

Transportation Staff Meeting

June 5, 2013
2:00 PM
601

AGENDA

1. TCC Agenda Review (Landa)

- Self-Certification
- I-485/Oakdale Rd TIP Amendment
- LRTP/MTP – Horizon Year Update

2. SPOT/Strategic Mobility Formula (Landa)

Description:

The SPOT workgroup met Monday, June 3 to continue its discussion of the criteria that is being developed to evaluate projects if the proposed Strategic Mobility Formula legislation is approved. This is an opportunity to develop comments to send to the SPOT workgroup for its consideration.

3. 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

Phone Access Number: 704-432-5485

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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.

~~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

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

WITNESSETH THAT:

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

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

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

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. 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)

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

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.

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.

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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.