

**AGENDA
TPO COMMITTEE
JUNE 18, 2009**

CALL TO ORDER 12:00 Noon

The Regional Building, 723 Woodlake Drive, Chesapeake, Virginia

CALL TO ORDER

PUBLIC COMMENT PERIOD (Limit: 3 minutes per individual)

APPROVAL OF AGENDA

AGENDA

1. SUMMARY MINUTES

Minutes of the April 10, 2009 meeting are attached.

Attachment 1

RECOMMENDED ACTION:

Approve the minutes.

2. METROPOLITAN PLANNING AGREEMENT

The Metropolitan Planning Agreement (Agreement) identifies the mutual responsibilities among the TPO, State, and public transportation operators in carrying out the metropolitan transportation planning process. During the May TPO Board meeting, the Board directed the TPO Committee to review and finalize the draft Agreement (attached).

Mr. Peter Huber, HRPDC Legal Counsel, will be present to answer legal questions regarding the Agreement.

Attachment 2

RECOMMENDED ACTION:

Approve the Metropolitan Planning Agreement

3. MEMORANDUM OF UNDERSTANDING: TPO STAFFING

According to Article VIII Section 3 of the HRTPO Bylaws, “*The PDC shall provide staff to the TPO, pursuant to a memorandum of understanding between the PDC and the TPO.*” HRTPO staff drafted an MOU (attached) that was included in the May TPO Board agenda. During the meeting, the Board directed the TPO Committee to review and finalize the MOU.

Mr. Huber, HRPDC Legal Counsel, will be present to answer legal questions regarding the MOU.

Attachment 3

RECOMMENDED ACTION:

Approve the Memorandum of Understanding on HRTPO Staffing

4. LEGAL STATUS OF MPOS IN VIRGINIA

The only mention of MPOs in the current State Code is shown below:

§ 33.1-23.03:01 Distribution of certain federal funds.

Metropolitan Planning Organizations (MPOs) as defined under Title 23 U.S.C. 134 and Section 8 of the Federal Transit Act shall be authorized to issue contracts for studies and to develop and approve transportation plans and improvement programs to the full extent permitted by federal law. (1994, c. 741.)

During the May TPO Board meeting, Mr. Peter Huber, HRPDC Legal Counsel, presented information regarding the legal status of MPOs in Virginia. During his presentation, Mr. Huber stated that the Commonwealth’s position is that MPOs are not entities with which the Commonwealth can contract. He further stated two possible tracks that could be pursued to change the legal status of MPOs in Virginia:

1. Consider new legislation, defining obligations, rights, etc. Mr. Huber said this would be a “major concept”.
2. Look for an existing body in Virginia law - for example, formally incorporate the MPO as a non-stock corporation. Mr. Huber said this would require further analysis and that there could be problems associated with federal and/or state entity involvement.

Mr. Huber stated that the TPO Board needs to identify what it wants or needs to accomplish in order to determine how to proceed with respect to changing the legal status of MPOs in Virginia. The Board directed the TPO Committee to review the issue further. The memo on this issue provided by Mr. Huber to the TPO Board for its May meeting is attached.

Mr. Huber will be present to answer questions the Committee may have regarding this topic.

Attachment 4

RECOMMENDED ACTION:

Per discussion.

5. LEGISLATIVE LIAISON

During the May TPO Board meeting, the issue of a potential HRTPO Legislative Liaison staff position was briefly discussed. The Board referred the draft job description for the position to the group of local legislative liaisons for review. The latest version of the job description and a letter from the group of legislative liaisons is attached.

Attachment 5

RECOMMENDED ACTION:

Per discussion

6. OLD/NEW BUSINESS

ADJOURNMENT