

AGENDA
JOHNSON CITY MTPO
Executive Board / Executive Staff
Wednesday, August 28, 2019 at 10:00 a.m.
137 West Market Street, Johnson City, TN
Johnson City Transit Center, Training Room

- **Call to Order**
- **Item 1:** Public Input – Open to public
- **Item 2:** Approval of Minutes from the November 14, 2018 Meeting
- **Item 3:** Consider approval of adopting the Fiscal Years 2020-2021 Unified Planning Work Program
 - **Resolution 2019-01 (Vote Required)**
- **Item 4:** Consider adoption of resolution to support Transit Asset Management Targets
 - **Resolution 2019-02 (Vote Required)**
- **Item 5:** Consider approval of the Chairman signing the Planning Agreement between the Johnson City MTPO, TDOT, JCT and NET Trans
 - **(Vote Required)**
- **Item 6:** Consider approval of the Chairman signing the Performance Measures Agreement between the Johnson City MTPO, TDOT, JCT and NET Trans
 - **(Vote Required)**
- **Item 7:** Presentation of Projects in the Fiscal Years 2020-2023 Transportation Improvement Program (TIP)
- **Item 8:** Other Business
- **Adjourn**

ITEM 1

Public Input

ITEM 2

Approval of the minutes from the November 14, 2018 Meeting

JOHNSON CITY MTPO
Minutes of the Executive Board / Executive Staff Meeting
Wednesday, November 14, 2018 at 10:00 a.m.
137 West Market Street, Johnson City, TN
Johnson City Transit Center, Training Room



Executive Board Present

The Honorable Mayor David Tomita, City of Johnson City, Chairman
Jon Hartman for the Honorable Mayor Curt Alexander, City of Elizabethton
Bob Browning for the Honorable Mayor Chuck Vest, Town of Jonesborough
The Honorable Mayor Johnny Lynch, Town of Unicoi
The Honorable Mayor Rusty Barnett, Carter County
The Honorable Mayor Joe Grandy, Washington County
Troy Ebbert for the Honorable Governor Bill Haslam, State of Tennessee
John Deakins, Jr., Tennessee County Highway Officials Association

Executive Board Not Present

The Honorable Mayor Irene Wells, Town of Bluff City

Executive Staff Present

M. Denis Peterson, City of Johnson City
Daniel Estes, City of Elizabethton
Bob Browning, Town of Jonesborough
Jeff Rawles for Eldonna Janutolo, Johnson City Transit
John Deakins, Jr., Washington County Highway Department
Chase Milner for Chris Craig, First Tennessee Development District
Ronda Sawyer, Tennessee Department of Transportation

Executive Staff Not Present

The Honorable Mayor Irene Wells, Town of Bluff City
Michael Borders, Town of Unicoi
Roger Colbaugh, Carter County Highway Department

Others Attending

Glenn Berry, Johnson City MTPO
Mary Butler, Johnson City MTPO
Shauna Crowe, Johnson City Transit
Mike Potter, City of Elizabethton
Calvin Clifton, Mattern & Craig
Randy Dodson, Mattern & Craig

Summary of Motions:

- **Approved** – Minutes from August 23, 2018;
- **Approved – Resolution 2018-12** – Approved Self Certification Resolution;
- **Approved – Resolution 2018-13** – Approved Amendment 6 to the Fiscal Year 2017-2020 Transportation Improvement Program to add a new Section 5310 transit project for the Jonesborough Senior Center’s vehicle purchase;
- **Approved – Resolution 2018-14** – Approved Amendment 7 to the Fiscal Year 2017-2020 Transportation Improvement Program to add a new STBG-Local project for the Elizabethton ADA Transition Plan;
- **Approved – Resolution 2018-15** – Approved Amendment 8 to the Fiscal Year 2017-2020 Transportation Improvement Program to amend an STBG-Local project for a traffic signal upgrade at Broad Street and 19E in Elizabethton;
- **Approved – Resolution 2018-16** – Adopted TDOT’s Safety (PM1) Performance Targets;
- **Approved – Resolution 2018-17** – Adopted TDOT’s Pavement and Bridge (PM2) Performance Targets and System Performance (PM3) Targets; and
- **Approved** – Priority Project List for TDOT’s Three-Year Work Program.

Call to Order: Meeting called to order at 10:01 a.m. by the Chairman, the Honorable Mayor David Tomita.

Agenda Item 1: Chairman Mayor Tomita proceeded to ask if there were any comments from the public. There were no comments from the public attending the meeting.

Agenda Item 2: The minutes from the August 23, 2018 meeting were reviewed.

Mr. Johnny Deakins, Jr. made a motion for the board to approve the minutes of the August 23, 2018 meeting. Mr. Bob Browning seconded the motion. All approved. **Motion carried.**

Agenda Item 3: Consider approval of Self-Certification Resolution

Mr. Glenn Berry reviewed the purpose of the self-certifications and that small urban areas self-certify, in order to pass an amendment to the Transportation Improvement Program.

Mr. M. Denis Peterson made a motion for the board to approve the Self-Certification Resolution. Mr. Troy Ebbert seconded the motion. All approved. **Motion carried.**

Agenda Item 4: Consider approval of amending the Fiscal Year 2017-2020 Transportation Improvement Program (TIP) to add a new Section 5310 transit project for the Jonesborough Senior Center's vehicle purchase.

Mr. Berry explained that the Jonesborough Senior Center is receiving a Section 5310 grant of \$40,800 federal and \$3,600 state funds from the Tennessee Department of Transportation (TDOT), for a project total of \$48,000. He stated that the Senior Center has been applying for this grant for several years. He asked Mr. Browning to elaborate on the project. Mr. Browning stated that the Jonesborough Senior Center is a fully ADA-accessible facility with membership that keeps expanding into the surrounding community. The facility does not have an ADA-accessible vehicle and this grant will provide the funding to purchase one and provide for the transportation needs of the disabled members.

Mr. Browning made a motion for the board to approve the TIP amendment to add the Jonesborough Senior Center's vehicle purchase project. Mr. Deakins seconded the motion. All approved. **Motion carried.**

Agenda Item 5: Consider approval of amending the Fiscal Year 2017-2020 Transportation Improvement Program (TIP) to add a new STBG-Local project for the Elizabethton ADA Transition Plan.

Mr. Berry explained that the City of Elizabethton is in the process of updating their ADA Transition Plan and they need technical assistance to complete their self-evaluation portion of the Plan. Elizabethton is asking for \$124,000 in federal STBG-Local funds, with \$31,000 in local match, for a project total of \$155,000. Mr. Berry asked Mr. Hartman to confirm they (the city of Elizabethton) did not have a City Engineer on staff. Mr. Hartman stated they did not and needed technical assistance for the development of this plan.

Mr. Deakins made a motion for the board to approve the TIP amendment to add the Elizabethton ADA Transition Plan project. Mr. Peterson seconded the motion. All approved. **Motion carried.**

Agenda Item 6: Consider approval of amending the Fiscal Year 2017-2020 Transportation Improvement Program (TIP) to amend an STBG-Local project for a traffic signal upgrade at Broad Street and 19E in Elizabethton.

Mr. Berry explained that in the past, TDOT allowed project descriptions of a grouping of various locations for traffic signals. Now, with new staff at both TDOT and the Federal Highway Administration, the project

description must provide the actual location of individual signals. This project is being updated to change the description to a single location to upgrade the traffic signal at the intersection of Broad Street and 19E in Elizabethton. Chairman Tomita stated this clearly identifies the location of the project. Mr. Berry stated that yes, it does.

Mr. Daniel Estes made a motion for the board to approve the TIP amendment to amend the Broad Street and 19E traffic signal project. Mr. Hartman seconded the motion. All approved. **Motion carried.**

Agenda Item 7: Consider adoption of resolution to support Safety (PM1) Performance Targets by TDOT.

Mr. Berry showed the proposed targets for Safety Performance measures that were set by TDOT in August. These safety targets must be adopted annually. Mr. Berry explained that it is not possible to achieve a target of zero fatalities. Mr. Peterson said you would need to remove the human element from driving. Mr. Ebbert explained that the fatality percentage that determines the rate has gone down, even though the number of actual fatalities has increased, because more people are driving more miles across the state.

Mr. Browning made a motion for the board to support TDOT's Safety Performance Targets. Mr. Deakins seconded the motion. All approved. **Motion carried.**

Agenda Item 8: Consider adoption of resolution to support Pavement and Bridge (PM2) Performance Targets and System Performance (PM3) Targets by TDOT.

Mr. Berry explained that there are three new performance targets for the Board and Staff to consider. He offered to show a PowerPoint presentation to go over each target and how they are calculated, but the members preferred a quick explanation. Chairman Tomita suggested sending the PowerPoint presentation to all the members. Mr. Berry said he would email the members the PowerPoint to view after the meeting. The first measure presented was pavement, where he showed the percentage of pavement that is in good and poor condition and the 2- and 4-year targets. He also showed the same for bridge condition.

Mr. Peterson asked the question about why the percentage of pavement and bridges in poor condition goes up in the targets. With additional revenue from the IMPROVE Act, the state should be able to, at a minimum, maintain the same percentage, preferably improve it. Mr. Ebbert explained that the IMPROVE Act is providing funding for capital projects like bridges, but the state still struggles to have enough funding for all the maintenance and pavement projects. TDOT did not receive all of the funding that was requested in the IMPROVE Act.

Mr. Berry showed the system performance targets, which are essentially congestion management targets. Mr. Berry explained that in the future, we will be noting specific projects that help with congestion management, namely the State of Franklin and Indian Ridge Road project that was recently completed. This project eliminated a bottleneck where traffic was backing up on State of Franklin at the intersection, waiting to turn right on Indian Ridge to go toward Woodridge Elementary School. Mr. Ebbert stated that adding a dedicated right turn lane improved congestion along that section of State of Franklin.

Mr. Berry also explained what the National Highway System (NHS) was and showed a map of the roads in the Johnson City Urbanized Area that are included on the NHS. Each of the performance measures and targets apply to interstates and roads on the NHS, which is all owned and maintained by TDOT. Since TDOT maintains these roads, Mr. Berry recommended that the Board and Staff vote to adopt and support TDOT's targets.

Mr. Hartman made a motion for the board to support TDOT's Pavement and Bridge Performance Targets and System Performance Targets. The Honorable Mayor Johnny Lynch seconded the motion. All approved. **Motion carried.**

Agenda Item 9: Consider Priority Project List for TDOT's Three-Year Work Program.

Mr. Berry announced that each year, TDOT forwards to each MPO a list of projects they are considering to fund for the next three-year work program. He explained the Interstate 26 Exit 17 (Boones Creek Road) project is not on the list, as bids will be solicited for construction in the spring. The new state route (SR-XXX) on Knob Creek Road was ranked second last year and will move up to number one on this year's list.

Mr. Berry also recommended that a new project be added to the list. The Jonesborough Parkway, or By-Pass as it is listed in the Metropolitan Transportation Plan (MTP), has been included in current and past MTPs and it is an important project that the MTPO is asking TDOT to fund. The project was being considered for a study, but is now on hold until after the new administration takes office. There is currently no funding identified for this project.

Chairman Tomita asked if the members were comfortable with the rankings or would they like to change the order. Mr. Peterson stated it will take time for the state to acquire funding for the SR-XXX project. He and Mr. Grandy both stated the ranking was good with them.

Mr. Browning made a motion for the board to approve the Priority Project List. Mr. Deakins seconded the motion. All approved. **Motion carried.**

Agenda Item 10: Annual Listing of Obligated Projects.

Mr. Berry explained that the list of projects that are included in the agenda is every project that had funding obligated during the past federal fiscal year. The listing is also available in a large handout for those who need one. The listing is provided annually. Mr. Berry pointed out several key projects.

Agenda Item 11: Upcoming Work – New TIP & New Two-Year UPWP.

Mr. Berry informed the Board and Staff that the MTPO staff will begin working on a new TIP next year. There are limited STBG-Local funds for projects, as construction funding will need to be identified for the Knob Creek Road Extension project. He referred to the STBG funding summary table in the packet and stated if projects stay on time and on budget there would be approximately \$5.3 million dollars available in 2020, with the Knob Creek Road project being the major project in the region.

Mr. Berry also mentioned that the MTPO staff will be creating a new two-year Unified Planning Work Program. He is going to recommend that in the first year of the Work Program that a sub-area study be conducted in Johnson City. Most of the federal projects identified in Johnson City have been completed and a study is needed to identify new areas of need. He also stated the dynamics of Johnson City have changed due to the reinvestment in downtown Johnson City, the change in annexation laws, among other items, have changed the dynamics of growth Johnson City has seen in the past.

Mr. Berry also recommended that in the second year of the Work Program, the MTPO staff conduct a study of the ramifications of becoming a transportation management area (TMA), should the two urbanized areas of Kingsport and Johnson City become one area after the new census in 2020. New urbanized areas will be announced two years after the census in 2022. Mr. Berry explained that there can be more than one MPO in an urbanized area; however, it gets complicated because all the MPOs must agree on certain things. For example, the MPOs must agree on a single set of performance targets for the entire urbanized area. He used Florida and Charlotte as examples where multiple MPOs exist and must agree on projects. He stated as it stands now there are more questions than answers and we must be prepared to effectively plan for the future.

Agenda Item 12: Other Business.

Mr. Berry showed a simulation of new traffic patterns after the construction at the interchange of Interstate 26 and Boones Creek Road (Exit 17) is finished, resulting in a diverging diamond design.

Adjourn: There being no further business, the meeting was adjourned at 10:42 a.m.

ITEM 3

Resolution 2019-01: Consider approval of adopting the Fiscal Years 2020-2021 Unified Planning Work Program

The Johnson City MTPO staff has finalized the Fiscal Years (FYs) 2020-2021 Unified Planning Work Program (UPWP) for Executive Board approval. The UPWP outlines tasks to be undertaken by the Johnson City MTPO, along with identifying funding sources to complete these tasks. The two-year UPWP covers the federal fiscal year starting on October 1, 2019 and ending on September 30, 2021.

In addition to the five traditional tasks included in every UPWP are two major tasks. The first year includes funding for a sub-area study for Johnson City, which will evaluate existing conditions and make recommendations for future transportation projects. These recommendations will be used in the next update to the Metropolitan Transportation Plan. The second year includes funding for a Transportation Management Area Study, which will analyze the additional ways that urbanized areas with over 200,000 in population are subjected to special planning and programming requirements.

The draft UPWP was submitted to the Tennessee Department of Transportation, Federal Highway Administration, and Federal Transit Administration for their review and comment. During this review process, comments on the draft were provided to the MTPO from these agencies and satisfactorily addressed.

To view the final draft of the FYs 2020-2021 UPWP, please click on the link below or contact the MTPO office at 137 West Market Street, Johnson City, TN 37604, by email at jcmpo@jcmpo.org, or by phone at (423) 434-6272 to obtain a hard copy.

https://jcmpo.org/upwp/2020/FY_2020_2021_UPWP.pdf

It is recommended this item be approved by the Johnson City MTPO Executive Board by vote and accompanying resolution.

**RESOLUTION OF THE EXECUTIVE BOARD OF THE JOHNSON CITY METROPOLITAN TRANSPORTATION
PLANNING ORGANIZATION TO APPROVE AND ADOPT
THE FISCAL YEARS 2020-2021 UNIFIED PLANNING WORK PROGRAM**

WHEREAS, a comprehensive, cooperative, and continuing transportation process is to be carried out in the Johnson City Metropolitan Planning Area; and

WHEREAS, under federal planning guidelines, Metropolitan Planning Organizations are required to submit a Unified Planning Work Program (UPWP) that identifies the transportation planning projects and planning activities to be undertaken by local, regional, and/or state agencies for the Johnson City Metropolitan Transportation Planning Organization (MTPO) Metropolitan Planning Area (MPA) for Fiscal Years 2020-2021; and

WHEREAS, the various state, local and regional agencies involved with transportation planning for the Johnson City MTPO MPA have cooperatively developed a UPWP for Fiscal Years 2020-2021; and

WHEREAS, the staff of the Johnson City MTPO, Tennessee Department of Transportation, Federal Highway Administration and Federal Transit Administration have reviewed the Fiscal Years 2020-2021 UPWP and found it satisfies federal requirements; and

NOW, THEREFORE, BE IT RESOLVED the Johnson City MTPO Executive Board does hereby approve and adopt the Fiscal Years 2020-2021 UPWP.

Johnson City MTPO Executive Board Chair

Date

Johnson City MTPO Executive Staff Chair

Date

ITEM 4

Resolution 2019-02: Consider adoption of Transit Asset Management Targets

A key feature of the Moving Ahead for Progress in the 21st Century (MAP-21) was the establishment of performance-based planning and programming. In addition to the performance measures established by the Federal Highway Administration, Federal Transit Administration (FTA) was mandated to develop a rule establishing a strategic and systematic process of operating, maintaining, and improving public capital assets effectively through their entire life cycle. Effective October 1, 2016, FTA established regulations to require providers of public transportation and MPOs to define targets in reference to Transit Asset Management (TAM) Measures. TAM is a business model that prioritizes funding based on the condition of transit assets to achieve and maintain a state of good repair (SGR) for the nation's public transportation assets.

Broadly speaking, transit assets include fixed facility assets (e.g., transfer centers, administrative and maintenance facilities), rolling stock (e.g., revenue buses and vans), and equipment (e.g., maintenance equipment, non-revenue service vehicles and trucks, etc.) with a useful life of one year or more. Transit agencies in our area have assets that fall into one or more of three asset categories defined by Federal legislation: Rolling Stock, Equipment, and Facilities. Assets are measured against Useful Life Benchmarks (ULB), which are the expected life cycle of the asset.

As part of the TAM process, transit agencies are required to define performance targets in reference to the State of Good Repair (SGR) for transit assets. Subsequently, MPOs must include the TAM performance targets in the transportation planning process by adopting a set of TAM targets specific to the Johnson City MTPO Metropolitan Planning Area (MPA) and integrating these targets in planning documents, such as the TIP and the MTP.

It is recommended the TAM targets, found as Attachment A to Resolution 2019-02, be approved by the Johnson City MTPO Executive Board by vote and accompanying resolution.

RESOLUTION OF THE EXECUTIVE BOARD OF THE JOHNSON CITY METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION (MTPO) TO

ADOPT TRANSIT ASSET MANAGEMENT TARGETS

WHEREAS, in 2012 the United States Congress passed the Moving Ahead for Progress in the 21st Century (MAP-21) and Fixing America’s Surface Transportation (FAST) Act that mandate the establishment of a performance and outcome-based program for transportation decisions; and

WHEREAS, the Federal Transit Administration (FTA) was mandated to develop a rule establishing a strategic and systematic process of operating, maintaining, and improving public capital assets effectively through their entire life cycle; and

WHEREAS, the Transit Asset Management (TAM) regulations require providers of public transportation and MPOs to set TAM Targets, which apply to three asset categories defined by Federal legislation: Rolling Stock, Equipment, and Facilities; and

WHEREAS, the providers of public transportation formally reported their TAM targets to the Johnson City MTPO; and

WHEREAS, MPOs have 180 days following the establishment and reporting of the TAM targets to establish their own targets for the Johnson City MTPO Metropolitan Planning Area; and

WHEREAS, the staff of the Johnson City MTPO, after consultation and coordination with TDOT, and providers of public transportation within the Johnson City MTPO Metropolitan Planning Area, recommends that the Johnson City MTPO adopt these TAM targets depicted in “Attachment A” to this resolution;

NOW, THEREFORE, BE IT RESOLVED that the Executive Board and Executive Staff of the Johnson City Metropolitan Transportation Planning Organization does hereby adopt Transit Asset Management Targets for the Johnson City MTPO.

MTPO Executive Board, Chair

Date

MTPO Executive Staff, Chair

Date

Attachment A
Johnson City MTPO Transit Asset Management Performance Targets
 August 28, 2019

Performance Measures	BASELINE (% Past ULB)	TARGET (% Past ULB)
	June 2019	June 2020
Rolling Stock: The percentage of revenue vehicles (by type) that exceed the useful life benchmark (ULB)	Bus - 0% Cutaway - 84% Minivan - 3% Vans - <25%	Bus - 0% Cutaway - <75% Minivan - 3% Vans - <25%
Equipment: The percentage of non-revenue service vehicles (by type) that exceed the ULB	Service Vehicles - 40%	Service Vehicles - <40%
Facilities: The percentage of facilities (by group) that are rated less than 3.0 on the Transit Economic Requirements Model (TERM) Scale	Maintenance - 0% Passenger - 0%	Maintenance - 0% Passenger - 0%

ITEM 5

Consider approval of the Chairman signing the Planning Agreement between the Johnson City MTPO, TDOT, JCT and NET Trans

Title 23 of the Code of Federal Regulations, Part 450.314 require the MPOs, state department of transportations, and public transit operators within each metropolitan planning area to enter into a written agreement to clearly identify the responsibilities of all parties in carrying out the metropolitan transportation planning process. The written agreement shall include specific provisions for the development of the Unified Planning Work Program, the Metropolitan Transportation Plan, the Transportation Improvement Program, the Public Participation Plan and the Annual Listing of Obligated Projects. This agreement is between the Tennessee Department of Transportation (TDOT), the Johnson City Metropolitan Transportation Planning Organization (MTPO), the Johnson City Transit System (JCT) and Northeast Tennessee Regional Public Transportation (NET Trans). A draft of the planning agreement was distributed to members in early May 2019.

It is recommended this item be approved by the Johnson City MTPO Executive Board by vote.

STATE OF TENNESSEE

AGREEMENT WITH METROPOLITAN PLANNING ORGANIZATION

THIS AGREEMENT is made this ___ day, of _____, 2019, by and between the State of Tennessee, acting through the Tennessee Department of Transportation, called the “Department;” the Johnson City Metropolitan Transportation Planning Organization (MPO), called the “MPO,” which has been designated as the MPO of the Johnson City Urbanized Area; and the Johnson City Transit System and the Northeast Tennessee Rural Public Transit, called the “Transit Agencies”.

WITNESSETH

WHEREAS, 23 U.S.C. § 134 and 23 Code of Federal Regulations (CFR), Part 450, require that MPOs, in cooperation with the Department and the Transit Agency, carry out a metropolitan planning process for urbanized areas of the State; and

WHEREAS, 23 CFR § 450.314 requires the MPO, the Department, and public transportation operators within each metropolitan planning area to enter into a written agreement to clearly identify the responsibilities of the parties in carrying out the metropolitan planning process; and

WHEREAS, T.C.A. § 54-18-101 authorizes the Department to enter into cooperative planning agreements that provide for a continuing and comprehensive transportation planning process; and

WHEREAS, the MPO is empowered to serve as the lead planning and programming agencies for its Metropolitan Planning Area, and to this end the Department, the MPO, and the Transit Agencies jointly carry out an ongoing continuing, cooperative, and comprehensive multimodal transportation planning process that fully considers the planning factors required by applicable laws and regulations; and

WHEREAS, the Governor of State of Tennessee and the MPO designated the metropolitan planning area, as defined in 23 CFR § 450.312, as the area within which the required metropolitan transportation planning activities shall take place; and

WHEREAS, the Transit Agencies provides public transportation services within the MPO’s Metropolitan Planning Area; and

WHEREAS, 23 CFR § 420.117(a) requires that the Department shall monitor all activities performed by its staff or by sub-recipients with Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) planning and research funds, as dispersed in the Consolidated Planning Grant (CPG), to ensure that the work is being managed and performed satisfactorily and that time schedules are being met;

NOW THEREFORE, it is agreed as follows:

A G R E E M E N T

Article 1. Agreement Period

- A.** This agreement becomes effective when signed by the last party whose signature makes the agreement fully executed. The Department shall not continue its obligation to the MPO under

this agreement if the Governor's designation of the MPO is withdrawn, if federal funds cease to become available, or if the agreement is terminated.

- B. This agreement shall be reviewed every five (5) years or as needed, such as when a new transportation funding bill is passed by the United States Congress, and/or when new federal regulations are published by FHWA/FTA by the respective agencies' signatories, or their applicable designees or proxies. If all terms and conditions of this agreement remain viable and no amendment to the existing agreement or a new agreement is required, a renewal letter from the Department to the MPO, signed and accepted by the MPO and the Transit Agencies, shall constitute renewal of this agreement subject to all terms and conditions specified in the agreement. However, an amendment or a new agreement may be executed, if necessary. In such case, the signatures of all parties of this agreement would be required to fully execute an amended or new agreement.

Article 2. Responsibilities of the Department

The responsibilities of the Department are as follows:

- A. Maintain staff within the Long Range Planning Division to act as the primary point of contact for MPO coordination.
- B. In compliance with federal regulations, assist in the carrying out of the continuous, cooperative, and comprehensive metropolitan planning process, including, but not limited to, the development of the Unified Planning Work Program (UPWP), a Metropolitan Transportation Plan (MTP), Long Range Transportation Plan (LRTP), and/or Regional Transportation Plan (RTP); and the Transportation Improvement Program (TIP); and, where required by federal law or regulation, monitor the MPO's performance of activities and expenditures of all funds under a UPWP. The Department is responsible for reviewing the MPO's activities and expenditures of funds and will comment on and make suggestions relating to those activities and expenditures.
- C. Distribute federal and/or state transportation planning funds to the MPO based on a formula developed by the Department, in consultation with the MPO, and approved by FHWA, FTA, and other applicable federal agencies.
- D. Provide to the MPO, as appropriate, technical assistance and guidance for the collection, processing, and forecasting of socio-economic data needed for the development of traffic forecasts, plans, programs, and planning proposals within the metropolitan area, including the collection, processing, and forecasting of vehicular travel volume data in cooperation with the MPO.
- E. Consistent with MPO by-laws, jointly promote the development of transportation projects within the metropolitan area by identifying points in the system where access, connectivity, and coordination between the modes and inter-urban facilities would benefit the entire system.
- F. Coordinate with the MPO and Transit Agencies in the preparation and maintenance of a Coordinated Public Transit – Human Services Transportation Plan.
- G. Update the MPO on relevant statewide transportation initiatives and priorities as needed.
- H. Inform the MPO relative to federal and state statutes, policies, regulations, and guidelines which bear upon metropolitan transportation planning and programming activities and contractual arrangements.
- I. Monitor the MPO's transportation planning process, when such monitoring is required by federal law or regulation, to ensure compatibility with state and USDOT programs and objectives and compliance with all applicable federal requirements.

Article 3. Responsibilities of the MPO

The MPO is an organization created to ensure that existing and future expenditures on transportation projects and programs are based on a continuing, cooperative, and comprehensive planning process. The responsibilities of the MPO are as follows:

- A.** Document planning activities in a UPWP to indicate who will perform the work, the schedule for completing the work, and all products or deliverables that will be produced, the proposed funding by activity/task, and a summary of the total amounts and sources Federal and matching funds. In cooperation with the Department and public transportation operators as defined by 23 CFR Part 450, the MPO must biennially develop a UPWP, subject to federal approval, that meets federal requirements.
- B.** Use funds to develop and maintain a comprehensive regional transportation planning program in conformity with the requirements of 23 U.S.C. § 134, and 49 U.S.C. § 5303.
- C.** Develop, adopt, and periodically review a MTP/LRTP/RTP, a TIP, and a UPWP for the Metropolitan Planning Area (MPA), consistent with applicable federal laws. At a minimum, the MPO shall consider in the planning process the applicable factors outlined in 23 U.S.C. § 134.
- D.** Create and appoint members to the MPO Policy Board as stipulated by 23 CFR § 450.310. Additionally, for any MPO subject to T.C.A. § 64-8-301, a voting member who resides in the MPA shall be chosen in consultation with the Tennessee County Highway Officials Association to represent county highway departments operating within the planning area.
- E.** Coordinate with the Department and the Transit Agencies in the preparation and maintenance of a Coordinated Public Transit – Human Services Transportation Plan including, but not be limited to, an assessment of available services and transportation needs, identification of strategies, actions, and projects to address gaps between services and needs and improve service efficiencies, and identification of priorities for implementation.
- F.** Assemble and maintain an adequate, competent staff with the knowledge and experience necessary to perform all appropriate MPO activities as required by law.
- G.** Acquire, forecast, and maintain appropriate socio-economic, roadway, and travel data on a timely basis, in cooperation with the Department.
- H.** Prepare all required plans, programs, reports, and data, and obtain all required certifications in a timely manner.
- I.** Share information and sources of information concerning transportation planning issues with the Department, other jurisdictions and planning agencies, and interested members of the public, in a manner consistent with the provisions set forth in the approved Public Participation Plan.
- J.** Ensure that all meetings and records concerning the business of the MPO comply with the requirements prescribed in 23 CFR Part 450 and T.C.A. Title 8, Chapter 44, Part 1.
- K.** Comply with the Americans with Disabilities Act of 1990 plan certification procedures as required by 49 CFR § 37.139.
- L.** Comply with Title VI of the Civil Rights Act of 1964 and maintain a current Title VI Program as required by FTA's Title VI Circular 4702.1B.
- M.** Comply with DOT 5610.2(a) Environmental Justice; National Environmental Policy Act 42 U.S.C. § 4321 et seq.; and Executive Order 12898 Environmental Justice.
- N.** Comply with DOT FR 239 Responsibilities to Limited English Proficiency (LEP) Persons.
- O.** Ensure that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this agreement or in the employment practices of the MPO on the grounds of handicap or disability, age, race, color, religion, sex,

national origin, or any other classification protected by federal, Tennessee state constitutional, or statutory law. The MPO shall, upon request, produce proof of nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.

Article 4. Responsibilities of the Transit Agencies

The responsibilities of the Transit Agencies are as follows:

- A.** Actively participate in the MPO activities to represent public transit interests and ensure awareness and consideration of public transit plans, programs, projects, and policies in MPO decision-making.
- B.** Cooperate in the development and maintenance of the MTP/LRTP/RTP and TIP as a participating agency, providing information requested by the MPO in a timely manner relative to public transit projects and services to be deployed within the MPA in order to ensure consideration for inclusion in the MTP/LRTP/RTP and TIP. This includes information relative to the availability, or anticipated availability, of federal and local financial aids for public transit improvements and services within the MPA.
- C.** Cooperate in the development and maintenance of the UPWP as a participating agency, providing information requested by the MPO in a timely manner related to transit planning activities or technical assistance to be deployed within the MPA for inclusion in the UPWP. This includes informing the MPO to the availability, or anticipated availability, of federal and state financial aids and technical assistance for public transit planning activities.
- D.** Work cooperatively with the MPO and the Department in the preparation of an Annual Listing of Obligated Projects (ALOP) funded under 23 U.S.C. or 49 U.S.C. Chapter 53 to include supplying information about federal obligations of grant funds administered through FTA in a reasonable time following the end of the federal fiscal year.
- E.** Cooperate with the Department in the development of the Statewide Long Range Transportation Plan (STIP) pursuant to the provisions of 23 U.S.C. 135.
- F.** Coordinate with the MPO and the Department in the preparation and maintenance of a Coordinated Public Transit – Human Services Transportation Plan.
- G.** Coordinate with the Department and the MPO on the conduct of short-range transit plans or operational analyses that affect or inform regional or statewide transportation plans and programs.
- H.** Prepare and submit applications for federal public transportation capital assistance grants and state operating assistance grants and administer approved grants.
- I.** Collect data to meet the requirements of 49 U.S.C. 5335 regarding the National Transit Database.
- J.** At least once per year, present to the MPO an update on local public transit initiatives and priorities that either affect regional transportation plans and programs or that should be considered in their development.
- K.** Prepare and update paratransit service plans in conformance with the Americans with Disabilities Act of 1990.
- L.** Ensure that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this agreement or in the employment practices of the Transit Agencies on the grounds of handicap or disability, age, race, color, religion, sex, national origin, or any other classification protected by federal, Tennessee state constitutional, or statutory law. The Transit Agencies shall, upon request, produce proof of nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.

Article 5. Unified Planning Work Program

- A. Every two (2) years, the MPO shall submit to the Department a program of work that includes goals, objectives, and tasks required by each of the relevant agencies involved in the metropolitan transportation planning process. This program of work is to be called the Unified Planning Work Program (UPWP), or any successor name. The UPWP shall be developed and adopted by the MPO Policy Board, in accordance with 23 CFR § 450.314, and must be approved by FHWA prior to the MPO carrying out any work items from the UPWP.
- B. The UPWP shall be prepared for a period of two (2) years. The UPWP shall reflect only the work that can be accomplished during the time period of the UPWP, in accordance with 23 CFR § 420.113 (a) (5) and 23 CFR § 420.115 (a).
- C. The UPWP shall reflect transportation planning work tasks to be funded by federal, state, or local transportation, or transportation-related (e.g., air quality), planning funds. The budget and statement of work will be included in the UPWP. The MPO may not incur costs until final approval of the UPWP by the Department and ultimate federal authorization.

Article 6. Metropolitan Transportation Plan (MTP), Long Range Transportation Plan (LRTP), and/or Regional Transportation Plan (RTP)

- A. Every five (5) years, or every four (4) years for MPOs in nonattainment or maintenance areas, the MPO shall develop and adopt a MTP/LRTP/RTP which shall include recommended transportation investments and strategies determined cooperatively by the MPO, the Department, and the Transit Agencies. The MTP/LRTP/RTP shall be adopted by the MPO Policy Board, in accordance with 23 CFR § 450.324.
- B. The investments and strategies put forth in the MTP/LRTP/RTP shall address no less than a 20-year planning horizon.
- C. The MPO shall issue a formal call for projects from local government members and agency partners, including the Transit Agencies, the Department, and local governments, early in the MTP/LRTP/RTP development process. The projects will be considered through the MPO's project selection process.
- D. At the request of the MPO, the Department shall provide data to assist in the development of the MTP/LRTP/RTP.
- E. The Transit Agencies shall provide to the MPO relevant data needed for the evaluation of existing and proposed transit projects and policies, including existing transit services and routes, existing and projected ridership figures, and existing and projected operations and maintenance costs.
- F. The MPO shall, in consultation with the Department, the Transit Agencies, and local government partners, set the inflation rates used to develop year of expenditure (YOE) costs in the MTP/LRTP/RTP.
- G. At the MPO's request, the Department shall provide the MPO with a description of the Department's performance measures and performance targets used in assessing the performance of the transportation system; provide the MPO with a system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the performance targets described in 23 CFR § 450.306(d); and inform the MPO on progress achieved by the Department in meeting the performance targets in comparison with system performance recorded in previous reports, including baseline data.
- H. Consistent with 23 CFR § 450.324(f), the MPO shall, in consultation with the Department, develop a methodology for financial planning for the MTP/LRTP/RTP, including system-level estimates of costs and revenue sources, estimates of funds that will be available to support plan implementation,

additional financing strategies to fund projects and programs, and an inflation rate(s) to reflect year of expenditure (YOE) dollars based on reasonable financial principles and information.

- I. The MPO shall approve revenue forecasts and year of expenditure (YOE) cost estimates.
- J. Prior to the submittal of the first draft of the MTP/LRTP/RTP to the Department, MPOs in nonattainment and maintenance areas shall provide the Interagency Consultation Committee (IAC) with the MTP/LRTP/RTP project list for review and comment.
- K. The MPO must approve the MTP/LRTP/RTP and any subsequent revisions, and shall not delegate the approval authority, except for administrative adjustments. Administrative adjustments do not change the scope of work, result in an increase or decrease in the amount of task funding, or affect the overall budget. Examples include typographical, grammatical, or syntax corrections.

Article 7. Transportation Improvement Program (TIP)

- A. Every three (3) years the MPO, in cooperation with the Department and the Transit Agencies, shall develop and adopt a fiscally-constrained TIP which shall include the federally-funded and/or regionally significant (regardless of funding source) transportation projects anticipated in the MPA over the next four (4) years. Only projects consistent with the MTP/LRTP/RTP are eligible for inclusion in the TIP. The TIP shall be adopted by the MPO Policy Board, in accordance with 23 CFR § 450.326.
- B. The MPO shall issue a formal call for projects from local government members and agency partners, including the Transit Agencies and the Department, early in the TIP development process. The projects will be considered through the MPO's project selection process.
- C. The MPO, in cooperation with the Department, the Transit Agencies, and local government partners, shall evaluate the candidate projects against regional priorities, goals and objectives, and funding availability.
- D. Each project sponsor shall provide cost estimates for any projects proposed or endorsed by the sponsor.
- E. The MPO shall, in consultation with the Department, the Transit Agencies, and local government partners, set the inflation rates used to develop YOE costs in the TIP.
- F. Prior to the submittal of the first draft of the TIP to the Department, MPOs in nonattainment and maintenance areas shall provide the Interagency Consultation Committee (IAC) with the conformity determination report for review and comment.
- G. In accordance with the MPO's established TIP policies and the existing Memorandum of Agreement (MOA) between the Department and the MPO regarding the definition and need for amendments/administrative adjustments to the STIP and TIP, the MPO must approve the TIP and any subsequent revisions, and shall not delegate the approval authority, except for administrative adjustments.
- H. After approval by the MPO and the Governor, the Department shall integrate the approved TIP, without change, into the STIP directly or by reference. Once complete, the STIP shall be forwarded by the Department to FHWA/FTA for review and action.
- I. The Department shall inform the MPO upon FHWA/FTA's initial approval of the STIP.

Article 8. Annual Listing of Obligated Projects

In accordance with 23 CFR § 450.334, within ninety (90) days after the close of the federal fiscal year, the MPO shall publish an Annual Listing of Obligated Projects (Listing). An obligation report shall be provided by the Department in funds obligated under 23 U.S.C. § 134 for the MPO area such that the MPO has sufficient time to develop and publish the Listing by the prescribed deadline.

Article 9. Congestion Management Process

In accordance with 23 CFR § 450.322, every four (4) or five (5) years, as applicable, concurrent with the update to the MTP/LRTP/RTP, MPOs that are designated as TMAs shall, in cooperation with the Department and the Transit Agencies, develop a Congestion Management Process (CMP).

Article 10. Public Participation Plan

In accordance with 23 CFR § 450.316, the MPO shall adopt and maintain a formal, written Public Participation Plan. The Plan shall provide reasonable opportunity for involvement with all interested parties in carrying out the MPO's transportation planning and programming processes, including opportunities for preliminary review and comment at key decision points. Initial or revised Public Participation Plan procedures shall undergo a minimum forty-five (45) day draft public review and comment period.

Article 11. Performance Based Metropolitan Planning Process Responsibilities

In accordance with 23 CFR § 450.314 (h), the MPO, the Department, and the Transit Agencies shall jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO (see 23 CFR § 450.306(d)), and the collection of data for the state asset management plan for the National Highway System (NHS).

These terms were formally agreed upon in the MOU for cooperatively developing, sharing, and reporting information related to performance measures and performance targets which was signed by the Department Commissioner, the MPO, and the Transit Agencies on June 1, 2018.

Article 12. Travel Demand Modeling and Coordination on State Planning

The MPO is responsible for maintaining and updating the regional transportation model for all roadways of significance, including all interstates, freeways, and arterials, within the MPO study area. The model shall be developed and reviewed in a manner consistent with the guidance outlined in *Minimum Travel Demand Model Calibration and Validation Guidelines for the State of Tennessee*.

THIS AGREEMENT IS EXECUTED by the Department, the MPO, and the Transit Agencies.

THE MPO (JOHNSON CITY MTPO)

Signature

The Honorable Jenny Brock

Chair – Executive Board

Date

THE TRANSIT AGENCY (JOHNSON CITY TRANSIT SYSTEM)

Signature

M. Denis Peterson

City Manager

Date

THE TRANSIT AGENCY (NORTHEAST TENNESSEE RURAL PUBLIC TRANSIT)

Signature

Candace Gump

Transit Director

Date

THE DEPARTMENT (TENNESSEE DEPARTMENT OF TRANSPORTATION)

Signature

Clay Bright

Commissioner
Tennessee Department of Transportation

Date

ITEM 6

Consider approval of the Chairman signing the Performance Measures Agreement between the Johnson City MTPO, TDOT, JCT and NET Trans

Title 23 of the Code of Federal Regulations, Part 450.314 (h) requires that the MPOs, state department of transportations and the public transit operators cooperatively develop, share and report information related to performance measures and targets implemented by the MAP-21 legislation in 2012. The written agreement shall include specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the Johnson City MTPO Metropolitan Planning Area. This agreement is between the Tennessee Department of Transportation (TDOT), the Johnson City Metropolitan Transportation Planning Organization (MTPO), the Johnson City Transit System (JCT) and Northeast Tennessee Regional Public Transportation (NET Trans).

It is recommended this item be approved by the Johnson City MTPO Executive Board by vote.

MEMORANDUM OF UNDERSTANDING

Between the Tennessee Department of Transportation (TDOT), the Johnson City Metropolitan Transportation Planning Organization (MTPO), the Johnson City Transit System (JCT) and Northeast Tennessee Regional Public Transportation (NET Trans) for cooperatively developing, sharing and reporting information related to performance measures and performance targets.

PURPOSE AND BACKGROUND

On May 27, 2016, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) published the final rule for statewide and metropolitan transportation planning based on 2012's Moving Ahead for Progress in the 21st Century (MAP-21) Act and 2015's Fixing America's Surface Transportation (FAST) Act. As part of this final rule, 23 CFR 450.314 (h) was amended to state:

“The MPO(s), State(s), and the providers of public transportation shall jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO, and the collection of data for the State asset management plans for the NHS.”

The phase-in deadline for this requirement is May 27, 2018. TDOT, MTPO, and public transportation providers agree to the following provisions in order to implement the requirements of 23 CFR 490 - National Performance Management Measures and 49 CFR 625 – Transit Asset Management.

GEOGRAPHIC SCOPE

For the purposes of this Memorandum of Understanding (MOU), TDOT, MTPO, and public transportation providers are responsible for carrying out performance-based planning in the Johnson City MTPO metropolitan planning area (MPA).

PERFORMANCE-BASED TRANSPORTATION PLANNING & PROGRAMMING

MTPO and public transportation providers will carry out a performance-based metropolitan transportation planning process for the MTPO planning area in cooperation and consultation with TDOT. Performance measures will be developed, tracked and reported in accordance with applicable laws and regulations.

DATA COLLECTION AND SHARING

TDOT, MTPO, and public transportation providers mutually agree to develop and share available data related to performance measurement and target setting with each other, subject to the policies and procedures of each agency and any restrictions on the data. Examples of such data include, but are not limited to, traffic counts, crashes, travel times/speeds, socioeconomic data, transit ridership data and infrastructure condition measures. TDOT will collect any data required for the National Highway System. TDOT will collect any National Highway System (NHS) data required for the State Asset Management Plan.

DEVELOPMENT OF PERFORMANCE TARGETS

TDOT will develop and select draft statewide performance targets in coordination with the Metropolitan Planning Organizations (MPOs) across the state. Coordination may include in-person meetings, webinars, conference calls, and/or email communication. TDOT will provide the MPOs an estimated timeline for each measure detailing the schedule of activities, decision milestones in the target setting process, and the methodology for when and how TDOT will obtain MPO input. MPO comments will be documented and shared with the Department's Oversight Committee and Executive Leadership as part of the target selection process.

If an MPO chooses to adopt its own target for any measure, the MPO will develop draft MPO performance targets in coordination with TDOT. Coordination methods will follow the general timeline of activities, decision milestones in the target setting process and methodology for obtaining TDOT review and approval as stated above. TDOT will be provided an opportunity to provide comments on draft MPO performance targets and the methodology used to develop them at least 30 calendar days prior to final adoption.

In support of a performance-based approach to the metropolitan transportation planning and programming process, and public transportation providers will develop targets for transit performance measures in accordance with 49 CFR 625 – Transit Asset Management, and will share information and coordinate with the MTPO regarding transit system condition, development methodology for targets, and investment priorities and strategies. JCT will share its targets annually with the MTPO. The MTPO shall select performance targets for its metropolitan planning area in coordination, to the maximum extent practical, with JCT.

REPORTING OF TARGETS

TDOT performance targets will be reported to FHWA and FTA, in accordance with Federal rule requirements. The MPOs will be notified when TDOT has reported final statewide targets. MPO performance targets will be reported to TDOT.

For each target, the MPO will provide formal documentation, in the form of a policy board resolution, as to whether the MPO is agreeing to support TDOT's or the provider(s) of public transportation's performance target or setting a quantifiable target for that performance measure for the MPO's planning area. This documentation will be provided to TDOT no later than 180 days after the date TDOT or the provider(s) of public transportation establish performance targets, or the date specified by Federal code. TDOT will be responsible for sending the MPO's documentation to FHWA/FTA within ten (10) business days of the date(s) the MPO's targets are due.

STATEWIDE TRANSPORTATION PLAN, STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP), METROPOLITAN TRANSPORTATION PLANS (MTPs) AND TRANSPORTATION IMPROVEMENT PROGRAMS (TIPs)

TDOT will include information outlined in 23 CFR 450.216 (f) in any statewide transportation plan amended or adopted after May 27, 2018, and information outlined in 23 CFR 450.218 (q) in any statewide transportation improvement program amended or adopted after May 27, 2018.

MPOs will include information outlined in 23 CFR 450.324 (g) (3-4) in any metropolitan transportation plan amended or adopted after May 27, 2018, and information outlined in 23 CFR 450.326 (d) in any transportation improvement program amended or adopted after May 27, 2018.

Reporting of targets and performance by the DOT and MPOs shall conform to 23 CFR 490.

EFFECTIVE DATE

The effective date of this MOU is the date is the date by which all parties below have signed the MOU.

IN WITNESS THEREOF,

JOHNSON CITY METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION:

THE HONORABLE JENNY BROCK, EXECUTIVE BOARD CHAIR

DATE

JOHNSON CITY TRANSIT SYSTEM:

M. DENIS PETERSON, CITY MANAGER, CITY OF JOHNSON CITY

DATE

NORTHEAST TENNESSEE RURAL PUBLIC TRANSIT SYSTEM:

JASON CODY, EXECUTIVE DIRECTOR, FIRST TENNESSEE HUMAN RESOURCE AGENCY

DATE

TENNESSEE DEPARTMENT OF TRANSPORTATION:

CLAY BRIGHT, COMMISSIONER

DATE

**JOHN REINBOLD, GENERAL COUNSEL
APPROVED AS TO FORM AND LEGALITY**

DATE

ITEM 7

Presentation on Projects in the Fiscal Years 2020-2023 Transportation Improvement Program (TIP)

ITEM 8

Other Business

Adjourn