

Resolution certifying the urban transportation planning process – STAFF REPORT

TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS  
BOARD OF TRUSTEES MEETING AGENDA  
April 12, 2017

This resolution certifies that TMACOG is conducting the Urban Transportation Planning Process in accordance with appropriate federal laws and regulations. Specific laws include: The Federal Transit Act; the Clean Air Act; Title VI of the Civil Rights Act of 1964; the Fixing America's Surface Transportation (Fast) Act, the Older Americans Act, and the Americans with Disabilities Act of 1990.

This annual self-certification is required by 23 CFR 450 (MPO Planning regulations) to allow TMACOG to remain certified as a Metropolitan Planning Organization.

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**A RESOLUTION OF THE  
TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS  
CERTIFYING THE URBAN TRANSPORTATION PLANNING PROCESS  
IN THE TOLEDO METROPOLITAN AREA IN CONFORMANCE WITH  
FEDERAL REQUIREMENTS**

WHEREAS, the Toledo Metropolitan Area Council of Governments (TMACOG) is a voluntary association of local governments and non-governmental partners in northwest Ohio and southeast Michigan, organized on May 31, 1968, and established under Chapter 167 of the Ohio Revised Code and the Michigan Public Act No. 7 (EX-SESS), and has carried out comprehensive metropolitan and regional planning since that date; and

WHEREAS, the Toledo Metropolitan Area Council of Governments (TMACOG) is designated as the Metropolitan Planning Organization (MPO) by the Governor through the Ohio Department of Transportation in cooperation with local elected officials and is authorized to carry out the continuing, cooperative, and comprehensive transportation planning process (Process) for the Toledo area that results in plans and programs that consider all transportation modes and supports community development and social goals; and

WHEREAS, the MPO has been designated by the U.S. Department of Transportation and the Ohio Department of Transportation (ODOT) to direct, coordinate, and administer the Process in the Toledo area as mandated by the Congress in Titles 23 and 49 U.S.C.; and

WHEREAS, the federal regulations pertaining to Urban Transportation Planning, published as 23 CFR 450, require the State and the MPO to annually certify that the cooperative metropolitan transportation planning process is addressing the major issues facing the area and is being conducted in accordance with all applicable requirements of:

- a) 23 U.S.C. Section 134 (Metropolitan Planning), 49 U.S.C. Section 5303 (Public Transportation), and federal regulations at 23 C.F.R. Part 450 (Planning Assistance and Standards);
- b) Sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. Sections 7504, 7506 (c) and (d)) and 40 CFR Part 93;
- c) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. Section 2000d-1) and 49 CFR Part 21;
- d) 49 U.S.C Section 5332 prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- e) Section 1101(b) of FAST Act (Public Law 114-94) and 49 CFR Part 26 regarding the involvement of disadvantaged or minority business enterprises in FHWA funded planning projects and FTA funded projects;
- f) 23 CFR Part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;

- g) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.) and 49 CFR Parts 27, 37, and 38;
- h) The Older Americans Act, as amended (42 U.S.C. Section 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- i) Section 324 of Title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- j) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794) and 49 CFR Part 27, 37, and 38 regarding discrimination against individuals with disabilities.

WHEREAS, the federal regulations published as 23 CFR 450 require that the urban transportation planning process shall include activities to support the development and implementation of a Regional Transportation Plan and a Transportation Improvement Program and subsequent project development activities to the degree appropriate for the area. These activities have been completed and acted upon by the MPO by separate Resolutions recommended by the Transportation Council; and

WHEREAS, in accordance with the Fixing America's Surface Transportation (FAST) Act, TMACOG, as a Transportation Management Area, is carrying out its planning responsibilities under the applicable provisions of Federal law; and

WHEREAS, this resolution was recommended for approval by the Transportation Council on April 5, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS:

THAT it certifies, in consideration of the requirements listed herein and to the degree appropriate for the size of the area and the complexity of its transportation problems, that the Urban Transportation Planning Process is being carried out in conformance with all applicable federal requirements.

Adopted by the Board of Trustees on April 12, 2017

Yea \_\_\_\_\_, Nay \_\_\_\_\_, Abstain \_\_\_\_\_

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Craig A. Stough, Chair  
Toledo Metropolitan Area  
Council of Governments (TMACOG)

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Tim w. Brown, President  
Toledo Metropolitan Area  
Council of Governments (TMACOG)