

JOINT RESOLUTION OF THE
METRO COUNCIL
AND
OREGON DEPARTMENT OF TRANSPORTATION

FOR THE PURPOSE OF CERTIFYING THAT) RESOLUTION NO. 05-3542
THE PORTLAND METROPOLITAN AREA IS IN)
COMPLIANCE WITH FEDERAL) Introduced by Councilor Rex Burkholder
TRANSPORTATION PLANNING)
REQUIREMENTS)

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

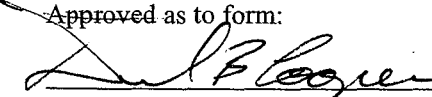
WHEREAS, the Federal Transit Administration and Federal Highway Administration require that the planning process for the use of these funds complies with certain requirements as a prerequisite for receipt of such funds; and

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

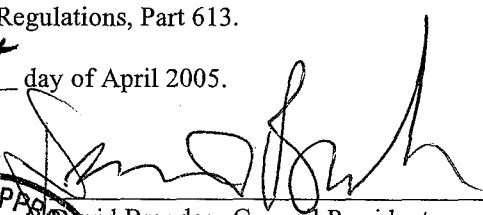
BE IT RESOLVED, that the transportation planning process for the Portland metropolitan area (Oregon portion) is in compliance with federal requirements as defined in Title 23 Code of Federal Regulations, Part 450, and Title 49 Code of Federal Regulations, Part 613.

ADOPTED by the Metro Council this 28th day of April 2005.

Approved as to form:

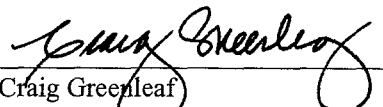

Daniel B. Cooper, Metro Attorney




David Bragdon, Council President

APPROVED by the Oregon Department of Transportation this 4th day of May

2005.


Craig Greenleaf
Transportation Development Administrator

Metro Self-Certification

1. Metropolitan Planning Organization Designation

Metro is the Metropolitan Planning Organization (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 of general purpose governments 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 Planning Work Program (UPWP). The Metro Policy Advisory Committee (MPAC) deals with non-transportation-related matters and with the 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 Southwest Washington Regional Transportation Council (RTC) delineates areas of responsibility and coordination. Executed February 2003, to be updated in 2006.
- b. An agreement between TriMet and Metro implementing the Transportation Equity Act for the 21st Century (TEA-21), executed August 2004, to be updated in 2007.
- c. An agreement between ODOT and Metro implementing the TEA-21, executed September 2004, to be updated in 2007.
- d. Yearly agreements are executed between Metro and ODOT defining the terms and use of FHWA planning funds.
- e. Bi-State Coordination Committee Charter – Metro and 11 state and local agencies adopted resolutions approving a Bi-State Coordination Committee Charter in 2004. Some were adopted in late 2003 and the balance in 2004, which triggered the transition from the Bi-State Transportation Committee to the Bi-State Coordination 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 August 2004, to be updated in 2007.
- g. Metro and Wilsonville are discussing conditions for the MOU. A two-year agreement will be executed prior to July 1, 2005. A two-year agreement will put it on the same time as the others.

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 Transportation & Trade Partnership Strategic Plan, the Bi-State Transportation Committee became the Bi-State Coordination Committee in early 2004. The Bi-State Coordination Committee was chartered through resolutions approved by Metro, Multnomah County, the cities of Portland and Gresham, TriMet, ODOT, the Port of Portland, RTC, Clark County, C-Tran, Washington State Department of Transportation (WSDOT) and the Port of Vancouver. The Committee is charged with reviewing all issues of bi-state significance for transportation and land use. A 2003 Memorandum of Understanding (MOU) 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 (UGB))
- 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) the Transportation Planning Rule and Metro 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 Planning Work Program

JPACT, the Metro Council and the Southwest Washington RTC adopt the UPWP 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 UPWP also includes federally funded major projects being planned by member jurisdictions. Those projects will be administered by Metro through intergovernmental agreements with ODOT and the sponsoring jurisdiction.

b. Regional Transportation Plan

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 25 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.

JPACT and the Metro Council approved the RTP 2004 Federal Update on December 11, 2003. The 2004 update was limited in scope, leaving the 2000 RTP requirements unchanged. The update included "housekeeping" amendments to reflect fine-tuning of the various modal system maps, as recommended by local cities and counties through transportation plans adopted since the last RTP update in August 2000. The 2004 RTP includes new policy text that establishes two tiers of industrial areas ("regionally significant" and "local") for the purpose of transportation planning and project funding.

The 2004 update also provided an updated set of financially constrained projects. The total revenue base assumed in the 2004 RTP for the road system is approximately \$4.3 billion, with \$2.16 billion for freeways, highways and roads, \$1.67 billion for transit and the balance for planning, bike, pedestrian, transportation demand management, system management and other similar programs. In addition to the financially constrained system, the 2004 Federal Update identifies a larger set of projects and programs for the "Illustrative System," which is nearly double the scale and cost of the financially constrained system. The illustrative system represents the region's objective for implementing the Region 2040 Plan.

Finally, a new map has been added to Chapter 1 of the RTP that identifies the MPO Planning Boundary. This boundary defines the area that the RTP applies to for federal planning purposes. The boundary includes the area inside Metro's jurisdictional boundary, the 2003 UGB and the 2000 census defined urbanized area boundary for the Portland metropolitan region. FHWA and FTA approved the 2004 RTP and the associated air quality conformity determination on March 5, 2004.

c. Metropolitan Transportation Improvement Program

The MTIP was updated in spring 2003 and incorporated into ODOT 2004-07 State Transportation Improvement Program (STIP). The 2003 update includes projects or project phases with prior funding commitments and allocated \$50 million of Surface 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, 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.

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:

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

Factor	System Planning (RTP)	Funding Strategy (MTIP)	High Capacity Transit (HCT)
<p>1. Support Economic Vitality</p>	<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 promotes 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.
<p>2. Increase Safety</p>	<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 	<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 to enhance endangered salmon and steelhead passage. • "Green Street" demonstration projects funded to employ new practices for mitigating the effects of storm water 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"> species. • The RTP conforms to the Clean Air Act. 		
	<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 	<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)
	<p>major street connectivity.</p> <ul style="list-style-type: none"> • 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. 		
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/ITS 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 UPWP 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, translation of materials for non-English speaking members of the community, 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. By assessing census information, block analysis is 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.

TPAC includes six citizen positions that are geographically and interest area diverse and filled through an open, advertised application and interview process. TPAC makes recommendations to JPACT and the Metro Council.

Title VI – In September 2002, Metro submitted to the FTA the 1999-2002 Title VI Compliance report with accompanying mapped demographic information. In December 2004, additional Title VI documentation was submitted to FTA. The report was approved conditionally to allow Metro's grant application to be submitted. The complete report will be submitted prior to July 1, 2005. In addition, 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.

Environmental Justice – The intent of environmental justice (EJ) practices is to ensure that needs of minority and disadvantaged populations are considered and that the relative benefits/impacts of individual projects on local communities are thoroughly assessed and vetted. Metro continues to expand and explore environmental justice efforts that provide early access to and consideration of planning and project development activities. Metro's EJ program is organized to communicate and seek input on project proposals and to carry those efforts into the analysis, community review and decision-making processes.

8. Disadvantaged Business Enterprise

A revised Disadvantaged Business Enterprise (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 11.43 percent.

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

9. Americans with Disabilities Act

The Americans with Disabilities Act (ADA) 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.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 05-3542 FOR THE PURPOSE OF CERTIFYING THAT THE PORTLAND METROPOLITAN AREA IS IN COMPLIANCE WITH FEDERAL TRANSPORTATION PLANNING REQUIREMENTS

Date: April 1, 2005

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 Planning Work Program (UPWP) 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. 05-3542.

BUDGET IMPACT

Approval of this resolution is a companion to the UPWP. It is a prerequisite to receipt of federal planning funds and is, therefore, critical to the Metro budget. The UPWP matches 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, 2005, in accordance established Metro priorities.