

T Transportation Committee

For the Metropolitan Council meeting of November 12, 2008

ADVISORY INFORMATION

Date Prepared: October 28, 2008

Subject: Approval of a Memorandum of Understanding for Transportation Planning Responsibilities for the Twin Cities (Minnesota) Metropolitan Area

Proposed Action:

That the Metropolitan Council concur with the Transportation Advisory Board's (TAB) action to approve the attached Memorandum of Understanding (MOU) regarding Metropolitan Transportation Planning; recommend it to the Council Chair for signature and forward it to the Commissioner of the Minnesota Department of Transportation for signature.

Summary of Committee Discussion / Questions:

Ann Braden, MTS, presented this item to the committee. There were no questions or comments from committee members. Motion was made, seconded and passed.

Hearing no objection, Vice Chair Meeks stated that this item could move forward to the full Council as a consent item.

T Transportation Committee

Business Item

Item: 2008-287

Meeting date: October 27, 2008

Council meeting November 12, 2008

ADVISORY INFORMATION

Date: October 14, 2008
Subject: Approval of a Memorandum of Understanding for Transportation Planning Responsibilities for the Twin Cities (Minnesota) Metropolitan Area (TAB Action 2008-11)
District(s), Member(s): All
Policy/Legal Reference: 23 CFR 450.314 Metropolitan Planning Agreement (Federal regulation)
Staff Prepared/Presented: Arlene McCarthy, Director MTS (651-602-1754)
Amy Vennewitz, Dep. Dir. Finance & Planning, MTS (651-602-1058)
Connie Kozlak, Mgr. Systems Planning, MTS (651-602-1720)
Ann Braden, Senior Planner (651-602-1705)
Division/Department: Metropolitan Transportation Services

Action

That the Metropolitan Council concur with the Transportation Advisory Board's (TAB) action to approve the attached Memorandum of Understanding (MOU) regarding Metropolitan Transportation Planning; recommend it to the Council Chair for signature and forward it to the Commissioner of the Minnesota Department of Transportation for signature.

Background

Federal regulations regarding metropolitan transportation planning and programming require the Metropolitan Planning Organization (the Metropolitan Council), the State and public transportation operators to cooperatively determine their mutual responsibilities for carrying out the 3C (cooperative, comprehensive and continuing) planning process and clearly identify them in a written agreement

The MOU describes the structure and transportation related planning and programming responsibilities of, and relationships among, the Metropolitan Council, MnDOT and the Transportation Advisory Board. It updates and replaces the "Prospectus" adopted in 1996. This MOU will be reviewed for necessary updates every four years and may be modified by mutual agreement at any time.

Rationale

By approving this MOU, the region will meet the regulations of 23 CFR 450.314 Metropolitan Planning Agreement.

Funding

This MOU allows the Council to meet the federal requirements of an MPO and thus continue to receive approximately \$4 million annually in federal transportation planning funds.

Known Support / Opposition

The draft MOU has been reviewed by staff from MnDOT and the Federal Highway Administration as well as the Council's legal staff.

Transportation Advisory Board
of the Metropolitan Council of the Twin Cities

Donn Wiski
Chair

October 21, 2008

County Commissioners
Don D. Berg
Anoka County
Tim Wickstrom
Carver County
Carl Rosner
Sakane County
Janis Kallish
Washington County
Tony Bernick
Ramsey County
Jan Mith
Scott County
Diane Havel
Waukegan County

Mr. Peter Bell, Chair
Metropolitan Council
390 Robert Street No.
St. Paul, MN 55101

RE: Memorandum of Understanding on Metropolitan Planning and Programming Responsibilities in the Twin Cities (Minnesota) Metropolitan Area.

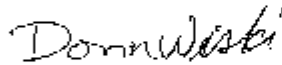
Mr. Bell,

Municipal Councils
Dale Eckman
Dane County Council
Barney Tomlinson
Dakota County Council
L. Williams
Burlington City Council
John Whelan
Chandler City Council
James Kubert
Maywood Village
Wesley Miller
Lakeland City Council
Robert Upton
Minneapolis City Council
Stanley Hara II
Plymouth City Council
Russ Gresh
St. Paul City Council
William Hargis
Maywood Cemetery

On October 15, 2008, the Transportation Advisory Board voted to approve the above referenced MOU and recommend that the Metropolitan Council and Minnesota Department of Transportation put the MOU into effect.

The TAB appreciates the amount of staff time and effort that has gone into developing this document that defines the regional planning and programming responsibilities of all transportation stakeholders.

Sincerely,



Dr Donn Wiski
Chair

kjnkjr

City Council Members
Diane Eckman - A
Bill Duda - B
Janice Myers - C
Cliff Hain - D
Barbara - E
Donn Wiski - F
Jim Smith - G
Karl Johnson - H

Agency Representatives
Peggy Laska
Metropolitan Council

Steve Robinson
Minnesota DOT

Shirley Stearnson
MPO

David Tomlinson
MPO

Metropolitan Council Members
Richard Mussen
Council

Gene Skow
Council

Donna
Council

David Fischer
Metropolitan Council

**MEMORANDUM OF UNDERSTANDING
ON METROPOLITAN TRANSPORTATION PLANNING RESPONSIBILITIES FOR THE
TWIN CITIES (MINNESOTA) METROPOLITAN AREA**

This Memorandum of Understanding (MOU) is made and entered into as of _____, 2008 by and between the Metropolitan Council of the Twin Cities hereinafter referred to as the Council, and the Minnesota Department of Transportation, hereinafter referred to as MnDOT;

WHEREAS, joint responsibilities must be met for establishing and maintaining a continuing, cooperative, and comprehensive (3C) metropolitan transportation planning and programming process as defined and required by the United States Department of Transportation (USDOT) in regulations at 23 CFR 450 Subpart A – Transportation Planning and Programming Definitions and 23 CFR 450 Subpart C – Metropolitan Transportation Planning and Programming; and

WHEREAS, the regulations at 23 CFR 450.314 Metropolitan Planning Agreements direct that the metropolitan planning organization (MPO), the States and public transportation operators shall cooperatively determine their mutual responsibilities for carrying out the metropolitan transportation planning process and clearly identify them in a written agreement; and

WHEREAS, the regulations at 23 CFR 450.104 define *public transportation operator* to mean the public entity which participates in the continuing, cooperative, and comprehensive transportation planning process in accordance with 23 U.S.C. 134 and 135 and 49 U.S.C. 5303 and 5304, and is the designated recipient of Federal funds under title 49 U.S.C. Chapter 53 for transportation by a conveyance that provides regular and continuing general or special transportation to the public, but does not include school bus, charter, or intercity bus transportation or intercity passenger rail transportation provided by Amtrak; and

WHEREAS, in the Twin Cities Metropolitan Area the Council is the public transportation operator as well as the MPO; and

WHEREAS, nothing in this MOU shall be construed as limiting or affecting the legal authorities of the parties, or as requiring the parties to perform beyond their respective authorities,

NOW, THEREFORE, the Council and MnDOT recognize and agree that they will conduct a continuing, cooperative, and comprehensive transportation planning and programming process for the Twin Cities Metropolitan Area and that their mutual responsibilities for carrying out this process are described in the following sixteen articles.