

MEMORANDUM OF AGREEMENT

MISSOULA METROPOLITAN TRANSPORTATION PLANNING PROCESS

THIS AGREEMENT is made and entered into this ____ day of _____, 2021, by and between the STATE OF MONTANA, DEPARTMENT OF TRANSPORTATION, hereinafter referred to as "STATE," the CITY OF MISSOULA, hereinafter referred to as "CITY," the COUNTY OF MISSOULA, hereinafter referred to as "COUNTY," the Missoula Urban Transportation District, hereinafter referred to as "MUTD BOARD", and the MISSOULA CONSOLIDATED PLANNING BOARD, hereinafter referred to as "PLANNING BOARD".

WITNESSETH THAT:

WHEREAS, Title 23, Chapter 1, Section 134 of the United States Code, Title 23 Section 150, and Title 49, Chapter 53, Section 5303 of the United States Code require that a Metropolitan Planning Organization (MPO) be designated for each metropolitan area with a population of 50,000 or greater, as a condition to the receipt of Federal highway and transit funds, that the metropolitan area has a continuing, cooperative, and comprehensive performance-based multimodal transportation planning process that provide for consideration and implementation of projects, strategies, and services that consider all transportation modes and supports community development and sound goals that lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods; and,

WHEREAS, the City and County of Missoula signed an Interlocal Agreement in October 2013 that addresses cooperation in the provision of transportation planning services; and

WHEREAS, the parties to this Agreement desire to continue to cooperate in the transportation planning process now in progress and further desire to ensure that transportation planning is an integral part of continuing, cooperative and comprehensive planning; and,

WHEREAS, the parties to this Agreement desire to take a performance-driven, outcome-based approach to planning and programming linking investment decision making to the achievement of performance targets; and,

WHEREAS, the PLANNING BOARD is a legally constituted agency and authorized to carry on comprehensive planning under Title 76, Chapter I, Montana Code Annotated (MCA); and,

WHEREAS, the PLANNING BOARD is designated by the Governor of the State of Montana and affected local units of government representing 75 percent of the population in the entire metropolitan area as the Metropolitan Planning Organization (MPO), which designation may be clarified as needed; and,

WHEREAS, the Transportation Policy Coordinating Committee (TPCC) has been established as the official governing body of the Missoula Metropolitan Transportation Planning Process, thus having final local approval of all Federal Surface Transportation Program-Urban Funded transportation projects in the Missoula Metropolitan Planning Area, approval of the Metropolitan Transportation Plan, the Transportation Improvement Plan, and the Unified Planning Work Program; and,

WHEREAS, the MUTD BOARD operates a transit system and maintains responsibility for providing district residents with safe and reliable transit service, as well as implementing improvements to meet changing travel needs; and,

WHEREAS, Title 23, U.S.C., Section 104 (f) and Title 49 U.S.C., Section 5303 provide planning funds (PL and Section 5303) for the purpose of carrying out metropolitan transportation planning requirements of Section 134 of the Title 23; and,

WHEREAS, the STATE and designated MPO shall execute or cause to be executed separate agreements for the distribution of PL and Section 5303 funds; and,

WHEREAS, the STATE and designated MPO shall execute or cause to be executed separate agreements for the roles and responsibilities for the development of financial plans that support the transportation plan, transportation improvement program, and annual listing of obligated projects; and,

WHEREAS, the STATE and designated MPO shall execute or cause to be executed separate agreements for the roles and responsibilities for air quality conformity; and developing and sharing performance data, setting performance targets, reporting targets, and tracking progress towards meeting targets.

NOW, THEREFORE, BE IT RESOLVED that the parties hereto do mutually agree to:

1. Cooperatively carry out transportation planning and programming in the Missoula Metropolitan Planning Area through the following established forum and process:
 - A. The Transportation Policy Coordinating Committee shall carry out the metropolitan transportation planning process and work cooperatively to develop the Long Range Transportation Plan, the Transportation Improvement Program, the Unified Planning Work Program and any amendments or updates. The TPCC shall coordinate transportation planning with other providers of transportation and transportation infrastructure. The Transportation Policy Coordinating Committee shall consist of the following officials:
 - a. Voting Members:
 - 1) Mayor – City of Missoula
 - 2) Member – City Council as selected by the Council
 - 3) Member – Board of Missoula County Commissioners as selected by the Commission
 - 4) Member – Board of Missoula County Commissioners as selected by the Commission
 - 5) Member – Missoula Consolidated Planning Board as selected by the Planning Board
 - 6) Member – Missoula Urban Transportation District Board
 - 7) Missoula District Administrator – Montana Department of Transportation
 - b. Non-Voting Members:
 - 1) Division Administrator – Federal Highway Administration
 - 2) Member – Missoula City-County Health Department Board of Health as selected by the Board
 - 3) Member – Ravalli County Commissioner as selected by the Commission

- c. Each member of the TPCC may designate an alternate to serve in case of absence.
- d. Additional members of this committee may be appointed by a majority of the membership if such appointment is determined to be necessary or useful by the committee.

B. The Transportation Technical Advisory Committee (TTAC) shall provide the Transportation Policy Coordinating Committee (TPCC) with the technical advice necessary to carry out the continuing, comprehensive and cooperative (3-C) transportation planning process in the Missoula Metropolitan Planning Area. The Transportation Technical Advisory Committee shall, at a minimum, consist of the following members:

a. Voting Members:

- 1) Director, City of Missoula Community Planning, Development and Innovation
- 2) Director, Missoula County Community and Planning Services
- 3) Director, City of Missoula Public Works and Mobility
- 4) Bicycle-Pedestrian Program Mgr., City of Missoula
- 5) Director, City-County Environmental Health Dept.
- 6) Director, Missoula County Public Works
- 7) General Manager, Missoula Urban Transportation District
- 8) District Preconstruction Engineer, MDT
- 9) Supervisor, Statewide & Urban Planning, MDT
- 10) Director, Missoula/Ravalli Transportation Management Association
- 11) Director, Missoula Redevelopment Agency
- 12) Director, Missoula County Development District
- 13) Director, City of Missoula Parks and Recreation
- 14) Manager, Missoula County Parks and Trails

b. Non-Voting Members:

- 1) Director, Missoula International Airport
- 2) Superintendent, City of Missoula Traffic Services
- 3) Director, Missoula Parking Commission
- 4) Engineer, Federal Highway Administration- Montana Division
- 5) Chair, Specialized Transportation Advisory Committee
- 6) Director, ASUM Office of Transportation
- 7) Administration, the University of Montana

- c. Additional members of the TTAC shall be appointed by nomination and approval by a majority of the voting members of TTAC, with final approval by TPCC. These members should represent specific technical skills and various jurisdictional viewpoints such as rail or air transportation, schools, public health, etc.

- d. Each member of the TTAC may designate an alternate to serve in his/her absence.
 - e. Designees may serve on a meeting-by-meeting basis or on a permanent basis.
- C. Public Involvement. Procedures for obtaining public involvement will be adopted by the TPCC. These procedures will describe methods to obtain additional local input in the planning process.
- D. Transportation Planning Area At a minimum, continuing, cooperative and comprehensive transportation planning will be conducted in that portion of the Missoula area that is expected to become urbanized during any forecast period. Said area shall be referenced as the Missoula Transportation Planning Area. Any transportation planning that may be conducted outside the transportation planning area will be determined by the TTAC and approved by the TPCC.
- E. Scope of Services the transportation planning process shall be:
- 1) Cooperative, in that, the STATE, COUNTY, CITY, MUTD BOARD and PLANNING BOARD shall cooperatively accomplish the transportation planning process in response to the needs and changes occurring in the study area.

The STATE, MPO and MUTD BOARD shall coordinate their respective targets for performance measurement to ensure consistency, to the maximum extent practicable. This includes, but is not limited to, identifying how performance-based planning provisions will be cooperatively implemented.

- 2) Comprehensive, in that, all elements affecting metropolitan area development and transportation shall be considered. These elements and requirements are described in various documents published by the U. S. Department of Transportation.
- 3) Continuing, in that, the planning process is intended to continue indefinitely and shall be maintained as long as this Agreement is in force.

The operational scope of the transportation planning process will involve conducting the following general activities:

- (a) Establish a coordinated process for the collection and sharing of performance data, the selection of performance targets, reporting targets, and tracking progress towards meeting targets for the metropolitan area
- (b) Collect, maintain, analyze and disseminate basic planning information and engineering data.
- (c) Serve the public and private sectors, by providing current information concerning plans, programs, projects, recommendations and implementation schedules.
- (d) Prepare, update and revise long and short-range transportation plans to consider all transportation modes in the transportation planning area;

develop transportation improvement programs for project implementation; prepare, update and revise a public involvement plan; and, conduct air quality conformity determinations, to the extent required, for new or revised transportation plans and improvement programs.

(e) Prepare and distribute studies, reports, maps, plans, etc., for documentation and information purposes; participate in meetings, seminars, etc., at all levels of government; coordinate planning and plan implementation activities; and, conduct public information and involvement programs.

(f) Research, investigate and develop estimating, forecasting and related planning procedures.

F. Work Program – An annual unified planning work program shall be prepared by the participating agencies, which defines the urban transportation and transportation related planning activities to be conducted within the MPO planning area, regardless of funding sources. The unified planning work program shall include:

1) A brief discussion of program objectives and accomplishments, including performance targets, during the previous 12-month period; and

2) A description of major activities to be performed during the next year, who will perform the work, the resulting products and a summary of the total amounts and sources of federal and matching funds.

2. Mechanisms governing the agreement are as follows:

A. Changes in Agreement – Any alteration, extension or supplement to the terms of this agreement, as detailed herein, shall be agreed to, in writing, by the signatory parties.

B. Bylaws – Both the TPCC and the TTAC shall adopt and comply with bylaws as are justified and warranted to enact the purposes of this Agreement.

C. Term of Agreement – This Agreement shall be for a perpetual term unless changed as provided for in paragraph 2.A. above, or terminated in the manner described as follows: Any party may terminate its interests and obligations under this Agreement by giving at least ninety (90) days' notice, in writing, to the other parties.

D. Previous Agreements – This Agreement supersedes previous Agreements between the STATE, CITY, COUNTY, MUTD BOARD and MPO executed August 26, 1982 and amended May 15, 1996.

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals the day and year first above written.

APPROVED FOR CITY OF MISSOULA

By _____
Mayor, City of Missoula

ATTEST:

By _____
City Clerk

APPROVED FOR MISSOULA URBAN
TRANSPORTATION DISTRICT

By _____
Chair, Missoula Urban Transportation District

APPROVED FOR CONSOLIDATED PLANNING
BOARD

By _____
Chair, Consolidated Planning Board

APPROVED FOR MONTANA DEPARTMENT
OF TRANSPORTATION

By _____
Director, Montana Department of Transportation

By _____
Legal Counsel, Montana Department of
Transportation

APPROVED FOR COUNTY OF MISSOULA

By _____
Chair, Board of County Commissioners

ATTEST:

By _____
Clerk and Recorder

APPROVED AS TO FORM AND CONTENT:

By _____
Missoula County Attorney

By _____
Missoula City Attorney