

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 25-5512 FOR THE PURPOSE OF ADOPTING THE METROPOLITAN PLANNING ORGANIZATION'S TITLE VI PLAN AND DELEGATING AUTHORITY TO THE CHIEF OPERATING OFFICER

Date: July 3, 2025
Department: Planning,
Development & Research
Meeting Date: July 17, 2025

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ISSUE STATEMENT

The US Department of Transportation (USDOT) requires compliance with the Civil Rights Act of 1964 and its Title VI statute. The 2025 Title VI Plan describes Metro's Title VI implementation efforts that prohibit discrimination based on race, color and national origin in any programs and activities that receive federal financial assistance.

Metro last submitted a Title VI Plan in October 2022. FHWA and ODOT have requested a triennial Title VI Plan update that also satisfies the Portland-Vancouver Transportation Management Area (TMA) Certification findings. Namely, the Federal Review Team's recommendations and associated corrective actions specified that the Title VI Plan needs to be approved by the Metropolitan Planning Organization's Policy Committees— the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council.

On June 6, 2025, the Transportation Policy Alternatives Committee (TPAC) recommended the Joint Policy Advisory Committee on Transportation (JPACT) approve Resolution No. 25-5512 and the 2025 Title VI Plan.

ACTION REQUESTED

Approve Resolution No. 25-5495 and 2025 Title VI Plan as recommended by the Transportation Policy Alternatives Committee (TPAC) and submit to Metro Council for approval.

IDENTIFIED POLICY OUTCOMES

In step with federal compliance and Metro's values, the 2025 Title VI Plan details how Metro's planning processes and transportation investments are non-discriminatory and do not disproportionately harm minority or low-income communities. The Plan outlines how Metro teams encourage full and fair participation of historically underserved communities, including minority, Limited English Proficiency (LEP) individuals, people with disabilities, in program activities and decision-making processes. For example, the 2025 Title VI Plan details how individuals with LEP have meaningful access to Metro programs and activities through free interpretation and translation services.

The JPACT approval and recommendation to Metro Council and subsequent Metro Council approval of the Resolution No. 25-5512 and Title VI Plan will allow Metro staff to continue implementing Title VI, as follows:

- Metro Council adopting the MPO's Title VI plan in a form substantially like the document attached as Exhibit A
- Metro Council delegates authority to Metro's Chief Operating Officer to revise the Title VI plan and any related documents as needed
- The Title VI Plan will be submitted to the Federal Highway Administration (FHWA) and the Oregon Department of Transportation (ODOT) no later than October 1, 2025

POLICY OPTIONS FOR JPACT TO CONSIDER

1. Approve Resolution No. 25-5512 and Title VI Plan as recommended by TPAC.
2. Do not approve Resolution No. 25-5512 or Title VI Plan.

JPACT and Metro Council adoption of the resolution and Title VI Plan will demonstrate agency commitment to not disproportionately harm communities based on race, color or national origin. Endorsement of the 2025 Title VI Plan is a necessary step to receive Title VI Plan compliance approval from FHWA and ODOT. Similarly, approving the resolution addresses corrective actions and recommendations identified during Metro's Transportation Management Area (TMA) Certification process.

If JPACT and Metro Council do not endorse the resolution and Title VI Plan, the Title VI Designated Official and Title VI Coordinator will work to understand and address policymakers concerns before bringing the Title VI back to JPACT.

STAFF RECOMMENDATIONS

Approve Resolution No. 25-5512. Approval of the resolution and Title VI Plan endorses Metro's nondiscrimination compliance efforts which are required in any programs and activities receiving federal financial assistance.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The 2025 Title VI Plan maintains Metro's commitment to Civil Rights law. Notably, the Civil Rights Act of 1987 further mandates that if any part of an entity receives federal funding, all of its operations must comply with relevant civil rights laws. Therefore, the 2025 Title VI Plan details agency wide nondiscrimination best practices including promoting broad participation, ensuring meaningful access, preventing discrimination, and promoting accountability with Metro's organizational structure.

Known Opposition

Collaboration between the Office of Chief Operating Officer, Office of Metro Attorney, and Planning, Development and Research department support for this resolution and Title VI Plan. There is no known opposition.

Anticipated Effects

Approval of this resolution and 2025 Title VI Plan will support Metro staff in continuing to implement and document Metro's Title VI efforts:

- Index the 2025 Title VI Plan to reflect state and federal guidelines
- Update discrimination complaint procedures
- Include signed nondiscrimination standard assurances
- Detail Metro's organizational chart as it relates to Title VI implementation
 - Identifies Metro's Deputy Chief Operating Officer (Holly Calhoun) as the Title VI Designated Official
 - Identifies Metro's new Title VI Coordinator/Specialist (Alfredo Haro)
- General updates

Legal Antecedents

Federal laws and actions

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 Stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 et seq.), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), (prohibits discrimination on the basis of disability);
- 49 C.F.R. Part 21, including any amendments thereto (entitled Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 49 C.F.R. Part 27 (entitled Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance);
- 49 C.F.R. Part 28 (entitled Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation);
- 49 C.F.R. Part 37 (entitled Transportation Services For Individuals With Disabilities (ADA));
- 49 C.F.R. Part 303 (FMCSA’s Title VI/Nondiscrimination Regulation);
- 28 C.F.R. Part 35 (entitled Discrimination On The Basis Of Disability In State And Local Government Services);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

BACKGROUND

The Civil Rights Act of 1964 outlines protections for millions of people in the United States regarding public accommodations, employment, public education, access to federally assisted programs and voting rights. Title VI of the Civil Rights Act further prohibits discrimination based on race, color, or national origin in any programs and activities receiving federal financial assistance. In step with federal compliance and Metro's values, Metro ensures its planning processes and transportation investments are non-discriminatory and do not disproportionately harm minority or low-income communities. Metro's nondiscrimination responsibilities, compliance mechanisms, and policies are outlined in its triennial 2025 Title VI Plan.

Metro staff have developed the 2025 Title VI Plan in collaboration with the Office of the Chief Operating Officer, Office of Metro Attorney and the Planning, Development and Research department. On June 6, 2025, TPAC recommended that JPACT approve this Title VI Plan and resolution. On July 17, 2025, JPACT will consider approval of this Title VI Plan resolution and submit the documents for Metro Council approval. Metro Council will consider JPACT's action in September 2025.

ATTACHMENTS