



City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

6 East 6th St.
P.O. Box 708
Lawrence, KS 66044

www.lawrenceplanning.org

Phone 785-832-3150
Tdd 785-832-3205
Fax 785-832-3160

July 1, 2008

Dr. Richard Lariviere
Executive Vice Chancellor and Provost
The University of Kansas
Office of the Provost
1450 Jayhawk Boulevard
Room 250
Lawrence, KS 66045

Dear Dr. Lariviere:

My name is Todd Girdler, and I am the Senior Transportation Planner for the Lawrence-Douglas County Metropolitan Planning Organization (MPO). The MPO is a federally mandated regional planning group that sets regional transportation policies and acts as the gatekeeper agency for federal surface transportation funds in Douglas County. The MPO also approves the Transportation Improvement Program and the Long Range Transportation Plan. The current MPO Policy Board does not include a representative from the University of Kansas, but the Lawrence-Douglas County Planning Commission and the MPO staff have been discussing re-designating the MPO Policy Board to include a KU representative.

The Lawrence-Douglas County Planning Commission has served as the MPO since 1982 when the area first reached the population threshold requiring an MPO. That group is composed of appointed officials only and is the style of MPO that was common in years past. However, the current federal regulations for MPO operations strongly encourage the MPO to be composed primarily of elected officials. This change will bring the region into compliance with the current federal transportation planning regulations and encourage elected officials to be more closely involved with the region's transportation planning efforts.

In order to further explain what this MPO is and why it is important for KU to become involved in it, I would like to schedule a meeting to discuss this with you and any other KU officials that you think would be appropriate. I have also enclosed a copy of the latest draft designation agreement for this new MPO and an excerpt from a USDOT document titled the Transportation Planning Process: Key Issues. I hope to hear from you to discuss when we can meet to talk about the re-designated MPO. Please call me at (785) 832-3155 to schedule a meeting.

Sincerely,

Todd Girdler, AICP
Senior Transportation Planner

Cc: Dr. Don Steeples – KU Vice Provost
Dave Corliss – Lawrence City Manager
Craig Weinaug – Douglas County Administrator
Scott McCullough – Lawrence-Douglas County Planning Director
Thomas Dow – KDOT State Transportation Planner





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July 1, 2008

Sandy Nichols
Lecompton City Clerk
City of Lecompton
PO Box 100
327 Elmore
Lecompton, KS 66050

Dear Ms. Nichols:

My name is Todd Girdler, and I am the Senior Transportation Planner for the Lawrence-Douglas County Metropolitan Planning Organization (MPO). The MPO is a federally mandated regional planning group that sets regional transportation policies and acts as the gatekeeper agency for federal surface transportation funds in Douglas County. The MPO also approves the Transportation Improvement Program and the Long Range Transportation Plan. The current MPO Policy Board does not include a representative from Lecompton, but the Lawrence-Douglas County Planning Commission and the MPO staff has been discussing re-designating the MPO Policy Board to include all cities in Douglas County as stakeholders.

The Lawrence-Douglas County Planning Commission has served as the MPO since 1982 when the area first reached the population threshold requiring an MPO. That group is composed of appointed officials only and is the style of MPO that was common in years past. However, the current federal regulations for MPO operations strongly encourage the MPO to be composed primarily of elected officials. This change will bring the region into compliance with the current federal transportation planning regulations and encourage elected officials to be more closely involved with the region's transportation planning efforts.

In order to further explain what this MPO is and why it is important for Lecompton to become involved in it, I would like to visit with you and your city's elected officials. I enjoyed our conversation on June 20th and accept your invitation to address the Lecompton City Council at their July 7th meeting. I hope to hear from you soon to confirm this meeting date and receive an agenda. I have also enclosed a copy of the latest draft designation agreement for this new MPO and an excerpt from a USDOT document titled the Transportation Planning Process: Key Issues. Please call me at (785) 832-3155 if you have any further questions about the MPO in Douglas County.

Sincerely,

Todd Girdler, AICP
Senior Transportation Planner

Cc: Dave Corliss – Lawrence City Manager
Craig Weinaug – Douglas County Administrator
Scott McCullough – Lawrence-Douglas County Planning Director
Thomas Dow – KDOT State Transportation Planner





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July 1, 2008

Jeff Dingman
City Administrator
City of Baldwin City
803 Eighth Street
P.O. Box 86
Baldwin City, KS 66006

Dear Mr. Dingman:

My name is Todd Girdler, and I am the Senior Transportation Planner for the Lawrence-Douglas County Metropolitan Planning Organization (MPO). The MPO is a federally mandated regional planning group that sets regional transportation policies and acts as the gatekeeper agency for federal surface transportation funds in Douglas County. The MPO also approves the Transportation Improvement Program and the Long Range Transportation Plan. The current MPO Policy Board does not include a representative from Baldwin City, but the Lawrence-Douglas County Planning Commission and the MPO staff has been discussing re-designating the MPO Policy Board to include all cities in Douglas County as stakeholders.

The Lawrence-Douglas County Planning Commission has served as the MPO since 1982 when the area first reached the population threshold requiring an MPO. That group is composed of appointed officials only and is the style of MPO that was common in years past. However, the current federal regulations for MPO operations strongly encourage the MPO to be composed primarily of elected officials. This change will bring the region into compliance with the current federal transportation planning regulations and encourage elected officials to be more closely involved with the region's transportation planning efforts.

In order to further explain what this MPO is and why it is important for Baldwin City to become involved in it, I would like to schedule a meeting to discuss this with you and/or your city's elected officials. I have also enclosed a copy of the latest draft designation agreement for this new MPO and an excerpt from a USDOT document titled the Transportation Planning Process: Key Issues. I hope to hear from you to discuss when we can meet to talk about the re-designated MPO. Please call me at (785) 832-3155 to schedule a meeting.

Sincerely,

Todd Girdler, AICP
Senior Transportation Planner

Cc: Dave Corliss – Lawrence City Manager
Craig Weinaug – Douglas County Administrator
Scott McCullough – Lawrence-Douglas County Planning Director
Thomas Dow – KDOT State Transportation Planner





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July 1, 2008

Donna Olson
City Clerk
City of Eudora
PO Box 650
4 East Seventh Street
Eudora, KS 66025-0650

Dear Ms. Olson:

My name is Todd Girdler, and I am the Senior Transportation Planner for the Lawrence-Douglas County Metropolitan Planning Organization (MPO). The MPO is a federally mandated regional planning group that sets regional transportation policies and acts as the gatekeeper agency for federal surface transportation funds in Douglas County. The MPO also approves the Transportation Improvement Program and the Long Range Transportation Plan. The current MPO Policy Board does not include a representative from Eudora, but the Lawrence-Douglas County Planning Commission and the MPO staff has been discussing re-designating the MPO Policy Board to include all cities in Douglas County as stakeholders.

The Lawrence-Douglas County Planning Commission has served as the MPO since 1982 when the area first reached the population threshold requiring an MPO. That group is composed of appointed officials only and is the style of MPO that was common in years past. However, the current federal regulations for MPO operations strongly encourage the MPO to be composed primarily of elected officials. This change will bring the region into compliance with the current federal transportation planning regulations and encourage elected officials to be more closely involved with the region's transportation planning efforts.

In order to further explain what this MPO is and why it is important for Eudora to become involved in it, I would like to schedule a meeting to discuss this with you and/or your city's elected officials. I have also enclosed a copy of the latest draft designation agreement for this new MPO and an excerpt from a USDOT document titled the Transportation Planning Process: Key Issues. I hope to hear from you to discuss when we can meet to talk about the re-designated MPO. Please call me at (785) 832-3155 to schedule a meeting.

Sincerely,

Todd Girdler, AICP
Senior Transportation Planner

Cc: Dave Corliss – Lawrence City Manager
Craig Weinaug – Douglas County Administrator
Scott McCullough – Lawrence-Douglas County Planning Director
Thomas Dow – KDOT State Transportation Planner



**Lawrence-Douglas County Metropolitan Planning Organization
REDESIGNATION AGREEMENT
FOR COOPERATIVE TRANSPORTATION PLANNING**

This Lawrence-Douglas County Metropolitan Planning Organization Redesignation Agreement for Cooperative Transportation Planning (this Agreement) is entered into by and among the Kansas Department of Transportation, the City of Lawrence, and the Board of County Commissioners of Douglas County Kansas, effective as of the _____ day of _____, 2008.

WHEREAS, federal law requires a continuous, comprehensive and cooperative transportation planning process (3C process) to be undertaken in urbanized areas with populations greater than fifty-thousand persons; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission (L-DC PC) was directed in 1982 to prepare a comprehensive transportation plan and to carry out a continuous and comprehensive transportation planning process in cooperation with the State Highway Commission of Kansas; and

WHEREAS, in 1982 the Governor of Kansas designated the L-DC PC as the Metropolitan Planning Organization (MPO) for the Lawrence urbanized area; and

WHEREAS, the 1982 agreement between the L-DC PC and the Kansas Department of Transportation (KDOT) designated the transportation planning area to include Douglas County, including all legally authorized cities in Douglas County as outlined by the Lawrence-Douglas County urbanized Area; and

WHEREAS, in 2002 the Metropolitan Planning Area Boundary (MPAB) was modified to extend the boundary to encompass all of Douglas County; and

WHEREAS, federal law, 23 C.F.R. 450.306, directs that, to the extent possible, MPOs be established under specific or enabling state legislation, and the Kansas Interlocal Cooperation Act, K.S.A. 12-2901, *et seq.*, enables local governmental units and state agencies to enter into cooperative agreements on a basis of mutual advantage; and

WHEREAS, Kansas law, K.S.A. 68-402, enables the Secretary of Transportation to perform all acts required of a state agency to obtain all benefits of federal transportation legislation; and

WHEREAS, Douglas County, the City of Lawrence, the Kansas Department of Transportation desire to re-designate the MPO to change its composition to primarily elected officials as encouraged by the Safe, Accountable, Flexible, Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and its related laws and regulations.

NOW THEREFORE BE IT MUTUALLY AGREED:

1. Pursuant to 23 C.F.R. § 450.306 (d) the Secretary of the Kansas Department of Transportation (the Governor's designee for Title 23 matters), Douglas County, the City of Lawrence (Central City), and affected local units of government representing at least 75% of the entire population in the MPAB agree to and hereby designate the Lawrence-Douglas County Metropolitan Planning Organization (L-DC MPO) Transportation Policy Board (or Board) as the MPO for the Lawrence-Douglas County urbanized area and sets its Metropolitan Planning Area Boundary (MPAB) as all of Douglas County including all incorporated cities in the county.
2. This Agreement shall remain in effect as long as federal law requires the designation of MPOs to carry out metropolitan transportation planning activities under 23 U.S.C. § 134, or until superseded by a new designation agreement, or upon revocation by the parties in accordance with the method described in 23 C.F.R. 450.310, or as otherwise provided by law.
3. The L-DC MPO Transportation Policy Board shall be a separate legal entity, with the power to sue or be sued, to enter into contracts, to hold title to real and personal property, to have and use a corporate seal, and to do all other acts reasonably necessary to carry out the purposes of this Agreement.
4. The voting members of the L-DC MPO Transportation Policy Board, to serve as the forum for cooperative decision-making, shall include:
 - ❖ 2 City of Lawrence Commissioners as selected by a majority vote of the City Commission at a regularly scheduled meeting; (*Transit and Airport transportation are City of Lawrence Departments and therefore are represented by the City of Lawrence elected officials.*)
 - ❖ 1 Douglas County Commissioner as selected by a majority vote of the County Commission at a regularly scheduled meeting;
 - ❖ 2 Lawrence-Douglas County Metropolitan Planning Commission members as selected by a majority vote of the Planning Commission at a regularly scheduled meeting;
 - ❖ 1 city council member or the mayor of one of the small cities in Douglas County (Baldwin City, Eudora, Lecompton) as mutually agreed upon by these named cities and as prescribed in the L-DC MPO Bylaws;
 - ❖ 1 representative from KDOT as appointed by the Secretary of Transportation; and,

The ex-officio (non-voting) members of the L-DC MPO Transportation Policy Board shall include:

- ❖ 1 representative from the Federal Highways Administration (FHWA) Kansas Division Office selected by the Division Administrator
- ❖ 1 representative from the Federal Transit Administration (FTA) Region 7 Office selected by the Regional Administrator

- ❖ 1 representative from the University of Kansas selected by the KU Executive Vice Chancellor and Provost
- ❖ 1 elected official from the governing body of each of the small cities in Douglas County that are not presently being represented on the L-DC MPO by a voting member.

Membership on the L-DC MPO Transportation Policy Board shall terminate upon a member leaving the office qualifying the person for membership. The original appointing body or person shall fill membership vacancies.

5. The purpose of this Agreement is for cooperative decision-making regarding transportation planning for the MPAB in accordance with 23 U.S.C. § 134.
6. The manner of financing for the activities authorized under this Agreement is through the reimbursement by KDOT of Federal planning funds for up to a maximum of eighty per cent (80%) of authorized Unified Planning Work Program expenditures, with the balance (the nonfederal share) to be provided for by separate fiscal agreement of the City of Lawrence, as well as contributions by other entities that may agree to participate in funding of these activities.
7. The L-DC MPO Transportation Policy Board shall be responsible for preparation of an annual budget, based on the financing provided in the prior paragraph, and any change regarding the budget or expenditure of L-DC MPO Transportation Policy Board funds shall be approved by the Board.
8. The membership of the Transportation Policy Board and any of its sub-committees will be reviewed following the adoption of any new federal transportation legislation and following any changes to the MPAB.
9. The staff services of L-DC MPO, as provided for in the approved annual Unified Planning Work Program, shall be performed by the Lawrence-Douglas County Metropolitan Planning Office under the direction of the Transportation Policy Board through the Planning Director. The relationship of the L-DC MPO and its staff to the City of Lawrence may be explained further and clarified in the annual UPWP and other MPO approved documents as needed.
10. The Finance Director of the City of Lawrence is designated as the custodian and disbursing agent of L-DC MPO Budget. Such services are necessary because the Consolidated Planning Grant funds are provided to L-DC MPO on a reimbursement basis.
11. L-DC MPO Transportation Policy Board shall approve all bylaws governing L-DC MPO operations to carry out the transportation planning requirements. This includes the bylaws for the L-DC MPO Transportation Policy Board as well as its subcommittees (Technical Advisory Committee, etc.). Bylaws for the L-DC MPO Transportation Policy Board shall be created and approved by the L-DC MPO within 6 months of the enactment of this Agreement. Those bylaws shall specify MPO meeting requirements, formation process for MPO subcommittees, and other items needed to assist the L-DC MPO with carrying out the

3C (continuing, comprehensive, cooperative) regional transportation planning process in the Lawrence-Douglas County Area. All bylaws approved by the L-DC MPO are to be consistent with this Agreement. Until such time as bylaws for the L-DC MPO are approved the KDOT representative on the L-DC MPO shall serve as Chairman and manage the MPO meetings.

12. L-DC MPO Transportation Policy Board shall enter into such agreements with any entities as are necessary to carry out required transportation planning processes, subject to its approved budget and available funding.
13. It is further understood that this Agreement and all contracts entered into under the provisions of this Agreement shall be binding upon the Secretary of Transportation, the City of Lawrence, and Douglas County and their successors in office.
14. This Agreement is intended to create no substantive rights or responsibilities for anyone, whether or not a party to this Agreement, over and above those created and conferred by federal or state law.
15. The L-DC MPO Transportation Policy Board shall serve as the designated MPO under this Agreement until such time as a new MPO is formally designated or this designation is formally revoked in accordance with the method described in 23 C.F.R. 450.310, or as otherwise provided by law.
16. Upon any future redesignation, any property owned by the former MPO shall be transferred to the new MPO. Upon revocation, any property owned by the MPO will be disposed of in accordance with federal law when applicable or as otherwise agreed to by the parties to this Agreement.
17. Upon this Agreement taking effect, the 1982 designation of the L-DC Metropolitan Planning Commission as the MPO is revoked.
18. The parties shall execute this Agreement and submit it to the Attorney General of the State of Kansas for approval. Thereafter, the parties shall file one duplicate original of this Agreement with the Register of Deeds of Douglas County, Kansas, and thereafter, with the Secretary of State, all in accordance with K.S.A. 12-2904 and 12-2905, and amendments thereto. This Agreement shall become effective upon the earlier of the approval of the Attorney General or, if not sooner disapproved, 90 days after submission to the Attorney General, and that date shall be inserted on page 1 of this Agreement.

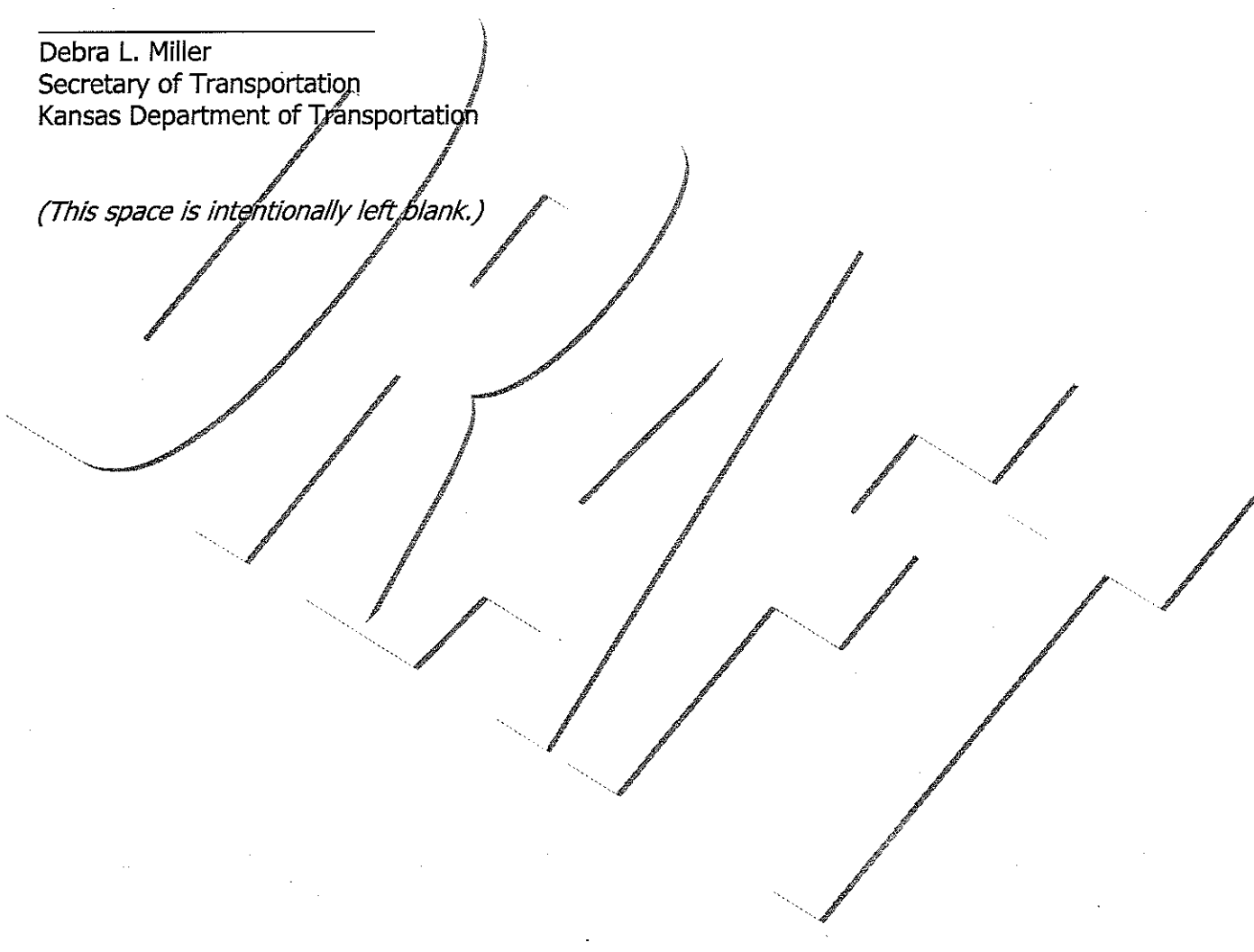
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IN WITNESS WHEREOF, the City, County, and KDOT have caused this Agreement to be signed, on this and following pages, their duly authorized officers.

APPROVED THIS _____ DAY OF _____ 2008, BY THE KANSAS DEPARTMENT OF TRANSPORTATION

Debra L. Miller
Secretary of Transportation
Kansas Department of Transportation

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A large, dark, and illegible scribble, likely a signature or stamp, covering a significant portion of the page. It consists of several overlapping, jagged lines that obscure any text underneath.

APPROVED THIS _____ DAY OF _____ 2008, BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS

Michael Dever
Mayor
City of Lawrence

APPROVED AS TO FORM:

Toni Wheeler
City Attorney

ATTEST:

Frank Reeb
City Clerk

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APPROVED THIS _____ DAY OF _____ 2008, BY THE BOARD OF COUNTY COMMISSIONERS OF DOULGAS COUNTY, KANSAS

Bob Johnson, 2nd District
Chairman
Douglas County Board of County Commissioners

APPROVED AS TO FORM:

Evan Ice
County Counselor

ATTEST:

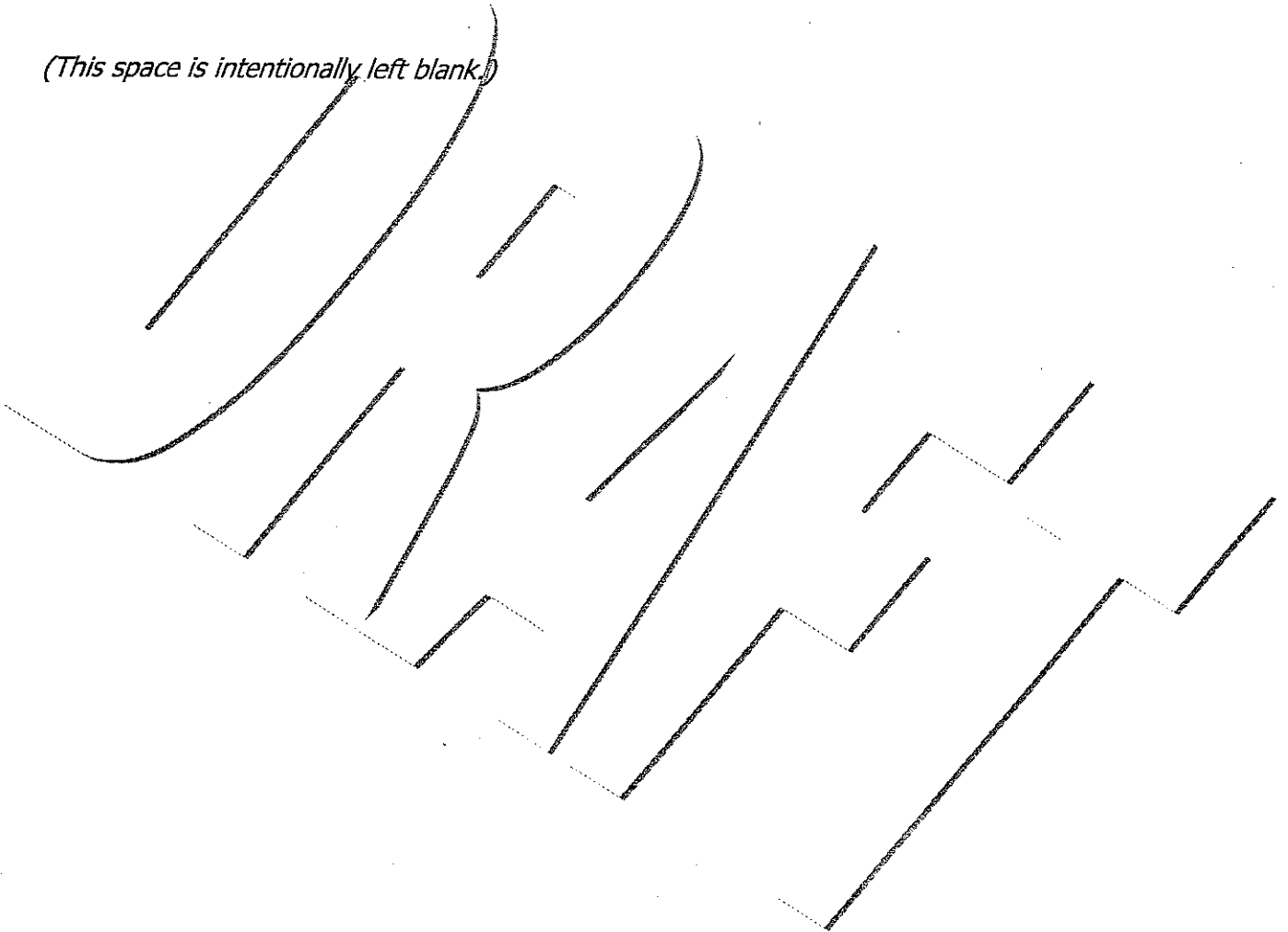
Jamie Shaw
County Clerk

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APPROVED PURSUANT TO K.S.A. 12-2904

OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF KANSAS

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What is a Metropolitan Planning Organization and what are its typical functions?

A Metropolitan Planning Organization (MPO) is a transportation policy-making body made up of representatives from local government and transportation agencies with authority and responsibility in metropolitan planning areas. Federal legislation passed in the early 1970s required the formation of an MPO for any urbanized area (UA) with a population greater than 50,000. MPOs were created in order to ensure that existing and future expenditures for transportation projects and programs were based on a continuing, cooperative and comprehensive (3-C) planning process. Federal funding for transportation projects and programs is channeled through the MPO. Note that some MPOs are found within agencies such as Regional Planning Organizations (RPOs), Councils of Governments (COGs), and others.

There are five core functions of an MPO:

Establish a setting: Establish and manage a fair and impartial setting for effective regional decisionmaking in the metropolitan area.

Identify and evaluate alternative transportation improvement options: Use data and planning methods to generate and evaluate alternatives. Planning studies and evaluations are included in the Unified Planning Work Program or UPWP.

Prepare and maintain a Metropolitan Transportation Plan (MTP): Develop and update a long-range transportation plan for the metropolitan area covering a planning horizon of at least twenty years that fosters (1) mobility and access for people and goods, (2) efficient system performance and preservation, and (3) good quality of life.

Develop a Transportation Improvement Program (TIP): Develop a short-range (four-year) program of transportation improvements based on the long-range transportation plan; the TIP should be designed to achieve the area's goals, using spending, regulating, operating, management, and financial tools.

Involve the public: Involve the general public and other affected constituencies in the four essential functions listed above.

In accordance with federal regulations, the MPO is required to carry out metropolitan transportation planning in cooperation with the state and with operators of publicly owned transit services. The MPO approves the metropolitan transportation plan. Both the governor and the MPO approve the TIP.

Most MPOs will not take the lead in implementing transportation projects, but will provide an overall coordination role in planning and programming funds for projects and operations. The MPO must involve local transportation providers in the planning process by including transit agencies, state and local highway departments, airport authorities, maritime operators, rail-freight operators, Amtrak, port operators, private providers of public transportation, and others within the MPO region.

From an organizational perspective, there is no required structure for an MPO; serving as a decisionmaking policy body, an MPO may be composed of:

- A policy or executive board

- Technical and citizen advisory committees
- A director and staff

MPO staff assists the MPO board by preparing documents, fostering interagency coordination, facilitating public input and feedback, and managing the planning process. The MPO staff may also provide committees with technical assessments and evaluations of proposed transportation initiatives. The MPO staff may also engage consultants to generate needed data.

A technical advisory committee may then provide recommendations to the board on specific strategies or projects. An advisory committee may also provide technical analysis, specialized knowledge, and citizen input on specific issues. It is common for an MPO to have a Technical Advisory Committee and Citizen Advisory Committee, and to have subcommittees on specific issues such as environmental justice, bicycle issues, or travel demand modeling.

Air Quality Nonattainment Area (NAA): A geographic region of the United States that the EPA has designated as not meeting the air quality standards.

Air Quality Maintenance Area: A geographic region of the United States previously designated nonattainment pursuant to the CAA Amendments of 1990 and subsequently redesignated to attainment subject to the requirement to develop a maintenance plan under section 175A of the CAA, as amended.

Those involved in metropolitan transportation planning should reach out to stakeholders to inform them of critical issues facing their regions and provide them with opportunities to contribute ideas and offer input. This is especially important in the early and middle stages of the process, while the plan and the TIP are being developed. Special attention should be paid to those groups that are underrepresented or have been underserved in terms of the expenditure of transportation dollars (see Part II section on Title VI/Environmental Justice).

What are other responsibilities for some MPOs?

A metropolitan area's designation as an air quality nonattainment area (NAA) or maintenance area creates additional requirements for transportation planning. Transportation plans, programs, and projects must conform to the state's air quality plan, known as the State Implementation Plan (SIP). In nonattainment or maintenance areas for air quality, the MPO is responsible for coordinating transportation and air quality planning.

Areas with populations greater than 200,000 are designated transportation management areas (TMAs). TMAs must have a congestion management process (CMP) that identifies actions and strategies to reduce congestion and increase mobility (see Part II section on CMP). In addition, TMAs have the ability to select Surface Transportation Program (STP) funded projects in consultation with the state; in other MPOs and rural areas the STP projects are selected by the state in cooperation with the MPO or local government.

In addition to meeting federal mandates, MPOs often have extra responsibilities under state law. For example, California's MPOs are responsible for allocating some non-federal transportation funds in their regions, while other states give MPOs a shared role in growth management and land use planning.