



Legislation Details (With Text)

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Title: Proposed Revisions to the DCHC-MPO Memorandum of Understanding

PURPOSE: On October 9, 2013, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) Transportation Advisory Committee endorsed revisions to the MPO's Memorandum of Understanding (MOU). Member jurisdictions are asked to consider approving the revised MOU by February 20, 2014.

Indexes:**Code sections:**

Attachments: 1. Attachment A - Resolution - MPO MOU update, 2. Attachment B - 2013 DCHC MPO MOU - recommended for member gov approval - 2014-01-07, 3. Attachment C - 2013 DCHC MPO MOU - recommended - marked - 2014-01-07, 4. Attachment D - Current MOU for DCHC MPO, 5. Attachment E - Letter to Managers re 2013 MOU update - 2013-11-20 - Carrboro - signed, 6. Attachment F - MPO MOU update - Town of Carrboro comments - 9-13-2013, 7. Attachment G - Summary of Comments and TAC Response - 2013-11-13

Date	Ver.	Action By	Action	Result
2/4/2014	1	Board of Aldermen	approved	Pass

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DEPARTMENT: Planning

CONTACT INFORMATION: Jeff Brubaker - 918-7329

INFORMATION: The MOU governs MPO participation in the MPO planning process for member jurisdictions and agencies.

Federal law requires the designation of metropolitan planning organizations (MPOs) for urbanized areas of more than 50,000 residents [23 USC 134(d)] and requires that MPOs, "in cooperation with the State and public transportation operators, shall develop long-range [metropolitan] transportation plans [MTPs] and transportation improvement programs [TIPs] through a performance-driven, outcome-based approach to planning for metropolitan areas of the State" [23 USC 134(c)].

MTPs and TIPs must be developed via a "continuing, cooperative, and comprehensive" planning process that provides for "the development and integrated management and operation of transportation systems and

facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the metropolitan planning area and as an integral part of an intermodal transportation system for the State and the United States.” [23 USC 134(c)].

State law requires that the MPO also develop a comprehensive transportation plan (CTP), similar to an MTP but not fiscally constrained [NCGS 136, Sec. 66.2(b)].

The current MOU was executed by the NC Secretary of Transportation and member jurisdictions in January 1994. The MPO is proposing updates to the MOU to “reflect current federal and state legislation and regulations, planning practices of the MPO, updated population figures, and best planning principles” (Attachment E).

The major proposed changes to the MOU are summarized in the letter in Attachment E and repeated here for ease of reference:

- References to new and updated federal and state legislation and regulations;
- More descriptive names for the MPO’s governing board and staff board;
- Addition of required planning procedures and processes to the MPO’s responsibilities;
- Addition of Triangle Transit to the MPO’s member governments and inclusion as a voting member of the governing board to fulfill a new federal requirement;
- Additional voting and non-voting membership on the MPO’s staff board;
- Changes to the MPO’s responsibilities and member governments’ responsibilities to reflect the approved cost-sharing among member governments for the local match associated with the MPO’s work program; and adjustment to the weighted voting provision to reflect current population figures...[The table in Attachment B shows 2010 Census population figures and recommended weighted voting proportions based on these figures.]

This summer, MPO staff notified member jurisdictions of the opportunity to review the proposed revisions. The Town’s TAC representative and alternate reviewed the revisions with Town staff and offered the comments represented by the letter on September 10, 2013 (Attachment F).

The MPO’s responses to these and other member jurisdictions’ comments is in Attachment G. Two of the TAC representatives’ suggested changes were made and two were not made.

Since the MPO’s requested deadline for consideration of approval of the revised MOU is February 20, 2014, the Board may wish to either take action regarding approval at this meeting or use one of the February meetings prior to February 20 as a follow-up agenda item. Options are therefore provided in the draft resolution in Attachment A. Attachments B and C include the revised MOU, in both clean and tracked-changes versions, respectively. Attachment D includes the current MOU.

FISCAL & STAFF IMPACT: There are no substantial fiscal or staff impacts associated with approving the resolution in Attachment A. Annual Unified Planning Work Programs (UPWPs) do have fiscal impacts given match requirements for local jurisdictions included in the MOU. However, these are approved separately by the MPO.

RECOMMENDATION: Staff recommend that the Board consider the resolution in Attachment A.