

## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO.23-5317, FOR THE PURPOSE OF  
ADOPTING THE FISCAL YEAR 2023-24 UNIFIED PLANNING WORK PROGRAM AND  
CERTIFYING THAT THE PORTLAND METROPOLITAN AREA IS IN COMPLIANCE  
WITH FEDERAL TRANSPORTATION PLANNING REQUIREMENTS

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Date: April 7, 2023

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Department: Planning

Meeting Date: May 18, 2023

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### ISSUE STATEMENT

The Unified Planning Work Program (UPWP) is developed annually and documents metropolitan transportation planning activities performed with federal transportation funds (and other regionally significant planning efforts).

### ACTION REQUESTED

Staff will be seeking Approval of the 2023-2024 UPWP at the May 18 JPACT and Council meetings.

### IDENTIFIED POLICY OUTCOMES

The near-term investment strategy contained in the 2018 Regional Transportation Plan (RTP) focuses on key priorities for the purpose of identifying transportation needs, including projects and the planning activities contained in the UPWP. These investment priorities include a specific focus on four key outcomes:

- Equity
- Safety
- Managing Congestion
- Climate

The planning activities within the UPWP are consistent with 2018 RTP policies and intend to help the region achieve these outcomes.

### POLICY QUESTION(S)

Does the UPWP adequately correlate to the 2018 RTP Policy outcomes (described above) within the UPWP project descriptions?

### POLICY OPTIONS FOR COUNCIL TO CONSIDER

None recommended for this action.

## **STAFF RECOMMENDATIONS**

Approve Resolution No. 23-5317 adopting a UPWP for the Fiscal Year 2023-24 and certifying that the Portland metropolitan area is in compliance with federal transportation planning requirements.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

### How does this advance Metro's racial equity goals?

The UPWP contains Metro's Title VI and Civil Rights work plan which is basis for the agency's equity work.

### How does this advance Metro's climate action goals?

UPWP contains Metro's Climate Smart work program as well as related activities that implement Metro's Climate Smart Strategy.

### Community Feedback

The UPWP includes Metro's Public engagement work plan which supports community outreach across all the broader work program.

### Legal Antecedents

This resolution adopts a UPWP for the Portland Metropolitan area, as defined in Title 23 of the Code of Federal Regulations, Parts 450 and 420 and title 49, of the Code of Federal Regulations, Part 13. This resolution also certifies that the Portland metropolitan area is in compliance with Federal transportation planning requirements, as defined in Title 23 of the Code of Federal Regulations, Parts 450 and 500, and title 49, of the Code of Federal Regulations, Part 613.

### Anticipated Effects

Approval means that grants can be submitted and contracts executed so work can commence on July 1, 2023 in accordance with established Metro priorities.

### Financial Implications

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. The UPWP is subject to revision in the final adopted Metro budget.

## **BACKGROUND**

### *What the UPWP Is*

The Unified Planning Work Program (UPWP) is developed annually by Metro as the Metropolitan Planning Organization (MPO) for the Portland Metropolitan Area. It is a federally-required document that serves as a guide for transportation planning activities to be conducted over the course of each fiscal year, beginning on July 1<sup>st</sup>. Included in the UPWP are descriptions of the transportation planning activities, the relationships between

them, and budget summaries displaying the amount and source of state and federal funds to be used for planning activities. The UPWP is developed by Metro with input from local governments, TriMet, the Oregon Department of Transportation (ODOT), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA). It helps ensure efficient use of federal planning funds. The UPWP may be amended periodically as projects change or new projects emerge.

#### *What the UPWP Is not*

The UPWP is not a regional policy making document and does not make any funding allocations. Instead, the UPWP reflects decisions already made by JPACT, the Metro Council and/or the state legislature on funding and policy. The UPWP does not include construction, design or preliminary engineering projects. It only includes regionally significant planning projects (primarily those that will be receiving federal funds) for the upcoming fiscal year.

#### **UPWP Adoption process**

A link to download the Draft UPWP was sent out to Federal and State reviewers (and TPAC) on January 27. The required Federal and State consultation was held on March 6. Edits were made to reflect input from the consultation and TPAC. At its April 7 meeting, TPAC recommended adoption of the UPWP.

Staff will provide informational briefings to in April and then will ask for adoption at the May 18 JPACT and Council meetings. Staff will transmit the adopted UPWP to Federal & State partners by May 20. This allows time for the IGA to be signed by Metro's COO prior to June 30, allowing for federal funding to continue flowing into the region without delay.

#### **Annual Self-Certification**

As an MPO, Metro must annually undergo a process known as self-certification to demonstrate that the Portland metropolitan region's planning process is being conducted in accordance with all applicable federal transportation planning requirements, as a prerequisite to receiving federal funds. The annual self-certification is processed in tandem with the Unified Planning Work Program (UPWP) and documents that Metro has met those requirements. 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
- Environmental Justice
- Disadvantaged Business Enterprise (DBE)
- Americans with Disabilities Act (ADA)

- Construction Contracts
- Lobbying

Each of these areas is discussed in Exhibit B to Resolution No. 23-5317

Additionally, every four years, Metro undergoes a quadrennial certification review (with the Federal Transit Administration [FTA] and Federal Highway Administration [FHWA]) to ensure compliance with federal transportation planning requirements. The most recent quadrennial certification review occurred in December 2020. Metro has provided a table in the Appendix of the 2023-24 UPWP that describes progress in addressing the Federal Corrective Actions included in the 2020 review.

## **ATTACHMENTS**

None

- Is legislation required for Council action? X ☒ **Yes**   ☐ No
- If yes, is draft legislation attached? X ☒ **Yes**   ☐ No