



600 East Fourth Street  
Charlotte, NC 28202  
704-336-2205  
www.mumpo.org

TO: Mecklenburg-Union MPO Members  
FROM: Robert W. Cook, AICP  
MUMPO Secretary  
DATE: November 7, 2012

**SUBJECT: November 2012 Mecklenburg-Union MPO Meeting  
Wednesday, November 14, 2012, 7:00 PM**

The September meeting of the Mecklenburg-Union Metropolitan Planning Organization (MUMPO) is scheduled for Wednesday, November 14, 2012. The meeting will begin at 7:00 PM and will be held in **Room 267** of the Charlotte-Mecklenburg Government Center, 600 E. Fourth St., Charlotte.

**There will be no education session at this meeting, however a light meal will be provided.**

***PLEASE NOTE: Charlotte-Mecklenburg Government Center Access Changes\****

*The Charlotte-Mecklenburg Government Center is located at 600 E. Fourth St. (corner of Fourth and Davidson streets) in uptown Charlotte. Parking is available in the Government Center parking deck located on Davidson St. between Third and Fourth streets; on-street parking is also available.*

*\*There are two ways to enter the Government Center. Enter via the large staircase on the Davidson St. side or through the plaza entrance facing E. Fourth St. (This is a handicapped accessible entrance.) Once inside the building, security staff will assist you to Room 267. Security measures have been improved recently, so please allow more time for entering the building.*

# Mecklenburg-Union Metropolitan Planning Organization

November 14, 2012

7:00 PM

Room 267-Charlotte-Mecklenburg Government Center

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## Meeting Agenda

1. **Call to Order** Ted Biggers
2. **Approval of Minutes** Ted Biggers  
*ACTION REQUESTED: Approve the September 2012 meeting minutes as presented.*
3. **Citizen Comment Period**
4. **State Ethics Requirements** Carolyn Johnson  
*ACTION REQUESTED: FYI*  
  
*BACKGROUND: Effective January 1, 2013, MPO and TCC members will be subject to the State Government Ethics Act.*  
  
*ATTACHMENT: Memorandum.*
5. **Congestion Management Process** Scott Kaufhold & Radha Swayampakala  
*ACTION REQUESTED: FYI*  
  
*BACKGROUND: Federal regulations require that MPOs with a population over 200,000 have a process for managing congestion within the area. Such processes are identified simply as the Congestion Management Process (CMP), and must provide recommendations for the effective management of congested facilities and efficient mobility. MUMPO is currently developing its CMP, and expects to seek adoption from the MPO in February 2013 in order to meet the FHWA's required approval deadline. A Task Force was formed to oversee the CMP's development and has met three times since the initiation of the CMP. The attached Goals, Objectives and Performance Measures have been developed by the Task Force to be presented to the TCC and MPO for information. Formal approval will be requested in January 2013.*  
  
*ATTACHMENT: CMP Goals, Objectives and Performance Measures.*
6. **Transportation Improvement Program (TIP) Amendments** Robert Cook  
*ACTION REQUESTED: Approve the proposed TIP amendments as proposed.*  
  
*TCC RECOMMENDATION: The TCC unanimously recommended that the MPO approve the TIP amendments.*  
  
*BACKGROUND: See attached memorandum.*  
  
*ATTACHMENT: Memorandum and draft resolution.*

- 7. Bicycle & Pedestrian Ranking Methodology** Adam McLamb  
*ACTION REQUESTED: FYI*

*BACKGROUND: The MPO approved a bicycle and pedestrian ranking methodology in May 2011. Since that time, the original subcommittee tasked with developing the criteria has reviewed the criteria for possible revisions to improve the criteria, as well as adopt an application to supplement the criteria. The revisions and application will be presented for information and comment.*

*ATTACHMENT: Proposed MUMPO Bicycle/Pedestrian Project Ranking Process Revisions & Application.*

- 8. Memorandum of Understanding Subcommittee** Robert Cook  
*ACTION REQUESTED: FYI*

*BACKGROUND: The MOU Subcommittee will have met five times by the time the MPO meeting takes place, and has reached a point where direction on several key topics has begun to emerge from its deliberations. The discussion will review the subcommittee's work to date and the Technical Coordinating Committee's feedback.*

*ATTACHMENT: MOU Subcommittee Guidance.*

- 9. 2040 Long Range Transportation Plan**  
**a. County-Level Population & Employment Projections** Anna Gallup  
*ACTION REQUESTED: FYI*

*BACKGROUND: The development of population and employment projections is an important step in the development of the LRTP. The MPO will be asked to endorse county-level population and employment projections for the years 2020, 2030 and 2040 at its January 2013 meeting.*

- a. LRTP Development Update** Nicholas Landa  
*ACTION REQUESTED: FYI*

*BACKGROUND: Information will be provided about the LRTP update process.*

- 10. Draft 2014-2020 Transportation Improvement Program** Robert Cook  
*ACTION REQUESTED: FYI*

*BACKGROUND: The Board of Transportation released a draft 2014-2020 TIP in September. An update on the TIP review process will be provided. [Click here](#) to view the draft document on MUMPO's website.*

- 11. Adjourn**

**MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION**  
**Charlotte-Mecklenburg Government Center, Room 267**  
**September 19, 2012 Meeting**  
**Summary Minutes**

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**Members Attending:**

David Howard (Charlotte), Lynette Rinker (Cornelius), Brian Jenest (Davidson), Sarah McAulay (Huntersville), Chris King (Indian Trail), Dumont Clarke (Mecklenburg County), Ted Biggers (Mint Hill), Margaret Desio (Monroe), Lynda Paxton (Stallings), Jerry Simpson (Union County), Barbara Harrison (Weddington), Brad Horvath (Wesley Chapel)

**Non-Voting Members Attending:**

Greg Phipps (Charlotte-Mecklenburg Planning Commission)

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**1. Call to Order**

MPO Chairman Mayor Ted Biggers called the September 2012 MUMPO meeting to order at 7:00 PM. He introduced Louis Mitchell as the new Division 10 engineer.

**2. Approval of Minutes**

Chairman Biggers requested action on the July 2012 meeting minutes.

Motion:

David Howard made a motion to approve the July 2012 meeting minutes as presented. Lynette Rinker seconded the motion. Upon being put to a vote, the July 2012 minutes were unanimously approved.

**3. Citizen Comment Period**

There were no citizen comments.

**4. November 2012 Meeting Date**

Presenter:

Chairman Ted Biggers

Summary:

Chairman Biggers stated that the November meeting date (21<sup>st</sup>) is the evening before Thanksgiving and recommended moving the meeting date to Wednesday, November 14.

Motion:

Ms. Rinker made a motion to move the November 2012 meeting to Wednesday, November 14. Mr. Howard seconded the motion. Upon being put to a vote, the motion passed unanimously.

**5. TIP Project P-5200: Thrift Depot Relocation**

Presenter:

Craig Newton, NCDOT Rail Division

Summary:

Mr. Newton participated in the meeting by telephone. He stated that the request was to amend the TIP in order to allocate Enhancement funds to relocate the Thrift depot, the last remaining Piedmont & Northern Railroad depot in Mecklenburg County. Mr. Cook stated that the TCC unanimously recommended that the MPO amend the TIP.

Motion:

Sarah McAulay made a motion to amend the TIP as requested. Mr. Howard seconded the motion. Upon being put to a vote, the motion passed unanimously.

## 6. **TIP Project U-5519: N. Community House Road Bridge & Extension**

Presenter:

Robert Cook

Summary:

Mr. Cook stated that the Bissell Companies will construct the N. Community House Road bridge over I-485 in the Ballantyne area. The project is a component of MUMPO's Thoroughfare Plan and is included in the 2025 horizon year of the 2035 Long Range Transportation Plan. The following actions must take place in order for the project to advance:

1. Amend the TIP to fund the project in FY 2013.
2. Amend the 2035 LRPT to shift the project from the 2025 horizon year to the 2015 horizon year.
3. Make a finding of air quality conformity on the amended TIP and LRTP.

The public involvement activities were discussed, including the 30-day public comment period, August 15 public meeting, advertisements in local newspapers and a media release. Mr. Cook concluded by indicating that the TCC unanimously recommended that the MPO amend the TIP as presented.

Motion:

Mr. Howard made a motion to amend the TIP as requested. Ms. McAulay seconded the motion. Upon being put to a vote, the motion passed unanimously.

## 7. **Alignment & Classification Studies**

Presenter:

Zachary Gordon, Town of Huntersville & Kent Main, Charlotte-Mecklenburg Planning Department

Summary:

Mr. Gordon and Mr. Main provided information to the MPO via a Power Point presentation, the contents of which are incorporated into the minutes. They stated that the request was to authorize the start of two public involvement efforts in the vicinity of Eastfield Road, one to be sponsored by Huntersville and the other by Charlotte. Both efforts will involve thoroughfare alignment studies for the following roadways:

- Hambright Road (from Everette Keith Road to Eastfield Road) and Everette Keith Road (from Eastfield Road to Verhoeff Drive) in Huntersville;
- Ridge Road (from Eastfield Road to Prosperity Church Road) and Hucks Road (from Spring Park Drive to Browne Road) in Charlotte;
- Eastfield Road roadway classification study (from the I-485 bridge to Prosperity Church Road).

Several MPO members asked questions about the proposed study area boundaries. Mr. Gordon stated that the TCC unanimously recommended that the MPO authorize the start of the public involvement efforts.

Motion:

Mr. Howard made a motion to authorize the start of the public involvement efforts as requested. Brian Jenest seconded the motion. Upon being put to a vote, the motion passed unanimously.

## 8. **Environmental Justice-Public Involvement Plan Amendments**

Presenter:

Robert Cook

Summary:

Mr. Cook stated that the MPO is being requested to amend the Public Involvement Plan (PIP) to:

- address how it will engage low-income and minority communities in the metropolitan planning process; and
- establish a limited English proficiency (LEP) plan to assist in providing an opportunity for all citizens to participate in the planning process.

The request for action followed a presentation at the July 2012 MPO meeting by a consultant retained by MUMPO staff to develop the PIP amendments. That presentation detailed the reasons why amendments were being requested and the process to establish the documents that will be incorporated into the PIP.

Motion:

Mr. Howard made a motion to amend the Public Involvement Plan as requested. Mayor Paxton seconded the motion. Upon being put to a vote, the motion passed unanimously.

**9. Monroe Connector/Bypass**

Presenter:

Jennifer Harris, NCDOT

Summary:

Ms. Harris provided information to the MPO via a Power Point presentation, the contents of which are incorporated into the minutes. Issues discussed included a review of the environmental study and the Southern Environmental Law Center (SELC) lawsuit, an overview of current activities and a discussion of the project schedule. NCDOT is planning for a new Record of Decision (ROD) on an updated environmental document in February 2013.

Mayor Paxton indicated that the SELC has hired firms to collect data to be included in NCDOT's project analysis. In addition, Mayor Paxton stated that, based upon the decision handed down by the Court of Appeals, the MPO was not provided with the full story of the project and that future updates from NCDOT with more information will be needed to make better decisions.

**10. I-77 HOT Lanes**

Presenter:

Bill Coxe, TCC Chairman

Summary:

Mr. Coxe provided the MPO with an overview and update of the project to implement high occupancy toll (HOT) lanes on I-77 between the Brookshire Freeway and NC 150 in Mooresville. The pursuit of a public-private partnership (P3) was discussed, along with the overall project timeline. He noted that despite the project functionally being a single project to implement HOT lanes, it is being analyzed as three separate projects with three separate environmental documents. The three environmental documents are Categorical Exclusions (CE), which require the least amount of analysis. Mr. Coxe discussed the significant environmental constraints between the Brookshire Freeway and I-85 and stated that the level of analysis may need to be raised to a higher level. The possibility of a direct HOT connection between I-77 and the Brookshire Freeway was discussed.

Also discussed were recent requests by NCDOT to analyze different scenarios to determine the most feasible project. Mr. Coxe asked the MPO if they were comfortable with NCDOT proceeding with analyzing the scenarios. No formal vote was taken, but members indicated that NCDOT should proceed with the additional scenarios.

Mr. Jenest asked about future action to advance the project. Mr. Coxe replied that additional TIP and LRTP amendments will be needed, along with air quality conformity determinations. The MPO approved a modification to the central section (I-5405) in June to add a second HOT lane in each direction, but any desired changes to the southern and northern sections will require the aforementioned actions.

**11. MPO Planning Area Expansion**

**a. Draft Planning Area Boundary**

Presenter:

Robert Cook

Summary:

Mr. Cook noted that the process to establish a revised MPO boundary was largely complete, and stated that the request of the MPO was to endorse a draft boundary to allow for more clarity when updating the voting structure, discussing fee structures, etc. The Union County Board of Commissioners approved a revised boundary in Union

County. Also noted was that the Iredell County Board of Commissioners had not formally acted on a boundary, but that it had been briefed on several occasions about the boundary shown on the map displayed at the meeting. Regarding Lincoln County, Mr. Cook stated that there was a slight change to what had been approved by the Lincoln County Board of Commissioners. The change involves adding a small portion of the Gastonia urbanized area in Lincoln to MUMPO's future planning area. Doing so will avoid requiring Lincoln County to participate in three transportation planning agencies and will not substantially impact MUMPO's ability to implement the metropolitan planning process. Mr. Cook stated that the TCC endorsed the boundary with the additional Lincoln County territory, and requested the MPO to do the same.

Motion:

Ms. McAulay made a motion to endorse the draft boundary and to include the additional expansion into Lincoln County as described during the presentation. Mr. Jenest seconded the motion. Upon being put to a vote, the motion passed unanimously.

**b. Memorandum of Understanding Subcommittee**

Presenter:

Robert Cook

Summary:

Mr. Cook provided an update on the work of the subcommittee. He stated that the subcommittee met earlier in the day and had a great deal of discussion of voting-related matters such as a minimum population requirement for MPO voting privileges and weighted voting. It was noted that the subcommittee appeared to be leaning toward eliminating the requirement that a municipality have a population of 5,000 or greater to have a vote on the MPO. Also of interest to the subcommittee was a hybrid voting structure used by most of the larger NC MPOs that defaults to a "one jurisdiction-one vote" system, but permits any member to invoke a weighted voting system on any topic.

Ms. Rinker asked if the subcommittee discussed the use of demographic information provided by the state demographer's office versus Census data. Mr. Cook replied that the topic was not discussed, but it was likely necessary to do so. He added that most of the state's MPOs rely upon Census data. Chairman Biggers stated that the subcommittee approved a prioritized list of key topics and a schedule for addressing them and asked that the list be sent to all MPO members.

**12. Draft 2014-2020 Transportation Improvement Program**

Presenter:

Robert Cook

Summary:

Mr. Cook stated that NCDOT released a draft 2014-2020 TIP a short time before the meeting. There was insufficient time to undertake a complete review of the draft, but it was noted that project U-4913, Idlewild Road widening from I-485 to Stevens Mill Road, was missing from the draft. Staff will pursue why this project was not included.

**13. 2040 Long Range Transportation Plan**

Presenter:

Nicholas Landa

Summary:

Mr. Landa stated the work is underway to develop the 2040 Long Range Transportation Plan. He noted that LRTPs must be updated every four years and that MUMPO's plan must be approved by March 2014 in order to meet the federal deadline. Also noted was that the LRTP must be fiscally constrained. An additional factor in the plan's development is the need to incorporate provisions of the new federal transportation legislation, MAP-21.

Two committees have been established to assist with the LRTP's preparation.

- The Advisory Committee is made up of TCC members and other staff connected with the transportation planning process and will advise the TCC.

- The Steering Committee is a smaller group of MPO staff and will guide most of the processes work. A project scope and timeline is being developed by the Steering Committee.

Lastly, Mr. Landa reviewed work to update the roadway ranking methodology. A consultant will be assisting with evaluating the current criteria and ultimately the MPO will be asked to endorse revised ranking criteria.

**11. Adjourn**

The meeting adjourned at 8:25 PM.

DRAFT



**CITY OF CHARLOTTE**  
**OFFICE OF THE CITY ATTORNEY**  
**Memorandum**

TO: Members, Mecklenburg-Union Metropolitan Planning Organization  
("MUMPO") and Technical Coordinating Committee ("TCC")

THRU: Robert "Bob" Cook, ACIP  
MUMPO Secretary

FROM: Carolyn D. Johnson *cdj*  
Senior Deputy City Attorney

DATE: October 2, 2012

RE: State Government Ethics Act

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Effective January 1, 2013, MUMPO and TCC members will be subject to the State Government Ethics Act ("Ethics Act" or "Act"). The Act is applicable to both metropolitan and rural planning organizations ("MPO" or "RPO") pursuant to S.L. 2012-142, Sec. 24.16.

The Ethics Act, heretofore applicable only to officials and employees in the legislative, executive and judicial branches of state government, will require MUMPO and TCC members to:

- Monitor and avoid conflicts of interests
- Disclose their economic interests on an annual basis
- Refrain from using their public position for private gain
- Refrain from soliciting or accepting gifts from registered lobbyists, lobbyists' principals or entities that have relationships with the MPO
- Complete state ethics training.

Two upcoming deadlines for MUMPO and TCC members are to: (1) file Statements of Economic Interest by April 15, 2013; and (2) complete state ethics training by June 30, 2013.

The information above highlights only key responsibilities required by the Ethics Act. A copy of the enacting legislation and the Frequently Asked Questions prepared by the State Ethics Commission ("Commission") for MPOs and RPOs is attached for your review. Additional information about the Act, including information about filing statements of economic interest, is found on the Commission's website at the following link: <http://www.ethicscommission.nc.gov/coverage/planningorgs.aspx>

Please do not hesitate to contact Bob or me if you have questions about these new ethics requirements and their application to MUMPO and TCC members.

## **USE OF UNEXPENDED CONTINGENCY FUNDS**

**SECTION 24.12.** Notwithstanding any other provision of law and not including the funds appropriated in Section 28.6(2) of S.L. 2011-145 for the 2011-2013 fiscal biennium, the sum of twenty-two million dollars (\$22,000,000) is transferred from the unexpended balance of contingency fund appropriations to the Highway Fund. That sum is appropriated and allocated as shown in this act.

## **INCREASE GENERAL FUND TRANSFER FROM HIGHWAY FUND**

**SECTION 24.13.** Notwithstanding Section 28.27(b) of S.L. 2011-145 or any other provision of that act, as amended, the amount transferred from the Highway Fund to the General Fund under that act is hereby increased by eight million dollars (\$8,000,000) in fiscal year 2012-2013.

## **EXEMPT B.S.I.P. SYSTEM FROM INFORMATION TECHNOLOGY HOSTING REQUIREMENT**

**SECTION 24.14.** Section 6A.2(f) of S.L. 2011-145, as amended by Section 11(c) of S.L. 2011-391, reads as rewritten:

**"SECTION 6A.2.(f)** Information Technology Hosting. – State agencies developing and implementing information technology projects/applications shall use the State infrastructure to host their ~~projects.~~ projects, except for the SAP Business System Integration Portal (BSIP) system of the North Carolina Department of Transportation. An exception to this requirement may be granted only if approved by either the State Chief Information Officer on the basis of technology requirements or by the Office of State Budget and Management based on cost savings, subject to consultation with the Joint Legislative Commission on Governmental Operations and a report to the Joint Legislative Oversight Committee on Information Technology.

Projects/applications currently hosted outside the State infrastructure shall be returned to State infrastructure not later than the end of any current contract.

By October 1, 2011, the State Chief Information Officer shall report to the Joint Legislative Oversight Committee on Information Technology regarding projects currently hosted outside State infrastructure and a schedule to return those projects to State infrastructure."

## **PRIORITIZE PAVING OF UNPAVED ROADS THROUGHOUT THE STATE**

**SECTION 24.15.** For fiscal year 2012-2013, the Department of Transportation shall expend funds allocated to the paving of unpaved secondary roads for the paving of unpaved secondary roads based on a statewide prioritization. The Department shall pave the eligible unpaved secondary roads that receive the highest priority ranking within this statewide prioritization, notwithstanding the distribution formula in G.S. 136-17.2A or any other funding distribution formula in law. This section applies to funding for the paving of secondary roads from both the Highway Fund and the Highway Trust Fund.

## **APPLY STATE ETHICS ACT TO METROPOLITAN PLANNING ORGANIZATIONS AND RURAL PLANNING ORGANIZATIONS**

**SECTION 24.16.(a)** G.S. 136-202 is amended by adding a new subsection to read:

**"(e)** A Metropolitan Planning Organization shall be treated as a board for purposes of Chapter 138A of the General Statutes."

**SECTION 24.16.(b)** G.S. 136-211 is amended by adding a new subsection to read:

**"(e)** Ethics Requirements. – A Rural Transportation Planning Organization shall be treated as a board for purposes of Chapter 138A of the General Statutes."

**SECTION 24.16.(c)** Members of Metropolitan Planning Organizations and Rural Transportation Planning Organizations shall file an initial Statement of Economic Interest with the State Ethics Commission no later than April 15, 2013. All information provided in the Statement of Economic Interest shall be current as of December 31, 2012. The initial Statement of Economic Interest shall be filed electronically.

**SECTION 24.16.(d)** This section becomes effective January 1, 2013.

## **CLARIFY FERRY TOLLING**

**SECTION 24.18.(a)** G.S. 136-82 reads as rewritten:

**"§ 136-82.** Department of Transportation to establish and maintain ferries.



# MPOS, RPOS & THE STATE GOVERNMENT ETHICS ACT FREQUENTLY ASKED QUESTIONS

## WHAT IT IS & WHO IS INCLUDED.

1. What is the State Government Ethics Act & why does it apply to Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPOs)?

The State Government Ethics Act establishes a code of conduct for certain public officials and employees. In 2012, the General Assembly passed legislation designating MPOs and RPOs as “boards” under the ethics act.

2. Are both the Transportation Coordinating Committee (TCC) & the Transportation Advisory Committee (TAC) covered by the ethics act?

Yes. Since both the TCC and TAC make up the MPO or RPO, both committees are covered.

3. Since both the TCC and the TAC are covered by the State Government Ethics Act, does that mean that all members of the TCC and TAC are subject to the ethics act?

Yes. All voting members, including alternates, of both the TCC and TAC of each MPO or RPO are covered by the ethics act.

4. When does the law become effective?

January 1, 2013.

## DISCLOSURE OF FINANCIAL & OTHER INTERESTS (STATEMENT OF ECONOMIC INTEREST OR “SEI”).

1. What is an SEI and what do I have to disclose?

An SEI is a 22 question disclosure about your and your immediate family members’ financial, business and professional relationships.

2. How do I file my SEI?

Under the law passed by the General Assembly, you must file your SEI electronically. There is information on the Commission’s website about obtaining a user ID and password (NCID) and filing the form. Instructions on obtaining an NCID & how to electronically file an SEI are on the Commission’s website.

3. Should I file my SEI prior to January 1, 2013?

No! Your SEI will be based on responses to the questions *as of December 31, 2012*.

4. What is the SEI filing deadline?

April 15, 2013.

5. Is there a penalty for not filing, late filing, or filing an incomplete SEI?

Yes. The State Ethics Commission may impose a \$250 fine for late filing or failure to file, and you may be removed from your board membership. There are also criminal penalties for knowingly failing to disclose information or providing false information.

## EDUCATION.

**1. Am I required to attend ethics education?**

Yes. You must attend an Ethics & Lobbying Education Presentation no later than June 30, 2013 and at least every 2 years thereafter.

**2. Does the ethics education for local government officials meet the ethics act education requirement?**

No. The ethics education presentations for local government officials and the ethics act are based on different laws. Therefore, one cannot satisfy the requirement for the other.

**3. If I have previously attended ethics education sponsored by the State Ethics Commission, do I have to attend again?**

No. If you have attended an ethics education presentation sponsored by the State Ethics Commission within the last 2 years, you do not have to attend again. However, you are still subject to the 2-year refresher requirement.

**4. What are the options for fulfilling the ethics education requirement?**

You may attend a live presentation either in Raleigh or at a distance location. You may also fulfill the requirement by completing the Commission's online ethics education presentation.

**5. Where can I get information about ethics education options?**

A schedule of dates and locations for live presentations as well as access to the online presentation are available on the Commission's website.

## PROHIBITIONS & RESTRICTIONS.

**1. Are there conflict of interest standards?**

Yes. In your role as an MPO or RPO member, you are prohibited from taking certain actions where you or certain other individuals or entities associated with you may receive a benefit. There are some exceptions to the conflict of interest rules.

**2. Does the ethics act prohibit accepting "gifts"?**

Yes, from certain individuals, including registered lobbyists, lobbyist principals, and individuals or entities which have certain relationships with your MPO or RPO. There are also exceptions to the gift ban.

**3. Is using my title as an MPO or RPO member restricted?**

Yes, in certain circumstances primarily dealing with non-governmental advertising.

### **What do I do if I have a question?!**

*Contact the State Ethics Commission!*

Phone: (919) 715-2071

E-Mail:

SEI Questions: [sei@doa.nc.gov](mailto:sei@doa.nc.gov)

Education Questions: [Education.Ethics@doa.nc.gov](mailto:Education.Ethics@doa.nc.gov)

All Other Questions: [ethics.commission@doa.nc.gov](mailto:ethics.commission@doa.nc.gov)

**GOALS AND OBJECTIVES**

October 25, 2012

**Goals and Objectives**

**Performance Measures**

➤ **Manage congestion**

- Develop congestion management measures
- Consider full range of Congestion Management Strategies

% of Roadway Miles at a TTI (1.2 to 1.49 Heavy Congestion; 1.5 or more Significant Congestion)

Were all reasonable techniques and strategies considered --- Yes / No?

➤ **Provide a safe and efficient transportation system**

- Reduce crash rates (reduce number and severity to reduce non-recurring congestion)
- Reduce crash severity to reduce non-recurring congestion
- Improve the resiliency of the transportation network
- Reduce non-recurring congestion duration

No. of Crashes per 100 MVMT - relate it to statewide average

Hold for future CMP

Hold for future CMP

Extract from Inrix - Buffer, or other indices

➤ **Improve the quality of the transportation system for the MUMPO area**

- Achieve an acceptable level of travel delay
- Encourage landuse strategies to enhance mobility and accessibility

% of vehicles/persons at a TTI

per capita VMT

% of households within a certain distance of employment



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**TO:** Mecklenburg-Union MPO Members  
**FROM:** Robert Cook, AICP  
 MUMPO Secretary  
**DATE:** November 5, 2012  
**SUBJECT:** 2012-2018 TIP Amendments

**REQUEST**

The MPO is requested to amend the TIP as noted in the table below.

**BACKGROUND**

NCDOT's Program Development Branch has requested that MUMPO amend its TIP for the projects listed below. The TCC unanimously recommended that the MPO amend the TIP.

TIP #	Description	Proposed Amendment	Reason
I-3803BA	I-85: Intelligent Transportation Systems (ITS) for widening project	Delay Construction from FY 14 to FY 15.	To better coincide with completion of widening project.
R-2248EA	I-485: Intelligent Transportation Systems (ITS); NC 115 to I-85	Delay Construction from FY 14 to FY 15.	To better coincide with completion of construction project.
C-5540	Sidewalk construction: Nevin Road; Gibbon Road; W. Sugar Creek Road	Delay Construction from FY 13 to FY 15.	Delay requested by CDOT to meet scheduling needs.
C-5542	Sidewalk construction: S. Tryon St.	Delay Construction from FY 13 to FY 15.	Delay requested by CDOT to meet scheduling needs.
E-4954	Torrence Creek Greenway	Delay Construction from FY 12 to FY 13.	Allow additional time for planning and design.

**ATTACHMENTS**

A draft resolution is included in the agenda packet.

**RESOLUTION**

**ADOPTING AMENDMENTS TO THE MECKLENBURG-UNION URBAN AREA  
METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM  
FOR FY 2012- FY 2018**

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ for the adoption of the resolution and upon being put to a vote was duly adopted.

**WHEREAS**, the Mecklenburg-Union Metropolitan Planning Organization (MUMPO) has reviewed the current FY 2012-FY 2018 Transportation Improvement Program and found the need to amend it; and

**WHEREAS**, the following amendments to the North Carolina Transportation Improvement Program have been proposed:

<b>TIP #</b>	<b>Description</b>	<b>Proposed Amendment</b>	<b>Reason</b>
I-3803BA	I-85: Intelligent Transportation Systems (ITS)for widening project	Delay Construction from FY 14 to FY 15.	To better coincide with completion of widening project.
R-2248EA	I-485: Intelligent Transportation Systems (ITS); NC 115 to I-85	Delay Construction from FY 14 to FY 15.	To better coincide with completion of construction project.
C-5540	Sidewalk construction: Nevin Road; Gibbon Road; W. Sugar Creek Road	Delay Construction from FY 13 to FY 15.	Delay requested by CDOT to meet scheduling needs.
C-5542	Sidewalk construction: S. Tryon St.	Delay Construction from FY 13 to FY 15.	Delay requested by CDOT to meet scheduling needs.
E-4954	Torrence Creek Greenway	Delay Construction from FY 12 to FY 13.	Allow additional time for planning and design.

**WHEREAS**, the Technical Coordinating Committee voted to recommend that the MPO approve the TIP amendments; and

**WHEREAS**, the MPO finds that the proposed amendment conforms to the purpose of the North Carolina State Implementation Plan for maintaining the National Ambient Air Quality Standards in accordance with 40 CFR 51 and 93; and

**WHEREAS**, the 2035 Long Range Transportation Plan has a planning horizon year of 2035 and meets all requirements of 23 CFR 450.

**NOW THEREFORE BE IT RESOLVED** by the Mecklenburg-Union Metropolitan Planning Organization that the FY 2012-FY 2018 Metropolitan Transportation Improvement Program for the Mecklenburg-Union Urban Area be amended as listed above on this the 14<sup>th</sup> day of November, 2012.

\*\*\*\*\*

I, Ted Biggers, Chairman of the Mecklenburg-Union Metropolitan Planning Organization, do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Mecklenburg-Union Metropolitan Planning Organization, duly held on this the 14<sup>th</sup> day of November, 2012.

\_\_\_\_\_  
Ted Biggers, Chairman

\_\_\_\_\_  
Robert W. Cook, Secretary





## Mecklenburg-Union Metropolitan Planning Organization (MUMPO)

### Bike/Bicycle/Pedestrian Project Ranking Process Methodology

**APPROVED BY THE MPO:** May 18, 2011

**BACKGROUND:** The MPO assigned a Bike/Pedestrian subcommittee in May 2010 with the task of developing criteria to recommend projects to the MUMPO based on a comprehensive and technically-oriented project ranking process. Since the total value of proposed projects often significantly exceeds available funds, an objective evaluation of proposals is necessary to determine the best use of Bike/Pedestrian funds.

The following project ranking criteria process is the result of research and discussions by transportation professionals from the MUMPO region. The committee considered specific quantitative criteria for each of the categories, although this did not always prove to be feasible. The overarching goal was to create a thorough assessment that did not place undue burdens upon the applicant. When a quantitative measure of the absolute effectiveness of the project was not possible or reasonable, criteria based on a yes/no answer was created.

The scoring list below contains work discussed over the course of four subcommittee meetings in July 2010, January 2011, February 2011 and March 2011. The criterion was originally approved by the MPO on May 18, 2011, and has since been revised.

**FINAL PRODUCT:** The MUMPO will have a process available that allows a wide variety of eligible projects to be evaluated for funding, without creating undue burdens on applicants.

#### PROJECT RANKING CRITERIA

##### Minimum Requirement

**Project application and statement of justification:** Provide a written MUMPO bicycle and pedestrian project application, to include a transportation purpose statement for the project. Appropriate map exhibits and photographs must be submitted to that describe the proposed facility, destinations, and surrounding land uses, as well as project scores for each category. (The application can be found on the MUMPO website)

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1. **Connectivity and Access (5045 points possible):** Points will be awarded based on described strengths in design, location and function of facility per-based on the following-attributes below. The following definitions shall be used for reference in this section:

Origin – refers to the beginning of the proposed bicycle or pedestrian facility.

Destination – refers to the end point of the trip at an existing location of interest.

- a. Length to destination:** For this category determine if your project’s greater need is bicycle or pedestrian. If the project serves both modes of travel, then the applicant may choose either category (i.e. greenways and multi-modal paths). If the specific project is not directly adjacent to the noted destination, the project must be part of a greater bicycle or pedestrian system which connects to the destination, then the applicant may count that already built portion of the length to destination. Distance should be measured from the shortest distance of the un-built facility to the described destination.

- a.** (Only use one category from the table below – pedestrian or bicycle.)

<u>Pedestrian</u> (miles to destination)	<u>Bike</u> (mile to destination)	<u>Points</u>
0.0-.25	0.0-1.0	10
0.26-0.5	1.01-3.0	8
0.51-1.0	3.01-5.0	6
1.01-3.0	5.01-7.5	4
3.01-5.0	7.51-10.0	2
5.01>	10.01>	0

- b. Directness of facility:** Is the path of the facility the most direct feasible route from origin to destination (i.e.-shortest distance from origin to destination)?

i. Yes = 5 points

ii. No = 0 points

iii.

- c. Accessibility of facility design:** Is the facility designed above a minimum accessible manner (slope, materials, ADA, etc)? *Applicant must detail and show references to be granted points.*

i. Yes = 5 points

ii. No = 0 points

- c. Quality and perceived interest in getting to existing destination:** The following are examples of destinations of high interest: town center, transit stations, major employment center and mixed use commercial. Each high interest location is worth five (5) points. The following are examples of destinations of moderate interest: multi-family residential developments, schools, parks, bus stops and park-n-rides. Each moderate interest location is worth three (3) points. The following are examples of destinations of lower interest: low-

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~~density residential or privately accessible property. Each low interest location is worth one (1) point.~~ A maximum of **20 points** can be earned for this section. This total is accumulated by adding each item of interest that is a destination for the project. A destination that provides more than one use may only be awarded points for the use of highest interest (e.g. a school with a ball park would receive 5 points for the school use, but would not receive additional points for the ball park).

The following table outlines possible uses and the points associated with each:

<u>High Interest</u> (5 points)	<u>Moderate Interest</u> (3 points)	<u>Low Interest</u> (1 point)
<u>Town Center</u> (proportional to town size)	<u>Multi-Family Residential Development</u>	<u>Low-Density/Single Family Residential Development</u>
<u>Mixed Use Development Center</u>	<u>Park-n-Ride Lot</u>	<u>Privately Accessible Property</u>
<u>Major Employment Center</u>	<u>Light Rail Stop</u>	<u>Bus Stop</u>
<u>Transit Station</u>	<u>Park</u>	
<u>School</u>	<u>Greenway</u>	

Uses not specifically listed in the table, but considered relevant, will be evaluated by the committee tasked with reviewing projects, and may be allocated points if deemed appropriate

~~e.~~

~~d.~~ **Regional nature of facility and destinations:** Has the proposed project been identified through a previous planning effort or policy?

- i. Identified in current adopted plan = 5 points
  - o Transportation (LRTP, TIP, CTP, Bicycle Plan, Pedestrian Plan or other locally adopted transportation plan or list for community)
  - o Land Use or Comprehensive Plan
  - o Recreation Plan
  - o Economic Development Plan

ii. Not identified in current adopted plan = 0 points

~~ii.~~

~~f.~~ **Shown path:** A shown path illustrates a known need. This can be an actual shown path on the side of the road, a high volume of observed cyclists along a roadway, etc.

- i. Yes = 5 points
- ii. No = 0 points

**2. Feasibility and Cost of Implementation (2530 points possible):** Points will be awarded based on described cost/benefit balance and progress made to date on the part of applicant based on the ~~following~~ attributes below. The following definitions shall be used for reference for this section:

Right-of-Way or easement acquired or dedicated – refers to r/w or an easement that has been acquired or dedicated specifically for use by the proposed project.

Financial Commitment – refers to funding that has been authorized by the decision making body of the jurisdiction proposing the project.

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Partial – refers to a minimum of 30% work complete.

**a. Right of Way or easement acquired or dedicated:**

- i. ~~100~~76%-76100% = 105 points
- ii. ~~75~~51%-5175% = 510 points
- iii. ~~21~~1%-50% = 5 points
- iv. ~~5~~20% or less = 0 points

**b. Preliminary construction plans in hand:** Has design work taken place for the proposed project?

- i. Completed = 5 points
- ii. Partial = 3 points
- iii. No Work = 0 points

**c. Limited environmental impacts:** To what extent does the proposed project impact the environment?

- i. CE Type I & II = 5 points
- ii. EA = 2 points
- iii. EIS = 0 points

**d. Applicant Financial Commitment:** Does the applicant have a significant financial stake in the project? Are they contributing a significant amount of their own resources towards the total project cost? If so, then they will receive more points than those who may only contribute the minimum amount necessary. The range of percent match of total project cost, and corresponding points, are as follows:

- i. 50% or more = 5 points
- ii. 21-49% = 2 points
- iii. 0-20% = 0 points

**3. Safety (25 points possible):** Project must demonstrate a safer condition for bicyclists and/or pedestrians traveling between origins and destinations in the same general corridor or planning area. Qualities of a project improving bicycle/pedestrian safety including the following attributes:

**a. Existing conditions:**

Conditions must demonstrate a safety hazard to cyclists and/or pedestrians as currently designed. Examples of demonstrated safety hazards may include recorded crash data or a posted speed limit over 30 miles per hour.

- i. Yes = 10 points
- ii. No = 0 points

**b. Vehicular speed:** Proposed project design encourages a reduction in vehicular speeds (i.e. - traffic calming devices, narrowed travel lanes, or lower speed limits).

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i. Yes = 5 points

ii. No = 0 points

iii.

c. **Reduced exposure:** Proposed project reduces the exposure between the motor vehicles, bicyclists and/or pedestrians. Examples of a physical barrier may include an off-road greenway, pedestrian refuge island, or a bike boulevard separated by a vertical structure. Examples of a defined space include striped bike lanes, sidewalks adjacent to the curb, crosswalks, and signed bike routes. The applicant should recognize any new safety risks introduced by the project design, such as placing a multi-modal side-path separate from the roadway but crossing multiple driveways or conflict points.

i. Physical barrier = 10 points

ii. Defined space = 5 points

iii. No reduced exposure = 0 points

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**MUMPO MOU Subcommittee**  
**Emerging Guidance on Key Topics-TCC Comments**  
November 2, 2012

<b>MPO Voting Requirements</b>			
<b>Topic</b>	<b>Current MOU</b>	<b>Subcommittee Guidance</b>	<b>TCC Feedback</b>
Population Minimum	≥5,000 population required for cities/towns to vote on MPO.	Eliminate population minimum. <i>Straw vote taken by subcommittee.</i>	Agreement with Subcommittee to eliminate population minimum.
Land Use Plan	Land use plan required for cities/towns to vote on MPO.	Retain land use plan requirement. <i>Straw vote taken by subcommittee.</i>	Agreement with Subcommittee to keep land use plan requirement.
Vote Distribution	A minimum of one vote is based on the population minimum and land use plan requirements (noted above).	Each jurisdiction should be allocated at least one vote. <i>Straw vote taken by subcommittee.</i>	<ul style="list-style-type: none"> <li>• Agreement with Subcommittee that each jurisdiction should be allocated at least one vote.</li> <li>• Payment of the annual fee should be required to vote.</li> </ul>
Weighted Voting/ Hybrid Voting System	Charlotte-16 votes ≥20,000-2 votes ≤20,000-1 vote	<p>Indicated preference for weighted voting. <i>Straw vote taken by subcommittee.</i></p> <p>Staff instructed to look into possible ways in which this could be accomplished, starting with the current weighted structure.</p> <p>Hybrid system received support from the subcommittee in which certain “critical” issues could be considered by a weighted vote, but all other items could use a one vote per member system.</p> <p>Raises two questions: 1) Who could invoke the weighted voting system?</p>	<ol style="list-style-type: none"> <li>1. Implement two-tier system <ol style="list-style-type: none"> <li>a. one jurisdiction-one vote (default)</li> <li>b. weighted voting (invoked at the pleasure of any member)</li> </ol> </li> <li>2. Requiring advance notice of intent to invoke weighted voting was discussed, but no consensus was established.</li> <li>3. Agreement that no limitation should be placed on what issues can be subject to weighted voting.</li> </ol>

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		2) How would the weighted vote be invoked? (e.g. would it have to be done in advance of the meeting so all members knew ahead of time?)	4. Current weighting should remain intact.
BOT Voting Representation	Division 10 BOT member has 1 vote.	Subcommittee discussed options: a. 1 vote each for Division 10 & 12 b. 1 shared vote for Division 10 & 12  No preference indicated.	Agreement that each Division should have one vote
Directed Vote	From current MOU: <i>Members will vote on matters pursuant to the authority granted by their respective governmental bodies.</i>	Subcommittee member suggested that if a jurisdiction's directed vote is not unanimous, the jurisdiction's MPO vote would be split in a manner proportional to the governing body's action.  Subcommittee did not establish a position on this topic.	Strong consensus that directed vote should not be split if governing body vote is not unanimous
Expansion of Non-Voting Representation	Current non-voting representation: <ul style="list-style-type: none"> <li>• Char-Meck Planning Commission</li> <li>• Union County Planning Board</li> <li>• U.S. Department of Transportation – FHWA, FTA</li> </ul>	No definitive guidance provided by subcommittee.	<ul style="list-style-type: none"> <li>• Keep planning commissions /boards as non-voting members and add Iredell and Lincoln commissions/boards</li> <li>• Possibly expand to include adjacent MPOs and RPOs</li> </ul>

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<b>Population Calculation</b>			
<b>Topic</b>	<b>Current MOU</b>	<b>Subcommittee Guidance</b>	<b>TCC Feedback</b>
Census data, or more frequent updates?	Population used to establish voting privileges based upon decennial Census.	No definitive guidance provided.	<ul style="list-style-type: none"> <li>• General agreement that Census should be basis for population calculations.</li> <li>• One suggestion that population should be reassessed at the 5 year mark.</li> </ul>

<b>MPO Attendance</b>			
<b>Topic</b>	<b>Current MOU</b>	<b>Subcommittee Guidance</b>	<b>TCC Feedback</b>
Should MPO implement minimum attendance requirement?	From MPO bylaws: <i>Each member shall be expected to attend each regular meeting. When voting members (or their authorized alternates) do not attend three (3) consecutive MPO meetings, the Secretary will send to the chief elected officer of the jurisdiction of the member in question, a letter indicating the number of absences and requesting reaffirmation or redesignation of the jurisdiction's representative.</i>	Context: issue raised out of concern that smallest jurisdictions may not be able to attend on a regular basis.  No definitive guidance provided.	<ul style="list-style-type: none"> <li>• No change to bylaws.</li> <li>• Keep fee-related attendance requirement currently in the MOU. *</li> </ul> <p>*The MOU states: <i>Any member not providing their share of the funding by the beginning of the next Federal Fiscal Year shall forfeit their right to be a voting member during the next two Federal Fiscal Years.</i></p>
Quorum	From MPO bylaws: <i>A quorum of the MPO shall be constituted by the presence of at least seven (7) of the eligible voting members at the beginning of the meeting, who together represent a minimum of 51% of the votes.</i>	Context: issue raised because currently the quorum is based on percentage of votes present, as opposed to number of voting members present, meaning Charlotte must usually be present in order for a quorum.	<ul style="list-style-type: none"> <li>• Change to 51% of <u>weighted</u> vote</li> <li>• Keep minimum voting members at 7.</li> </ul>

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		No definitive guidance provided, but it was suggested that the definition for a quorum could be modified.	
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