



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

TO: TCC Members
FROM: Nicholas Landa
MUMPO Principal Planner
DATE: May 30, 2013
**SUBJECT: Technical Coordinating Committee (TCC) Agenda
June 2013 TCC Meeting—June 6, 2013**

The next TCC meeting is scheduled for **Thursday, June 6 at 10:00 AM in Room 267** of the Charlotte-Mecklenburg Government Center (600 East Fourth Street). Attached is a copy of the agenda.

Please call me at (704) 336-8309 if you have any questions.

MUMPO TCC AGENDA

June 6, 2013

1. **Ethics Awareness & Conflict of Interest Reminder** Danny Pleasant

2. **Adoption of the Agenda** Danny Pleasant

3. **Consideration of May Meeting Minutes** Danny Pleasant
ACTION REQUESTED: Approve as presented, or with amendments.

4. **MPO Self-Certification** (5 minutes) Robert Cook
ACTION REQUESTED: Recommend that the MPO adopt the attached resolution certifying MUMPO's compliance with all federal transportation planning laws, statutes, etc. during FY 2013.

BACKGROUND: Federal regulations require MPOs to self-certify that they comply with all laws, statutes, etc. governing the transportation planning process.

ATTACHMENTS: Memorandum; Checklist; Draft Resolution

5. **Transportation Improvement Program (TIP) Amendments**
 - a. **Mallard Creek/IBM Drive Connector (TIP #U-2507AA)** (10 minutes) Scott Cole
ACTION REQUESTED: Recommend that the MPO approve the amendment to the 2012-2018 TIP, as presented.

BACKGROUND: The requested amendment is to add a project to the TIP to construct a new collector road and multi-use path from Mallard Creek Road to IBM Drive. See attached amendment application for more information.

ATTACHMENT: Amendment Application

 - b. **I-485/Oakdale Road Interchange (TIP #R-2248G)** (10 minutes) Scott Cole
ACTION REQUESTED: Recommend that the MPO approve the amendment to the 2012-2018 TIP, as presented.

BACKGROUND: The requested amendment is to add a project to the TIP to construct roundabout improvements near the interchange of I-485 and Oakdale Road. See attached amendment application for more information.

ATTACHMENT: Amendment Application

6. **TIP Amendment Guidelines** (10 minutes) Robert Cook
ACTION REQUESTED: Recommend to the MPO that it endorse the draft TIP amendment guidelines for inclusion in the updated MPO and TCC bylaws, as well as in the Public Involvement Plan.

BACKGROUND: See attached memorandum.

ATTACHMENTS: Memorandum; Draft Amendment Guidelines

7. **MPO Census-Related Activities** (15 minutes) Robert Cook

a. Planning Area Boundary Expansion – MOU Subcommittee

ACTION REQUESTED: 1) Provide guidance to the MOU Subcommittee and MPO on MOU Subcommittee actions taken at its May 22, 2013 meeting; and 2) Provide guidance to the MOU Subcommittee on possible MOU revisions.

BACKGROUND: See attached memorandum.

ATTACHMENTS: May MOU Subcommittee Summary; Memorandum; Draft MOU

8. **Hambright Rd, Everette Keith Rd, Verhoeff Dr Alignment Studies** (15 minutes) Zac Gordon

ACTION REQUESTED: Consideration of proposed alignments, as presented, in order to recommend endorsement by the MPO.

BACKGROUND: The Town of Huntersville has been working cooperatively with MUMPO staff since August 2012 to finalize thoroughfare alignments for Hambright Road (from Everette Keith Road to Eastfield Road), Everette Keith Road (from Eastfield Road to Verhoeff Drive) and Verhoeff Drive (from Asbury Chapel Road to Prosperity Church Road). An overview of the study process and final recommendations will be presented.

9. **2040 Long Range Transportation Plan (LRTP)/Metropolitan Transportation Plan (MTP)**

a. Plan Update (5 minutes)

Nicholas Landa

ACTION REQUESTED: FYI

BACKGROUND: Federal legislation refers to the long range transportation plan as the Metropolitan Transportation Plan (MTP). In order to be consistent, it is recommended that the MPO transition to the MTP terminology for the 2040 Plan. An update on Plan progress will also be provided.

b. Horizon Year Updates (10 minutes)

Anna Gallup

ACTION REQUESTED: FYI

BACKGROUND: Based on unforeseen circumstances and new information related to the modeling efforts associated with air quality, the MPO will need to consider modifying the horizon years that will be used for the 2040 LRTP/MTP update to the following: 2015, 2025, 2030 and 2040.

10. Upcoming Issues

11. Adjourn

MECKLENBURG - UNION TECHNICAL COORDINATING COMMITTEE
Summary Meeting Minutes
Charlotte-Mecklenburg Government Center
Room 267
May 2, 2013

Voting Members: *TCC Chair* – Danny Pleasant (CDOT), *TCC Vice-Chair* – Joe Lesch (Union County), David Meachum (Charlotte Engineering & Property Management), Ken Tippet (CDOT Bicycle Coordinator), Debra Campbell (C-M Planning), Jason Rayfield (LUESA-Air Quality), David McDonald (CATS), Louis Mitchell (NCDOT-Div. 10), Andrew Grant (Cornelius), Justin Carroll (Huntersville), Adam McLamb – alt for Scott Kaufhold (Indian Trail), Ralph Messera (Matthews), Dana Clukey (Mint Hill), Lisa Stiwinter (Monroe), Travis Morgan (Pineville), Shannon Martel (Stallings), Jordan Cook (Weddington), Joshua Langen (Wesley Chapel)

Staff: Robert Cook (MUMPO), Stuart Basham (MUMPO), Andy Grzyski (CDOT), Norm Steinman (CDOT), Eldewins Haynes (CDOT), John Rose (CATS), Eric Moore (LUESA-Air Quality), Will Washam (Cornelius), Bill Coxe (Huntersville), Elinor Hiltz (Iredell County), Jim Loyd (Monroe), Neil Burke (Mooresville), Erika Martin (Troutman), Pate Butler (NCDOT), John Underwood (NCDOT), Jack Flaherty (NCDOT-Public Transportation Division), Loretta Barren (FHWA)

Guests: Bill Thunberg (LNTC), Todd Steiss (Parsons Brinkerhoff)

Danny Pleasant opened the meeting at 10:00 AM.

1. Ethics Awareness & Conflict of Interest Reminder

Robert Cook read into the record the ethics awareness and conflict of interest reminder. No conflicts of interest were stated.

2. Election of Officers

Summary/Action Requested:

As the Vice-Chair of the TCC, Mr. Pleasant assumed the duties of Chair of the TCC due to the resignation of the former TCC Chair at the April meeting (per the TCC Bylaws). Due to the Vice-Chair vacancy created, he indicated that it is necessary to elect a new Vice-Chair. He then opened the nominations for Vice-Chair of the TCC.

Vice-Chair Nominations

Andrew Grant nominated Joe Lesch for Vice-Chair of the TCC.

No other nominations were put forth.

David McDonald made a motion to close the nominations; David Meachum seconded the motion.

Upon being put to a vote, Mr. Lesch was elected Vice-Chair of the TCC.

3. Adoption of the Agenda

Mr. Pleasant asked if any changes to the agenda are necessary. Hearing none, he asked for a motion to adopt the May TCC agenda. Mr. McDonald made a motion to adopt the agenda. Mr. Grant seconded the motion. Upon being put to a vote, the May TCC agenda was adopted with no changes.

4. Consideration of April Meeting Minutes

Mr. Pleasant asked if any changes to the minutes are necessary. Hearing none, he asked for a motion to approve the minutes. Mr. Lesch made a motion to approve the April TCC minutes. Mr. Meachum seconded the motion. Upon being put to a vote, the motion passed unanimously.

5. Transportation Improvement Program (TIP) Amendments

a. Miscellaneous TIP Amendments

Presenter: Robert Cook

Summary/Action Requested:

Mr. Cook provided information to the TCC regarding proposed amendments to the 2012-2018 TIP, outlined in the memo and table [here](#). He stated that the request before the TCC is to amend the 2012-2018 TIP to make the changes outlined in the memo attached to the agenda packet. He outlined the four proposed changes and noted that they are minor in nature, and that there is no opposition by the impacted jurisdictions.

Motion:

Ralph Messera made a motion to recommend that the MPO approve the proposed amendments as presented. Mr. McDonald seconded the motion. The motion passed unanimously.

6. I-77 HOT Lanes Project

Presenter: Bill Coxe, Town of Huntersville

Summary/Action Requested:

Mr. Coxe presented information prepared by the Charlotte DOT that addresses questions raised by the I-77 Tech Team about the potential impact of constructing general purpose lanes as opposed to HOT lanes. He indicated that the model information illustrates that in the year 2035 the proposed HOT lanes project would provide a greater overall benefit than a project that simply added general purpose lanes. He then provided the project description and proposed project limits, and highlighted several aspects of the project outlined in a memo sent to the TCC, beginning with the benefits of the project, as follows:

- Managed lanes will continue to have a long term, reliable and sustainable travel offering, and congestion in the general purpose lanes will be relieved slightly;
- Economic centers do not appear to be impacted by the implementation of managed lanes in other parts of the country, so it is not believed that this project would have negative economic impacts in the Charlotte region;
- The financial structure embeds ongoing operation, maintenance and enforcement funds so they would not have to come from other sources, and it does not adversely impact North Carolina's debt capacity; and
- The private sector is assuming all risk related to revenue.

Mr. Coxe continued by providing some of the identified shortcomings of the project, as follows:

- There is not a plan to address how this project fits in with other future improvements in the corridor between Charlotte and Statesville;
- Interchanges are not addressed;
- Long term capacity needs across the causeways at Lake Norman are not addressed;
- General purpose lanes could improve congestion in the short term;
- It is unclear how this HOT lanes project would coordinate with other future HOT lanes projects (e.g. I-485, I-85, etc.); and
- There is not public acceptance of the managed lanes concept.

Mr. Coxe then addressed an issue raised with regard to waiting to make a decision on HOT lanes. He indicated that the repercussions of waiting include: Sending a signal to the private sector that there is uncertainty on the part of the municipalities represented by the MPO; the 2040 long range transportation plan update is underway and a fiscally constrained project list needs to be approved by the MPO in September; new Statewide transportation legislation could impact the ability of the project to move forward as proposed; and, the cost of the project could change, making it infeasible.

Finally, Mr. Coxe outlined the recommendations for action by the TCC, including a proposed equity funding scenario for the project, which are listed in the memo [here](#). Mr. Messera voiced his reservations about the project, specifically as it relates to driving up the costs of other competing projects within the I-77 corridor. Mr. Coxe responded that he did not believe identified projects would be eligible for compensation to the private concessionaire. Mr. Grant expressed concern about the design of the project accommodating future design concepts in the corridor, specifically with regard to interchanges. Mr. Lesch stated his concern about the delay of specific projects in order to find the necessary equity funding for the proposed HOT lanes project. Mr. Coxe stated that he did not believe the proposed delays are guaranteed, but rather a hypothetical scenario to illustrate that the equity funding is there, if necessary. Mr. McDonald noted that some states have restricted “slugging” car pool practices and indicated his desire to discourage the State from similar restrictions. Loretta Barren reminded the TCC that the State is required to approve a new TIP by December 16, 2015.

Motion:

Mr. McDonald made a motion to recommend that the MPO amend the 2012-2018 TIP and 2035 LRTP, and make a conformity determination on both documents, as well as adopt the proposed Tech Team recommendations, as presented (Nos. 2-8 on p. 4 in the memo embedded in the minutes above) – with the addition of a recommendation that the State not enact policies to restrict car pool formation practices. Mr. Grant seconded the motion. Upon being put to a vote, the motion passed unanimously.

7. 2040 Long Range Transportation Plan (LRTP)

a. Plan Update

Presenter: Robert Cook

Summary/FYI:

Mr. Cook introduced the LRTP item, and began by indicating that the MPO approved goals and objectives for the 2040 LRTP, which are posted on the MUMPO website. He also reminded the TCC that the MPO approved ranking criteria that will be used to rank the approximately 275 LRTP candidate projects that were submitted, both of which are also now posted on the MPO website. He noted that the Tier 1 ranking process is underway and a ranking committee has been formed to assist with that process. An

update about the Advisory Committee was provided in which it was noted that chapter development is currently underway. Finally, Mr. Cook informed the TCC that a RFQ process is underway to contract a consultant to help produce the final plan document.

b. Financial Assumptions

Presenter: Andy Grzymiski, Charlotte DOT

Summary/Action Requested:

Mr. Grzymiski provided information to the TCC via a Power Point presentation, the contents of which are incorporated into the minutes [here](#). He reminded the TCC that information about the LRTP financial assumptions were presented previously, and he also clarified that the assumptions being made relate to the anticipated revenues to be applied to the ranked project list for inclusion in the 2040 LRTP. He mentioned that there are other revenues that the MPO receives that are not included in the proposed financial assumptions. It was noted that the assumptions being presented are based on guidance received by the MPO at its April meeting. He stated that the overall funding assumptions for each NCDOT Division within the MPO (\$86M for Division 10; \$24M for Division 12) is a starting point, but that other funds must be subtracted from the initial estimates in order to determine the revenues that will ultimately be available to apply to projects. Mr. Grzymiski outlined those other funding sources, as follows:

- Mobility Fund – staff is recommending an average of \$5 million per year over the life of the plan, which is a lower estimate than was provided by NCDOT;
- STP-Direct Attributable – traditionally these funds have been used for smaller scale projects, which the MPO believes is still an appropriate policy;
- Bridge – \$6 million is allocated to the MPO, and it is recommended that of that total, \$4 million go to Division 10 and \$2 million to Division 12;
- GARVEE – these funds will be subtracted as appropriate based on current allocations, meaning those impacts will be seen in future LRTP horizon years, and the Division 10 and 12 GARVEE are included;
- Annual Growth – the MPO felt comfortable using assumptions similar to the 2035 LRTP, which is approximately 2-2½% growth over the life of the plan;

Mr. Grzymiski then provided some comparisons of the amount of revenue that the proposed growth rate would yield for the 2040 LRTP versus the 2035 LRTP. He asked that the TCC recommend that the MPO approve the assumptions presented. Mr. Pleasant noted that he thought the proposed growth rate is somewhat aggressive based on information coming from the State. It was recognized that new transportation legislation for North Carolina has been introduced, but since it has not yet been approved, and based on the timeline for adopting the 2040 LRTP, the MPO is advised to continue with the assumptions based on what is currently known.

Motion:

Mr. Lesch made a motion to recommend that the MPO endorse the proposed financial assumptions for the 2040 LRTP, as presented. Mr. McDonald seconded the motion. Upon being put to a vote, the motion passed unanimously.

8. FY 2014 Unified Planning Work Program (UPWP)

Presenter: Robert Cook

Summary/Action Requested:

Mr. Cook noted that the action before the TCC is to recommend approval of the entire FY 2014 UPWP. He stated that there is a change to the 5303 funding as it is shown in the attachment to the agenda packet, which is to reduce the funding amount in the TIP continuing programs section and place it in the corridor protection and special studies section. He then commented on the Planning (PL) funds shown in the document, as follows:

- Money originally programmed under the collection of base year data category for the Charlotte DOT was shifted to the Charlotte-Mecklenburg Planning Department, due to the work done by the Planning Department on the population and employment projections;
- There is a large amount of funding programmed in the traffic counts category due to new software being acquired that will contribute to data collection and management that will be utilized to enhance information used by the MPO for planning purposes;
- The GIS analysis and mapping category has a significant amount of funding due to the anticipated needs during the next fiscal year, as well as to hire a full time employee dedicated to GIS-related work for the MPO;
- The UPWP category has more funding programmed than in previous years in order to accommodate various changes associated with the expansion of the MPO; and
- Funding is programmed in the corridor protection and special studies category for a study to evaluate the structure and staffing of the MPO, review of local ordinances related to the adoption of the CTP, and local projects (two of which were submitted).

Mr. Pleasant commented that the UPWP is essentially the budget for the MPO, and reminded the TCC that the City of Charlotte has historically provided the entire local match required for the federal funds associated with the UPWP, but that discussions with the MOU subcommittee have been positive with regard to sharing the local match when the MPO expands.

Motion:

Adam McLamb made a motion to recommend that the MPO approve the FY 2014 UPWP, including the changes to Section 5303 funds presented. Mr. McDonald seconded the motion. Upon being put to a vote, the motion passed unanimously.

9. MPO Census-Related Activities

a. Planning Area Boundary Expansion – MOU Subcommittee

Presenter: Robert Cook

Summary/FYI:

Mr. Cook noted that he would like to highlight two major topics associated with the MPO boundary expansion. First, he noted that Lincoln County has been working with the Gaston MPO to become a part of that MPO in order for the entire county will be located in one MPO. He indicated that there is general support, and that it could become official when the Gaston MPO board meets on May 28. Mr. McDonald asked if there is clarification on the Congestion Management Process (CMP). Mr. Cook responded that MUMPO would not be required to implement the CMP in Lincoln County if it becomes part of the Gaston MPO. The second topic Mr. Cook discussed is the local match, required for federal dollars that the MPO receives. He noted that the match has historically been paid by the City of Charlotte only, but stated that a request was sent out to jurisdictions in the proposed MPO planning area to determine how paying the local match would impact a jurisdiction's willingness to participate in the MPO process as a voting member. He indicated that 12 jurisdictions have responded to the request thus far. He also urged TCC

members to encourage its community to respond as soon as possible if it has not yet done so.

Mr. Cook then stated that the next MOU subcommittee meeting is scheduled for May 22, and that he hopes to have a draft revised MOU for the subcommittee to review to help move some of the issues along that have held up the process – specifically voting and local match. Mr. Coxe asked if any guidance regarding the MPO’s voting structure would be necessary from the TCC. Mr. Cook indicated that the TCC previously provided guidance (in February 2013) and that he would remind the subcommittee about that recommendation. Mr. Pleasant suggested that the proposed voting and local fee contributions be recalculated based on the new information about Lincoln County not participating in the proposed CRTPO.

10. TIP Amendment Guidelines

Presenter: Robert Cook

Summary/FYI:

Mr. Cook informed the TCC that TIP guidelines were developed and presented to the MOU subcommittee and at a transportation staff meeting late last year, but due to other issues regarding the MOU the guidelines have not been pursued. He noted that now is a good time to continue the discussion about the TIP guidelines, and that they will likely be included in the Bylaws (not the MOU) as well as the MPO’s Public Involvement Plan. Mr. Cook stated that he hopes to have an action taken on this item in July. Mr. Coxe suggested adding language to the guidelines that addresses the shifting of funds between right-of-way and construction costs, specifically in cases where the total funding amount is unchanged. Mr. McDonald suggested that the language in item f, under amendments, might need to be modified.

11. Upcoming Issues

Mr. Cook announced that there will be a meeting in Raleigh on Monday, May 6 to address the new Strategic Mobility Formula legislation that was recently introduced. Mr. Grzymiski added that any questions or concerns of the TCC should be emailed to Bob by close of business on Friday, May 3 so the issues can be raised at the May 6 meeting. He also stated that this topic will be discussed at the education session with the MPO prior to its May 22 meeting. He then provided a brief overview of the proposed legislation, including that it would eliminate the equity formula, it will impact Powell Bill funds, and it will divide funds into three categories (statewide, regional, division) that will utilize quantitative data to prioritize projects. Mr. Coxe added that clarification is necessary with regard to the allocation of STP-Direct Attributable funds. Further discussion by the TCC followed, resulting in the conclusion that it is important for the MPO to pay close attention to this potential change in transportation legislation.

12. Adjourn: The meeting was adjourned at 11:35 AM.



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Charlotte, NC 28202
704-336-2205
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TO: TCC Members
FROM: Robert W. Cook, AICP
MUMPO Secretary
DATE: May 30, 2013

SUBJECT: FY 2013 MPO Self-Certification

REQUEST

Recommend to the MPO that it adopt a resolution certifying MUMPO's compliance with all federal statutes, laws, regulations, etc. associated with the transportation planning process.

ATTACHMENTS

Included in the agenda packet is:

- a. a checklist provided by the Federal Highway Administration (FHWA) that asks questions pertinent to the self-certification process; staff responses are provided in green; and
- b. a draft resolution.

BACKGROUND

The Code of Federal Regulations (23 CFR 450.334) requires MPOs to annually certify to the FHWA and Federal Transit Administration (FTA) that the transportation planning process addresses all major issues facing the MPO and is being conducted in accordance with all applicable requirements of the following:

- Section 134 of Title 23, United States Code (USC), section 8 of the Federal Transit Act (49 USC app. 1607
- Section 174 and 176(c) and (d) of the Clean Air Act (42 USC 7504, 7506 (c) and (d)
- Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by North Carolina under 23 USC 324 and 29 USC 794
- Section 103(b) of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 regarding the involvement of disadvantaged business enterprises in the FHWA and FTA funding planning projects
- Provisions of the Americans with Disabilities Act (ADA) of 1990 and US Department of Transportation regulations "Transportation for Individuals with Disabilities" (49 CFR parts 27, 37 and 38)

Mecklenburg-Union MPO FY 2013 Self-Certification Checklist

23 CFR* 450.334 requires MUMPO to annually certify to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) that its planning process is addressing the major issues facing the urban area and is being conducted in accordance with all applicable requirements of various federal regulations, statutes, etc.

The following checklist assists staff as it conducts the self-certification process. Each question is followed by staff's response, and if necessary, additional explanation.

1. Is the MPO properly designated by agreement between the Governor and 75% of the urbanized area, including the central city, and in accordance in procedures set forth in state and local law (if applicable)? [23 U.S.C. 134 (b); 49 U.S.C. 5303 (c); 23 CFR 450.306 (a)]

YES

2. Does the policy board include elected officials, major modes of transportation providers and appropriate state officials? [23 U.S.C. 134 (b); 49 U.S.C. 5303 (c); 23 CFR 450.306 (i)]

YES

3. Does the MPO boundary encompass the existing urbanized area and the contiguous area expected to become urbanized within the 20-yr forecast period? [23 U.S.C. 134 (c), 49 U.S.C. 5303 (d); 23 CFR 450.308 (a)]

Finalizing the MPO's new boundary in response to the expansion of the Charlotte urbanized area is largely complete. Formal agreements with adjacent MPOs will be executed in the near future.

4. Is there a currently adopted Unified Planning Work Program (UPWP)? 23 CFR 450.314
 - a. Is there an adopted prospectus?
 - b. Are tasks and products clearly outlined?
 - c. Is the UPWP consistent with the LRTP?
 - d. Is the work identified in the UPWP completed in a timely fashion?

YES to all of the above.

5. Does the area have a valid transportation planning process?

23 U.S.C. 134; 23 CFR 450

- a. Is the transportation planning process continuous, cooperative and comprehensive?
- b. Is there a valid LRTP?
- c. Did the LRTP have at least a 20-year horizon at the time of adoption?
- d. Does it address the 8-planning factors?
- e. Does it cover all modes applicable to the area?
- f. Is it financially constrained?
- g. Does it include funding for the maintenance and operation of the system?
- h. Does it conform to the State Implementation Plan (SIP) (if applicable)?
- i. Is it updated/reevaluated in a timely fashion (at least every 4 or 5 years)?

YES to all of the above.

6. Is there a valid TIP? 23 CFR 450.324, 326, 328, 330, 332
 - a. Is it consistent with the LRTP?
 - b. Is it fiscally constrained?
 - c. Is it developed cooperatively with the state and local transit operators?
 - d. Is it updated at least every 4 years and adopted by the MPO and the Governor?

YES to all of the above.

7. Does the area have a valid Congestion Management Process (CMP)? 23 CFR 450.320
 - a. Is it consistent with the LRTP?
 - b. Was it used for the development of the TIP?
 - c. Is it monitored and reevaluated to meet the needs of the area?
 - **The MPO adopted CMP goals and objectives in February 2013.**
 - **The CMP will be used to analyze LRTP projects after the Tier 1 project ranking process is complete.**
 - **The process to analyze TIP projects is underway.**

8. Does the area have a process for including environmental mitigation discussions in the planning process?
 - a. How?
 - **MUMPO's 2035 LRTP includes a thorough discussion of environmental mitigation in section 8.4. The 2040 LRTP will include a similar element.**
 - **MUMPO's project ranking methodology includes a component that assesses a project's impact on the natural environment.**

9. Does the planning process meet the following requirements:
 - a. 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
 - b. In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 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. 2000d-1) and 49 CFR part 21;
 - d. 49 U.S.C. 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 the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT 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. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
 - h. The Older Americans Act, as amended (42 U.S.C. 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. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.
 - k. All other applicable provisions of Federal law. (i.e. Executive Order 12898)

YES to all of the above.

10. Does the area have an adopted PIP/Public Participation Plan? 23 CRR 450.316 (b)(1)
- a. Did the public participate in the development of the PIP?
 - b. Was the PIP made available for public review for at least 45-days prior to adoption?
 - c. Is adequate notice provided for public meetings?
 - d. Are meetings held at convenient times and at accessible locations?
 - e. Is the public given an opportunity to provide oral and/or written comments on the planning process?
 - f. Is the PIP periodically reviewed and updated to ensure its effectiveness?
 - g. Are plans/program documents available in an electronic accessible format, i.e. MPO website?

YES to all of the above.

The PIP was updated in September 2012 to include an expanded Title VI component and a limited English proficiency plan (LEP).

11. Does the area have a process for including environmental, state, other transportation, historical, local land use and economic development agencies in the planning process? SAFETEA-LU
- a. How?

MUMPO maintains a database that includes all pertinent federal, state and local agencies involved in the above-mentioned endeavors in its planning process. The agencies receive all MPO agenda packets and other public meeting notifications (e.g., public comment period notifications).

Also, MUMPO created a Resource Agency Consultation process at the start of the development of the 2035 LRTP to ensure that all appropriate agencies were provided the opportunity to become involved in the LRTP's preparation. This information has been updated for the development of the 2040 LRTP.

** Code of Federal Regulations*

RESOLUTION

**CERTIFYING THE TRANSPORTATION PLANNING PROCESS OF THE
MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION
FOR FY 2013**

WHEREAS, the Mecklenburg-Union Metropolitan Planning Organization has found that it is conducting transportation planning in a continuous, cooperative, and comprehensive manner in accordance with 23 USC 134 and 49 USC 1607; and

WHEREAS, the Mecklenburg-Union Metropolitan Planning Organization has found the transportation planning process to be in compliance with Sections 174 and 176 (c) and (d) of the Clean Air Act (42 USC 7504, 7506 (c) and (d)); and

WHEREAS, the Mecklenburg-Union Metropolitan Planning Organization has found the transportation planning process to be in full compliance with Title VI of the Civil Rights Act of 1964 and the Title VI Assurance executed by each State under 23 USC 324 and 29 USC 794; and

WHEREAS, the Mecklenburg-Union Metropolitan Planning Organization has considered how the transportation planning process will affect the involvement of Disadvantaged Business Enterprises in FHWA and FTA funded planning projects (Section 105(f), Pub. L. 97-424, 96 Stat. 2100, 49 CFR part 23); and

WHEREAS, the Mecklenburg-Union Metropolitan Planning Organization has considered how the transportation planning process will affect the elderly and disabled per the provision of the Americans With Disabilities Act of 1990 (Pub. L. 101-336, 104 Stat. 327, as amended) and the US DOT implementing regulations; and

WHEREAS, the Mecklenburg-Union Metropolitan Transportation Improvement Program is a subset of the currently conforming 2035 Long-Range Transportation Plan; and

WHEREAS, the 2035 Long-Range Transportation Plan has a planning horizon year of 2035 and meets all the requirements of an adequate Transportation Plan.

NOW THEREFORE BE IT RESOLVED that the Mecklenburg-Union Metropolitan Planning Organization certifies its transportation planning process on this the 19th day of June, 2013.

I, Sarah McAulay, MUMPO Chairman, 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 the 19th day of June, 2013.

Sarah McAulay, Chairman

Robert W. Cook, Secretary

TIP AMENDMENT APPLICATION

Date: 5/16/2013

Sponsor Name (Division, Group, Agency, etc.):
Division 10

Responsible Person/Title: Louis L. Mitchell, PE, Division Engineer

Telephone Number: 704 983-4400

PROJECT LOCATION AND DESCRIPTION (If not in current program)

If in current program, TIP: N/A

Division: 10 County: Mecklenburg

Project Location (attach site location map):

Mallard Creek Road to IBM Drive, west of Old Mallard Creek Road

Project Description (attach additional pages/documentation as needed):

New Connector Road and Multi-Use path from Mallard Creek Road to IBM Drive

PROJECT JUSTIFICATION (attach additional pages as needed):

Collector to provide better access to local street network, improve bicycle and pedestrian connectivity, and Relieve left turning movements at IBM/Harris Blvd and at Harris Blvd/Mallard Creek Church Road, Proposing TIP# U-2507AA

Project has Board of Transportation Member(s) support/endorsement? Yes No N/A

Does project require MPO support/endorsement? Yes No

If yes, enclose copy of MPO resolution.

Is an agreement required for this project? Yes No

DESIRED PROJECT CONSTRUCTION/IMPLEMENTATION SCHEDULE

Requested Right of Way Acquisition: April 2014

Requested Construction/Implementation: July 2014

PROJECT COSTS

Right of Way Cost Estimate: \$100,000

Construction Cost Estimate: \$1,700,000

COMMITTEE RECOMMENDATIONS:

How will project be funded? Federal State Local Participation

Approved:

Tony Tata
Secretary of Transportation

TIP AMENDMENT APPLICATION

Date: 5/16/2013

Sponsor Name (Division, Group, Agency, etc.):
Division 10

Responsible Person/Title: Louis L. Mitchell, PE, Division Engineer

Telephone Number: 704 983-4400

PROJECT LOCATION AND DESCRIPTION (If not in current program)

If in current program, TIP: N/A

Division: 10 County: Mecklenburg

Project Location (attach site location map):
I-485 interchange with Oakdale Road

Project Description (attach additional pages/documentation as needed):
Pave ramps (previously graded under R-2248C), construct Roundabouts at ramp termini with Oakdale Road as well as Roundabout at Oakdale Road and Mount Holly-Huntersville Road.

PROJECT JUSTIFICATION (attach additional pages as needed):

Project has been planned for some time, formerly R-2248G. Project was omitted from 2035 LRTP, as it was funded in previous TIP. Project then dropped from TIP during SPOT prioritization. Community supports project, as it is expected to relieve congestion at adjacent interchange.

Project has Board of Transportation Member(s) support/endorsement? Yes No N/A

Does project require MPO support/endorsement? Yes No
If yes, enclose copy of MPO resolution.

Is an agreement required for this project? Yes No

DESIRED PROJECT CONSTRUCTION/IMPLEMENTATION SCHEDULE

Requested Right of Way Acquisition: July 2015

Requested Construction/Implementation: January 2016

PROJECT COSTS

Right of Way Cost Estimate: \$200,000

Construction Cost Estimate: \$3,100,000

COMMITTEE RECOMMENDATIONS:

How will project be funded? Federal State Local Participation

Approved:

Tony Tata
Secretary of Transportation



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

TO: TCC Members
FROM: Robert W. Cook, AICP
MUMPO Secretary
DATE: May 30, 2013

SUBJECT: TIP Amendment & Modification Guidelines

ACTION REQUESTED

Recommend to the MPO that it endorse the attached TIP amendment and modification guidelines for inclusion in updated MPO and TCC bylaws, as well as the Public Involvement Plan (PIP).*

BACKGROUND

The Board of Transportation adopted State TIP amendment and modification guidelines in April 2012. Due to new FHWA procedures that have resulted in a large number of TIP amendments, the guidelines may serve as a model for an updated MPO process to streamline amending the TIP.

MOU SUBCOMMITTEE ACTION

This issue was identified as a potential component of the MOU revision process when the process began in the summer of 2012. The amendment and modification guidelines topic was removed from the revision process by the MOU Subcommittee in September 2012, based upon a staff recommendation that the task was not truly an MOU issue.

TCC & TRANSPORTATION STAFF MEETING DISCUSSIONS

The draft guidelines have been discussed at TCC and Wednesday Transportation Staff meetings. There were no significant comments received at that time.

ADDITIONAL ACTION

*Implementation of the TIP amendment guidelines will require an amendment to the Public Involvement Plan.

TIP AMENDMENT AND MODIFICATION GUIDELINES

Revised 9-13-12

Changes may be made to the Transportation Improvement Program (TIP) by either formal amendment or administrative modification.

Amendments

Amendments to the Transportation Improvement Program must be approved by the MPO and must appear on the regular agenda as an action item. Two or more requests for amendments may be addressed by the MPO as a single agenda item.

The amendment process is required when changes:

- a. cause the addition or deletion of a project;
- b. cause the addition or deletion of a state-funded regionally significant project;
- c. trigger the need for an air quality conformity determination;
- d. shift a project across horizon years of the Long Range Transportation Plan;
- e. result in project cost changes in highway projects that exceed both \$2 million and 25% of the original cost and may affect fiscal constraint;
- f. cause increases or decreases in transit project costs that exceed either \$1 million or 25% of the original project cost;
- g. to project phase initiation dates move a project into or out of the TIP;
- h. result from changes in funding sources involving non-traditional funding sources*; or
- i. in design concept or scope significantly change the project termini or type, number of through lanes on a non-exempt project, or significantly alters the proposed transit coverage area.

Traditional sources of revenue include federal, state, or local government tax revenues; non-traditional sources include state bonding and/or private participation.

Administrative Modifications

Administrative modifications to the Transportation Improvement Program must be made by the MPO, however the required action can be taken as part of a Consent Agenda. Administrative modifications must be consistent with the definition of Administrative Modification as found in 23 CFR 450.104.

Changes to the TIP can be made through the administrative modification process when:

- a. the project in question is not being added to or deleted from the TIP;
- b. a change in project costs are below the predetermined thresholds (as noted in the Amendment section);
- c. the project utilizes State funds only and is not deemed to be regionally significant;
- d. the proposed changes are deemed to be minor changes (as determined by the Technical Coordinating Committee) to project scope or description and do not significantly diminish the ability to achieve the original project intent; and
- e. changes in traditional funding sources occur.

Examples of Administrative Modifications:

- Minor cost increases in highway projects that do not exceed both \$ 2 million and 25% of the original project cost;

- Minor cost change (increase or decrease) in transit projects that do not exceed either \$1 million or 25% of the original project cost;
- Funding source changes between traditional funding sources (e.g. substituting available Congestion Mitigation Air Quality (CMAQ) funds for FTA section 5307 formula transit funds);
- Projects approved for Emergency Relief funds do not generally have to be included in the STIP, so any changes made for emergency projects may be considered minor modifications.

Federal Definitions according to 23 CFR 450.104

Administrative modification means a minor revision to a long-range statewide or, metropolitan transportation plan, Transportation Improvement Program (TIP); or Statewide Transportation Improvement Program (STIP) that includes minor changes to project/project phase costs, minor changes to funding sources of previously-included projects, and minor changes to project/project phase initiation dates. An administrative modification is a revision that does not require public review and comment, re-demonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas).

Amendment means a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that involves a major change to a project included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope (e.g., changing project termini or the number of through traffic lanes). Change to projects that are included only for illustrative purposes do not require an amendment. An amendment is a revision that requires public review and comment, re-demonstration of fiscal constraint, or a conformity determination (for metropolitan transportation plans and TIPs involving "non-exempt" projects in nonattainment and maintenance areas). In the context of a long-range statewide transportation plan, an amendment is a revision approved by the State in accordance with its public involvement process.



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TO: Mecklenburg-Union MPO Members
Technical Coordinating Committee Members
FROM: Robert W. Cook, AICP
MUMPO Secretary
DATE: May 28, 2013
SUBJECT: **May 2013 MOU Subcommittee Summary**

The Memorandum of Understanding (MOU) Subcommittee met on May 22, 2013 and made recommendations on two key topics: sharing the local match of federal funds and an MPO voting structure.

1. Local Match

Background

- The funding necessary to implement the transportation planning process is provided by federal funds.
- As with most federal funds, a local match is required.
- The local match of MPO funds has historically been supplied by the City of Charlotte.
- MOU revision deliberations have indicated support for changing that arrangement by sharing the local match among the municipal and county jurisdictions that elect (or are eligible) to participate as an MPO voting member.
- Two options were presented:
 - Population: based upon a per capita calculation; or
 - Voting: based upon the number of votes assigned on the MPO policy board.
- A poll of municipalities and counties in the MPO's future planning area found that most supported using the population option. (Charlotte, Statesville and Iredell County supported the voting option; several municipalities indicated no preference.)

MOU Subcommittee Action

Motion: use population as the basis for sharing the required match of local funds.

Vote tally: 5 yea; 4 nay.

The MOU Subcommittee's recommendations will be presented to the MPO at its June 19 meeting.

2. MPO Voting Structure

Background

The MOU Subcommittee took six separate actions based upon two proposed voting structures. The first proposed structure was approved by the Subcommittee at its December 2012 meeting; its components were as follows:

- Use a weighted voting system
- Charlotte to keep approximate vote percentage (42%) as under current structure

- Every jurisdiction will have at least one vote
- Municipalities other than Charlotte will have one vote for every 20,000 population increment (i.e. 1 vote < 20K; 2 vote > 20K; 3 vote > 40K; etc.)

The second proposed structure was developed by a working group of the TCC at a meeting held on February 18, 2013. The proposed structure was similar to the Subcommittee's with the exception that it eliminated the provision that provided one vote per 20,000 population increment. Thus, any municipality exceeding a population of 20,000 will receive two votes as under the current structure.

MOU Subcommittee Action

1st Action: Municipalities Exceeding 20,000 in Population

Motion: Accept TCC working group recommendation to limit municipalities exceeding 20,000 in population to two votes each.

Subcommittee vote tally: Unanimous

2nd Action: Weighted Voting

Motion: Accept TCC working group recommendation to use a weighted voting system.

Subcommittee vote tally: Unanimous

3rd Action: Charlotte Vote Percentage

Motion: Accept TCC working group recommendation to keep the Charlotte vote percentage at 42%.

Subcommittee vote tally: 8 yea; 1 nay

4th Action: Minimum Vote

Motion: Accept TCC working group recommendation to give at least one vote to all jurisdictions.

Subcommittee vote tally: Unanimous

5th Action: Metropolitan Transit Commission & Division 12 Board of Transportation Representation

Motion: Accept TCC working group recommendation that the MTC and the Division 12 BOT member shall have one vote each on the MPO.

Subcommittee vote tally: Unanimous

6th Action: County Votes

Motion: Accept TCC working group recommendation that each county shall have two votes each on the MPO.

Subcommittee vote tally: Unanimous

The MOU Subcommittee's recommendations will be presented to the MPO at its June 19 meeting.



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 Charlotte, NC 28202
 704-336-2205
 www.mumpo.org

TO: Technical Coordinating Committee Members
 FROM: Robert W. Cook, AICP
 MUMPO Secretary
 DATE: May 30, 2013

SUBJECT: Memorandum of Understanding Recommended Changes

ACTION REQUESTED

The TCC is requested to provide guidance to the MOU Subcommittee on possible changes to the MOU.

BACKGROUND

The recommendations listed below were developed at Transportation Staff meetings. The TCC's guidance will be provided to the MOU Subcommittee at its next meeting, scheduled for Wednesday, June 19, 2013.

Issue	Staff Meeting Recommendations	Comments
TCC Membership	Endorse adding the following positions to the TCC: <ul style="list-style-type: none"> • greenway planner* • public health planner • pedestrian planner 	
TCC Membership	Endorse eliminating agency-specific references to the following TCC members (existing and future) and permit the full TCC to annually determine who will fill these positions. <ul style="list-style-type: none"> • bicycle planner • pedestrian planner • greenway planner • public health planner 	The intent of the proposed change is to allow flexibility in the event other public agencies have staff with the necessary expertise to fill the assigned role.
TCC Membership	Eliminate MOU provision requiring MPO approval of TCC membership.	
Section I-E-11 (page 5)	Keep opening paragraph in MOU: The CRTPO is responsible for conducting public involvement and technical analyses to determine the preliminary alignments for transportation projects (both road and transitway) included in the Comprehensive Transportation Plan and Long Range Transportation Plan. These alignments will be used by local jurisdictions through their land development ordinances for right-of-way protection purposes. Once the CRTPO has adopted an official thoroughfare alignment, the alignment can only be modified by: <u>official CRTPO action or as outlined in bylaws of the governing body and TCC.</u>	The proposed changes were developed at Transportation Staff meetings held on 12/12/12, 5/8/13 and 5/29/13. The opinion of staff at the 5/29/13 Transportation meeting was that it was important to keep

	<p>Shift the following to the bylaws of the governing body and the TCC, make the necessary text changes to fit the changed context, and add subsection v:</p> <p>Action of the CRTPO's Technical Coordinating Committee (TCC), (which is described in Section I.H of this Memorandum of Understanding) under the following criteria: An officially adopted alignment may be modified by the TCC if the following criteria are met:</p> <ul style="list-style-type: none"> i. The TCC finds the proposed alignment to be technically reasonable; and, ii. The proposed alignment enters and exits the affected property at the officially approved location and angle or curvature; and iii. The TCC finds that the proposed alignment's centerline does not move closer than 500 <u>400</u> feet to an adjacent land owner's property boundary; or iv. If the proposed alignment's <u>centerline</u> is already within 500 <u>400</u> feet of an adjacent property, the shift in the alignment is away from the property.; or <u>v. If the shift moves the proposed alignment's centerline no more than 25% closer to the adjacent property.</u> 	<p>the opening paragraph in the MOU to provide legal standing to the alignment modification process.</p>
Section I-G, Voting Policy	Keep items 2 and 3 in the MOU.	The opinion of staff at the 5/29/13 Transportation Staff meeting was that these items were significant to the governance of the MPO and therefore should remain in its governing document.
Section I-E-14 (page 6), Bylaws	Strike the TCC from the following language: The CRTPO shall adopt a set of Bylaws for the CRTPO and the TCC . Amendments to either set of the Bylaws shall occur by a 3/4 vote of the CRTPO. **	The intent is that the TCC be responsible for its own Bylaws.

*The Subcommittee has endorsed adding a greenway planner to the TCC, but the TCC has not officially endorsed the proposal.

**The Subcommittee has endorsed the idea of the TCC adopting and amending its own Bylaws, but the TCC has not officially endorsed the concept.

~~Mecklenburg-Union Metropolitan Planning
Organization~~
Charlotte Regional Transportation Planning
Organization

Memorandum of Understanding

~~September 2003~~
Draft III
May 28, 2013

**MEMORANDUM OF UNDERSTANDING
FOR**

COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING

AMONG

THE GOVERNOR OF THE STATE OF NORTH CAROLINA,
THE NORTH CAROLINA BOARD OF TRANSPORTATION,
THE CITY OF CHARLOTTE, TOWN OF CORNELIUS, TOWN OF DAVIDSON, TOWN OF FAIRVIEW,
TOWN OF HUNTERSVILLE, TOWN OF INDIAN TRAIL, IREDELL COUNTY, VILLAGE OF LAKE PARK, TOWN
OF MARSHVILLE, VILLAGE OF MARVIN, TOWN OF MATTHEWS,
MECKLENBURG COUNTY, TOWN OF MINERAL SPRINGS, TOWN OF MINT HILL, CITY OF MONROE,
TOWN OF MOORESVILLE, TOWN OF PINEVILLE,
TOWN OF STALLINGS, CITY OF STATESVILLE, TOWN OF TROUTMAN, UNION COUNTY, TOWN OF
UNIONVILLE, TOWN OF WAXHAW, TOWN OF WEDDINGTON, VILLAGE OF WESLEY CHAPEL and TOWN
OF WINGATE, IN COOPERATION WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION

WITNESSETH THAT:

WHEREAS, Chapter 136, Article 3A, Section 136-66.2(a) of the General Statutes of North Carolina requires that:

Each municipality, not located within a metropolitan planning organization (MPO) as recognized in G.S. 136-200.1, with the cooperation of the Department of Transportation, shall develop a comprehensive transportation plan that will serve present and anticipated travel demand in and around the municipality. The plan shall be based on the best information available including, but not limited to, population growth, economic conditions and prospects, and patterns of land development in and around the municipality, and shall provide for the safe and effective use of the transportation system. In the development of the plan, consideration shall be given to all transportation modes including, but not limited to, the street system, transit alternatives, bicycle, pedestrian, and operating strategies. The Department of Transportation may provide financial and technical assistance in the preparation of such plans. Each MPO, with cooperation of the Department of Transportation, shall develop a comprehensive transportation plan in accordance with 23 U.S.C. § 134. In addition, an MPO may include projects in its transportation plan that are not included in a financially constrained plan or are anticipated to be needed beyond the horizon year as required by 23 U.S.C. § 134. For municipalities located within an MPO, the development of a comprehensive transportation plan will take place through the metropolitan planning organization. For purposes of transportation planning and programming, the MPO shall represent the municipality's interests to the Department of Transportation.

~~“Each municipality with the cooperation of the Department of Transportation shall develop a comprehensive plan for a street system that will serve present and anticipated volumes of vehicular traffic in and around the municipality. The plan shall be based on the best information available including, but not limited to, population growth, economic conditions and prospects, and patterns of land development in and around the municipality and shall provide for the safe and effective use of streets and highways through such means as parking regulations, signal systems and traffic signs, markings, and other devices. The Department of Transportation may provide financial and technical assistance in the preparation of such plans”; and,~~

WHEREAS, Chapter 136, Article 3A, Section 136-66.2(b1-4) provides that:

After completion and analysis of the plan, the plan shall be adopted by both the governing body of the municipality or MPO and the Department of Transportation as the basis for future transportation improvements in and around the municipality or within the MPO. The governing body of the municipality and the Department of Transportation shall reach agreement as to which of the existing and proposed streets and highways included in the adopted plan will be a part of the State highway system and which streets will be a part of the municipal street

Comment [rc1]: This section was revised to add new members.

Comment [rc2]: This section was revised to update the language with revised text from GS 136-22 addressing Comprehensive Transportation Plans.

system. As used in this Article, the State highway system shall mean both the primary highway system of the State and the secondary road system of the State within municipalities.

The municipality or the MPO shall provide opportunity for public comments prior to adoption of the transportation plan.

For portions of a county located within an MPO, the development of a comprehensive transportation plan shall take place through the metropolitan planning organization.

To complement the roadway element of the transportation plan, municipalities and MPOs may develop a collector street plan to assist in developing the roadway network. The Department of Transportation may review and provide comments but is not required to provide approval of the collector street plan.

“After completion and analysis of the plan, the plan may be adopted by both the governing body of the municipality and the Department of Transportation as the basis for future street and highway improvements in and around the municipality. As a part of the plan, the governing body of the municipality and the Department of Transportation shall reach an agreement as to which of the existing and proposed streets and highways included in the plan will be part of the State Highway System and which streets will be part of the Municipal street system. As used in this article, the State Highway System shall mean both the primary highway system of the State and the secondary road system of the State within municipalities”; and,

WHEREAS, Chapter 136, Article 3A, Section 136-66.2(d) provides that:

For MPOs, either the MPO or the Department of Transportation may propose changes in the plan at any time by giving notice to the other party, but no change shall be effective until it is adopted by both the Department of Transportation and the MPO. “Either the municipality or the Department of Transportation may propose changes in the plan at any time by giving notice to the other party, but no change shall be effective until it is adopted by both the Department of Transportation and the municipal governing board”; and,

WHEREAS, Section 134(a) of Title 23 of the United States Code states:

“It is in the national interest to encourage and promote the development of transportation systems embracing various modes of transportation in a manner which will efficiently maximize mobility of people and goods within and through urbanized areas and minimize transportation-related fuel consumption and air pollution. To accomplish this objective, metropolitan planning organizations, in cooperation with the State, shall develop transportation plans and programs for urbanized areas of the State. Such plans and programs shall provide for the development of transportation facilities (including pedestrian walkways and bicycle transportation facilities), which will function as an intermodal transportation system for the State, the metropolitan areas, and the Nation. The process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems”; and,

WHEREAS, a transportation planning process includes the operational procedures and working arrangements by which short and long-range transportation plans are soundly conceived and developed and continuously evaluated in a manner that will:

1. Assist governing bodies and official agencies in determining courses of action and in formulating attainable capital improvement programs in anticipation of community needs; and,
2. Guide private individuals and groups in planning their decisions which can be important factors in the pattern of future development and redevelopment of the area; and,

WHEREAS, various sections of the Transportation Efficiency Act of the 21st Century (TEA 21) of 1998 Moving Ahead for Progress in the 21st Century (MAP-21) legislation provide for new transportation programs and modifies some existing programs; and,

WHEREAS, it is the desire of these agencies that the previously established continuing, comprehensive, cooperative transportation planning process, as set forth in the Memoranda of Understanding dated June 24, 1965, April 8, 1975 and December 21, 1981 be revised and updated to comply with

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Comment [rwc3]: Possibly eliminate references to specific legislation; use language such as “currently adopted federal transportation legislation.”

23 U.S.C. subsections 134, as amended; the Urban Mass Transportation Act of 1964, as amended; and ~~the Transportation Efficiency Act of the 21st Century (TEA 21) of 1998~~ Moving Ahead for Progress in the 21st Century (MAP-21).

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NOW THEREFORE the Memorandum of Understanding is amended to read as follows:

Comment [rc4]: This section was revised to add the new members.

SECTION I. It is hereby agreed that the CITY OF CHARLOTTE, TOWN OF CORNELIUS, TOWN OF DAVIDSON, TOWN OF FAIRVIEW, TOWN OF HUNTERSVILLE, TOWN OF INDIAN TRAIL, IREDELL COUNTY, VILLAGE OF LAKE PARK, TOWN OF MARSHVILLE, VILLAGE OF MARVIN, TOWN OF MATTHEWS, MECKLENBURG COUNTY, TOWN OF MINERAL SPRINGS, TOWN OF MINT HILL, CITY OF MONROE, TOWN OF MOORESVILLE, TOWN OF PINEVILLE, TOWN OF STALLINGS, CITY OF STATESVILLE, TOWN OF TROUTMAN, UNION COUNTY, TOWN OF UNIONVILLE, TOWN OF WAXHAW, TOWN OF WEDDINGTON, VILLAGE OF WESLEY CHAPEL, TOWN OF WINGATE, AND THE NORTH CAROLINA BOARD OF TRANSPORTATION in cooperation with THE UNITED STATES DEPARTMENT OF TRANSPORTATION, will participate in a continuing transportation planning process with responsibilities and undertakings as related in the following paragraphs:

A. The area involved ~~the Charlotte Transportation Study Planning Area~~ will consist of the Charlotte Urbanized Area as defined by the United States Department of Commerce, Bureau of the Census ~~and the remainder of Mecklenburg County~~, in addition to that area beyond the existing urbanized area boundary ~~and Mecklenburg County~~ that is expected to become urban within a twenty-year planning period. This area is hereinafter referred to as the Planning Area.

Portions of the Charlotte Urbanized Area located in the following counties are by agreement with adjacent metropolitan planning organizations (MPO) not part of the planning area of the Charlotte Regional Transportation Planning Organization (CRTPO): Cabarrus, Catawba, Gaston, Lancaster, Lincoln and York. The responsibility for implementing a continuing transportation planning process shall be the responsibility of those MPOs, as noted in the mutually adopted agreements between CRTPO and the adjacent MPOs.

Comment [rc5]: This text is proposed in order to clarify that some portion of the Charlotte urbanized area will not be in the CRTPO's jurisdiction.

B. The continuing transportation planning process will be a cooperative one and all planning discussions will be reflective of and responsible to the comprehensive plans for growth and development of the Planning Area.

C. The continuing transportation planning process will be conducted in accordance with the intent, procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.

~~D.~~ The ~~Mecklenburg Union Metropolitan~~ Charlotte Regional Transportation Planning Organization, hereinafter referred to as the MUMPO ~~CRTPO~~, is hereby established with responsibility for coordinating transportation policy of member local governments within the Planning Area and will consist of the Chief Elected Official or a single representative appointed by the Chief Elected Official from the following Boards of General Purpose Local Government as well as two members from ~~a member of~~ the North Carolina Board of Transportation and one member representing the Metropolitan Transit Commission:

Comment [rwc6]: Possibly shift this section to new paragraph B.

1. Charlotte City Council
2. Cornelius Board of Commissioners
3. Davidson Board of Commissioners
- ~~3-4.~~ Fairview Town Council
- ~~4-5.~~ Huntersville Board of Commissioners
6. Indian Trail Town Council
7. Iredell County Board of Commissioners
8. Lake Park Village Council
9. Marshville Town Council

- ~~5-10.~~ [Marvin Village Council](#)
- ~~6-11.~~ [Matthews Board of Commissioners](#)
- [12.](#) [Mecklenburg County Board of Commissioners](#)
- [13.](#) [Metropolitan Transit Commission](#)
- ~~7-14.~~ [Mineral Springs Town Council](#)
- ~~8-15.~~ [Mint Hill Board of Commissioners](#)
- [16.](#) [Monroe City Council](#)
- ~~9-17.~~ [Mooresville ~~Town~~ Board of Commissioners](#)
- ~~10-18.~~ [Pineville Town Council](#)
- [19.](#) [Stallings Town Council](#)
- [20.](#) [Statesville City Council](#)
- ~~11-21.~~ [Troutman Board of Aldermen](#)
- ~~12-22.~~ [Union County Board of Commissioners](#)
- ~~13-23.~~ [Unionville Board of Commissioners](#)
- ~~14-24.~~ [Waxhaw Board of Commissioners](#)
- ~~15-25.~~ [Weddington Town Council](#)
- ~~16-26.~~ [Wesley Chapel Village Council](#)
- ~~17-27.~~ [Wingate Board of Commissioners](#)
- [28.](#) [North Carolina Board of Transportation-Division 10](#)
- ~~18-29.~~ [North Carolina Board of Transportation-Division 12](#)

Comment [rc7]: Added "Town" as per N. Burke's comment

Each of the above member agencies ~~may~~ **is strongly encouraged also** to appoint an alternate, in accordance with the rules contained within the ~~MUMPO-CRTPO~~ Bylaws.

Comment [rc8]: Should member jurisdictions be required to appoint an alternate? This poses a potential problem for the MTC and BOT. UPDATE: Staff group recommends that "shall" be used, but that the BOT and MTC be excluded from the alternate requirement.

E. The duties and responsibilities of the ~~MUMPO-CRTPO~~ are as follow:

1. The ~~MUMPO-CRTPO~~ in cooperation with the State, and in cooperation with publicly owned operators of mass transportation services, shall be responsible for carrying out the urban transportation planning process specified in the U. S. Department of Transportation Program Manuals and shall develop the planning work programs, Transportation Plan, and Transportation Improvement Program specified in such manuals.
2. The ~~MUMPO-CRTPO~~ shall be the forum for cooperative decision-making by elected officials of General Purpose Local Government and therefore shall function as a Transportation Advisory Committee ~~in conformance with the North Carolina Highway Action Plan~~. However, this shall not limit the ~~MUMPO's-CRTPO's~~ local responsibility for (1) insuring that the transportation planning process and the plans and improvement projects which emerge from that process are consistent with the policies and desires of local government; nor, (2) serving as a forum for the resolution of conflicts which arise during the course of developing the [Long Range](#) Transportation Plan and the Transportation Improvement Programs.
3. **The ~~MUMPO-CRTPO~~ shall establish goals and objectives for the transportation planning process reflective of and responsive to comprehensive plans for growth and development in the Planning Area adopted by Boards of General Purpose Local Government.**
4. The ~~MUMPO-CRTPO~~ shall ~~annually~~ review and approve the Unified Planning Work Program, [Long Range](#) Transportation Plan and Transportation Improvement Program.
5. The ~~MUMPO-CRTPO~~ as required shall review, approve, and endorse amendments to the Unified Planning Work Program, the [Long Range](#) Transportation Plan and the Transportation Improvement Program.
6. The ~~MUMPO-CRTPO~~ shall be responsible for adopting and amending the ~~Thoroughfare Plan~~ [Comprehensive Transportation Plan component of the Long Range Transportation Plan](#). Action of the ~~MUMPO-CRTPO~~ in this regard (and this regard only) shall be construed as

UPDATE 2: The MOU Subcommittee did not agree with the staff group recommendation and suggested that instead of alternates being required, all member agencies should be encouraged to appoint an alternate. (5/22/13 meeting)

Comment [rc9]: Unclear regarding references to "manuals."

Comment [rwc10]: The MPO has never adopted goals and objectives independent of those in the LRTP. Do other MPOs do so? UPDATE: The MOU Subcommittee supported deleting this reference. It saw no need for the MPO to adopt goals and objectives beyond what has been adopted for inclusion in the LRTP. (5/22/13 meeting)

definitive action of any and all affected municipalities and shall meet the statutory requirement of G.S. 136-66.2(b) without further action of the local municipality(ies).

7. The ~~MUMPO-CRTPO~~ shall have the responsibility for keeping the Boards of General Purpose Local Government informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of these Boards; and ensuring meaningful citizen participation in the transportation planning process.
8. The ~~MUMPO-CRTPO~~ shall review, approve and endorse changes to the Federal-Aid Urban Area System and Boundary, in conformance with Federal regulations.
9. The ~~MUMPO-CRTPO~~ shall review, approve, and endorse a Prospectus for transportation planning which defines work tasks and responsibilities for the various agencies participating in the transportation planning process; and
10. The ~~MUMPO-CRTPO~~ shall review and approve related air quality planning in conformance with Federal regulations.

Comment [rc11]: Unclear about reference to "air quality planning"? MUMPO's air quality activities have been limited to conformity determinations.

~~11. The MUMPO shall review and approve energy conservation planning and energy contingency planning for the transportation system in conformance with Federal regulations.~~

~~12.11.~~ The ~~MUMPO-CRTPO~~ is responsible for conducting public involvement and technical analyses to determine the preliminary alignments for transportation projects (both road and transitway) included in the Comprehensive Transportation Plan and Long Range Transportation Plan. These alignments will be used by local jurisdictions through their land development ordinances for right-of-way protection purposes. Once the ~~MUMPO-CRTPO~~ has adopted an official thoroughfare alignment, the alignment can only be modified by:

Comment [rc12]: From this point, the remainder of the text in this section should be shifted to the bylaws.

- a. Official ~~MUMPO-CRTPO~~ action; or
- b. Action of the ~~MUMPO's-CRTPO's~~ Technical Coordinating Committee (TCC), (which is described in Section I.H of this Memorandum of Understanding) under the following criteria:
 - i. The TCC finds the proposed alignment to be technically reasonable; and,
 - ii. The proposed alignment enters and exits the affected property at the officially approved location and angle or curvature; and
 - iii. The TCC finds that the proposed alignment's centerline does not move closer than ~~500-400~~ feet to an adjacent land owner's property boundary; or
 - iv. If the proposed alignment's centerline is already within ~~500-400~~ feet of an adjacent property, the shift in the alignment is away from the property; or
 - v. If the shift moves the proposed alignment's centerline no more than 25% closer to the adjacent property.

Comment [rc13]: The proposed changes to this section were developed at the 12/12/12 Transportation Staff meeting. Additional changes added at 5-8-13 Transportation Staff meeting.

The ~~MUMPO-CRTPO~~ adopts the alignment for right-of-way purposes even if the alternatives are produced through a State or locally funded environmental study process. ~~MUMPO-CRTPO~~ decisions are subject to the voting guidelines contained in Section I.G of this Memorandum of Understanding.

~~13.12.~~ The representatives from each General Purpose Local Government on the ~~MUMPO-CRTPO~~ shall be responsible for instructing the clerk of his/her local government to submit certified and sealed copies of minutes or resolutions to the secretary of the ~~MUMPO-CRTPO~~ when formal action involving the Transportation Plan is taken by his/her local government.

Comment [rc14]: Background needed on this. Was the "Transportation Plan" referred to the LRTP, or some other, no longer relevant document? (The CTP was not a factor when the MOU was prepared.)

14-13. The ~~MUMPO-CRTPO~~ is responsible for the distribution of funds distributed to ~~MUMPO's CRTPO's~~ under the provisions of ~~TEA 2+MAP-21~~.

Comment [rwc15]: Consider not listing specific legislation. Use language such as "current federal transportation legislation."

15-14. The ~~MUMPO-CRTPO~~ shall adopt a set of Bylaws for the ~~MUMPO-CRTPO and the TCC~~. Amendments to ~~either set of the~~ Bylaws shall occur by a 3/4 vote of the ~~MUMPO-CRTPO~~.

Comment [rc16]: The TCC has indicated its support for eliminating the provision that gives the governing body authority over its bylaws.
UPDATE: The MOU Subcommittee supported deleting the requirement that the MPO have approval authority over the TCC's bylaws. (5/22/13 meeting)

16-15. The ~~MUMPO-CRTPO~~ shall maintain a centralized information repository including but not limited to the Long Range Transportation Plan ~~including the Thoroughfare Plan Comprehensive Transportation Plan~~; the Unified Planning Work Program (UPWP); air quality conformity analysis; ~~MUMPO-CRTPO~~ and TCC Bylaws and membership lists; copies of all ~~draft and final~~ environmental studies, public hearing maps, roadway corridor official maps, and noise reports on projects within the ~~MUMPO-CRTPO~~ boundaries; copies of adopted transportation project alignments; the Transportation Improvement Program (TIP) (local and state); and any other appropriate archival information. The ~~MUMPO-CRTPO~~ shall endeavor through the affected local governments and appropriate technological means to make this information easily available to local governments, citizens, and individuals involved in land development and real estate transactions.

Comment [rc17]: Is it necessary to retain draft environmental documents once a final, signed version is complete?

17-16. The ~~MUMPO-CRTPO~~ shall have the primary responsibility for citizen input into the continuing transportation planning process. ~~During transportation plan reevaluation, citizen involvement in the planning process shall be encouraged for reanalysis of goals and objectives and plan formation. This citizen involvement will be obtained through goals and objectives surveys, neighborhood forums, and public hearings in accordance with procedures outlines in the "North Carolina Highway Action Plan."~~

Comment [rc18]: Deleted text is more appropriate for the Public Involvement Plan.

18. Any other duties identified as necessary to further facilitate the transportation planning process.

F. ~~MUMPO-CRTPO~~ shall consist of both voting and non-voting members.

Voting membership in ~~MUMPO-CRTPO~~ will consist of representatives of the following General Purpose Local Government units, ~~the Metropolitan Transit Commission~~ and the North Carolina Board of Transportation (as of May 17, 2000), which shall have the indicated number of votes:

Comment [rc19]: Need updated date.

Unit	number of votes
City of Charlotte	16
Town of Cornelius	1
Town of Davidson	1
Town of Fairview	
Town of Huntersville	2
Town of Indian Trail	1
Iredell County	
Village of Lake Park	
Town of Marshville	
Village of Marvin	
Town of Matthews	2
Mecklenburg County	2
Town of Mineral Springs	
Town of Mint Hill	2
City of Monroe	2
Town of Mooresville	
Town of Pineville	1
Town of Stallings	1
City of Statesville	
Town of Troutman	
Union County	2

Comment [rc20]: Voting will be updated when upon final direction from MOU Subcommittee and MPO board.

Town of Unionville	+ -	
Town of Waxhaw	+ -	
Town of Weddington	+ -	
Village of Wesley Chapel	+ -	
Town of Wingate	+ -	
N.C. Board of Transportation (NCBOT Division 10)		+ -
N.C. Board of Transportation (Division 12)		
Metropolitan Transit Commission		
Total	39 ₋	

~~The NCBOT shall have one voting member.~~

Comment [rc21]: This line can be deleted since the BOT representation is clearly noted in the above list.

Cities/Towns within the Planning Area must have ~~at least 5,000 population and must also have~~ local land use plans and development ordinances in place in order to be voting members. A county other than ~~Iredell~~-Mecklenburg, ~~Iredell~~ and Union that becomes part of the Planning Area in whole or in part with at least 5,000 persons in the unincorporated area will also be eligible for voting membership. (For the purpose of establishing membership and voting privileges, jurisdictional population figures shall be calculated based on the latest Census reports of the population of each jurisdiction including, in Mecklenburg County, their Spheres of Influence, ~~in Iredell, their~~ and in Union County the area including their Extra-territorial Jurisdiction).

Comment [rc22]: Must determine the geography by which population figures are calculated.

Members will vote on matters pursuant to the authority granted by their respective governmental bodies.

Non-voting membership. One representative from each of the following bodies will serve as a non-voting member:

- Charlotte-Mecklenburg Planning Commission
- [Iredell County Planning Board](#)
- Union County Planning Board
- U.S. Department of Transportation – FHWA, FTA

Other local, State, or Federal agencies impacting transportation in the Planning Area, as well as cities/towns in the Planning Area that do not otherwise qualify for voting membership can become non-voting members upon invitation by the ~~MUMPO~~CRTPO.

~~The term of any designated representative shall be one calendar year from the date of appointment. The MUMPO-CRTPO shall have a Chairperson and Vice-Chairperson and shall meet in accordance with the rules contained within the MUMPO-CRTPO Bylaws.~~

Comment [rc23]: Is this section better suited to the MPO bylaws?

G. ~~MUMPO~~CRTPO Voting Policy

Comment [rc24]: Consideration should be given to moving this section to the MPO bylaws.

1. A simple majority (weighted) vote shall determine all issues except as provided in 2, 3 and 4 below.
2. When any project is on a road that does not carry an I., U.S., or N.C. route designation, and is totally contained within a single municipality's corporate limits or sphere of influence, its location shall be determined only with the consent of that municipality.
3. ~~The MUMPO cannot override the position of any individual local municipality on a project for a road that does not carry an I., U.S., or N.C. route designation when any portion of the project is within that municipality's corporate limits or sphere of influence except by 3/4 majority vote of all votes eligible to be cast. When any project is on a road that does not carry an I, U.S. or N.C route designation, the CRTPO cannot override the position of any individual local municipality when any portion of the~~

project is within the municipality's corporate limits or sphere of influence, except by 3/4 majority vote of all votes eligible to be cast.

Comment [rc25]: The intent of the proposed change is not to alter intent, but to rephrase for the purpose of clarity. The change was discussed at the 12/12/12 Transportation Staff meeting.

4. Amendments to the MOU or the MPO and TCC Bylaws require a 3/4 majority vote of all votes eligible to be cast

~~5. Quorum shall be established in accordance with rules contained within the MUMPO Bylaws.~~

H. A Technical Coordinating Committee, hereinafter referred to as the TCC, shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the Planning Area and with the responsibility for making recommendations to the respective local and State governmental agencies and the MUMPO-CRTPO regarding any necessary actions relating to the continuing transportation planning process. The TCC shall be responsible for development, review, and recommendation for approval of the Prospectus, Unified Planning Work Program (UPWP), Comprehensive Transportation Plan, Transportation Improvement Program, Federal-Aid Urban System and Boundary, ~~revisions to the Long Range~~ Transportation Plan, planning citizen participation, and documentation reports on the transportation study.

Membership of the TCC shall include technical representation from all local and State governmental agencies directly related to and concerned with the transportation planning process for the planning area. MUMPO-CRTPO approval of TCC membership changes shall be required.

TCC Membership:

1. Charlotte Department of Transportation Key Business Executive Director
2. Charlotte-Douglas International Airport Aviation Director
3. Charlotte Engineering and Property Management Key Business Executive Director
- ~~4.~~ Charlotte-Mecklenburg Bicycle Coordinator
- ~~4-5.~~ Charlotte Department of Transportation Department Pedestrian Planner
- ~~5-6.~~ Charlotte-Mecklenburg Planning Commission Key Business Executive Department Director
- ~~7.~~ City of Monroe
- ~~6-8.~~ City of Statesville
- ~~7-9.~~ Mecklenburg County Engineering and Building Standards Department Director
- ~~10.~~ Mecklenburg County Department of Environmental Protection Director
- ~~11.~~ Mecklenburg County Air Quality Director
- ~~12.~~ Mecklenburg County Park & Recreation Department Greenway Planner
- ~~8-13.~~ Mecklenburg County Health Department Safe Routes to Schools/Built Environment Coordinator
- ~~9-14.~~ The Metropolitan Transit Commission's Chief Transit Officer
- ~~15.~~ N.C. Department of Transportation (NCDOT) Division 10 - Division Engineer
- ~~10-16.~~ N.C. Department of Transportation (NCDOT) Division 12-Division Engineer
- ~~11-17.~~ NCDOT Public Transportation Division Director
- ~~12-18.~~ NCDOT Statewide Transportation Planning Branch Manager
- ~~13.~~ Town of Davidson
- ~~19.~~ Town of Cornelius
- ~~20.~~ Town of Davidson
- ~~14-21.~~ Town of Fairview
- ~~15-22.~~ Town of Huntersville
- ~~23.~~ Town of Indian Trail
- ~~24.~~ Iredell County Director of Planning, Development and Transportation
- ~~16-25.~~ Town of Marshville
- ~~17-26.~~ Town of Matthews
- ~~27.~~ Town of Mint Hill
- ~~28.~~ Town of Mineral Springs

Comment [rwc26]: Addition recommended at 5-8-13 Transportation Staff meeting.

Comment [rwc27]: Addition recommended at 5-8-13 Transportation Staff meeting.

- ~~18-29.~~ [Town of Mooresville](#)
- ~~19-30.~~ [Town of Pineville](#)
- [31. Town of Stallings](#)
- ~~20-32.~~ [Town of Troutman](#)
- ~~21.~~ [Town of Unionville](#)
- ~~22-33.~~ [Town of Waxhaw](#)
- [34. Town of Weddington](#)
- [35. Town of Wingate](#)
- [36. Union County](#)
- [37. Village of Lake Park](#)
- ~~23-38.~~ [Village of Marvin](#)
- ~~24-39.~~ [Village of Wesley Chapel](#)
- ~~25.~~ [Town of Wingate](#)
- ~~26.~~ [Union County](#)

Comment [rc28]: Unionville will not participate as per an email from the Town Clerk dated 5-20-13.

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A TCC member (or alternate) cannot be an elected official holding office in any **MUMPO-CRTPO** member Town/City Council or County Commission. Representatives of the municipalities shall be the chief administrative officers (town managers) or their designees. Other entities may be represented by their chief administrative officers or their designees. TCC members must be employees of the jurisdiction they represent. Each TCC member shall have one vote.

If the chief administrative officer of a TCC member entity wishes to be represented on the TCC by an individual previously designated to represent another entity on the TCC, the requesting entity's **MUMPO CRTPO** representative or chief administrative officer must seek and obtain written approval of such an arrangement from the TCC Chair. If a single individual is the designated representative or alternate for more than one of the above entities, the designated representative shall cast one vote for each entity represented.

~~Other local agencies, organizations, and individuals, upon filing a request with the TCC Secretary, will be informed of the time, date, and location of all meetings of the TCC and may attend meetings. Such agencies would include (but not be limited to):~~

Comment [rc29]: Is this section necessary?

- ~~1. Cabarrus/S. Rowan Metropolitan Planning Organization (MPO) Coordinator~~
- ~~2. Centralina Council of Governments~~
- ~~3. Charlotte Center City Partners~~
- ~~4. Charlotte Mecklenburg Schools~~
- ~~5. City of Charlotte departments/offices~~
- ~~6. City of Monroe departments/offices~~
- ~~7. Federal Highway Administration (FHWA) NC Administrator~~
- ~~8. Federal Transportation Administration (FTA) Region IV Planning Assistance Director~~
- ~~9. Gaston MPO Coordinator~~
- ~~10. Mecklenburg County departments/offices~~
- ~~11. Monroe Regional Airport~~
- ~~12. NCDOT District Engineers~~
- ~~13. NCDOT Division and Area Traffic Engineers~~
- ~~14. Rock Hill Fort Mill Area Transportation Study MPO Coordinator~~
- ~~15. Union County Schools~~
- ~~16. Union County departments/offices~~
- ~~17. Union County local municipalities' departments/offices~~

~~Notification will also be furnished to any private transportation operator, upon receipt of a request.~~

The TCC shall meet in accordance with schedules set forth in the TCC Bylaws. The Chairperson may cancel a regular meeting if there is insufficient business on the TCC's tentative agenda.

I. Administrative coordination for the MUMPO-CRTPO and for the TCC will be performed by the Charlotte-Mecklenburg Planning ~~Commission's Department's~~ Transportation Program Manager, who shall report to the Chair of the MUMPO-CRTPO. Administrative support shall be furnished by the Charlotte-Mecklenburg Planning ~~Commission's Key Business Executive Department's Director~~. The Program Manager shall supervise additional MUMPO-CRTPO staff as necessary and approved in the annual work program. The Program Manager will serve as the Secretary for the MUMPO-CRTPO and TCC with the responsibility for such functions as follows:

1. Arranging meetings and agendas
2. Maintaining minutes and records
- ~~3. Maintaining Policy Manual~~
- ~~4.3.~~ Preparing a Prospectus and Unified Planning Work Program (UPWP)
- ~~5.4.~~ Assembling and publishing the Transportation Improvement Program
- ~~6.5.~~ Serving as custodian of the Long Range Transportation Plan
- ~~7.6.~~ Collecting from local governments certified and sealed minutes and resolutions that document transportation plan revisions and submitting these for mutual adoption by the North Carolina Department of Transportation annually or more often if deemed necessary by the MUMPO CRTPO or local governments involved.
- ~~8.7.~~ Monitoring the transportation planning process to insure its execution is in accordance with goals and objectives
- ~~9.8.~~ Performing other coordinating functions as assigned by the MUMPO-CRTPO ~~from time to time~~
- ~~10.9.~~ Taking lead responsibility for structuring public involvement in the transportation planning process
- ~~11.10.~~ Preparing the annual PL Expenditure Report
- ~~12.11.~~ Supervising MPO-CRTPO staff

Comment [rwc30]: See note regarding goals and objectives in Section I-E. This function should be removed if it is agreed that general (i.e., non-LRTP goals and objectives) are not needed.

The Program Manager shall be hired by the Charlotte-Mecklenburg Planning ~~Commission's Key Business Executive Department's Director~~ with the concurrence of the Chairs of the MUMPO-CRTPO and TCC. The Program Manager shall regularly report to the TCC and MUMPO-CRTPO on coordination activities and shall electronically or in writing inform interested parties of actions scheduled for consideration by the TCC and MUMPO-CRTPO.

J. All transportation and related Federal Aid planning grant funds available to promote the cooperative transportation planning process will be expended in accordance with the Unified Planning Work Program adopted by MUMPO. ~~The MUMPO agrees to raise additional funds necessary through an annual fee paid by Union County and Mecklenburg County. This fee shall be sufficient to cover the cost of staffing of two full-time engineers. The fee shall be apportioned between the two counties based on the dollar amount allocated in the seven-year NC TIP to the MUMPO planning area in each county. During the first quarter of every even-numbered year as part of the development of the Unified Planning Work program, the MPO shall review the process for sharing the funding of MPO activities and establish funding responsibility for each county. For Mecklenburg County, the share required for each voting member will be proportional to the number of votes for that Mecklenburg County member. Similarly, for Union County, the share required for each voting member will be proportional to the number of votes for that Union County member. 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.~~

RESERVE FOR TEXT RELATED TO METHOD BY WHICH LOCAL MATCH WILL BE SHARED BY MEMBER JURISDICTIONS

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Administration of funding in support of the transportation planning process on behalf of the MUMPO CRTPO will be conducted by the City of Charlotte which will execute appropriate agreements with funding agencies as provided by the Unified Planning Work Program.

SECTION II. Subscribing agencies to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving 30 calendar days written notice to the [MUMPO-CRTPO](#) Chairperson prior to the date of termination. When annexation occurs and member municipality boundaries extend beyond the adopted urbanized area boundary, the new boundaries will automatically become part of the urbanized area and will be so designated on the [Thoroughfare Plan](#) [Comprehensive Transportation Plan](#) within 60 calendar days of the annexation. After two (2) years from the date of adoption of this document, the terms of this agreement will be evaluated by the participating members. It is further agreed that these agencies will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus. Additionally, these agencies shall coordinate zoning and subdivision approval in accordance with the adopted [Transportation Plan](#) [Comprehensive Transportation Plan](#).

Comment [rc31]: Should this be retained? If so, is two years appropriate?

SECTION III. In witness whereof, the Division Administrator (Federal Highway Administration) on behalf of the United States Department of Transportation, and the Secretary of Transportation on behalf of the Governor of the State of North Carolina have signed this Memorandum of Agreement and the other parties to this Memorandum of Understanding have authorized appropriate officials to sign the same, the City of Charlotte by its Mayor, the Town of Cornelius by its Mayor, the Town of Davidson by its Mayor, [the Town of Fairview by its Mayor](#), the Town of Huntersville by its Mayor, the Town of Indian Trail by its Mayor, [Iredell County by the Chair of its Board of Commissioners](#), [the Village of Lake Park by its Mayor](#), [the Town of Marshville by its Mayor](#), [the Village of Marvin by its Mayor](#), the Town of Matthews by its Mayor, Mecklenburg County by the Chair of its Board of Commissioners, [the Town of Mineral Springs by its Mayor](#), the Town of Mint Hill by its Mayor, the City of Monroe by its Mayor, [the Town of Mooresville by its Mayor](#), the Town of Pineville by its Mayor, the Town of Stallings by its Mayor, [the City of Statesville by its Mayor](#), [the Town of Troutman by its Mayor](#), Union County by the Chair of its Board of Commissioners, ~~The~~ the Town of Unionville by its Mayor, the Town of Waxhaw by its Mayor, the Town of Weddington by its Mayor, the Village of Wesley Chapel by its Mayor, and the Town of Wingate by its Mayor.