



charlotte regional **transportation** planning organization

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TO: CRTPO Delegates & Alternates
FROM: Robert W. Cook, AICP
CRTPO Secretary
DATE: October 14, 2013
**SUBJECT: Additional Meeting Materials
October 16, 2013 CRTPO Meeting**

Two additional items for the agenda packet:

1. Draft September Meeting Minutes

Action on the minutes will be requested at the meeting.

2. Revision I: Bylaws

The attached copy of the bylaws represents a first attempt at revising the document. As with the MOU revision process, the Track Changes tool will be used to clearly show the changes that are being proposed. More information on quorum-related matters will be provided at the meeting.

MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION
Charlotte-Mecklenburg Government Center, Room 267
September 18, 2013 Meeting
Summary Minutes

Members Attending:

Michael Barnes (Charlotte), Lynette Rinker (Cornelius), Brian Jenest (Davidson), Sarah McAulay (Huntersville), Chris King (Indian Trail), Jim Taylor (Matthews), Dumont Clarke (Mecklenburg County), Lynda Paxton (Stallings), Brad Horvath (Wesley Chapel), John Collett (NCBOT)

Other Elected Officials:

Bradley Purser (Fairview), Michael Johnson (Statesville), Elbert Richardson (Troutman), Jason Major (Troutman)

Non-Voting Members Attending:

Ned Curran (NCBOT)

1. Call to Order

MPO Chairwoman Sarah McAulay called the September 2013 MUMPO meeting to order at 7:00 PM.

2. Adoption of the Agenda

Chairwoman McAulay stated that Board of Transportation chairman Ned Curran requested time on the agenda to discuss the Monroe Connector/Bypass. She stated that with the board's approval it would be added as agenda item #6 and asked if there were any other items to be added or changed. No other changes were suggested.

Motion:

Vice-Chairman Brad Horvath made a motion to add BOT Chairman Curran to the agenda to discuss the Monroe Connector/Bypass. Mayor Taylor seconded the motion. Upon being put to a vote, the motion to adopt the agenda with the additional item noted above was adopted unanimously.

3. Citizen Comment Period

No citizens addressed the MPO.

4. Ethics Awareness & Conflict of Interest Reminder

Mr. Cook read the ethics awareness and conflict of interest reminder to the MPO.

5. Approval of Minutes

Chairwoman McAulay requested action on the August 2013 meeting minutes. Mayor Paxton stated that a change was necessary under the Southern Environmental Law Center's presentation during the Citizen Comment Period. The needed change was to clarify that the SELC did not prepare the report its representatives discussed at the August meeting. An engineering firm hired by the SELC actually prepared the report.

Motion:

Mayor Rinker made a motion to approve the August 2013 meeting minutes with the change noted above included. Chris King seconded the motion. Upon being put to a vote, the August 2013 minutes were unanimously approved.

6. Monroe Connector/Bypass

Presenter:

Ned Curran, Chairman, NC Board of Transportation

Summary:

Mr. Curran discussed the importance of the Monroe Connector/Bypass to improved transportation and commerce across the state.

7. 2040 Metropolitan Transportation Plan

a. Plan Development Update

Presenter:

Robert Cook

Summary:

An update on the progress of developing the 2040 MTP was provided. Mr. Cook stated that a large part of the MTP effort to this point has been devoted to the project ranking process and financial assumptions development; however, various chapters have been submitted by Advisory Committee members, and a greater focus on editing the chapters will be possible after the roadway project list is approved.

Mr. Cook introduced a new staff member, Curtis Bridges. He stated that Mr. Bridges will be responsible for the MPO's GIS needs and thus will play a major role in the MTP's development.

b. Roadway Project Ranking

Presenter:

Robert Cook

Summary:

The requested action was to approve the release of the draft fiscally constrained project list for public comment. The draft list was included in the MPO agenda packet. Mr. Cook presented information to the MPO via a Power Point presentation, the contents of which are incorporated into the minutes. The presentation reviewed the work that was completed to develop the fiscally constrained roadway project list: approval of an updated ranking methodology; development of revenue assumptions; accounting for the new legislation governing transportation project funding; factors in the work to select the projects to be recommended for the fiscally constrained list from those that had moved into Tier 2 of the ranking process (score, cost, technical judgment). The MPO/TCC workshop held on September 5, 2013 was discussed. The workshop's purpose was to review an initial draft of the project list and to obtain reactions from MPO and TCC members in advance of formal requests for action. The comments received at that time were discussed at the September 11, 2013 Transportation Staff meeting and September 12, 2013 TCC meeting, and resulted in changes to the list. The changes were as follows:

- Move US 21/NC 115 widening in Iredell County (ID # 13) to the Regional Impacts-Region F 2030 horizon year and move Wilkesboro Highway (ID# 278) to the Division Needs-Division 12 2030 horizon year.
- Move the Catawba Avenue widening in Cornelius (ID# 68; TIP# R-2555B) to the Division Needs-Division 10 2025 horizon year.
- Switch the places of the Potter Road widening in Stallings (ID# 222) and the Lawyers Road (ID# 218) widening by moving the Potter Road project to the 2030 horizon year and moving the Lawyers Road project to the 2040 horizon year of the Division Needs-Division 10 category.

(The specific reasons for the recommended changes are found in a memorandum to the MPO entitled "2040 Metropolitan Transportation Plan-Draft Fiscally Constrained Roadway Project List," dated September 12, 2013.)

The presentation concluded by noting that, at its September 12, 2013 meeting, the TCC unanimously recommended that the MPO approve the release of the draft fiscally constrained project list for public comment as presented.

Michael Barnes made a motion to approve the project list but asked that conditions be added. The first condition requested that notes be added to the project list indicating that the projects for I-77 South (ID # 143, 144 & 145) and Independence Boulevard (ID# 136, 148 & 189) should be analyzed as single projects. The second condition related to the allocation of Surface Transportation Program-Direct Attributable (STP-DA) funding for which the MPO is solely responsible for allocating. Mr. Barnes requested clarification from Norm Steinman of the

Charlotte Department of Transportation. Mr. Steinman stated that the condition's purpose was to require that the TCC allocate the STP-DA funds to projects.

Motion:

Mr. Barnes made a motion to release the 2040 MTP draft fiscally constrained roadway project list for public comment with the condition that the STP-DA funds be allocated to projects and that a statement be placed on the project list that the I-77 South and Independence Boulevard projects should be analyzed as single projects by NCDOT. Brian Jenest seconded the motion. Upon being put to a vote, the motion was approved unanimously.

8. Strategic Transportation Investments

Presenter:

Robert Cook

Summary:

Strategic Transportation Investments (STI) is the name of the legislation enacted by the General Assembly that significantly changed transportation funding processes in the state. The presentation's purpose was to provide MPO members with the schedule for the project prioritization process resulting from STI.

- November 7, 2013: TCC recommend endorsement of eligible projects for SPOT
- November 27, 2013: MPO endorse eligible projects for submittal to SPOT
- April 3, 2014: TCC recommend methodology for assigning local input points
- April 16, 2014: MPO approve local input point methodology to submitted to NCDOT
- May – July 2014: MPO assign local input points

9. Transportation Improvement Program (TIP) Amendments

a. U-5511: NC 51 Intersection Improvements & Superstreet Design

Presenter:

Scot Cole, NCDOT Division 12

Summary:

Mr. Cole stated that the project's original purpose was to construct a roundabout at NC 51 and Matthews-Mint Hill Road. The project will now consist of improvements to the intersection and the installation of a superstreet design on a portion of NC 51. Construction is scheduled for FY 2014. Mr. Cole presented a funding allocation breakdown for construction, ROW acquisition and planning and design as per the TCC's recommendation that the MPO approve the amendment contingent upon such information being provided.

Motion:

Mayor Taylor made a motion to amend the TIP as presented. Mr. Barnes seconded the motion. Upon being put to a vote, the motion was approved unanimously.

b. US 21 & Catawba Avenue Roundabout

Presenter:

Andrew Grant, Town of Cornelius

Summary:

Mr. Grant stated that the request was to add this project to the TIP in FY 14 and 15. The project was awarded Congestion Mitigation & Air Quality (CMAQ) funds by the MPO in July 2012, but was not placed in the TIP. He stated it was important for the project to start soon after work on improvements to the adjacent I-77 exit 28 interchange was complete. The TCC unanimously recommended that the MPO amend the TIP as requested.

Motion:

Mr. Barnes made a motion to amend the TIP as presented. Mayor Rinker seconded the motion. Upon being put to a vote, the motion was approved unanimously.

c. LYNX Blue Line Extension (TIP #TE-4901)

Presenter:

David McDonald, CATS

Summary:

Mr. McDonald stated that the reason for the amendment was to ensure that the TIP accurately reflected state and federal matching funds for FY 13 and anticipated funds for FY 2014-2022. The action did not change overall project cost or the percentage of participation among funding partners. The TCC unanimously recommended that the MPO approve the amendment.

Motion:

Mr. Barnes made a motion to amend the TIP as presented. Mayor Taylor seconded the motion. Upon being put to a vote, the motion was approved unanimously.

10. CRAFT Resolution: Locally-Administered Projects

Presenter:

Robert Cook

Summary:

Mr. Cook stated that the request was to adopt a resolution supporting the establishment of regular meetings with NCDOT staff to ensure that locally-administered projects (LAP) are properly administered and implemented. The concept was developed at a meeting of the Technical Team of the Charlotte Regional Alliance for Transportation (CRAFT), an alliance of the region's five transportation planning organizations. LAPs are those projects that are administered by local or county governments using federal funds. The complexities associated with using federal funds can result in local governments having difficulty managing projects. Regular meetings with NCDOT officials familiar with federal rules may help reduce the chance of a project encountering major problems. The TCC unanimously recommended that the MPO adopt the resolution.

Motion:

Mayor Taylor made a motion to adopt the resolution as presented. Mayor Paxton seconded the motion. Upon being put to a vote, the motion was approved unanimously.

11. MPO Expansion & Memorandum of Understanding

Presenter:

Robert Cook

Summary:

Mr. Cook reported on three issues.

a. MOU Adoption Status

All local and county governments have adopted the MOU. The Metropolitan Transit Commission (MTC) is scheduled to adopt the MOU on September 25. It will be sent to NCDOT for the Secretary's signature, thus resulting in meeting the October target date. The date of the Secretary's signature will be the MOU's effective date. As agreed to in the MOU, a review of the document's provisions will occur 18 months after the effective date. Mr. Cook stated that by reaching this milestone, this would be the last meeting of the organization under the name Mecklenburg-Union MPO.

b. Bylaws

Mr. Cook stated that the MPO decided at the beginning of the MOU revision process to delay reviewing the bylaws until the new board was seated. Possible issues that need to be addressed include changes to reflect a shift of some items from the MOU to the bylaws, quorum requirements, recent ethics legislation and public comments at meetings. Direction on the process was requested, and the MPO stated it preferred not to establish a subcommittee, but preferred that staff and the TCC present recommendations for changes.

c. Regional Agreements

The agreements are necessary to transfer planning responsibilities to neighboring MPOs for portions of the Charlotte urbanized area that encroach into those MPOs. Time constraints have not allowed work to proceed on completing the agreements.

12. Unified Planning Work Program Process Improvements

Presenter:

Robert Cook

Summary:

Mr. Cook presented information to the MPO via a Power Point presentation, the contents of which are incorporated into the minutes. The presentation's purpose was to present findings from a study of ways to improve the UPWP development process. The study recommended a variety of improvements contained in a draft handbook attached to the agenda packet. A UPWP review committee was also recommended to help guide the document's annual development. The MPO will be asked to endorse the committee at an upcoming meeting.

13. Adjourn

The meeting adjourned at 8:30 PM.

**MECKLENBURG-UNION METROPOLITANCharlotte Regional
Transportation PLANNING ORGANIZATION**

BY LAWS

~~Amended September 2003~~

Revision I 10-14-13

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ARTICLE I – NAME

The name of this organization shall be the ~~Mecklenburg-Union Metropolitan~~Charlotte
Regional Transportation Planning Organization, hereinafter referred to as the
“MPOTPO.”

ARTICLE II – PURPOSE

The purpose and goals of the ~~MPO-TPO~~ shall be:

1. To develop and direct a continuing, comprehensive transportation planning process carried on cooperatively by the State and local communities in concurrence with Federal guidelines.
2. To advise the policy boards within the ~~Mecklenburg-Union Metropolitan~~Charlotte
Regional Transportation Planning Organization on the status of needs identified through the continuing transportation planning process.
3. To facilitate coordination and communication between policy boards and agencies represented on the ~~MPO-TPO~~ and Technical Coordinating Committee (TCC).
4. To facilitate coordination between the policy boards of the ~~Mecklenburg-Union~~
MetropolitanCharlotte Regional Transportation Planning Organization and the North Carolina Board of Transportation.
5. To assist the general public in understanding decisions and policies of the policy boards.
6. To act as a forum for cooperative decision-making by elected officials of this metropolitan area in cooperation with the State, thereby serving as the basis for a cooperative planning process.

ARTICLE III – RESPONSIBILITIES

As specified in the Memorandum of Understanding, the responsibilities of this committee shall include:

1. Establishment of goals and objectives for the transportation planning process;
2. Review and approval of a Prospectus for transportation planning which defines work tasks and responsibilities for various agencies participating in the transportation planning process;
3. Review and approval of changes to the Urbanized Area Boundary and the Metropolitan Area Boundary as well as review and recommendations for changes to the National Highway System;
4. Review and approval of the ~~Mecklenburg Union Metropolitan Charlotte Regional Transportation~~ Planning Organization Unified Planning Work Program (UPWP);
5. Review and approval of changes to the adopted ~~Mecklenburg Union Metropolitan Charlotte Regional Transportation~~ Planning Organization ~~Long-Range Comprehensive Transportation Plan (As required by General Statutes Section 136-66.2(d), revisions in the area's Thoroughfare Plan must be jointly approved by the local governing board having jurisdiction and the North Carolina Department of Transportation);~~ and
- 5-6. ~~Review and approval of the Charlotte Regional Transportation Planning Organization Metropolitan Transportation Plan (MTP);~~ and
- 6-7. Review and approval of the ~~Mecklenburg Union Metropolitan Charlotte Regional Transportation~~ Planning Organization Metropolitan Transportation Improvement Program (MTIP) for multi-modal capital and operating expenditures to ensure coordination between local and State capital and operating improvement programs.

ARTICLE IV – MEMBERS

Section 1 – Number and Qualifications:

As specified in the Memorandum of Understanding, the MPO shall consist of voting members that are elected officials from the ~~planning area of the Mecklenburg Union Metropolitan Urbanized Area Charlotte Regional Transportation Planning Organization and the Metropolitan Transit Commission.~~ ~~and~~ The North Carolina Board of Transportation ~~shall be represented by those members appointed to serve Division 10 and Division 12.~~ Nonvoting members shall be those from the ~~Charlotte-Mecklenburg Planning Commission, Iredell County Planning Board, and Union County Planning~~

~~Commissions Board, Federal Highway Administration~~ and any jurisdiction in the ~~Urbanized Area~~ ~~planning area with less than 5,000 population~~ ~~not eligible for voting membership.~~

Section 2 – Terms of Office:

Each entity’s chief elected official shall designate that member entity’s representative. Members shall remain in office until a successor has been duly elected or until his/her earlier death, resignation, disqualification, incapacity to serve, or removal in accordance with the law.

Section 3 – Alternates:

Each member agency may appoint an alternate to its representative provided each alternate also meets the same qualifications of membership. That alternate member may serve as a full voting member during any meeting where that board’s representative is not in attendance. Proxy and absentee voting are not permitted.

Section 4 – NC State Government Ethics Act:

Every voting member shall comply with the State Ethics Act as per Chapter 138A of the NC General Statutes. This includes the affirmative duty to (a) annually file a Statement of Economic Interest, (b) biennially attend mandatory training on ethics, (c) report potential conflicts, and (d) recuse from voting or discussing issues on which the attending member has an identified conflict of interest.

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ARTICLE IV – OFFICERS

Section 1 – Officers Defined:

The officers of the ~~MPO-TPO~~ shall consist of a Chairman and Vice-Chairman.

Section 2 – Elections:

The Chairman and Vice-Chairman shall be elected annually at the first regularly scheduled meeting of the calendar year. The newly elected Chairman and Vice-Chairman shall take office immediately following the election. The Chair must have served as an ~~MPO-TPO~~ member (delegate or alternate) for one year immediately prior.

Additional elections may be held if either the Chairman or Vice-Chairman cannot carryout his/her duties and complete the remainder of the appointed term.

Section 3 – Terms of Office:

The term of office for officers shall be one year. Officers may serve no more than three consecutive one-year terms. This does not prohibit them from being elected to a future term. ~~Time served in officer positions prior to calendar year 2002 shall not be considered in determining eligibility.~~

Section 4 – Duties of Officers:

The Chairman shall call and preside at meetings, sub committees and set the order of business for each meeting. In the Chairman’s absence, the Vice-Chairman shall preside and complete all other duties of the Chairman. In the event that the Chairman is unable to carryout his/her duties for the remainder of their term, the Vice-Chairman shall carryout the functions of the Chairman for the remainder of the year.

Section 5 – Duties of the Secretary:

The Secretary shall provide or otherwise delegate staff service for the ~~MPOTPO~~, as needed, and will be responsible for taking summary minutes of the ~~Committee’s TPO’s~~ proceedings. The Secretary will maintain a current copy of these Bylaws as an addendum to the Memorandum of Understanding, to be distributed to the public upon request.

ARTICLE V – MEETINGS

Section 1 – Regular Meetings:

Meetings will be held on the third Wednesday of each ~~odd-numbered~~ month. The Chairman may cancel regular meetings should there be insufficient business on the ~~Committee’s TPO’s~~ tentative agenda.

Section 2 – Special Meetings:

Special meetings may be called by the Chairman with three (3) days notice, or at the request of the majority of the eligible voting members. Whenever possible, at least seven (7) days notice shall be given.

Section 3 – Quorums:

A quorum of the ~~MPO-TPO~~ shall be constituted by the presence of at least seven (7) of the eligible voting members at the beginning of the meeting, who together represent a minimum of 51% of the votes.

Section 4 – Attendance:

Each member shall be expected to attend each regular meeting. When voting members (or their authorized alternates) do not attend three (3) consecutive ~~MPO-TPO~~ meetings,

Comment [rc1]: This topic was discussed at an MOU Subcommittee meeting. Staff will research what was discussed, as well as any TCC recommendations on this topic.

the Secretary will send to the chief elected officer of the jurisdiction of the member in question, a letter indicating the number of absences and requesting reaffirmation or re-designation of the jurisdiction's representative.

Section 5 – Agenda:

The agenda is a list of considerations for discussion at a meeting. Items on the agenda originate as a carryover from previous MPO-TPO meetings, or are placed on the agenda prior to its distribution by any member of the MPO-TPO, or by the request of the Chairman of TCC. Additional items may be placed on the regular agenda following discussion of the last item on the regular agenda, as long as a majority concurrence of the present and eligible voting members is received.

The MPO-TPO and all sub-committees shall conduct their business in compliance with the State of North Carolina's Open Meetings Law.

Section 6 – Voting Procedures:

The Chairman and any member may call for a vote on any issue, provided that it is seconded and within the purposes set forth in Article II and provided the issue is on the agenda as outlined in Section 5 of this article.

The Chairman and qualified alternates to voting members are permitted to vote. Non-voting members and unauthorized alternates are not permitted to vote. Any member not providing its share of the of funding as outlined in Section J of the Memorandum of Understanding will not be eligible to vote. Abstentions shall be considered affirmative votes. By approval of the MPO-TPO, a member may withdraw from voting on an issue. In the absence of any direction from these Bylaws or other duly adopted voting procedures pursuant to certain approval actions. *Robert's Rules of Order, Newly Revised* will designate procedures governing voting.

Section 6 – Public Comment Procedures:

To be determined.

ARTICLE VI – PARLIAMENTARY PROCEDURES

The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern the MPO-TPO in all cases to which they are applicable and in which they are not inconsistent with the *Memorandum of Understanding*, these bylaws and any special rules of order the MPO-TPO may adopt.

ARTICLE VII – AMENDMENTS TO BYLAWS

Amendments to these Bylaws of the ~~MPO-TPO~~ shall require the affirmative vote of at least two-thirds of the total ~~MPO's-TPO's~~ weighted vote, provided that written notice of the proposed amendment has been received by each member at least seven (7) days prior to the meeting at which the amendment is to be considered and provided that such amendment does not conflict with the letter or fundamental intent of the Memorandum of Understanding governing this document. In the event of any conflict, the Memorandum of Understanding shall carry precedence over these Bylaws.