<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)	High Capacity Transit (HCT)
	<ul style="list-style-type: none"> • 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. • 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 coordinates its system level planning with resource agencies to identify and resolve key issues. 		
5. System Integration/ Connectivity	<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 Functional Plan* include a street design element that integrates transportation modes in relation to land use for all regional facilities. • The RTP policies and Functional Plan 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 at major stations.

Factor	System Planning (RTP)	Funding Strategy (MTIP)	High Capacity Transit (HCT)
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 include 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. • TSM/TTS projects are funded through the MTIP. 	<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 include 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.

* Functional Plan = 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 proactive public involvement process that provides complete information, timely public notice, full public access to key decisions and supports early and continuing involvement of the public in developing its policies, plans and programs. Public Involvement Plans are designed to both support the technical scope and objectives of Metro studies and programs while simultaneously providing for innovative, effective and inclusive opportunities for engagement. Every effort is made to employ broad and diverse methods, tools and activities to reach potentially impacted communities and other neighborhoods and to encourage the participation of low-income and minority citizens and organizations.

All Metro UWP studies and projects that have a public involvement component require a Public Involvement Plan (PIP) that meets or exceeds adopted public involvement procedures. Included in individualized PIPs are strategies and methods to best involve a diverse citizenry. Some of these may include special public opinion survey mechanisms, custom citizen working committees or advisory committee structures, special task forces, web instruments and a broad array of public information materials. For example, given the geographically and philosophically diverse make-up of the South Corridor Study, it was determined that the traditional single citizens advisory committee would not prove effective. Hence, the study incorporated area specific working committees, local advisory committees and assemblies as well as corridor-wide all-assemblies. Hearings, workshops, open houses, charrettes and other activities are also held as needed.

The MTIP relies on early program kick-off notification, inviting input on the development of criteria, project solicitation, project ranking and the recommended program. Workshops, informal and formal opportunities for input as well as a 45-day + comment period are repetitive aspects of the MTIP process. In addition, with availability of new census information, block analysis will be conducted on areas surrounding each project being considered for funding to ensure that environmental justice principles are met and to identify where additional outreach might be beneficial.

Finally, TPAC includes six citizen positions. TPAC makes recommendations to JPACT and the Metro Council.

2001 Review Recommendation: 9.A.1 Metro is encouraged to consider reaffirming its 1995 Public Involvement Process and to document the evaluation that has taken place and is planned for the coming year.

Response: Projects and programs continue to abide by the agency's adopted Transportation Planning Public Involvement Policy. While this policy has not been rewritten, it was used as the basis for establishing Metro's agency-wide 2002 adopted Public Involvement Planning Guide. A resolution to reaffirm the 95 process will be added to next year's UWP.

2001 Review Recommendation: 9.A.2 Although Metro's public involvement process appears to be very vibrant, open and responsive, it is recommended that, whenever possible, more time be provided between the closing of comments and final decisions.

Response: Every effort is made to add more time for deliberation between the closing of a public involvement period and decision-making. For example, "Listening Posts" for the 2004-2007 TIP process, seeking comments on the larger list of potentially funded projects, are now scheduled at the beginning of the 30-day comment period. Moreover, tentative action is not scheduled until three weeks from the close of the comment period.

8. Title VI – In September 2002 Metro submitted to the FTA the 1999-2002 Title VI Compliance report with accompanying mapped demographic information. To date there has not been a response. In addition, the Federal Highway Administration (FHWA) and FTA certified Metro's Public Involvement, Title VI and Environmental Justice processes as part of the October 2001 Metropolitan Transportation Planning and Programming USDOT Certification Review.

9. Disadvantaged Business Enterprise (DBE)

A revised DBE program was adopted by the Metro Council in June 1997 (Ordinance No. 97-692A); 49CFR 26 allows recipients to use the DBE goal of another recipient in the same market. Metro's Executive Officer approved an overall DBE annual goal in accordance with ODOT. 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 14 percent.

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 TriMet 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 TriMet has been in compliance since January 1997. Metro approved the 1997 plan as in conformance with the RTP. FTA audited and approved the plan in summer 1999.

Additional 2001 Review Recommendations

Vision and Goals

2001 Review Recommendation: 1.A.1 It is recommended that Metro pursue the development of performance measures for both highway and transit and use them to evaluate progress towards attaining their regional goals for the mobility of people and goods.

Response: The performance measures program provides a periodic and rigorous evaluation of the region's effort in providing transportation infrastructure and services to enhance local economy and livability.

Environmental Justice

2001 Review Recommendation: 10.A.1 We encourage Metro's plans to use 2000 Census and other supplemental data to identify the distribution of minority and low-income populations and to evaluate the Environmental Justice performance of the RTP and MTIP.

Response: With the availability of Census 2000 information staff is now able to access aspects of projects or programs that may be of interest or have potential impact or benefit to minority and/or low-income populations. This will help us to better engage appropriate communities in effective communication and transportation decision-making processes. For the 2004-07 MTIP, block analysis will be conducted on the areas surrounding each project submitted for funding consideration. A qualitative assessment of the project will be provided as part of project evaluation. If successful, a similar method will be applied to projects or project areas during future regional transportation updates.

Congestion Management

2001 Review Recommendation: 11.A.1 It is recommended that Metro develop a short index or "roadmap" document that describes how their current Congestion Management System is being implemented and where the specific components can be found. (This would serve as a replacement for the 1996 Interim CMS Document.) Metro should also clarify how the CMS is to be used in the overall project selection and ranking process, and how the CMS is used to develop stand-alone or integrated congestion responses.

Response: Metro will incorporate a new section in the Appendix to the RTP during the upcoming update to provide a "roadmap" to CMS features in the plan. This would serve as a replacement for the 1996 CMS document, and would allow users to easily understand how CMS has been incorporated into our regional planning.

2001 Review Recommendation: 11.A.2 Metro is strongly encouraged to work with local jurisdictions and transit operators to identify short-term strategies for managing existing transportation assets. This is particularly important in corridors identified as needing large-scale improvements, but not scheduled for detailed analysis in the near term.

Response: Metro participates in TRANSPORT, the regional technical steering committee for ITS, where most short-term strategies for managing existing highway are addressed by the operating agencies. Metro also operates a subcommittee of TPAC that monitors TDM programs in the region, including new performance measures on effectiveness of regional strategies and creation of new transportation management associations.

2001 Review Recommendation: 11.A.3 As owners and operators of the regional freeway system, it is recommended that ODOT, in cooperation with Metro, also develop management plans and project refinement plans for their facilities, including operational and system management strategies and a range of capital actions.

Response: ODOT has undertaken an aggressive ITS system for principal routes that are identified as refinement plan corridors in the RTP, with almost all access points metered and travel information systems installed. ODOT does not plan to employ this level of system management to the few major arterials that are called out as refinement plans, and instead will focus on access management as a strategy to protect interim mobility in these corridors.

2001 Review Recommendation: 11.A.4 Metro and ODOT are strongly encouraged to accelerate the corridor studies identified in Metro's RTP as outstanding issues.

Response: Metro completed the Corridor Initiatives project in late 2001, and amended the RTP in 2002 to adopt the recommended priorities for completing major corridor studies in the region. Two of the 19 corridors have already been studied, or are underway using MTIP and state TGM monies, and two additional corridor studies are proposed for funding in the current MTIP solicitation. However, it should be noted that all of the refinement corridors are centered on ODOT facilities, and will require greater funding support from ODOT than is currently available to complete this work in a timely manner.

2001 Review Recommendation: 11.A.5 It is recommended that Metro establish a goal of reduced congestion and establish performance measures to determine progress toward achieving the goal.

Response: Metro has adopted a tiered, land use-based strategy for managing congestion, but does not have general policies for reducing congestion. Instead, plan policies focus on removing congestion bottlenecks in the system, and maintaining an acceptable level-of-service during peak and off-peak periods. The plan

also uses a CMS-based approach to identify improvements that maintain desired level-of-service. Metro has also adopted policies that will ensure that value pricing and other alternatives to general purpose lanes are considered when adding future capacity to principal routes.

Air Quality Conformity

2001 Review Recommendation: 14.A.1 If Metro chooses to continue the practice of adopting RTP and MTIP actions contingent upon completion of the air quality conformity process, it is highly recommended that the public process more clearly indicate that the documents have no federal status until the USDOT air quality conformity findings have been finalized.

Response: In the fall 2002 Metro amended both the RTP/MTIP to authorize OTIA expansion projects. Project funds and accompanying conformity determination were approved in the same resolution/ ordinance action.

Should future actions prove incapable of being approved in a joint action draft and final materials will clearly lay out in public terms that such actions are not approved until determination of conformity. The documents and resolutions will contain a caveat as to need for determination. The current 2004 MTIP update process schedule indicates that determination will happen at the conclusion of the timeline.

ITS

2001 Review Recommendation: 15.A.1 it is recommended that Metro work with RTC and their partners to clarify bi-state ITS architecture and operations issues. (e.g., Will a single bi-state architecture or two separate but coordinated architectures be developed? Who will be responsible for updating the architecture(s) and ensuring continued bi-state compatibility?)

Response: In February 2003, TPAC will formally consider appointing "Transport" as the ITS Subcommittee. Transport will have responsibility for bi-state coordination of the ITS architecture. This committee will be on going and include members from both sides of the river.

Bi-State Coordination

2001 Review Recommendation: 17.C.1 It is recommended that Metro and RTC continue to work together on regional ITS issues. Metro and RTC should clearly identify the roles and responsibilities of each agency with regard to the operation, maintenance and assurance of compatibility of the regional ITS infrastructure. From the motorist's perspective, the two systems should operate as a single unit, as if the state line did not exist.

2001 Review Recommendation: 17.C.2 It is recommended that Metro and RTC identify how their respective congestion management systems interact, particularly in regard to how they identify and measure congestion, and address short term needs.

Response: Metro and RTC are addressing these issues through the Bi-State process.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 03-3289 FOR THE PURPOSE OF CERTIFYING THAT THE PORTLAND METROPOLITAN AREA IS IN COMPLIANCE WITH FEDERAL TRANSPORTATION PLANNING REQUIREMENTS

Date: February 15, 2003

Presented by: Andrew C. Cotugno

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 No. 03-3289.

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 Chief Operating 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, 2003, in accordance established Metro priorities.