### **Transportation Staff Meeting**

May 29, 2013 2:00 PM Room 266

### **AGENDA**

### 1. NC 150 Widening, TIP #R-2307 (Hiltz)

### Description:

NC 150 widening from I-77 to Catawba County is currently in the design phase. The project's status and how it could be affected by the Strategic Mobility Formula will be discussed.

### 2. Memorandum of Understanding (Cook)

### Description:

The MOU Subcommittee met on May 22 and made recommendations on the local match and an MPO voting structure. A first draft of a revised MOU was also presented.

The purpose of this agenda item is to review the Subcommittee's actions and to discuss the draft MOU.

### Attachments:

- MOU Subcommittee Meeting Summary
- Draft MOU

### 3. John St./Old Monroe Road Widening, TIP #U-4714 (Cook)

### Description:

A request for scoping comments has been received from NCDOT. Comments on the attached material will be prepared.

### Attachment:

NCDOT scoping packet

**Phone Access Number**: 704-432-5485

Go To Meeting Access: <a href="https://global.gotomeeting.com/join/312141693">https://global.gotomeeting.com/join/312141693</a>



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

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:
  - o Population: based upon a per capita calculation; or
  - o 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

2<sup>nd</sup> Action: Weighted Voting

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

Subcommittee vote tally: Unanimous

3<sup>rd</sup> 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

5<sup>th</sup> 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

6<sup>th</sup> 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.

# Mecklenburg-Union Metropolitan Planning OrganizationCharlotte Regional Transportation Planning Organization

Memorandum of Understanding

September 2003

Draft I

May 2, 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 Statues 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(b<u>1-4</u>) 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 my 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 21\*\*Century (TEA 21) of 1998Moving Ahead for Progress in the 21\*\*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 21<sup>st</sup> Century (TEA 21) of 1998 Moving Aheaad for Progress in the 21<sup>st</sup> 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.
- The Mecklenburg Union MetropolitanCharlotte Regional Transportation Planning Organization, hereinafter referred to as the MUMPOCRTPO, 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
- Davidson Board of Commissioners
- 3.4. Fairview Town Council
- 4.5. Huntersville Board of Commissioners
- 6. Indian Trail Town Council
- 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
- 45.25. Weddington Town Council
- <del>16.</del>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

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.

- E. The duties and responsibilities of the MUMPO-CRTPO are as follow:
  - The <u>MUMPO-CRTPO</u> 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.
  - The <u>MUMPO-CRTPO</u> 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.
  - The <u>MUMPO-CRTPO</u> as required shall review, approve, and endorse amendments to the Unified Planning Work Program, the <u>Long Range</u> Transportation Plan and the Transportation Improvement Program.
  - The <u>MUMPO-CRTPO</u> shall be responsible for adopting and amending the <u>Thoroughfare PlanComprehensive Transportation Plan-component of the Long Range Transportation Plan.
     Action of the <u>MUMPO-CRTPO</u> in this regard (and this regard only) shall be construed as
    </u>

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

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.

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
- The <u>MUMPO-CRTPO</u> shall review and approve related air quality planning in conformance with Federal regulations.
- 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:
  - a. Official MUMPO-CRTPO action; or
  - b. Action of the <u>MUMPO's CRTPO's</u> Technical Coordinating Committee (TCC), (which is described in Section I.H of this Memorandum of Understanding) under the following criteria:
    - 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 \$\frac{500-400}{2}\$ 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.

The <u>MUMPO-CRTPO</u> adopts the alignment for right-of-way purposes even if the alternatives are produced through a State or locally funded environmental study process. <u>MUMPO-CRTPO</u> 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 [rc11]:** Unclear about reference to "air quality planning"? MUMPO's air quality activities have been limited to conformity determinations.

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

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.

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 21MAP-21.
- The MUMPO CRTPO shall adopt a set of Bylaws for the MUMPO CRTPO and the TCC.

  Amendments to either set of Bylaws shall occur by a 3/4 vote of the MUMPO CRTPO.
- 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 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.
- 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."
- 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 <u>MUMPO-CRTPO</u> will consist of representatives of the following General Purpose Local Government units, the <u>Metropolitan Transit Commission</u> and the North Carolina Board of Transportation (as of May 17, 2000), which shall have the indicated number of votes:

number of votes City of Charlotte <del>16</del>-Town of Cornelius 1\_ 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 <del>2</del>\_ 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

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

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)

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

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

Comment [rc19]: Need updated date.

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 (NCBOTDivision 10)
N.C. Board of Transportation (Division 12)

Metropolitan Transit Commission
Total

Total

### The NCBOT shall have one voting member

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).

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 <a href="https://www.membership.com/www.me

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

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

### G. MUMPO CRTPO Voting Policy

- 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

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

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

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

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.

- Amendments to the MOU or the MPO and TCC Bylaws require a 3/4 majority vote of all votes eligible to be cast
- 5. Ouorum 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. <u>MUMPO-CRTPO</u> 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. <u>City of Statesville</u>
- 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
- 40.16. N.C. Department of Transportation (NCDOT) Division 12-Division Engineer
- 44-17. 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 [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.

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

A TCC member (or alternate) cannot be an elected official holding office in any <a href="MUMPO-CRTPO">MUMPO-CRTPO</a> 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. <a href="TCC">TCC</a> 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):

- 1. Cabarrus/S. Rowan Metropolitan Planning Organization (MPO) Coordinator
- 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. Meeklenburg 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
- 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.

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

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Comment [rc29]: Is this section necessary?

- I. Administrative coordination for the <a href="MUMPO-CRTPO">MUMPO-CRTPO</a> and for the TCC will be performed by the Charlotte-Mecklenburg Planning <a href="Commission's Department's">Commission's Department's</a> Transportation Program Manager, who shall report to the Chair of the <a href="MUMPO-CRTPO">MUMPO-CRTPO</a>. Administrative support shall be furnished by the Charlotte-Mecklenburg Planning <a href="Commission's Key Business ExecutiveDepartment's Director">Commission's Key Business ExecutiveDepartment's Director</a>. The Program Manager shall supervise additional <a href="MUMPO-CRTPO">MUMPO-CRTPO</a> and TCC with the responsibility for such functions as follows:
  - 1. Arranging meetings and agendas
  - 2. Maintaining minutes and records
  - 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

The Program Manager shall be hired by the Charlotte-Mecklenburg Planning Commission's Key Business ExecutiveDepartment'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 Years shall forfeit their right to be a voting member during the next two Federal Fiscal

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

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

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.

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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 PlanComprehensive 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 PlanComprehensive Transportation Plan.

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, 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.

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



## STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA SECRETARY

April 26, 2013

Mr. Robert Cook, MUMPO Secretary MUMPO 600 E. 4th St., 8th Floor Charlotte, NC 28202

SUBJECT:

Request for Scoping Comments

John Street/Old Monroe Road Widen to Multi-Lanes SR 1009 (John Street/Old Monroe Road) from SR 3448/SR 3474 (Trade Street) to SR 1377 (Wesley Chapel-Stouts Road) in Mecklenburg and Union

Counties. STIP Project No. U-4714, State WBS Project No. 39078.1.1, Federal

Aid No. TBD

Dear Mr. Cook:

The Project Development and Environmental Analysis Unit - Western Region has begun studying the proposed improvements to the subject project. The project is included in the NCDOT's *Draft 2013-2023 State Transportation Improvement Plan* (STIP). A project location map is attached.

STIP Project No. U-4714 extends along E. John Street/Old Monroe Road/Old Charlotte Highway (SR 1009) from Trade Street (SR 3448/SR 3474) in Matthews, Mecklenburg County to Wesley Chapel-Stouts Road (SR 1377) in Indian Trail, Union County, a distance of approximately 6.5 miles. The project is divided into three sections: U-4714A is from Trade Street to I-485, U-4714B is from I-485 to Waxhaw-Indian Trail Road (SR 1008) and U-4714C is from Waxhaw-Indian Trail Road to Wesley Chapel-Stouts Road (SR 1377). U-4714B is currently programmed for right-of-way acquisition in 2016 and construction in 2018. U-4714A and U-4714C are both currently unfunded.

NCDOT proposes to improve John Street/Old Monroe Road to a multilane facility to relieve existing and projected congestion along the corridor. An environmental analysis consistent with the requirements on the National Environmental Policy Act (NEPA) is underway with the preparation of an Environmental Assessment. NCDOT will study all three sections (A, B, and C) together as one project during the NEPA study, and will investigate a variety of improvement options for the existing two-lane facility. NCDOT will consider the Towns' (Matthews, Stallings, and Indian Trail) visions for the corridor in the alternatives development process. A No-Build Alternative also will be considered.

April 26, 2013 STIP U-4714 Page 2

The purpose of this letter is to solicit input concerning the scope of the project and identify potential impacts within the corridor. To assist in the evaluation of this project, please **respond in writing** by May 26, 2013 concerning any needs and goals to be addressed, sensitive resources in the project study area, and potential beneficial or adverse impacts of the project relating to the interest of your agency or organization. If applicable, please identify any permits or approvals that may be required by your agency.

If you have any questions or comments concerning the project, please contact Elmo Vance, Jr. at (919) 707-6048 or by email at <a href="mailto:eevance@ncdot.gov">eevance@ncdot.gov</a> or Carl Gibilaro, P.E. of Atkins at (704) 522-7275 or by email at <a href="mailto:earl.gibilaro@atkinsglobal.com">earl.gibilaro@atkinsglobal.com</a>.

Sincerely,

John Conforti, REM

Project Development Group Leader

Project Development and Environmental Analysis Unit - Western Region

EV/cg

### Attachments:

Figure 1

**Project Location** 

Figure 2

Existing (2013) AADT Volumes

Figure 3A - 3D

**Environmental Features** 

Figure 4A - 4B

USGS Map

Project Scoping Information Sheets

### Project Development and Environmental Analysis Branch Scoping Information Sheets

TIP No.:		U-4714		Sent Date:	04/26/13
		0-47 14		Gont Bato.	04/20/13
WBS No.:	39078.1.1			Revision Date:	
Federal Aid No:		TBD		Meeting Date:	The need for a formal scoping meeting will be evaluated after reviewing comments received.
<u>Division:</u>	10				
County:	Mecklenburg and Union				
Project Description	on:		to S	reet/Old Monroe Road), SR 1377 (Wesley Chape ee <b>Figure 1</b> .	
General Project Need: The Old Monroe Road is currently a two-lane road that traverses the Towns of Matthews, Stallings, and Indian Trail. Portions of Old Monroe Road are currently over capacity and demand is projected to increase by 2035.					
Metropolitan / Rural Planning Organization: Mecklenburg-Union MPO					
NEPA/404 Merger Candidate?:					
Feasibility Study Completed?:					
Project Schedule: Type of Document: Dates:					
Environmental Document(s):			s):	Draft EA	February 2014
				FONSI	November 2014
Right of Way Authorization Date:			Production TIP	Section B Only 2016	
Let Date:			te:	Production TIP	Section B Only 2018

Cost Estimate: STIP 2012-2020
TIP Estimate (Section B Only)<sup>1</sup>
Current Estimate

10.000	
FY 2018	FY 2016
Construction:	Right of Way:

**Total Cost:** 

16,900	21,300	38,200
TBD	TBD	TBD

1. Project costs in thousands of dollars.

Design Criteria:  Length of Project: Approxi	mately 6.5 r	miles	
Right of Way:	Existing: Proposed:	Varies – 60 to 105 Feet  TBD – ROW acquisition is anticipated.	
Type of Access Control:	Existing: Proposed:	None TBD	
Roadway Typical Section:	Existing: Proposed:	2 Lanes Multi-lanes (typical section TBD)	
Speed: Existing Positive Proposed Des		Varies – 25 to 45 mph TBD	
Bridge / Culvert Inventory	Bridges 800 and 801; I-485 over John Street/Old Monroe Road		
Functional Classification:	Minor Arterial		
Strategic Highway Corridor Information:	N/A		
		– Needs Improvement Junty, Draft November 2012)	
<u>Air Quality Status:</u> ⊠ Non-attainment ⊠ Maintenance □ Attainment			
Non-attainment: Mecklenburg and Union counties: 8-Hour Ozone 2008, 8-Hr Ozone 1997  Maintenance: Mecklenburg County; CO			
Horizon Completion Year (Long Range Trans. Plan): U-4714 B - 2025 U-4714 A, C - Unknown			

Typical Section in Compliance with  Conformity Determination?   Yes   No				
<u>Traffic (AADT)</u> See <b>Figure 2:</b>	Year	Range of Traffic	% TTST:	1 to 3
Current Year:	2013 <sup>2</sup>	15,200 – 27,000	% Dual:	2 to 7
Design Year:	2035 <sup>2,3</sup>	16,300 – 29,500	% DHV:	7 to 9
<ol> <li>Source: Traffic Forecasts (NCDOT TPB, February 19, 2013)</li> <li>Design Year is 2035 No Build</li> </ol>				
Design Standards Applicable: 🖂 AASHTO 🗌 3R				
Railroad Involvement: N/A				
Utility Involvement: TBD				

Preliminary Project Study Area Resources Inventory Table (Use with Figure 3A-3D)

(Use with Figure 3A-3D)			
Resource/Affected Environment & Measure	Applicability/ Resources in Study Area		
General Project Information			
Length of project (approximate in miles)	Approximately 6.5 Miles		
Crossing or Intersecting (#)  Interchanges include: I-485  Intersections (major) include: Trade Street, Potter Road- Stallings Road, Waxhaw-Indian Trail Road, Brandon Oaks Parkway-Midway Drive, Mustang Drive, and Wesley Chapel-Stouts Road	Interchanges - 1 Intersections - 6 RR Crossings - 0		
Cultural Resources			
NRHP (and eligible sites, districts, other properties) (#)	0 – Known sites 1 – National Register District – Matthews Commercial Historic District		
Human Environment			
Community Resources (#)	Local Landmark (1) – Stallings Rockstore Bar-B-Q Fire Station (1) – Stallings Volunteer Fire Station 20 Schools (1) – Sun Valley High School Churches (6) – Matthews Presbyterian Church, Matthews Church of God, Eastwood Forest Baptist Church, Creekside Bible Church, Living Way Church, Grace Baptist Church		
Public Parks/Section 4(f) Properties (#)	1 – Four Mile Creek Greenway		
Greenways, Game Lands, Land and Water Conservation	1 – Four Mile Creek Greenway		
Fund Properties, etc. (#)	(access adjacent to corridor)		
Residential Properties (# potentially affected)	TBD. Residences are located adjacent to existing roadway.		
Business Properties (# potentially affected)	TBD. Businesses are located adjacent to existing roadway.		
High % Special Populations (Low-income, Minority)	None. Review of 2010 Census data and 2011 American Community Survey data (Census Block Group level) did not identify a presence of minority, Hispanic, or low-income populations near the project corridor		
Natural Environment			
Streams (# of stream crossings)	2 – named stream crossings, Four Mile Creek, Price Mill Creek 3 - unnamed streams are present.		
Wetlands (est. acres)	Surveys will be conducted.		
Critical Water Supply Watersheds	None		
Riparian Buffer Rules apply	No. Portion of project within Catawba River Basin however, riparian buffer protection program		
	Rule 15A NCAC 02B .0243 does not apply.		
dentified Critical Habitat/ESA Spp. (# known)	Rule 15A NCAC 02B .0243 does not apply.  0 known		

Resource/Affected Environment & Measure	Applicability/ Resources in Study Area
Hazardous Materials (# suspected/known sites)	TBD
Utilities	YES. Location and type TBD. Power line easements are located adjacent to ROW
Active agriculture (Voluntary Agricultural District)	No VADs or EVADs in study area
Noise	Impacts TBD. Noise sensitive receptors in study area (residences, churches, etc.).
FEMA Buyout Properties	0 known

NOTES: This table is intended to be used in conjunction with the Environmental Features Map (Figure 3A-3D) and the USGS Map (Figure 4A-4B).















