

**A Review of Boundaries, Structure & Governance for the
[Insert Name] Metropolitan Planning Organization**

*As Required by North Carolina General Statutes
Chapter 136 Article 16*

Prepared By:

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In Cooperation With:

[Insert Name] Metropolitan Planning Organization
Federal Highway Administration

[Insert Date]

Executive Summary

Section 136-200.2 of the North Carolina General Statutes requires an evaluation of the boundaries, structure, and governance of each metropolitan planning organization in the State following each US Census. The goal of the evaluation is to examine the need for and to make recommendations for adjustments to metropolitan planning organization boundaries, structure, or governance in order to ensure compliance with the objectives of 23 U.S.C. § 134.

This report describes the requirements of this law and details the required factors utilized to perform the evaluation for the [Insert Name] Metropolitan Planning Organization (MPO).

The geographic location of the [Insert Name] MPO is shown in Figure 1. [Include details to highlight the MPO's location (contained within what counties, describe boundaries, list adjacent MPOs.)] The 2010 US Census Urbanized Area map, [Insert Name] Metropolitan Planning Area map, [Insert Name] MPO Metropolitan Transportation Plan and the [Insert Name] MPO Memorandum of Understanding were utilized to complete this evaluation.

Based on the findings of this evaluation, changes to the [Insert Name] MPO [will/will not] be required to ensure that the 2040 planning horizon year can be planned for adequately.

Figure 1: [Insert Name] MPO

[Insert Location Map for MPO Here]

Provisions of the North Carolina General Statutes

The North Carolina General Statutes present the laws that govern the State. In July 2001, Section 5, Article 16 of Chapter 136 of the Statutes were amended to include the following:

§ 136-200.2. Decennial review of metropolitan planning organization boundaries, structure, and governance.

- 1) Evaluation. – Following each decennial census, and more frequently if requested by an individual metropolitan planning organization, the Governor and the Secretary of Transportation, in cooperation with the affected metropolitan planning organization or organizations, shall initiate an evaluation of the boundaries, structure, and governance of each metropolitan planning organization in the State. The goal of the evaluation shall be to examine the need for and to make recommendations for adjustments to metropolitan planning organization boundaries, structure, or governance in order to ensure compliance with the objectives of 23 U.S.C. § 134. The Secretary shall submit a report of the evaluation process to the Governor and to the Joint Legislative Transportation Oversight Committee.
- 2) Factors for Evaluation. – The evaluation of the area, structure, and governance of each metropolitan planning organization shall include all of the following factors:
 - 1) Existing and projected future commuting and travel patterns and urban growth projections.
 - 2) Integration of planning with existing regional transportation facilities, such as airports, seaports, and major interstate and intrastate road and rail facilities.
 - 3) Conformity with and support for existing or proposed regional transit and mass transportation programs and initiatives.
 - 4) Boundaries of existing or proposed federally designated air quality nonattainment areas or air-quality management regions.
 - 5) Metropolitan Statistical Area boundaries.
 - 6) Existing or proposed cooperative regional planning structures.
 - 7) Administrative efficiency, availability of resources, and complexity of management.
 - 8) Feasibility of the creation of interstate metropolitan planning organizations.
 - 9) Governance structures, as provided in subsection (c) of this section.
- 3) Metropolitan Planning Organization Structures. – The Governor and Secretary of Transportation, in cooperation with existing metropolitan planning organizations and local elected officials, may consider the following changes to the structure of existing metropolitan planning organizations:
 - 1) Expansion of existing metropolitan planning organization boundaries to include areas specified in 23 U.S.C. § 134(c).
 - 2) Consolidation of existing contiguous metropolitan planning organizations in accordance with the redesignation procedure specified in 23 U.S.C. § 134(b).

- 3) Creation of metropolitan planning organization subcommittees with responsibility for matters that affect a limited number of constituent jurisdictions, as specified in a memorandum of understanding redesignating a metropolitan planning organization in accordance with the provisions of 23 U.S.C. § 134.
 - 4) Formation of joint committees or working groups among contiguous nonconsolidated metropolitan planning organizations, with such powers and responsibilities as may be delegated to such joint committees pursuant to their respective memoranda of understanding.
 - 5) Creation of interstate compacts pursuant to 23 U.S.C. § 134(d) to address coordination of planning among metropolitan planning organizations located in this State and contiguous metropolitan planning organizations located in adjoining states.
 - 6) Delegation by the governing board of a metropolitan planning organization of part or all of its responsibilities to a regional transportation authority created under Article 27 of Chapter 160A of the General Statutes, if the regional transportation authority is eligible to exercise that authority under 23 U.S.C. § 134.
- 4) Optional Governance Provisions. – In addition to any other provisions permitted or required pursuant to 23 U.S.C. § 134, the memorandum of understanding, creating, enlarging, modifying, or restructuring a metropolitan planning organization may also include any of the following provisions relating to governance:
- 1) Distribution of voting power among the constituent counties, municipal corporations, and other participating organizations on a basis or bases other than population.
 - 2) Membership and representation of regional transit or transportation authorities or other regional organizations in addition to membership of counties and municipal corporations.
 - 3) Requirements for weighted voting or supermajority voting on some or all issues.
 - 4) Provisions authorizing or requiring the delegation or certain decisions or approvals to less than the full-voting membership or the metropolitan planning organization in matters that affect only a limited number of constituent jurisdictions.
 - 5) Requirements for rotation and sharing of officer positions and committee chair positions in order to protect against concentration of authority within the metropolitan planning organization.
 - 6) Any other provision agreed to by the requisite majority of jurisdictions constituting the metropolitan planning organization.
- 5) Effect of Evaluation – Upon completion of the valuation required under this section, a metropolitan planning organization may be restructured in accordance with the procedure contained in 23 U.S.C. § 134(b)(5).
- 6) Assistance – The Department may provide staff assistance to metropolitan planning organizations in existence prior to January 1, 2001, that are considering consolidation on or after January 1, 2001. In addition, the Department may provide funding assistance to metropolitan planning organizations considering consolidation, upon receipt of a letter of intent from jurisdictions representing seventy-five percent (75%) of the affected

population, including the central city, in each metropolitan planning organization considering consolidation.

Factors for Evaluation of the [Insert Name] Metropolitan Planning Organization

The evaluation of the area, structure, and governance of the [Insert Name] MPO included all of the following factors, as highlighted below.

- 1) Existing and projected future commuting and travel patterns and urban growth projections.**
 - Review the 2010 Urban Area mapping
 - Smooth out the boundaries
 - Develop new MAB to incorporate all new urban areas (urban growth)
 - Use 2010 Census data and any recent travel surveys to evaluate commuting patterns between counties and existing MPOs. This information could be presented graphically using TransCad.

- 2) Integration of planning with existing regional transportation facilities, such as: airports, seaports, major interstate and intrastate roadways, and rail facilities.**
 - Briefly explain the impact of all regional transportation facilities in the MPO.
 - Discuss any planning underway for regional facilities.
 - NCDOT GIS Section may have some data coverage showing regional transportation facilities.

- 3) Conformity with and support for existing or proposed regional transit and mass transportation programs and initiatives.**
 - Discuss the transit and mass transportation programs in the MPO
 - Consult the MPO's MTP for future transit initiatives
 - Written text and/or line files could be used to identify any proposed regional rail projects

- 4) Boundaries of existing or proposed federally designation air quality nonattainment areas or air quality maintenance regions.**
 - Use the map showing the existing nonattainment and maintenance areas for the state
 - For MPOs that are air quality attainment areas, state that this factor is not applicable

- 5) Metropolitan Statistical Area (MSA) boundaries**
 - For MSAs, use the already prepared MSA maps
 - Discuss all relevant issues
 - For non-MSAs, state that this factor is not applicable

- 6) Existing or proposed cooperative regional planning structures**

- PART and CRAFT are good examples of existing cooperative regional planning structures
- Raleigh and Durham have joint commission of Mayors
- Discuss any other cooperative regional planning efforts (existing or proposed)

7) Administrative efficiency, availability of resources and complexity of management

- (Unified) Planning Work Program, STP-DA, and any other available funding
- Relationship issues within the MPO

8) Feasibility of the creation of interstate metropolitan planning organizations

- Only MUMPO should evaluate this
- Address desirability
- Other MPOs state that this factor is not applicable

9) Governance structure

- Metropolitan planning organization

Consideration for Changes to Existing Structure of the [Insert Name] MPO

The Governor and Secretary of Transportation, in cooperation with existing metropolitan planning organizations and local elected officials, may consider changes to the structure of existing metropolitan planning organizations. The following information presents the [Insert Name] MPO's position on such proposed changes.

- 1) Expansion of existing MPO boundaries to include areas specified in 23 U.S.C. § 134(c)**
 - Should be discussed and coordinated with the urban area boundary and MPO boundary

- 2) Consolidation of existing contiguous MPOs in accordance with redesignation procedure specified in 23 U.S.C. § 134(b)**
 - Discuss consolidation if desired by the MPO and adjacent MPOs

- 3) Creation of MPO subcommittees with responsibility for matters that affect a limited number of constituent jurisdictions**
 - Discuss creation of subcommittees if desired by the MPO

- 4) Formation of join committees or working groups among contiguous non-consolidated MPOs with such powers and responsibilities as may be delegated to such join committees pursuant to their respective memoranda of understanding**
 - Discuss any existing committees
 - Discuss any desire to form joint committees

- 5) Creation of interstate compacts pursuant to 23 U.S.C. § 134(d) to address coordination of planning among metropolitan planning organizations located in this State and contiguous metropolitan planning organizations located in adjoining states.**
 - This should only be evaluated by MUMPO; other MPOs should state that this is not applicable
 - Interstate planning in the MUMPO region has been facilitated largely by the bi-state Metrolina Regional Travel Demand Model.
 - Discuss any formal agreements or resolutions for the future

- 6) Delegation by the governing board of a metropolitan planning organization of part or all of its responsibilities to a regional transportation authority created under Article 27 of Chapter 160A of the General Statutes, if the regional transportation authority is eligible to exercise that authority under 23 U.S.C. § 134.**
 - The Triad MPOs and Metrolina MPOs should discuss PART and CRAFT, respectively, highlighting the regional efforts of the group and any future plans to expand regional planning

Consideration for Optional Governance Provisions within the [Insert Name] MPO

The consideration for provisions outside of those required by 23 U.S.C. § 134 for inclusion in the memorandum of understanding or for consideration of creating, enlarging, modifying, or restructuring the [Insert Name] MPO are highlighted below.

- 1) Distribution of voting power among the constituent counties, municipal corporations, and other participating organizations on a basis or bases other than population.**
 - Discuss the desirability and necessity of such action

- 2) Membership and representation of regional transit or transportation authorities or other regional organizations in addition to membership of counties and municipal corporations.**
 - Discuss current and anticipated membership within the MPO

- 3) Requirements for weighted voting or supermajority voting on some or all issues.**
 - Discuss current voting system and any desirability for the system's modification
 - Review the MOU and Bylaws for the MPO

- 4) Provisions authorizing or requiring the delegation or certain decisions or approvals to less than the full-voting membership or the metropolitan planning organization in matters that affect only a limited number of constituent jurisdictions.**
 - Discuss current voting system and any desirability for the system's modification
 - Review the MOU and Bylaws for the MPO

- 5) Requirements for rotation and sharing of officer positions and committee chair positions in order to protect against concentration of authority within the metropolitan planning organization.**
 - Review the MOU and Bylaws for the MPO
 - Discuss the MPO's desire to take such action

- 6) Any other provision agreed to by the requisite majority of jurisdictions constituting the metropolitan planning organization.**
 - Discuss any other provisions