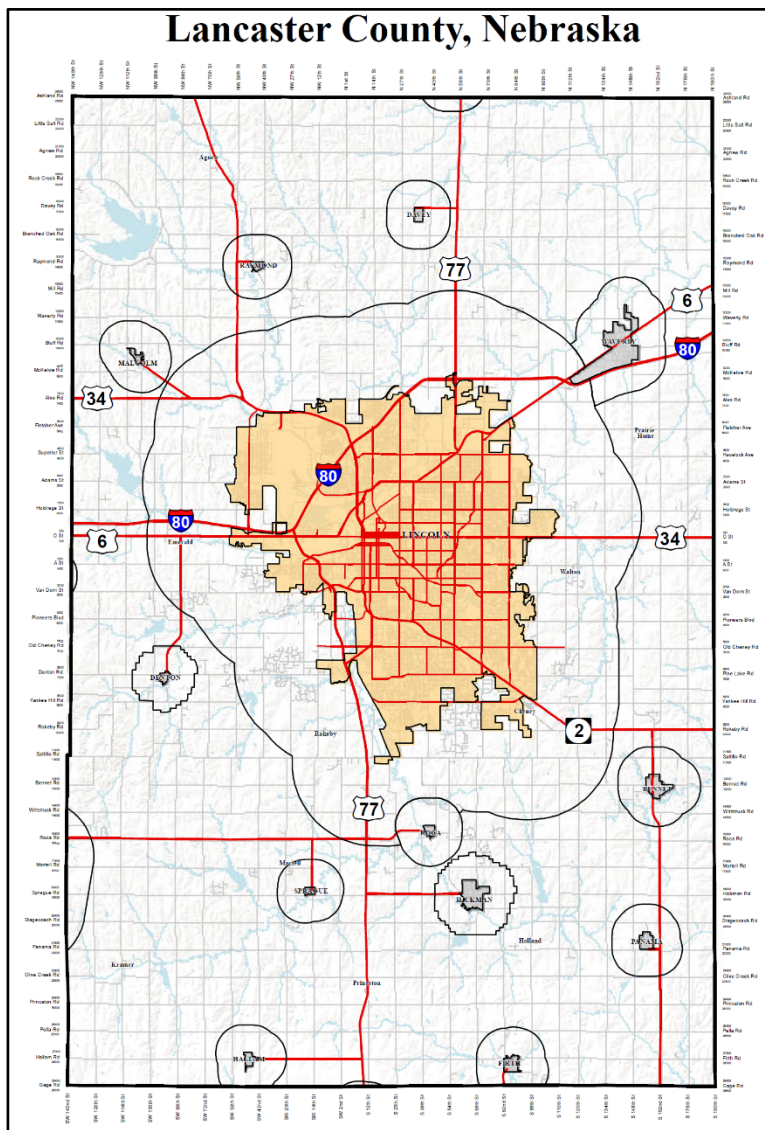


Lincoln Metropolitan Planning Organization



Management Plan

Adopted on September 24, 2009

Amended on September 12, 2023

Administratively Revised on April 11, 2024

LINCOLN
MPO
METROPOLITAN PLANNING ORGANIZATION

Lincoln Metropolitan Planning Organization

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Lincoln, NE 68508

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lincoln.ne.gov (search: metropolitan)

Lincoln MPO Members

- City of Lincoln
- Lancaster County
- State of Nebraska
- Lincoln Airport Authority
- RTSD
- Lincoln Transportation and Utilities - StarTran
- FTA
- FHWA



U.S. Department of Transportation Federal Highway Administration

Credit / Disclaimer Statement

“The preparation of the document was financed in part with funding from the United States Department of Transportation (USDOT), and administered by the Nebraska Department of Transportation (NDOT). The opinions, findings, and conclusions expressed in this publication are those of the authors and do not necessarily represent USDOT, or NDOT.”

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1.0 Introduction

1.1 About this MPO Management Plan Document

This document presents an outline of the Lincoln Metropolitan Planning Organization (MPO), its organizational structure and related responsibilities, as well as the procedures used to carry out the federally-mandated transportation planning process in the Lincoln region. This MPO Management Plan document also provides an overview of how other agencies are involved in the regional planning process and a brief description of the federal transportation planning requirements and guidelines.

The MPO planning process requires regular updating to account for changing regulations for transportation planning, advancing technology, urban growth, and revised Federal, state, regional and local involvement. Given this, the MPO Management Plan document replaces the document known as the “Operations Plan” that was previously adopted by the Lincoln Metropolitan Planning Organization. Also, this MPO Management Plan document may be amended at any time by a majority vote of the MPO Officials Committee membership. Non-substantive corrections and revisions may be made administratively by staff, with subsequent notification of the Lincoln MPO Officials and Technical Committees, MPO Email List, and posting of the administrative revisions on the MPO website. The MPO Administrator shall keep a record of all such administrative revisions.

1.2 MPO Transportation Planning

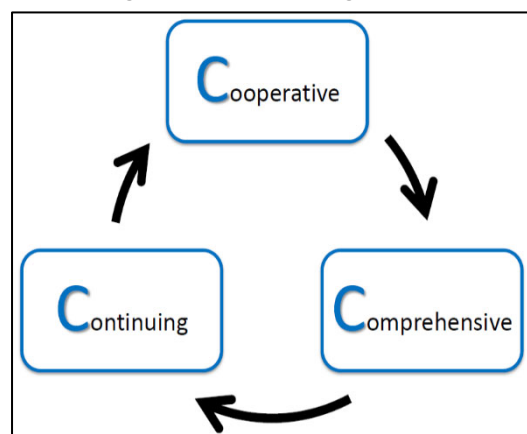
Metropolitan transportation planning is the process of examining travel and transportation issues and needs in metropolitan areas. It includes a demographic analysis of the community in question, as well as an examination of travel patterns and trends. The planning process includes an analysis of alternatives to meet projected future demands, and for providing a safe and efficient transportation system that meets mobility needs while not creating adverse impacts to the environment.

The 1962 Federal Aid Highway Act required states and local governments to conduct cooperative, comprehensive, and continuing transportation planning (“3-C Planning Process”) to develop metropolitan area transportation plans and programs in order to receive federal funds for transportation system improvements.

Subsequently in 1973, an amendment to the 1962 act further required the governor of each state, with local concurrence, to designate a Metropolitan Planning Organization (MPO) for every urbanized area with a population of 50,000 or greater to coordinate area wide transportation planning. Over successive authorization cycles, Congress has added and revised substantive content expected from the 3-C process.

The Clean Air Act Amendments (CAAA) of 1990 and the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 changed how MPOs conducted transportation planning. MPOs are now required to provide leadership in defining a regional vision, selecting projects, promoting multi-modal transportation and improving air quality.

Figure 1 3-C Planning Process



The most recent transportation act, the Infrastructure, Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL), was signed into law on November 15, 2021. The BIL authorizes new surface transportation infrastructure programs and continues these basic planning requirements with emphases on sustainability, resiliency, and equity. Federal transportation legislation defines eight specific planning factors to be considered when developing transportation plans and programs in a metropolitan area. The metropolitan planning process will continue to provide for consideration of projects and strategies that will:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
2. Increase the safety of the transportation system for motorized and non-motorized users.
3. Increase the security of the transportation system for motorized and non-motorized users.
4. Increase the accessibility and mobility options available to people and for freight.
5. Protect and enhance the environment, promote energy conservation, and improve quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns.
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.
7. Promote efficient system management and operation.
8. Emphasize the preservation of the existing transportation system.
9. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation.
10. Enhance travel and tourism.

Transportation planning in metropolitan areas is a collaborative process, led by the MPO and other key stakeholders in the regional transportation system. The process is designed to foster involvement by all interested parties, such as the business community, community groups, environmental organizations, and the general public through a proactive public participation process conducted by the MPO in coordination with state transportation departments and transit operators. Significant emphasis is placed on broadening participation in transportation planning.

1.3 Background of the Lincoln MPO and the Memorandum of Agreement

The City of Lincoln is the federally recognized Metropolitan Planning Organization (MPO) for the Lincoln Metropolitan Area serving Lincoln and Lancaster County. The purpose of the Lincoln MPO is to conduct transportation planning and decision-making for the Lincoln planning area.

On March 22, 1974, the Lincoln MPO was established to guide the transportation planning process in the Lincoln urbanized area and to coordinate transportation planning activities with transportation-related agencies within Lancaster County (see Appendix A). This was supported by a “Memorandum of Understanding” (MOU) between the City, County and State agreeing to cooperate to carry out this task which was adopted on November 23, 1977 (see Appendix B).

The current Memorandum of Agreement (MOA) between the Lincoln MPO, the City of Lincoln StarTran Bus Service (StarTran), and Nebraska Department of Transportation (NDOT) was adopted on March 21, 2024 to update the previous MOA. The current MOA defines the specific roles and responsibilities of the MPO, StarTran, and NDOT for metropolitan transportation planning and programming, to implement the required statutes and regulations, and to ensure that a cooperative transportation planning and programming process is established between the MPO, StarTran, and NDOT in the metropolitan planning area (see Appendix C).

The Metropolitan Planning Area (MPA) is the geographic area in which the metropolitan transportation planning process must be carried out. The boundaries of the MPA are determined by agreement between the Governor and the MPO. The Lincoln MPO Metropolitan Planning Area is identified as all of Lancaster County as shown in Figure 2.

Areas with populations greater than 200,000 are designated Transportation Management Areas (TMAs). The 2000 Census identified the Lincoln Urban Area as having a population of 225,581, and accordingly, the Secretary of Transportation designated the Lincoln MPO as a TMA. This classification qualifies the Lincoln MPO for specific shares of federal funds, but along with this, it establishes additional administrative and planning requirements in the transportation planning process. These additional planning activities relate primarily to the development of a congestion management process, project selection, public involvement and the MPO certification process.

2.0 Required MPO Planning Documents

The Lincoln MPO provides a forum for cooperative decision-making among responsible state and local officials, StarTran, and the general public. With this comes the responsibility to develop and maintain various planning documents that are required of each MPO including:

- Long Range Transportation Plan (LRTP)
- Transportation Improvement Program (TIP)
- Unified Planning Work Program (UPWP)
- Public Participation Plan
- Congestion Management Process
- Annual Listing of Obligated Projects
- Certification of the MPO
- Other Planning Documents as Required

MPO plans and programs must consider all transportation modes and support community development and social goals. MPO plans and documents also must ensure the planning area's compliance with federal regulations affecting transportation decisions, such as the Clean Air Act Amendments of 1990 (CAAA) and the latest federal transportation legislation. In meeting federal requirements, the MPO maintains the eligibility of member agencies and StarTran for federal transportation funds for planning, capital improvements, and operations.

The MPO generates other planning documents and reports in addition to those described in this document, and engages in many other activities such as transportation data collection, safety promotion, and specific transportation planning efforts and projects. The primary purpose of these

numerous MPO transportation planning activities is to support the monitoring and development of the LRTP and the TIP.

2.1 Long Range Transportation Plan (LRTP)

The Lincoln MPO's Long Range Transportation Plan (LRTP) extends out a minimum of 20 years and acts as the official guide for the expenditure of federal and state transportation funds that are expected to be available in Lincoln and Lancaster County. According to federal requirements, the scope or life of the Metropolitan Transportation Plan is to cover a minimum 20-year forecast period at the time of plan adoption. Current regulations require the MPO to update long range transportation plans at a minimum every five years in order to accurately re-assess existing and projected travel conditions and needed improvements based on current population and socioeconomic data. The projects listed in the LRTP are intended to reflect the community's values and visions for improving the overall transportation system while maintaining fiscal constraint. Lincoln's LRTP is also the Mobility and Transportation chapter of the Lincoln-Lancaster County Comprehensive Plan. The Lincoln-Lancaster County Comprehensive Plan is reviewed annually to ensure updated data is available and the Plan remains current. The LRTP is reviewed during this Comprehensive Plan Annual Review.

2.2 Transportation Improvement Program (TIP)

The TIP is an intermediate range planning document that is prepared annually and reflects the transportation expenditures programmed over the next four years. Project information is provided in the TIP such as the general project description and cost, the funding source and funding year. The TIP contains information on a wide range of transportation projects including pedestrian and bicycle facilities, trails projects, transit improvements and operations, transportation related planning studies, Airport Authority and Railroad Transportation Safety District activities, and state, county and city road improvements. The TIP draws on priorities identified in the adopted Long Range Transportation Plan to select projects to receive state and federal funding over the next four years. The TIP is used to develop, maintain and update the scheduling of improvements and ensure consistency with the capital improvement programs of the City of Lincoln, Lancaster County and the State (STIP).

2.3 Unified Planning Work Program (UPWP)

On an annual basis the Lincoln MPO prepares a Unified Planning Work Program (UPWP), in cooperation with other transportation agencies, to describe all metropolitan transportation planning activities anticipated within the planning area during the upcoming fiscal year. The UPWP is a short term planning tool that is used to define specific annual goals and work efforts to be performed or managed by the MPO staff. Most of the planning activities outlined in the UPWP are required by state and federal laws in order to support the MPO process. In addition, the UPWP outlines the annual budget for the planning activities of the MPO. Since the UPWP essentially serves as the master regional transportation planning funding application, it emphasizes documentation of planning activities to be performed with funds provided to the MPO by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) and requires approval by both the FHWA and FTA.

2.4 Public Participation Plan

The Lincoln MPO's Public Participation Plan is a proactive process which seeks to provide complete information, timely public notice, and early and continuous public access to key decisions in the metropolitan transportation planning process. This involves evaluating and updating, as necessary, the

MPO's Public Participation Plan to meet the community's needs and federal regulations which have increased the emphasis on providing opportunities for environmental justice with interested parties to comment on the content of the MPO's Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP).

2.5 Congestion Management Process

Federal transportation legislation requires there be a process that provides for effective management and operation of the transportation system to address travel needs within a metropolitan planning area serving a Transportation Management Area (TMA). As a designated TMA, the Lincoln MPO must meet this requirement by establishing a Congestion Management Process (CMP) to serve as a practical tool for the transportation planning staff and decision makers to identify and implement strategies that enhance the mobility of people and goods. This is to be a systematic process that provides information on transportation system performance and alternative strategies to provide for effective management and operation of the transportation system.

2.6 Annual Listing of Obligated Projects

On an annual basis, the State of Nebraska, StarTran, and the MPO must cooperatively develop a listing of projects (including investments in pedestrian walkways and bicycle transportation facilities) for which federal funds were obligated in the preceding program year. The listing shall include all federally funded projects authorized or revised to increase obligations in the preceding program year, and shall at a minimum include the TIP information and identify, for each project, the amount of Federal funds requested in the TIP, the Federal funding that was obligated during the preceding year, and the Federal funding remaining and available for subsequent years. The listing shall be published or otherwise made available in accordance with the MPO's public participation criteria for the TIP.

2.7 Certification

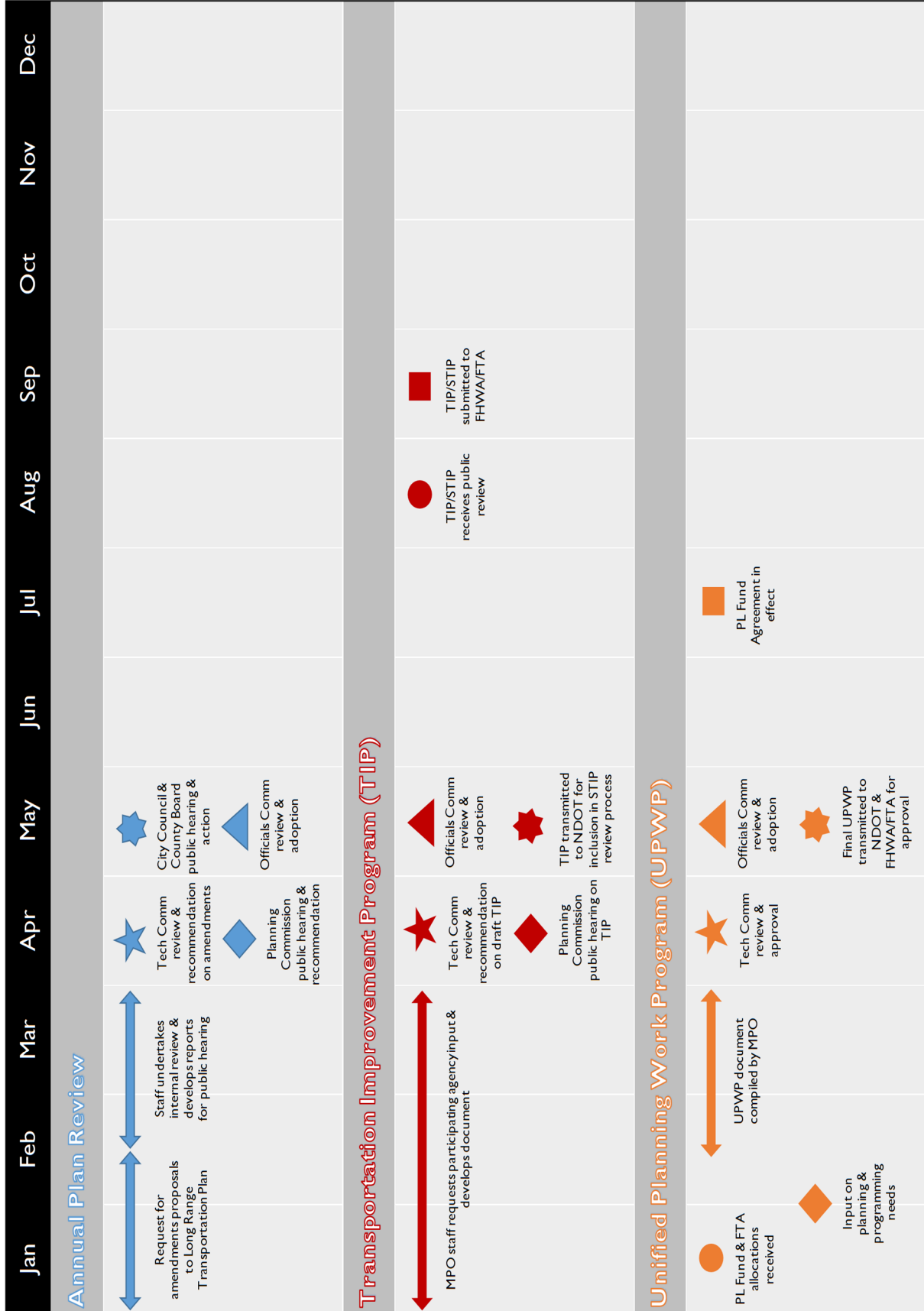
A self-review and evaluation of the transportation planning process for the Lincoln MPO is conducted each year assessing its compliance with applicable federal metropolitan planning laws and regulations. A report is prepared, reviewed and acted upon by the MPO's Technical and Officials Committees regarding this compliance evaluation on the transportation planning process.

As a designated Transportation Management Area (TMA), the Lincoln MPO is also required to participate in a detailed review of the transportation planning process for the entire MPO planning area involving all participating agencies on a four year cycle. Federal representatives interview staff associated with the transportation planning process and hold a public hearing to solicit feedback from the public. The focus is to determine if the planning process meets the federal regulations governing the development of transportation plans and programs for metropolitan areas.

2.8 Other Planning Documents as Required

The MPO is responsible for other planning and programmatic efforts that help meet the transportation planning needs of the region. When other efforts are needed, the MPO provides administrative assistance and develops documents as required.

Figure 3 MPO Annual Document Approval Process

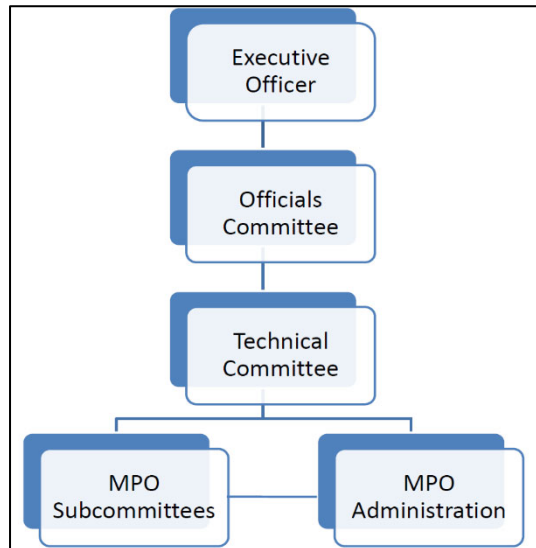


3.0 Organization and Administration

3.1 Organizational Structure

The Mayor of the City of Lincoln is the Executive Officer of the Lincoln MPO. Under the Mayor, the MPO functions through a committee structure comprised of an Officials Committee, a Technical Committee, a number of subcommittees, and MPO administrative staff.

Figure 4 MPO Organizational Structure



3.2 Officials Committee

The Lincoln MPO Officials Committee functions as the policy making arm of the MPO. The Officials Committee membership consists of elected officials representing the City of Lincoln, Lancaster County and the State of Nebraska. The Committee is comprised of six voting members and two non-voting members. The voting members review and act upon transportation related programs and studies recommended by the MPO Technical Committee. Reviews and recommendations by the Officials Committee are to be in compliance with the established planning process and the policies of the general purpose governments and agencies which they represent. The non-voting members represent the federal transportation agencies for the region and provide policy guidance to the Committee.

The Officials Committee is comprised of the following elected officials who represent the governmental bodies which make policy decisions in the Lincoln MPO:

Voting Members:

- Mayor, City of Lincoln
- Two members of the County Board of Commissioners, Lancaster County
- Two members of the City Council, City of Lincoln
- Director, Nebraska Department of Transportation

Non-Voting:

- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)

Secretary:

- MPO Administrator (Director, Lincoln-Lancaster County Planning Department)

The term of office of voting members from the County Board of Commissioners and Lincoln City Council shall be two years or until a successor is appointed and takes office. The Officials Committee holds meetings on a quarterly basis and is subject to call additional meetings as circumstances warrant. The meetings are posted and open to the public and are held at such time and place as generally convenient to the membership. (See Appendix C for Bylaws of the Officials Committee.)

3.3 Technical Committee

The Lincoln MPO Technical Committee provides detailed analysis of transportation related topics in support of the transportation decision-making process. The Technical Committee is made up of representatives of various professional transportation and related planning disciplines which review the effects of transportation plans and programs on social, economic, and environmental factors in conformance with appropriate federal regulations.

The Technical Committee serves as the administrative and technical staff to implement the plans and policies of the Lincoln MPO and proposes, develops and/or reviews transportation related programs, studies and proposals. The Committee conducts the work necessary to produce and amend the Long Range Transportation Plan. Short-term planning documents developed and reviewed by the Technical Committee include the Unified Planning Work Program, Transportation Improvement Program, and the annual Certification report, among other implementation documents. The Technical Committee makes recommendations to the Officials Committee on proposed programs, studies and documents.

The Technical Committee shall be constituted of the following members:

Voting Members:

- Lincoln-Lancaster County Planning Director, Tri-Chair
- Lincoln Transportation & Utilities Director, Tri-Chair
- Lancaster County Engineer, Tri-Chair
- Lincoln Transportation & Utilities Assistant Director of Transportation - City Engineer
- Railroad Transportation Safety District (RTSD) Executive Director
- Planning Department Principal Planner
- Lancaster County Assistant County Engineer
- Lincoln Transportation & Utilities Assistant City Engineer
- Planning Department Multi-Modal Transportation Planner
- Urban Development Department Director
- Lincoln-Lancaster County Health Department Air Quality Supervisor
- Lincoln Parks and Recreation Director
- Lincoln Transportation & Utilities Assistant Director of Transit
- Lincoln Airport Authority Executive Director
- NDOT District I Engineer
- NDOT Planning and Project Development Manager
- Hickman City Administrator
- Waverly City Administrator
- Bennet City Clerk/Treasurer

Non-Voting Members:

- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- Chairperson, Pedestrian and Bicycle Advisory Committee
- District General Manager, Lower Platte South Natural Resources District

Staff Administrator:

- MPO Transportation Planner
-

The Committee is organized through a Tri-Chair leadership in which the Lincoln-Lancaster County Planning Director, the Lincoln Transportation & Utilities Director, and the Lancaster County Engineer

each serve one year terms as Chair on a rotating basis. It is anticipated, when necessary, that expert advice and guidance may be sought from other contributing agencies such as law enforcement agencies, educational institutions, and, if necessary, private consulting organizations, depending upon staff availability and budgetary considerations, to conduct transportation planning activities.

The Technical Committee holds meetings on a quarterly basis and is subject to call as circumstances warrant. The meetings are open to the public and will be held at such time and place as generally convenient to the membership. (See Appendix D for Bylaws of the Technical Committee.)

3.4 Planning Commission

The Lincoln/Lancaster County Planning Commission plays an important role in the MPO transportation planning process. Advertised public hearings before the Planning Commission are part of the formal adoption of the MPO LRTP. In addition, the Planning Commission reviews the TIP for conformance with the LRTP. After public hearings are held, the Planning Commission forwards the MPO documents to the Officials Committee for approval.

3.5 MPO Subcommittees

A number of subcommittees are in place to assist the MPO in meeting the requirements of the transportation planning process and in developing required documents for the MPO. The subcommittees are described in detail below. Meetings of the MPO subcommittees are to be held quarterly, or additionally as needed, and regular updates of meeting proceedings and work activities are provided to the Technical Committee.

3.5.1. MPO Administration Committee

Lead Agency:

- Planning Department

Membership:

- Planning Department
- Lincoln Transportation & Utilities-Transportation
- Lincoln Transportation & Utilities-StarTran
- County Engineer
- NDOT

Work Items:

- Unified Planning Work Program (UPWP)
- Annual Certification Review
- Federal Certification
- Public Participation Plan/Environmental Justice (Natural resource agency involvement and citizen engagement efforts including issue identification, review of involvement process effectiveness, idea development, polling, focus groups, ad-hoc committees, etc.)
- Regulation Review

Meetings:

- Subject to call as circumstances arise.

Reporting:

- Updates of meetings and work efforts provided regularly at Technical Committee meetings.
-

3.5.2. Programming and Funding Committee

Lead Agency:

- Planning Department

Membership:

- Planning Department
- Lincoln Transportation & Utilities-Transportation
- Lincoln Transportation & Utilities-StarTran
- Parks & Recreation
- Urban Development
- County Engineer
- NDOT
- Other agencies as appropriate

Work Items:

- Transportation Improvement Program (TIP)
- Project status and funding updates on City/County/State projects
- Funding and program review (Job Access and Reverse Commute, Elderly Individuals and Individuals with Disabilities, New Freedom, Transportation Alternative Program, Safety Projects, STP, RTSD, FTA projects, FAA projects, etc.)

Meetings:

- Subject to call as circumstances arise.

Reporting:

- Updates of meetings and work efforts provided regularly at Technical Committee meetings.
-

3.5.3. System Management and Operations Committee

Lead Agency:

- Transportation & Utilities-Transportation

Membership:

- Transportation & Utilities-Transportation
- Planning Department
- County Engineer
- NDOT
- Health Department

Work Items:

- Congestion Management Process
- Intelligent Transportation Systems
- Safety and Security
- Crash Study
- Vehicle Occupancy
- Freight
- Street System Condition Inventory
- Air Quality

Meetings:

- Subject to call as circumstances arise.

Reporting:

- Updates of meetings and work efforts provided regularly at Technical Committee meetings.
-

3.5.4. Multi-Modal Committee

Lead Agency:

- Planning Department

Membership:

- Planning Department
- Transportation & Utilities-Transportation
- StarTran
- Parks & Recreation
- NDOT
- Health Department
- Lower Platte South Natural Resources District

Work Items:

- Transit System
- Multi-Use Trails
- Bicycle System
- Pedestrian System
- Transportation Alternative Program
- ADA Transition Plan for Right-of-Way Facilities
- Meetings:
- Subject to call as circumstances arise.

Reporting:

- Updates of meetings and work efforts provided regularly at Technical Committee meetings.
-

3.5.5. Special Studies and Projects Committee

Lead Agency:

- Variable

Membership:

- Ad Hoc/Standing

Work Items:

- LRTP
- Functional Classification
- Traffic Model
- Environmental and Natural Resource Issues
- Other Studies/ Projects

Meetings:

- Subject to call as circumstances arise.

Reporting:

- Updates of meetings and work efforts provided at Technical Committee meetings.
-

3.6 MPO Administration

Administration of MPO activities is the responsibility of the Lincoln-Lancaster County Planning Department. The Planning Director is the MPO Administrator. The MPO Administrator, with direction from the Mayor of the City of Lincoln and the MPO Officials Committee, is responsible for on-going coordination, direction, and supervision of the Lincoln MPO transportation planning process. This responsibility includes supervision of MPO staff, coordination of transportation planning activities in the Lincoln area, and compliance with federal transportation legislation and other regulations and requirements for metropolitan planning.

Staff members from the Planning Department support the MPO administration function. A Transportation Planner position functions as the MPO Staff Administrator. Staff from various city and county departments assist Planning Department staff in meeting the demands of the MPO administration duties. Participating agency staff are involved in the MPO process through project planning, modeling work, plan review efforts, and committee membership.

3.7 MPO Meetings

Meetings of the Technical Committee are scheduled every two months. Officials Committee meetings are scheduled as needed, but are to be held at least four times each year to set policy guidelines, review transportation planning activities, and act on MPO transportation planning documents and programs. Meetings of the Officials Committee and the Technical Committee are subject to the Nebraska Open Meetings Act.

Subcommittee meetings are held on a quarterly basis or additionally as circumstances require. Regular updates on work efforts and meeting proceedings are provided at Technical Committee meetings.

Interagency staff coordination is achieved on an informal and as-needed basis, with work schedules and meetings being established by mutual agreement as required to accomplish planning, programming and implementation schedules.

The MPO Administrator and staff are responsible for scheduling and coordinating meetings, preparing meeting agendas, recording proceedings of meetings and the dissemination of proceedings. The Administrator distributes meeting notices and agendas at least one (1) week in advance of scheduled meetings.

Note: Federal Transit Administration (FTA) was previously known as the Urban Mass Transportation Administration (UMTA) created by the Urban Mass Transportation Act of 1964. The name of the agency was changed to the Federal Transit Administration in 1991, and references to the “Urban Mass Transportation Act” were changed to the “Federal Transit Act” (Federal Transit Act Amendments of 1991).

Lincoln Metropolitan Planning Organization

Appendix A:

Designation of City of Lincoln as the Lincoln MPO



City of Lincoln Nebraska

OFFICE OF THE
MAYOR

SAM SCHWARTZKOPF
MAYOR

February 12, 1974

Honorable J. James Exon
Governor of Nebraska
State Capitol Building
Lincoln, Nebraska 68509

Attention: Robert Kuzelka

Dear Governor Exon:

The City of Lincoln had earlier received your letter of January 9, relating to the designation of the City of Lincoln as the Metropolitan Planning Agency for the Standard Metropolitan Statistical Area of Lancaster County. In that letter you indicated that one of the prerequisites was the recognition of that and acceptance of that by the City of Lincoln.

In accordance with your letter, I am sending herewith a certified copy of the Resolution passed by the City Council and approved by me.

Should you require additional information, we will be glad to respond.

Sincerely,

Sam Schwartzkopf
Mayor

SS/DEB/11e

Enc.

RESOLUTION NO. A- 60652

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That said City hereby accepts the action of the Governor of the State of Nebraska in designating the City of Lincoln as the Metropolitan Planning Agency for the Standard Metropolitan Statistical Area of Lancaster County pursuant to the provisions of Section 112 of the Federal Highway Act of 1973.

BE IT FURTHER RESOLVED that the City of Lincoln hereby recognizes that it will become the sole recipient for funds under Section 112 of the Federal Highway Act of 1973, Section 9 of the Urban Mass Transportation Act of 1964, as amended, and where applicable, Section 13 of the Airport and Airway Development Act of 1970, as amended.

Introduced by

W. Richard Parks

Approved as to Form & Legality:

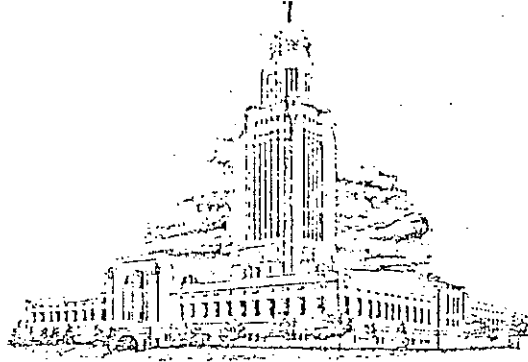
Richard R. Wood
City Attorney

ADOPTED

JAN 21 1974

By City Council

J. JAMES EXON
GOVERNOR



STATE OF NEBRASKA

1974 MAY 8

RECEIVED
MAY 8 - 1974
MAYOR'S OFFICE

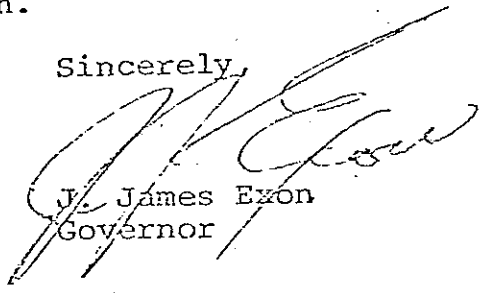
Honorable Sam Schwartzkopf, Mayor
City of Lincoln
555 South 10th
Lincoln, Nebraska 68508

Dear Mayor Schwartzkopf:

In accordance with my recommendation of March 22, 1974 to the Region VII Intermodal Planning Group (IPG), City of Lincoln has been designated the metropolitan transportation planning agency for the Lincoln Metropolitan Area.

Enclosed is a copy of the notification from the Chairman of the IPG regarding this action.

Sincerely,


J. James Exon
Governor

Lincoln Metropolitan Planning Organization

Appendix B:

MPO Memorandum of Understanding

Memorandum of Understanding

between

The City of Lincoln, Nebraska (hereinafter referred to as "City"), Lancaster County, Nebraska (hereinafter referred to as "County"), Lincoln City-Lancaster County Planning Commission, and the State of Nebraska, Department of Roads (hereinafter referred to as "State") (all hereinafter referred to as "Agencies") in cooperation with the United States Department of Transportation, Federal Highway Administration (hereinafter referred to as "FHWA") and Urban Mass Transportation Administration (hereinafter referred to as "UMTA")

Concerning

Transportation planning for the metropolitan urban area of Lincoln-Lancaster County, Nebraska.

WHEREAS, on February 24, 1959, the City and the County entered into an agreement for the purpose of establishment, operation, and maintenance of the Lincoln City-Lancaster County Planning and Zoning Commission, the name of which has been changed to the Lincoln City-Lancaster County Planning Commission; and

WHEREAS, the February 24, 1959 Interlocal Agreement states that "all financial and contractual transactions shall be handled by the City after approval by the Board of Commissioners" of the county; and

WHEREAS, on March 22, 1974, the Governor of the State of Nebraska designated the City of Lincoln as the Metropolitan Planning Organization for the purposes of 23 U.S.C.104 (f)(3) and section 9 of the UMT Act of 1964, as amended, (49 U.S.C. 1607a); and

WHEREAS, the Lincoln City-Lancaster County Planning Commission was designated as the Areawide A-95 Clearinghouse; and

WHEREAS, the Lincoln City-Lancaster County Planning Commission is involved in the planning function for the City of Lincoln and Lancaster County, but serves as agency of those two special purpose local governments without independent financial and contractual responsibility; and

WHEREAS, the Federal Highway Act of 1962 requires that a continuing, comprehensive transportation planning process be carried on cooperatively between state and local governments in urban areas of over 50,000 population; and

WHEREAS, the Urban Mass Transportation Act of 1964, requires that each urbanized area have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS, the above specified agencies have had a past history of cooperative and coordinated effort concerning various aspects of transportation planning; and

WHEREAS, the City, the County, the Lincoln City-Lancaster County Planning Commission, the State, the FHWA, and the UMTA wish to assure continuity in the cooperative, comprehensive and coordinated urban transportation planning process for the Lincoln Metropolitan Area,

NOW, THEREFORE, be it resolved;

that the City, the County, the Lincoln City-Lancaster County Planning Commission, and the State, in cooperation with the FHWA and the UMTA do and hereby approve and enter into this MEMORANDUM OF UNDERSTANDING on urban transportation planning;

that the agencies as specified herein will proceed in full accord with the provisions for the transportation planning process as is provided in 23 United State Code 134, and Sections 3(a)(2), 4(a), 5(g)(1), and 5(1) of the Urban Mass Transportation Act of 1964, as amended, and as documented in the OPERATIONS PLAN for continuing transportation planning in the Lincoln metropolitan area, dated June 15, 1971, or as amended, recognizing the planning function and areawide clearinghouse responsibilities of the Lincoln City-Lancaster County Planning Commission and its establishment as an agency

of the City of Lincoln and of Lancaster County as above set forth.

IN WITNESS WHEREOF, each of the parties hereto have caused this Agreement to be executed and delivered by their respective duly authorized officers as of the dates indicated below.

EXECUTED by the County of Lancaster County, Nebraska, on this _____ day of Nov 8, 1977.

COUNTY OF LANCASTER, NEBRASKA
a political subdivision of the
State of Nebraska,

ATTEST:

Carl S Hartman

County Clerk

H. Bruce Boardman

Chairman, Lancaster County Board
of Commissioners

APPROVED AS TO FORM
AND LEGALITY:
THIS 8th DAY OF Nov, 1977
Michael S. Heavner
County Attorney
LANCASTER COUNTY ATTORNEY

EXECUTED by the City of Lincoln, Nebraska on this 16th day of November, 1977.

CITY OF LINCOLN, NEBRASKA
a municipal corporation

ATTEST:

Paul Mazur

City Clerk - De Ann

Helen Boosalis

Helen Boosalis, Mayor

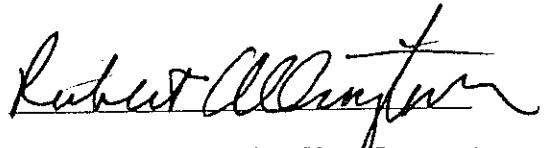
Approved as to Form and Legality:

Wesley L Kerik

Wesley L Kerik
City Attorney

EXECUTED by the Lincoln City-Lancaster County Planning Commission on
this 19th day of October, 1977.

LINCOLN CITY-LANCASTER COUNTY
PLANNING COMMISSION

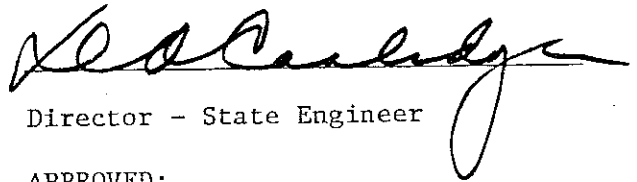
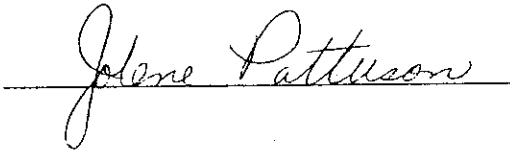


Chairman, Lincoln City-Lancaster
County Planning Commission

EXECUTED by the State of Nebraska Department of Roads on this 23 day
of Nov, 1977.

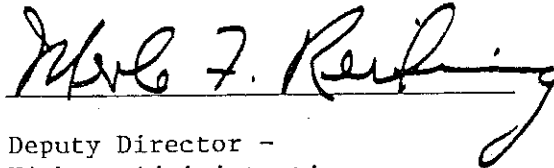
STATE OF NEBRASKA
DEPARTMENT OF ROADS

ATTEST:



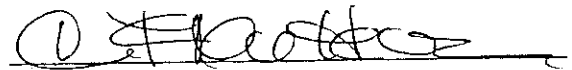
Director - State Engineer

RECOMMENDED:



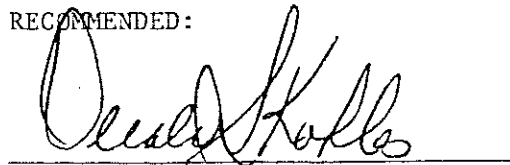
Deputy Director -
Highway Administration

APPROVED:



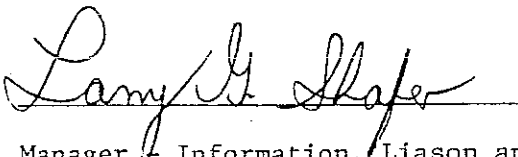
Deputy State Engineer -
Engineering Services

RECOMMENDED:



Engineer - Planning Division

RECOMMENDED:



Manager Information, Liason and
Agreement Services Division

RESOLUTION NO. A- 64435

01 WHEREAS, on May 25, 1965, the City of Lincoln, Nebraska,
02 the County of Lancaster, Nebraska, and the Nebraska Department of
03 Roads in cooperation with the United States Department of Commerce,
04 Bureau of Public Roads (presently known as the United States
05 Department of Transportation, Federal Highway Administration)
06 entered into a "Memorandum of Understanding" as required by the
07 Federal Aid Highway Act of 1962; and

08 WHEREAS, the above-named agencies and governments
09 entered into an updated Memorandum of Understanding in May, 1972;
10 and

11 WHEREAS, it is necessary that a current and updated
12 memorandum of understanding be entered into between the City of
13 Lincoln, the County of Lancaster, Nebraska, the Lincoln City-
14 Lancaster County Planning Commission, and the State of Nebraska,
15 Department of Roads, in cooperation with the United States Department
16 of Transportation, Federal Highway Administration and Urban Mass
17 Transportation Administration.

18 NOW, THEREFORE, BE IT RESOLVED by the City Council of
19 the City of Lincoln, Nebraska:

20 That the attached "Memorandum of Understanding" between
21 the City of Lincoln, Lancaster County, Lincoln City-Lancaster
22 County Planning Commission, and the State of Nebraska, Department
23 of Roads, in cooperation with the United States Department of
24 Transportation, Federal Highway Administration and Urban Mass
25 Transportation Administration providing for continuity in the
26 cooperative, comprehensive, and coordinated urban transportation
27 planning process for the Lincoln Metropolitan Area is hereby
28 approved, and the Mayor is authorized to execute the same on
29 behalf of the City of Lincoln.

APPROVED

NOV 13 1977

Introduced by:

Charles D. Humble

Approved as to Form and Legality: Staff Review Completed:

Charles D. Humble
City Attorney

[Signature]
Administrative Director

Vote: AYES: Cook, Hampton, Robinson,
Scherer, Sikyta; NAYS: None;
ABSENT: Baker, Jeambey

BY VIRTUE OF THE AUTHORITY VESTED IN ME by the Charter of the City of Lincoln, Nebraska:

The attached Memorandum of Understanding between the City, Lancaster County, Lincoln City-Lancaster County Planning Commission, and the State of Nebraska, Department of Roads in cooperation with the United States Department of Transportation, Federal Highway Administration and Urban Mass Transportation Administration, providing for continuity in the cooperative, comprehensive, and coordinated urban transportation planning process for the Lincoln Metropolitan Area is hereby approved, and I have executed said Memorandum of Understanding on behalf of the City of Lincoln.

The City Clerk is directed to retain an executed copy of this Memorandum of Understanding on file in the records of her office, and the Planning Director shall cause executed copies to be distributed to the appropriate governments and agencies.

Dated this 15 day of November, 1977.

Helen G. Boosalis

Helen G. Boosalis, Mayor

Approved as to Form and Legality:

Christ *Walter L. Kerst*
City Attorney

Staff Review Completed:

[Signature]
Administrative Director

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANCASTER COUNTY, NEBRASKA.

In the Matter of the Execution
of Memorandum of Understanding

RESOLUTION NO. 3245

WHEREAS, on May 25, 1965, the City of Lincoln, Nebraska, the County of Lancaster, Nebraska, and the Nebraska Department of Roads in cooperation with the United States Department of Commerce, Bureau of Public Roads (presently known as the United States Department of Transportation, Federal Highway Administration) entered into a "Memorandum of Understanding" as required by the Federal Aid Highway Act of 1962, and

WHEREAS, the above named agencies and governments entered into an updated Memorandum of Understanding in May, 1972, and

WHEREAS, it is necessary that a current and updated memorandum of understanding be entered into between the City of Lincoln, Nebraska, the County of Lancaster, Nebraska, the Lincoln City-Lancaster County Planning Commission, and the State of Nebraska, Department of Roads, in cooperation with the United States Department of Transportation, Federal Highway Administration and Urban Mass Transportation Administration.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lancaster County, Nebraska:

That the attached "Memorandum of Understanding" between the City, Lancaster County, Lincoln City-Lancaster County Planning Commission, and the State of Nebraska, Department of Roads, in cooperation with the United States Department of Transportation, Federal Highway Administration and Urban Mass Transportation Administration, providing for continuity in the cooperative, comprehensive, and coordinated urban transportation planning process for the Lincoln Metropolitan Area is hereby approved, and that the Chairman of the Board of County Commissioners of Lancaster County, Nebraska, is authorized to execute the same.

Approved as to Form
this _____ day of _____
APR 1977
THIS IS TRUE

Michael J. Heenan
LANCASTER COUNTY ATTORNEY

BY THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

H. B. ...
John E. ...
Ken ...

Lincoln Metropolitan Planning Organization

Appendix C:

Memorandum of Agreement

**MEMORANDUM OF AGREEMENT FOR
TRANSPORTATION PLANNING AND PROGRAMMING**

**BY AND BETWEEN THE
LINCOLN METROPOLITAN PLANNING ORGANIZATION,
CITY OF LINCOLN STARTRAN BUS SERVICE,
AND
NEBRASKA DEPARTMENT OF TRANSPORTATION**

THIS MEMORANDUM OF AGREEMENT (MOA) is between the Nebraska Department of Transportation ("State"), the Lincoln Metropolitan Planning Organization ("MPO"), and the City of Lincoln StarTran Bus Service ("StarTran") collectively referred to as "Parties."

WITNESSETH:

WHEREAS, pursuant to various statutes, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have established regulations which call for each metropolitan area to have a continuing, cooperative, and comprehensive transportation planning process that considers all transportation modes and supports metropolitan community development as a requirement for obtaining federal transportation funds; and

WHEREAS, federal statutes and regulation require each state to have a statewide transportation planning process that is fully coordinated with the metropolitan transportation planning process; and

WHEREAS, the purpose of this Memorandum of Agreement is to fulfill the requirements of 23 C.F.R. 450.314 Metropolitan Planning Agreements; and cooperatively outlines the responsibilities of the Parties in carrying out the Metropolitan Transportation Planning process.

WHEREAS, federal regulations establish a coordinated statewide and MPO transportation planning process that includes the development of a transportation plan addressing no less than a twenty-year planning horizon as of the effective date of the transportation plan for the metropolitan planning organization; and

WHEREAS, MPO is responsible for the Metropolitan Transportation Plan within the Metropolitan Planning Area (MPA) which includes the county of Lancaster, Nebraska; and

WHEREAS, the purpose of this MOA is to define the specific roles and responsibilities of MPO and State for metropolitan transportation planning and programming, to implement these statutes and regulations, and to ensure that a cooperative transportation planning and programming process is established between MPO and State in the MPA; and

WHEREAS, MPO is empowered to make and adopt a Regional Plan for the physical development of the territory within its geographic area, including transportation and land use plans, and nothing contained in this MOA shall be construed to abrogate or delete the exercise of statutory powers and duties of local boards or commissions and limit their ability under state and federal law to review and take action on all matters within the scope of its statutory responsibilities; and

WHEREAS, State is responsible for formulating the general policy and planning the statewide transportation system including: the management, construction and maintenance of public highways in Nebraska; for adopting a statewide transportation plan, Statewide Transportation Improvement Program and annual budgets for the construction, maintenance and operation of the state highway system; and nothing contained in this MOA shall be construed to abrogate or delete the exercise of State's statutory powers and duties as the appropriate state agency under state and federal law to review and take action on all matters within the scope of its statutory responsibilities; and

WHEREAS, Nebraska statutes have authorized State to implement policy and direction, enter into contracts and agreements with other government unit, and to take other actions as may be necessary to comply with federal laws and regulations; and

WHEREAS, MPO is the designated Transportation Management Agency (TMA) pursuant to 23 USC 134 and 49 USC 5303 et seq. and continues to carry out its responsibilities in accordance with 23 CFR 450; and

WHEREAS, it is the desire and intent of the Parties to fulfill the pertinent federal requirements for MPO pursuant to this MOA, while recognizing, and preserving the policies and statutory responsibilities of State under its enabling legislation; and

WHEREAS, federal regulations require that the metropolitan transportation planning and programming process considers all modes of transportation and provides for consideration of projects, strategies and services consistent with metropolitan and local goals; and

WHEREAS, federal regulations require a performance-based approach for the Metropolitan Transportation Planning Process, and for transportation decision-making; and

WHEREAS, successful implementation of MPO's comprehensive plans and programs requires the continuing cooperative effort of local, regional, and state governments.

NOW THEREFORE, in consideration of these facts, the Parties agree as follows:

The original MOA agreements between the MPO and the State on April 10, 2013 and the most recent agreement on April 30, 2018, between the Parties are hereby terminated and superseded in their entirety by this MOA.

SECTION 1. DURATION OF THIS AGREEMENT

- 1.1 Effective Date – This Agreement is effective when executed by the Parties.
- 1.2 Identifying Date – For convenience, this Agreement’s identifying date will be the date State signed the Agreement.
- 1.3 Duration – The duration of this Agreement will be from the Effective Date until a new MOA between the Parties is executed and supersedes this MOA, unless otherwise terminated by mutual consent of the Parties hereto, or as otherwise provided in this Agreement.

SECTION 2. PARTIES

The Parties hereby agree to carry out and actively participate in the continuing, cooperative and comprehensive metropolitan transportation planning and programming process in accordance with applicable federal and state laws and regulations. Further, the Parties agree to cooperate to establish effective mechanisms to meet the needs of the metropolitan transportation planning and programming process, including providing for public involvement in regional and state transportation planning.

SECTION 3. PURPOSE

- 3.1 This MOA is established to define the specific roles and responsibilities of the Parties for metropolitan transportation planning and programming within the MPA boundaries of the MPO. This MOA is also established to provide for the development of financial plans that support the Metropolitan Transportation Plan and the Metropolitan TIP; and the development of the annual listing of obligated projects, pursuant to 23 CFR 450.314.
- 3.2 The Parties hereby agree to carry out and actively participate in the continuing, cooperative, and comprehensive metropolitan transportation planning and programming process in accordance with applicable federal and state law and regulations.
- 3.3 The Parties agree that metropolitan transportation planning and programming processes leading to the development and adoption of Metropolitan Transportation Plan and Transportation Improvement Programs (TIP) may change in order to respond to changes

in the law, restructuring within their respective organizations, or to reflect prior experience and local process.

SECTION 4. APPLICABILITY

This MOA applies to the continuing, cooperative, and comprehensive metropolitan transportation planning and programming process required for MPO by 23 U.S.C. Section 134, and 49 U.S.C. 5303, et seq. and as implemented by the applicable regulations in order for the region to qualify for federal transportation funds and meet regional transportation planning requirements.

SECTION 5. FEDERAL COMPLIANCE

The Parties recognize that the work to be accomplished under this MOA must be in compliance with current and applicable federal highway transportation laws and regulations which require a performance-based approach for the Metropolitan Transportation Planning Process, and for transportation decision-making. The metropolitan transportation planning and programming process considers all modes of transportation and provides for consideration of projects, strategies and services consistent with metropolitan and local goals that will:

1. Support the economic vitality of the metropolitan area; especially by enabling global competitiveness, productivity, and efficiency.
2. Increase the safety of the transportation system for motorized and non-motorized users.
3. Increase the security of the transportation system for motorized and non-motorized users.
4. Increase accessibility and mobility of people and freight.
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns.
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.
7. Promote efficient system management and operation.
8. Emphasize the preservation of the existing transportation system.
9. Improve the resiliency and reliability of the transportation system and reduce or mitigate storm water impacts of surface transportation.
10. Enhance travel and tourism.

SECTION 6. PARTICIPANT RESPONSIBILITIES

- 6.1 MPO, in cooperation with State and the operators of publicly owned transit services, is responsible for operation and maintenance of the metropolitan transportation planning and programming process within the MPA boundaries of the MPO. This responsibility includes preparing and adopting, in a manner consistent with the MOA, all required transportation plans, transportation improvement programs and documents of the metropolitan transportation planning and programming process.
- 6.2 The Parties to this MOA agree to actively participate in the metropolitan transportation planning and programming process, to cooperate to establish effective mechanisms to meet the needs of the metropolitan transportation planning and programming process and to fulfill commitments established pursuant to this MOA. While it is recognized that the Parties are ultimately bound by the actions of their respective agencies, they commit to present within their organizations the recommendations resulting from the metropolitan transportation planning and programming process.
- 6.3 MPO is the agency responsible for comprehensive metropolitan planning and programming. In carrying out its duties and responsibilities within its boundaries, MPO and Transit Agency will cooperatively participate in carrying out the metropolitan transportation planning process. The Parties agree that the responsibilities will include:
1. Coordination of public involvement for local, regional and statewide transportation plans.
 2. Communicate with each other of any new or revised federal policies, regulations, planning factors, and other guidance that may affect statewide and/or metropolitan transportation planning and programming.
 3. Transit Agency shall update the Transit Section of the Unified Planning Work Program and forward it to the Lincoln MPO. Estimates of Transit Planning funds shall be developed in cooperation with State.
 4. Transit Agency shall annually review the Certification of Planning Process as presented by the MPO and make updates as necessary.
 5. Transit Agency will actively participate in the Metropolitan Transportation Plan.
 6. For purposes of developing the Transportation Improvement Program (TIP), Transit Agency and MPO will cooperatively develop estimates of funds that are reasonably expected to be available to support program implementation.
 7. For purposes of developing the Program of Projects, Transit Agency shall utilize its own public process to publish these projects.

SECTION 7. PARTICIPATION IN THE PLANNING PROCESS

- 7.1 MPO has a technical advisory committee to address transportation and transportation-related issues. State will maintain membership on, and will cooperatively participate in, this committee. Any changes to the status of State's role in MPO's technical advisory committees will be made in consultation with State. Cooperation, or cooperative participation, means that State will actively participate on MPO's technical advisory committee; will provide adequate opportunity for the other to review and comment on draft transportation plans, transportation improvement programs and related documents; and will provide constructive comments in a timely manner so they may be evaluated and acted upon.
- 7.2 To facilitate coordination in carrying out the metropolitan transportation planning and programming process, MPO and State will cooperatively develop mechanisms and procedures to carry out the tasks needed to develop the metropolitan transportation planning and programming products required of MPO. MPO and State will meet at least annually to discuss the metropolitan transportation planning and programming process carried out in MPO's transportation planning region, and will address:
1. The events of the past year, including any successes or failures between the participants in carrying out a continuing, cooperative, and comprehensive transportation planning and programming process and the terms of this MOA;
 2. Issues relating to the coming year's planning program; and
 3. Other relevant matters.
- 7.3 The Parties hereby agree to conduct the metropolitan transportation planning process in an open manner such that members of the public, local entities, other transportation providers, and other interested parties can fully participate. The Parties agree to take appropriate actions to ensure public participation through means identified in MPO's public involvement procedures.

SECTION 8. ORGANIZATION OF PLANNING PROCESS

The MPO Officials Committee and Technical Advisory Committee Structure

1. Officials Committee

The Officials Committee of the MPO, as prescribed in its Bylaws, is the policy body for the MPO transportation planning region. The Officials Committee maintains a staff to support its activities. The Officials Committee may, from time to time, by appropriate resolution, appoint such committees, task forces, study

groups, working groups, or other ad hoc or formal groups as it deems expedient to provide advice, recommendations, or technical expertise to further the principles and purposes of MPO in its role as the Metropolitan Planning Organization and Transportation Management Agency. MPO retains at its discretion all rights to define, limit, or terminate the activities of such groups without necessitating a change to this MOA. State has one vote on the Officials Committee.

The MPO's Management Plan defines the purpose, composition, and operating characteristics of the Officials Committee and its advisory committees. The following advisory committees and staff structure currently provide advice and recommendations to the MPO Officials Committee regarding Metropolitan Planning Organization and Transportation Management Agency matters and responsibilities.

2. Technical Advisory Committee

The purpose of the MPO Technical Advisory Committee (TAC) is to provide technical advice and to recommend appropriate courses of action to the MPO Officials Committee and MPO staff on current and emerging transportation issues, goals, plans, and programs affecting MPO. The advice and recommendations address at least the:

- Unified Planning Work Program;
- Transportation Improvement Program;
- Metropolitan Transportation Plan;
- Policies and programs as may be directed by MPO.

State has two votes on the TAC.

SECTION 9. GENERAL RESPONSIBILITIES

9.1 The Parties recognize that State has a continuing duty of planning transportation systems of statewide significance, identifying potential transportation issues and concerns of statewide interest, and reconciling conflicts between MTPs and transportation improvement programs. In carrying out its duties, State will partner with MPO on activities within the MPA of the MPO.

9.2 Parties recognize that MPO is the agency responsible for comprehensive metropolitan transportation planning and programming for MPO pursuant to federal law. In carrying out its duties and responsibilities within its MPA, MPO will cooperatively participate in

activities with State.

- 9.3 MPO and State will, as appropriate, coordinate public involvement for statewide transportation plans and transportation improvement programs.
- 9.4 MPO and State each will, in a timely manner, inform and seek comment from the other party on proposed new or revised policies, goals and strategies within their purview. Each party will also inform the other of new or revised federal policies, regulations, planning factors listed in 23 CFR 450.206, and other guidance that may affect statewide and/or metropolitan transportation planning and programming.
- 9.5 State will coordinate its project prioritization and programming process with MPO's MTP and TIP development processes to ensure that the state highway system projects State recommends or selects for implementation in the MPO area are consistent with MPO priorities.

SECTION 10. UNIFIED PLANNING WORK PROGRAM (UPWP)

- 10.1 The primary purpose of the UPWP is to provide guidance in the management of work by the staff of MPO and serve as the basis for MPO's one-year transportation planning program. MPO's UPWP is developed in cooperation with local entities, State, and FHWA/FTA. Annually, State will prepare an agreement with MPO, defining terms and conditions for the use of federal planning funds, along with the latest estimate of planning funds available, which is based on funding levels provided by FHWA and FTA. Upon approval, the UPWP for MPO is submitted to State for review and to FHWA/FTA for approval. Upon State and FHWA/FTA approval of MPO's UPWP, the planning monies are available for MPO's use for the various planning activities enumerated in the UPWP. Amendments to the UPWP will be subject to review and approval by the funding agencies. As a basis for review of the UPWP amendment requests, each party will submit reasons for changes, scope of work revisions, and funding information. MPO will require the same information from sub-grantees, if any.
- 10.2 State will review and comment upon draft UPWPs and UPWP amendments to determine eligibility of proposed expenditures. State will also review and comment upon UPWP progress, UPWP funding, status of expenditures, and reports as appropriate. MPO shall submit invoices on a quarterly basis at a minimum. However, payments will not be made more often than once each thirty days. The State, upon receipt of the proper invoices, will make every reasonable effort to provide payment to MPO within thirty calendar days.

SECTION 11. CERTIFICATION OF THE PLANNING PROCESS

Federal regulations require MPO and State to certify that the metropolitan and statewide transportation planning process conforms with all applicable requirements of federal laws. MPO and State will annually certify to FHWA and FTA that the metropolitan transportation planning and programming process is addressing the major issues facing MPO and is being conducted in accordance with all applicable requirements.

SECTION 12. METROPOLITAN TRANSPORTATION PLAN(S)

- 12.1 MPO will review, update, and approve the Metropolitan Transportation Plan (MTP) at least every five years or as required by 23 CFR 450.324. MPO will develop the MTP in consultation with federal and state officials responsible for planning affected by transportation and it will serve as MPO's long-range transportation plan. MPO will develop the revenue projections for the MTP in cooperation with State consistent with resource allocation for federal and state transportation funds. MPO and State staff participates in the development of a recommendation of resource allocation. Such recommendation is considered for adoption by State for federal and state transportation funds. For the purpose of developing the MTP, the Parties shall cooperatively develop estimates of funds that will be available to support MTP implementation.
- 12.2 State will participate in the development of the MTP and will provide initial long-range estimates of available federal and state transportation funds for all funding categories. MPO will use these initial long-range funding estimates during the cooperative development of the final MTP funding levels. State will review and provide written comments, addressing fiscal constraint on the draft MTP in time for the comments to be evaluated and acted upon prior to the draft MTPs being released to the public for comment.
- 12.3 The Parties shall cooperatively develop all federal and state funded transportation projects on the state highway system in MPO's transportation management area for inclusion in MPO's long range transportation plan. The maintenance and operations program will be addressed in the MTP at the system level. Inclusion of the maintenance and operation program in the MTP will be considered a planning estimate, reasonably expected to be available, but not a guarantee or specific commitment of maintenance dollars to be spent in the MPO.

- 12.4 MPO will develop the process and timeline for project prioritization and selection for each MTP. State will participate in the development, review and approval of the project prioritization and selection process. MPO will approve projects to be included in its MTP.
- 12.5 When amending a MTP, MPO will ensure fiscal constraint is maintained. State will review and comment on MTP amendments for fiscal constraint and transportation issues.
- 12.6 The Parties will report events that may significantly impact long range transportation plans as soon as they become known. These events or conditions include problems, delays, or adverse conditions that will materially affect the revenue, schedule, or scope of a project. This disclosure will be accompanied by a statement of the action contemplated to resolve the situation.

SECTION 13. TRANSPORTATION IMPROVEMENT PROGRAMS

- 13.1 For the purpose of developing the Transportation Improvement Programs (TIP), the Parties will cooperatively develop estimates of funds that are reasonably expected to be available to support program implementation.
- 13.2 MPO will develop and approve its TIP as appropriate in coordination with the Statewide Transportation Improvement Program (STIP) and MTP. MPO will ensure its TIP is fiscally constrained and that projects in it are consistent with the MTP. MPO will develop the TIP financial plan in cooperation with State consistent with the approved resource allocation for processing federal aid projects.
- 13.3 MPO, in cooperation with State and the operators of publicly owned transit services, shall establish the TIP development schedule. State will participate in the development of the TIP and will provide initial estimates of available federal and state transportation funds for all funding categories. MPO will use these initial funding estimates during the cooperative development of the final TIP funding levels. State will review and provide comments, addressing fiscal constraints on the draft TIP in time for the comments to be evaluated and acted upon prior to the draft TIP being released to the public for comment. After the TIP is approved by MPO and Governor, State will amend the TIP into the STIP without modification. State will submit its amended STIP to FHWA and FTA for approval and provide copies to the MPO.

- 13.4 MPO and State shall cooperatively develop all federal and state funded transportation projects on the state highway system in MPO's transportation management area for inclusion in MPO's TIP. The maintenance and operations program will be addressed in the TIP at a system level. The maintenance and operations program will be considered a planning estimate, reasonably expected to be available, but not a guarantee or specific commitment of maintenance dollars to be spent in MPO.
- 13.5 MPO will develop the process and timeline for project prioritization and selection for each TIP. State will participate in the development, review and approval of the project prioritization and selection process.
- 13.6 When amending a TIP, MPO will ensure that consistency with the current MTP and fiscal constraint are maintained. State will review and comment on draft TIP amendments for consistency with the STIP and fiscal constraint.
- 13.7 The Parties will report events that might have significant impact on the TIP as soon as they become known. These events or conditions include problems, delays, or adverse conditions that will materially affect the revenue, schedule, or scope of a project. This disclosure will be accompanied by a statement of the action contemplated to resolve the situation.
- 13.8 State, in cooperation with MPO, will ensure all contract scopes for all projects using federal funds carried out within the MPA boundaries of MPO are consistent with MPO's TIP. State will provide budget reports on all open projects using federal funds carried out within the MPA boundaries of MPO upon request.

SECTION 14. ANNUAL LISTING OF OBLIGATED PROJECTS

In cooperation with State and operators of publicly operated transit services, MPO will develop an annual listing of obligated highway and transit projects requiring federal dollars from the preceding program year. The listing shall be consistent with information contained in the TIP.

SECTION 15. CORRIDOR OR OTHER MAJOR STUDIES

- 15.1 MPO may be the lead agency to conduct regional, multi-jurisdictional corridor or feasibility studies for roadways on the state highway system on behalf of State after discussion with, and agreement by, State.

- 15.2 MPO is responsible for maintaining and updating the regional transportation model for the arterial roadways within MPO's urbanized area. State will provide existing traffic count information in the form of annual average daily traffic (AADT) volume for all state highways within MPO's urbanized area. This information shall be converted to average daily traffic (ADT) and used by MPO for model calibration and by State as data input for the bi-annually prepared traffic flow map. The regional transportation model shall be updated to include new census information that is developed and published every ten years by the Census Bureau. State shall review MPO's model as it is being developed or updated to ensure model performance and consistency is achieved. MPO and State shall work cooperatively in the development and application of the regional transportation model.
- 15.3 MPO and State will share in the traffic counting responsibilities for roadways within MPO's urbanized area. Generally, MPO will perform traffic counts for roadways off of the state highway system, and State will perform traffic counts for all roadways on the state highway system, including the interstate system. MPO and State agree that traffic counting services may be requested for roadways on the other entity's system. This service may be requested due to an entity's current staffing and workload conditions or in cases where deadlines require this level of cooperation. MPO and State agree to perform traffic counts in accordance with current FHWA traffic data collection guidance.
- 15.4 As appropriate, MPO will participate in other State transportation planning efforts within the MPO region. Additional transportation planning processes include but are not limited to:
- State's Public Hearing and Project Approval Process
 - State's Corridor Study Process
 - Updates/revisions to the State Highway Access Control Policy process
 - Project environmental reviews (Environmental Assessments, Environmental Impact Statements, Categorical Exclusions, etc.)

SECTION 16. PERFORMANCE MEASURES

- 16.1 The Parties agree to consult with State in the establishment of specific written provisions for 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 obtainment of critical outcomes for the region of the MPO, and the collection of data for State asset management plans, pursuant to 23 C.F.R. 450.
- 16.2 The Parties agree that the technical provisions for Performance Measures will be cooperatively developed and specified in the NDOT MPO Operating Manual.

SECTION 17. DISPUTE RESOLUTION

The Parties will make every attempt to resolve differences at the appropriate staff level and in a timely manner. Differences not resolved at the staff level will be addressed by MPO's executive director and State's Director. Policy issues not settled at the executive director and State's Director level will be taken to the FHWA/FTA level for resolution.

SECTION 18. AMENDMENT OR TERMINATION OF AGREEMENT

- 18.1 This MOA will be reviewed at least every four years. It may be amended, whenever deemed appropriate, by written agreement of both parties.
- 18.2 This MOA will be reviewed upon any revisions to applicable federal and state laws.
- 18.3 Either party to this MOA may terminate it by a 60-day written notice to the other party. If this occurs, the Parties agree to consult further to determine whether the issues can be resolved and the agreement re-implemented in an amended form.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Parties hereby execute this Agreement pursuant to lawful authority as of the date signed by each party.

EXECUTED by Lincoln StarTran Bus Service this 21 day of March, 2024.

WITNESS:

STARTRAN

David Cary, Director

Elizabeth Elliott, Director


Lincoln/Lancaster Planning Department


City of Lincoln Department of Transportation and Utilities

EXECUTED by MPO this 21 day of March, 2024.

WITNESS:

LINCOLN METROPOLITAN PLANNING ORGANIZATION (MPO)

David Cary, Director

Mayor Leirion Gaylor Baird


Lincoln/Lancaster Planning Department


Executive Officer

EXECUTED by State this 21 day of March, 2024.

STATE OF NEBRASKA
DEPARTMENT OF TRANSPORTATION
Ryan Huff, P.E.


Intermodal Planning Engineer

Lincoln Metropolitan Planning Organization

Appendix D:

Bylaws of the Officials Committee

Bylaws of the Officials Committee

for the Lincoln Metropolitan Planning Organization

Article I. Officials Committee

Section 1. Name

The name of this Committee shall be the Officials Committee.

Section 2. Purpose and Intent

The Officials Committee shall operate within the intent and purpose as outlined in the "Lincoln MPO: Management Plan" document.

Section 3. Membership

- A. The membership of this Committee shall be as outlined in the "Lincoln MPO: Management Plan" document. Any Committee member who will be absent from a meeting shall have the right to appoint a representative of the same affiliation to serve in place of that member. The appointment of any representative shall be temporary and is not intended to replace a Committee member for the duration of their term. New Committee members shall be approved through either the City Council or County Board nomination process.
- B. The membership of this Committee will be composed of both voting and nonvoting members. Nonvoting members serve in an advisory capacity and provide a liaison between the groups they are representing and the Officials Committee.

Article II. Organization

Section 1. Officers

The officers of this committee shall consist of Chair and Vice-Chair. The Chair and Vice-Chair shall be elected annually from the members of the Officials Committee with one officer position filled by a representative from the City of Lincoln and one officer position filled by a representative from Lancaster County.

Section 2. Secretary

The MPO Administrator, as identified in the "Lincoln MPO: Management Plan" document, shall serve as the Secretary of the Officials Committee.

Section 3. Duties

- A. The Chair shall preside at all meetings of the Officials Committee and may call special meetings when needed. When the Chair is absent, the Vice-Chair shall perform the duties of the Chair.
- B. The Secretary shall be responsible for keeping the records of the Committee, serve notice of meetings, and other duties as requested by the Committee.

Article III. Meetings

Section 1. Time of Meetings

The Officials Committee will hold meetings at least four times a year and be subject to call as circumstances arise. Meetings shall be held at such time and place as generally convenient to the membership.

Section 2. Notice of Meetings

The notice of meetings shall be sent electronically at least seven (7) days in advance of the meeting day, whenever practical. The agenda and other matters of business shall be sent electronically with the meeting notice whenever possible.

Section 3. Quorum and Voting

- A. A majority of the voting members of the Officials Committee shall constitute a quorum.
- B. Nonvoting members shall not vote on questions brought before the Officials Committee during Officials Committee meetings.
- C. Motions and/or seconds to motions may be made by any voting or nonvoting member of the Committee.

Section 4. Preparation and Distribution of Minutes

Minutes shall be prepared by the Secretary for each Officials Committee meeting and said minutes shall be forwarded to the Officials Committee for review and approval. A copy of the draft minutes shall be transmitted to the Chair of the Technical Committee in order to aid in maintaining communications between these committees.

Section 5. Committee Representation

In order to further the communications between the Officials Committee and other bodies which may review and/or act on Officials Committee recommendations and actions, a member of the Officials Committee or appropriate staff shall be appointed by the Chair or elected by the Committee membership to present Committee recommendations or actions, as necessary, to subsequent decision-making or review bodies at appropriate meetings of those bodies.

Article IV. Amendment of Article

Section 1. How Amended

These articles may be amended by a majority vote (four votes) of the entire voting membership of the Officials Committee at a meeting called for such a purpose.

Article V. Additional Bylaws

Roberts Rules of Order shall apply in all cases not specifically referred to in these Bylaws.

**Adopted on September 24, 2009 and
Amended on May 10, 2023**

Lincoln Metropolitan Planning Organization

Appendix E:

Bylaws of the Technical Committee

Bylaws of the Technical Committee

for the Lincoln Metropolitan Planning Organization

Article I. Organization

Section 1. Name

The name of this Committee shall be the Technical Committee.

Section 2. Purpose and Intent

The Technical Committee shall operate within the intent and purpose as outlined in the “Lincoln MPO: Management Plan” document.

Section 3. Membership

- A. The membership of this Committee shall be as outlined in the “Lincoln MPO: Management Plan” document. Any Committee member who will be absent from a meeting shall have the right to appoint a representative of the same affiliation to serve in place of that member.
- B. The membership of this Committee will be composed of both voting and nonvoting members. Nonvoting members serve in an advisory capacity and provide a liaison between the groups they are representing and the Technical Committee.

Article II. Officers

Section 1. Officers

The Technical Committee shall be organized by a Chair and Vice-Chair. The Chair position shall be filled by one of three “Tri-Chairs” consisting of the Director of the Lincoln Transportation & Utilities Department, the Director of Lincoln-Lancaster Planning Department, and the Lancaster County Engineer. Each Tri-Chair shall serve as Chair of the Technical Committee on a one-year revolving basis. The Vice-Chair shall be filled by the Tri-Chair that did not serve as the immediate past Chair.

Section 2. Duties of Officers

- A. Chair: Preside at all meetings of the Technical Committee and call special meetings as needed. Appoint special sub-committees from the membership as needed. Call for and receive reports from established subcommittees on a regular basis.
- B. In the absence of the Chair, the Vice-Chair will preside at meetings of the Technical Committee.

Article III. Meetings

Section 1. Time of Meetings

The Committee shall hold meetings on a quarterly basis, and shall hold additional meetings as needed. The Chair shall call meetings as required. The Chair may also cancel regular quarterly meetings when no items are scheduled for consideration.

Section 2. Notice of Meetings

The notice of meetings shall be sent electronically at least seven (7) days in advance of the meeting day, whenever practical. The agenda and other matters of business shall be sent electronically with the meeting notice whenever possible.

Section 3. Quorum and Voting

- A. The presence of a simple majority of voting members (or appointed representatives, as provided in Article I - Section 3) shall constitute a quorum. When a quorum is present at any meeting, the vote of a simple majority of the voting members present shall decide questions brought before the Committee; however, no measure shall be passed with less than a simple majority of affirmative votes by voting members of the Committee.
- B. Nonvoting members shall not vote on questions brought before the Technical Committee during Technical Committee meetings. Nonvoting members, when appointed to participate in a Technical Committee sub-committee meeting, are afforded equal voting privileges as the other sub-committee members.
- C. Motions and/or seconds to motions may be made by any voting or non-voting member of the Committee, at both Committee and sub-committee meetings.

Section 4. Preparation and Distribution of Minutes

Minutes shall be prepared by the Chair of each Technical Committee meeting and said minutes shall be forwarded to the Committee for review and approval. A copy of the draft minutes shall be transmitted to the Chair of the Officials Committee in order to aid in maintaining communications between these committees.

Section 5. Meeting Participation

Interested citizens shall receive Technical Committee meeting agendas and draft minutes, provided by the Chair. A public comment period shall be held at each Committee meeting. The Chair shall have the authority to limit discussion from non-members of this Committee or take other action necessary in order to transact the business before the Committee.

Section 6. Committee Representation

In order to further the communications between the Technical Committee and other bodies which may review and/or act on Technical Committee recommendations, the Chair of the Technical Committee, or another member of the Technical Committee or designated staff, as appointed by the Chair, will present each Committee recommendation to subsequent decision-making or public bodies at appropriate meetings of those bodies.

Article IV. Amendment of Article

Section 1. How Amended

These articles may be amended by a majority vote of the entire voting membership of the Technical Committee at a meeting called for such a purpose.

Article V. Additional Bylaws

Roberts Rules of Order shall apply in all cases not specifically referred to in these Bylaws.

**Adopted on September 24, 2009 and
Amended on May 10, 2023**