

MEMORANDUM

To: Transportation Advisory Committee
DCHC MPO

From: DCHC MPO Lead Planning Agency

Date: February 12, 2014

Subject: **DCHC MPO MOU**

The MPO began an update to the DCHC MPO's Memorandum of Understanding in 2013. After several months of TCC and TAC review, in June 2013 a draft MOU was sent to all of our member jurisdictions requesting review and comment by September 2013. These comments were considered by LPA staff, the TCC, and TAC, and a response was provided. Several changes were made to the MOU, but not all suggestions were agreed to by the MPO.

On October 9, 2013, the TAC endorsed a final MOU for approval by the member governments. Subsequently, a minor change was made to the MOU to comply with the State's E-Verify legislation. This was shared with the TAC in November 2013, and LPA transmitted the document to our member jurisdictions requesting approval of the MOU by February 20, 2014.

An update on the approval will be provided at the TAC meeting. LPA staff is aware of the following actions taken by our member governments. A few minor changes were requested by member jurisdictions in their approval of the document. These minor changes likely can be incorporated in the final MOU without requiring re-approval by the member government boards. Some governments have resolutions that allow the City/Town/County Manager to make changes to agreements after being approved by the board as long as the changes are not substantive or adverse to the locality. LPA staff will need to check with each government if they allow these minor changes to be made.

- City of Durham – approved on 2/3/2014 with one minor change:
 - The MOU will be signed by the City Manager, not the Mayor.
- Durham County – to be considered on 2/10/2014
- Town of Chapel Hill – to be considered on 2/10/2014
 - The staff memo recommends that:
 - The MOU should include the process for developing and monitoring the development of the UPWP;
 - Triangle Transit should share a portion of the local match;
 - The MOU should include the role of the MPO in oversight of the Durham and Orange County Transit Plans;

- Town of Carrboro – considered on 2/4/2014; Voted to take up final adoption at next meeting pending additional information on:
 - MPO’s response to Orange County BOC’s quorum language suggestion;
 - MPO’s response to Chapel Hill’s request for Triangle Transit to provide a share of the local match;
- Town of Hillsborough – approved on 12/9/2014
- Orange County – considered on 1/23/2014; Supported MOU in concept and requested minor changes:
 - Page 6, line 30-32 - Change to "In order for a quorum of the MPO Board to be established: a) A simple majority of the voting members shall be present; and b) The total number of weighted votes associated with the simple majority as identified in the weighted voting schedule below shall represent a majority of the total number of possible weighted votes."
 - The above language has the same meaning as the current language defining a quorum and thus is not a substantive change.
 - Page 1, line 42 – Spell out TIP as Transportation Improvement Program
 - Page 2, line 17 – Spell out MPO as Metropolitan Planning Organization
 - Page 3, line 39 – Add “policy” before boards
- Chatham County – considered on 12/16/2014, not approved
 - The County is opposed to the weighted voting provision for the MPO Board and the inclusion of area outside the urbanized area in the MPO’s Planning Area.
 - LPA staff is waiting on formal correspondence from Chatham County documenting their concerns and a response from Chatham County staff on scheduling a meeting with them to discuss their concerns.
- Triangle Transit - to be considered on 2/26/2014
 - One error has been pointed out by staff on page 3, line 27, Triangle Transit needs to be included in the list.
- North Carolina Department of Transportation – NCDOT staff report that they will not consider approval of the MOU until all other members have approved it.

TAC Action: Receive update and discuss any changes.