

## Advancing the Plan Committee Meeting Agenda

Co-Chairs Mayor Darrell Hinnant and Mayor Vi Lyles will convene a meeting of the Advancing the Plan Committee of the Centralina Regional Council **on Friday, September 22nd at 8:30 am**. Doors will open at 8:00 am for networking and refreshments. The meeting will be held in person at the Centralina office located at 10735 David Taylor Dr., Suite 250, Charlotte, NC 28262.

Time	Item	Presenter
8:00 - 8:30 a.m.	<b>Refreshments &amp; Networking</b>	
8:30 - 8:40 a.m.	<b>Call to Order</b>	Co-Chairs Mayor Vi Lyles and Mayor Darrell Hinnant
	<b>Welcome Comments from Co-Chairs</b>	
	<b>Review of Meeting Agenda and Objectives</b>	
<b>Regular Business Item:</b> <i>Regular business item is the approval of Committee meeting minutes.</i>		
8:40 - 8:45 a.m. <b>Item 1</b> 5 minutes <b>Page 5-7</b>	<b>Approval of July 28, 2023, meeting minutes</b> Approval of July 28, 2023, Advancing the Plan Committee meeting minutes. The minutes from the meeting will be distributed to all Committee members and should be approved if correct.  <b>Action/Recommendation</b> Motion to approve July 28, 2023, meeting minutes.  <b>Preparation: Please review July 28, 2023 meeting minutes.</b>	Co-Chair Mayor Vi Lyles
<b>Committee Work Session:</b> <i>Work session items will be led by CONNECT Beyond project team members and technical experts.</i>		
8:45 – 9:15 a.m. <b>Item 2</b> 30 minutes	<b><u>Building Blocks for a “Jellyfish Model”:</u></b>  <b>July Meeting and Roundtable Review:</b> Recap of peer region model research presented at the July meeting and recent Roundtable event, including the “jellyfish” model as a preferred approach. We will also revisit Guiding Principles.  <b>What a “Jellyfish Model” Means:</b> Review and provide feedback on the regional activities of a	Michelle Nance

Time	Item	Presenter
	<p>“jellyfish model” and the benefits of this model for our region.</p> <p><u>Engagement Activity:</u> <i>In a large group discussion, members will brainstorm key elements and benefits of the “jellyfish model” to better understand how the model could work for our region.</i></p>	Geraldine Gardner
<p><b>9:15 – 9:45 a.m.</b> <b>Item 3</b> 30 minutes</p>	<p><b>Funding Strategies for a “Jellyfish Model”:</b> Overview of feasible options to fund the regional coordination activities of a Jellyfish Model. Information from peer regions will also be shared.</p> <p><u>Engagement Activity:</u> <i>In a large group discussion, members will share input on the viability of each funding strategy presented and prioritize for best fit with our region.</i></p>	<p>HDR (On-Call CONNECT Beyond Consultants)</p> <p>Geraldine Gardner</p>
<p><b>9:45 – 10:10 a.m.</b> <b>Item 4</b> 25 minutes <b>Page 9-14</b></p>	<p><b>Pathways to a “Jellyfish Model”:</b> Overview of possible options for the formation and governance of the “jellyfish model,” including formation/governance using:</p> <ul style="list-style-type: none"> <li>• Interlocal Agreements</li> <li>• Existing Legislation</li> <li>• New Legislation options</li> </ul> <p><u>Engagement Activity:</u> <i>In a large group discussion, members will share reactions and feedback to Formation/Governance pathways.</i></p> <p><b>Forecast for Remaining Committee Meetings</b> <u>New:</u> October meeting (<i>will share dates on 9/22</i>) <u>Meeting #6:</u> Friday, November 17<sup>th</sup>, 8:30am <i>Potentially an additional meeting in December, TBD</i></p> <p><b>Preparation: Review summary document of NC General Statutes allowing for the formation/governance of a regional authority.</b></p>	<p>HDR (On-Call CONNECT Beyond Consultants)</p> <p>Geraldine Gardner</p>

Time	Item	Presenter
<b>10:10 - 10:20 a.m.</b> <b>Item 5</b> 10 minutes	<b><u>Ideas in Action - CONNECT Beyond Project Update: (Time Permitting)</u></b> Staff will share information on the latest CONNECT Beyond implementation activities, including legislative activities, grant requests and project updates.	Jason Wager
<b>Closing Comments &amp; Adjournment</b>		
<b>10:20 - 10:30 a.m.</b> 10 minutes	<b>Closing Comments</b>	Co-Chair Mayor Darrell Hinnant
<b>10:30 a.m.</b>	<b>Adjournment</b>	Mayor Darrell Hinnant

*Centralina Regional Council complies with the Americans with Disabilities Act (ADA), which prohibits discrimination on the basis of disability. Centralina Regional Council will make reasonable accommodations in all programs/services to enable participation by an individual with a disability who meets essential eligibility requirements. Centralina Regional Council's programs will be available in the most integrated setting for each individual. If any accommodation is necessary for participation, please contact the Clerk to the Board, 10735 David Taylor Drive, Charlotte, NC 28262, phone, (704) 348-2728. Please allow 72 hours (about 3 days) in advance*



# **CENTRALINA**

## **REGIONAL COUNCIL**

### **Item 1**



**Advancing the Plan Committee Meeting Minutes  
July 28, 2023**

Jurisdictions/Organization	Committee Members Present	Centralina Staff and Guests Present
City of Charlotte City of Salisbury NC Public Transportation Gaston Business Alliance Anson County Gaston County Charlotte Regional Business Alliance City of Kings Mountain City of Charlotte City of Concord Mecklenburg County Town of Davidson Huntersville NC Department of Transportation Mecklenburg County Town of Waxhaw Centralina Regional Council	Vi Lyles Karen Alexander David Rhew Pat Mumford Jarvis Woodburn Jennifer Stepp Janet LaBar Scott Neisler Marcus Jones Lloyd Payne Leigh Altman Rusty Knox Melinda Bales Tony Lathrop Dena Diorio Ron Pappas Geraldine Gardner	Michelle Nance, Centralina Jason Wager, Centralina Narissa Claiborne, Centralina Sarah Niess, Centralina Jason Lawrence, CATS  <b>Guests</b> Lauren Livingston, City of Charlotte Randi Gates, GCLMPO Patrick McDonough, HDR Kevin Walsh, HDR  <b>Media</b> Alex Sands, Axios

**Call to Order**

Co-Chair Mayor Lyles, City of Charlotte, called the meeting to order. Mayor Lyles then revisited the Advancing the Plan Committee year-end goals, as well as the meeting’s agenda and objectives:

**Meeting objectives:**

- Learn about project updates, recent grant requests, and onboarding implementation consultants.
- Review peer models and identify insights/lessons for building blocks of a regional governance approach.
- Reflect on Committee year-end goals and define outputs for Committee to work towards

**Agenda Items:**

**1. Approval of May 19, 2023, meeting minutes**

Committee members motioned, seconded, and approved May 19, 2023,

**2. Agenda Item #2: Ideas in Action - Latest Project Updates**

Jason Wager, Director of Regional Planning at Centralina Regional Council, gave an overview of CONNECT Beyond’s latest implementation activities, including: Regional TDM Program: A key CONNECT Beyond recommendation is the development of a regional TDM program. The project team is currently convening a TDM Steering Committee that will meet now through next spring. This summer the TDM Steering Committee will be reviewing peers’ regions for best practices and will identify TDM “hot spots” in the region.

Seamless CONNECTIONs: CATS is submitting a grant to NCDOT to increase regional transit coordination through a shared scheduling software, Remix. If implemented, this will improve coordination between transit operators in the region.

Grants: Centralina submitted two grants in May for federal funding: (1) Climate and Pollution Reduction Grant and (2) Regional Infrastructure Accelerator Grant.

Implementation Consultants: Centralina has officially engaged HDR as the lead consultant for on-call implementation services. Kevin Walsh and Patrick McDonough briefly introduced themselves and gave an overview of their team and the work they will be assisting with. In addition to team members involved in the initial CONNECT Beyond plan development project, HDR has incorporated some new team members to bring new and fresh perspectives.

**3. Agenda Item #3: Towards a Regional Governance Model and Peer Region Research (9:00-10:00)**

Geraldine Gardner, Executive Director for Centralina Regional Council, began the discussion of the peer region research with a framing of the discussion around: (1) Reality of current statutes used to form the Triad and Triangle RTAs; (2) Responsibility of this group to conduct a deliberate process of reviewing peer regions; and (3) Timing of federal funding opportunities and need to pursue opportunities in parallel with this Committee’s work.

*Peer Region Research Discussion:*

Ms. Gardner presented Committee members with two models that most of the peer regions fall into – Model 1 encompasses regional collaboration around rider experience and planning; Model 2 incorporates into an RTA structure both infrastructure and operational transit functions. Committee members engaged in an activity to prioritize specific transit functions of both models into shorter and longer-term timeframes.

**4. Agenda Item #4: Throughline for Committee Year-end Goals (10:00-10:20)**

Michelle Nance, Deputy Executive Director for Centralina Regional Council, reviewed the Committee’s goals and gave an update on where we are on each goal. Ms. Nance

covered what the Committee will cover in the remaining two meetings, including the final written output for the Committee.

**Closing Comments**

Mayor Lyles thanked Committee members for their time and participation and adjourned the meeting.



# **CENTRALINA**

**REGIONAL COUNCIL**

## **Item 2**



This document offers a structured overview of North Carolina General Statutes Chapter 160A, Articles 20, 25, 26, and 27, exploring the essential criteria, steps for organization, jurisdictional considerations, relevant powers, and funding mechanisms integral to governance in the state.

<b>ARTICLE 25 NC PUBLIC TRANSPORTATION AUTHORITIES ACT</b>		
<b>N.C. GENERAL STATUTES CHAPTER 160A</b>		
Full Article: <a href="https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/ByArticle/Chapter_160A/Article_25.pdf">https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/ByArticle/Chapter_160A/Article_25.pdf</a>		<b>Criteria in Action</b>
<b>Criteria</b>	- Municipality	<ul style="list-style-type: none"> <li>- Allows 1 municipality to create a public transportation authority.</li> <li>- To expand it would require entering into agreements with other municipal transportation authorities.</li> <li>- This is most likely how the Charlotte Area Transit System was formed.</li> </ul>
<b>Steps to Organize</b>	- By resolution or ordinance	
<b>Jurisdiction</b>	Extends to/up to: <ul style="list-style-type: none"> <li>- All local public passenger transportation operating within the municipality</li> <li>- 30 miles outside of the corporate limits of a town or city</li> <li>- 5 miles outside of the boundaries of a county</li> <li>- 5 miles outside of the combined boundaries of a group of counties</li> <li>- Shall not extend service into a political subdivision without consent of the governing body of that political subdivision</li> </ul>	
<b>Relevant Powers</b>	<ul style="list-style-type: none"> <li>- Governed by up to 11 members as determined by the governing body of the municipality</li> <li>- Enter into and perform contracts and agreements with other:               <ul style="list-style-type: none"> <li>o Public transportation authorities</li> <li>o Units of local government</li> </ul> </li> </ul>	
<b>Funding</b>	The municipality may: <ul style="list-style-type: none"> <li>- Appropriate funds to support the establishment and operation of the transit authority</li> <li>- Dedicate, sell, convey, donate, or lease any of its interest in any property</li> <li>- Establish such license and regulatory fees and charges as it may deem appropriate, subject to the approval of the governing body of the municipality</li> <li>- Call a special election without a petition and submit to the qualified voters of the municipality the question of whether or not a special tax shall be levied and/or bonds issued</li> </ul>	

**ARTICLE 26 REGIONAL PUBLIC TRANSPORTATION AUTHORITY ACT  
N.C. GENERAL STATUTES CHAPTER 160A**

Full Article: [https://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter\\_160A/Article\\_26.html](https://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_160A/Article_26.html)

		<b>CRITERIA IN ACTION</b>
<b>Criteria</b>	<ul style="list-style-type: none"> <li>- Consists of 3 counties</li> <li>- At least 1 county contains part of a County Research and Production Service District</li> <li>- The other 2 counties each:               <ul style="list-style-type: none"> <li>o Contain at least 1 unit of local gov't that is designated as a recipient pursuant to Section 9 of the Urban Mass Transportation Act of 1964, as amended; and</li> <li>o Are adjacent to at least 1 county that contains part of a County Research and Production Service District</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Allows 3 counties to create a regional public transportation authority (RTA).</li> <li>- For example, Mecklenburg, Gaston, and Cabarrus could come together to create an RTA if they meet the district criteria provided.</li> <li>- To expand further would require interlocal agreements with municipal authorities and/or RTAs created under Article 25 and Article 26.</li> <li>- To accomplish coordination within 11 counties, separate RTAs and/or municipal transportation authorities would need to enter into interlocal agreements with each other.</li> </ul>
<b>Steps to Organize</b>	<ul style="list-style-type: none"> <li>- By resolution of each of the Board of Commissioners</li> <li>- Each resolution adopted after a public hearing</li> <li>- Notice:               <ul style="list-style-type: none"> <li>o Newspaper with general circulation</li> <li>o At least once, not less than 10 days prior</li> <li>o Brief statement of the substance of the resolution</li> <li>o Proposed Articles of Incorporation including:                   <ul style="list-style-type: none"> <li>▪ Name,</li> <li>▪ Statement that its organized under this Article 26, and</li> <li>▪ Names of the 3 organizing counties</li> </ul> </li> <li>o Time and place</li> </ul> </li> <li>- Certified copy of each resolution filed with the Secretary of State with proof of notice</li> <li>- Certification of Incorporation issued by the Secretary of State</li> <li>- May become a Designated Recipient pursuant to the Urban Mass Transportation Act of 1964, as amended</li> </ul>	
<b>Jurisdiction</b>	<ul style="list-style-type: none"> <li>- Coterminous with the boundaries of the 3 counties</li> <li>- May not take over the operation of any existing public transportation without consent of the owner</li> </ul>	
<b>Relevant Powers</b>	<ul style="list-style-type: none"> <li>- Governed by a Board of Trustees appointed as prescribed by statute</li> <li>- Enter into and perform contracts and agreements with other:               <ul style="list-style-type: none"> <li>o Public transportation authorities</li> <li>o Regional public transportation authorities</li> <li>o Units of local government</li> </ul> </li> <li>- Operate public transportation systems extending service into any political subdivision of the State</li> </ul>	

	<ul style="list-style-type: none"> <li>o Except that a unit of local government operating its own public transportation system or franchising the operation may by a majority vote of its governing board deny consent</li> <li>o May not extend more than 10 miles outside of the territorial jurisdiction, except vanpool and carpool service</li> </ul>	
<b>Funding</b>	<ul style="list-style-type: none"> <li>- Any unit of local government may appropriate funds to support the establishment and operation</li> <li>- The State and any unit of local government may also dedicate, sell, convey, donate, or lease any of their interest in any property</li> <li>- Apply for grants from the State or from the US</li> <li>- DOT may allocate any funds appropriated for public transportation or any funds whose use is not restricted by law</li> <li>- Issue bonds and notes</li> <li>- Levy an annual license tax on motor vehicles</li> </ul>	

**ARTICLE 27 REGIONAL TRANSPORTATION AUTHORITY ACT  
N.C. GENERAL STATUTES CHAPTER 160A**

Full Article: [https://ncleg.gov/EnactedLegislation/Statutes/HTML/ByArticle/Chapter\\_160A/Article\\_27.html](https://ncleg.gov/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_160A/Article_27.html)

		<b>CRITERIA IN ACTION</b>
<b>Criteria</b>	<ul style="list-style-type: none"> <li>- May be created for the area of any MPO of the State</li> <li>- Consists of all or part of 5 counties, all 5 counties of which form a contiguous territory</li> <li>- At least 2 of the 5 counties are contiguous to each other and each have a population of 250,0000 or over</li> <li>- The other 3 counties have a population of 100,000 or over</li> </ul>	<ul style="list-style-type: none"> <li>- We interpret this language to mean it may be created for areas within any MPO.<sup>1</sup> <b>Note: Could be ambiguous, requiring amendment for legislative clarification.</b></li> <li>- 5 counties are required to participate, but can expand to include up to 12 counties in the Charlotte region.</li> <li>- 2 counties with populations of 250,000 or over are required. The eligible counties are Mecklenburg (1,145,392) and Union (249,070).</li> <li>- 3 counties with populations of 100,000 or over are required. The eligible counties are Cabarrus (235,797), Gaston (234,215), Iredell</li> </ul>

<sup>1</sup> The language of the Act as a whole implies that part or all of an MPO, multiple MPOs or portions thereof may be included.

		(195,897), Davidson (172,586), Catawba (163,462), Rowan (149,645), Cleveland (100,670).
<b>Steps to Organize</b>	<ul style="list-style-type: none"> <li>- By resolution of each of the city councils of the 4 largest cities</li> <li>- Each resolution adopted after a public hearing</li> <li>- Notice: <ul style="list-style-type: none"> <li>o Newspaper with general circulation</li> <li>o At least once, not less than 10 days prior</li> <li>o Brief statement of the substance of the resolution</li> <li>o Proposed Articles of Incorporation including: <ul style="list-style-type: none"> <li>▪ Name,</li> <li>▪ Statement that its organized under this Article 27, and</li> <li>▪ Names of the 4 organizing cities</li> </ul> </li> <li>o Time and place</li> </ul> </li> <li>- Certified copy of the resolution filed with the Secretary of State with proof of notice</li> <li>- Certification of Incorporation issued by the Secretary of State</li> <li>- May become a Designated Recipient pursuant to the Urban Mass Transportation Act of 1964, as amended</li> </ul>	<ul style="list-style-type: none"> <li>- The 4 largest cities that would need an authorizing resolution would be Charlotte (897,720), Concord (109,896), Gastonia (82,653), Huntersville (63,035).</li> </ul>
<b>Jurisdiction</b>	<ul style="list-style-type: none"> <li>- Initially consists of the areas included within the MPO boundaries</li> <li>- With the consent by resolution of the affected board of county commissioners, the jurisdiction and area may be expended to include contiguous areas</li> <li>- Total jurisdiction and service area not to exceed part or all of 12 counties</li> <li>- May not take over the operation of any existing public transportation without consent of the owner</li> </ul>	
<b>Relevant Powers</b>	<ul style="list-style-type: none"> <li>- Governed by a Board of Trustees, whose members must reside within the territorial jurisdiction of the Authority, and which shall consist of: <ul style="list-style-type: none"> <li>o The mayor of the four cities within the service area that have the largest population, a member of the city council designated by the city council to serve in the absence of the mayor.</li> <li>o At least two, but not more than three, members of the Board of Transportation appointed by the Secretary of Transportation.</li> <li>o The chair of each MPO or a member of the MPO designated by the MPO in the territorial jurisdiction.</li> </ul> </li> </ul>	<p>The Board of Trustees would include:</p> <ul style="list-style-type: none"> <li>- Members from several different related government entities.</li> <li>- The mayors of the 4 largest cities of Charlotte, Concord, Gastonia, and Huntersville.</li> <li>- The chair of the principal airport authority or commission of the two most populous</li> </ul>

	<ul style="list-style-type: none"> <li>o The chair of the board of commissioners of any county within the territorial jurisdiction or a member of the board of commissioners designated by the board to serve in the absence of the chair, but only if the Board of Trustees by resolution has expanded the Board of Trustees to include the chair of the board of commissioners of that county and the board of commissioners of that county has consented by resolution.</li> <li>o The chair of the principal airport authority or airport commission of each of the two most populous counties within the territorial jurisdiction, as determined by the most recent decennial federal consensus.</li> <li>- Enter into and perform contracts and agreements with other:             <ul style="list-style-type: none"> <li>o Public transportation authorities</li> <li>o Regional public transportation authorities</li> <li>o Units of local government</li> </ul> </li> <li>- Operate public transportation systems extending service into any political subdivision of the State             <ul style="list-style-type: none"> <li>o Except that a unit of local government operating its own public transportation system or franchising the operation may by a majority vote of its governing board deny consent</li> <li>o May not extend more than 10 miles outside of the territorial jurisdiction, except vanpool and carpool service</li> </ul> </li> </ul>	<p>counties, which would be Mecklenburg and Union counties.</p>
<p><b>Funding</b></p>	<ul style="list-style-type: none"> <li>- The State and any unit of local government may appropriate funds to support the establishment and operation</li> <li>- The State and any unit of local government may also dedicate, sell, convey, donate, or lease any of their interest in any property</li> <li>- Apply for grants from the State or from the US</li> <li>- DOT may allocate any funds appropriated for public transportation or any funds whose use is not restricted by law</li> <li>- Issue bonds and notes</li> </ul>	

<b>Limitations</b>	<ul style="list-style-type: none"> <li>- No jurisdiction over public transportation subject to the jurisdiction of and regulated by the Interstate Commerce Commission or US DOT, as applicable</li> <li>- No jurisdiction over intrastate public transportation classified as common carriers of passengers by the NC Utilities Commission</li> <li>- No equipment of the authority may be used for charter, tour, or sight-seeing service</li> </ul>
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<p align="center"><b>ARTICLE 20 INTERLOCAL COOPERATION</b> <b>N.C. GENERAL STATUTES CHAPTER 160A</b></p> <p align="center">Full Article: <a href="https://www.ncleg.net/enactedlegislation/statutes/html/byarticle/chapter_160a/article_20.html">https://www.ncleg.net/enactedlegislation/statutes/html/byarticle/chapter_160a/article_20.html</a></p>	
<b>Joint Exercise of Powers</b>	<ul style="list-style-type: none"> <li>- Any unit of local government in the State and any one or more other units of local government in the State or any other state (to the extent permitted by the laws of the other state) may enter into contracts or agreements with each other in order to execute any undertaking</li> <li>- The contracts and agreements shall be of reasonable duration, as determined by the participating units, and shall be ratified by resolution of the governing board of each unit</li> </ul>
<b>Joint Agencies</b>	<ul style="list-style-type: none"> <li>- Units agreeing to an undertaking may establish a joint agency charged with any or all of the responsibility for the undertaking</li> <li>- The units may confer on the joint agency any power, duty, right, or function needed for the execution of the undertaking, except:               <ul style="list-style-type: none"> <li>o Legal title to all real property necessary to the undertaking shall be held by the participating units individually, or jointly as tenants in common, in such manner and proportion as they may determine</li> </ul> </li> <li>- Participating units may appropriate funds to the joint agency on the basis of an annual budget recommended by the agency and submitted to the governing board of each unit of approval</li> </ul>
<b>Required Provisions of Joint Agreements</b>	<ul style="list-style-type: none"> <li>- Purpose</li> <li>- Duration</li> <li>- If a Joint Agency               <ul style="list-style-type: none"> <li>o Composition</li> <li>o Organization</li> <li>o Nature</li> <li>o Powers</li> </ul> </li> <li>- Manner of appointing necessary personnel</li> <li>- Method of financing, including apportionment of costs and revenues</li> <li>- Formula for ownership of real property, and procedures for the disposition</li> <li>- Methods for amending</li> <li>- Methods for terminating</li> <li>- Any other necessary proper matter</li> </ul>

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N.C. GENERAL STATUTES CHAPTER 160A**

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<b>Jurisdiction</b>	<ul style="list-style-type: none"> <li>- Coterminous with the boundaries of the 3 counties</li> <li>- May not take over the operation of any existing public transportation without consent of the owner</li> </ul>	
<b>Relevant Powers</b>	<ul style="list-style-type: none"> <li>- Governed by a Board of Trustees appointed as prescribed by statute</li> <li>- Enter into and perform contracts and agreements with other:               <ul style="list-style-type: none"> <li>o Public transportation authorities</li> <li>o Regional public transportation authorities</li> <li>o Units of local government</li> </ul> </li> <li>- Operate public transportation systems extending service into any political subdivision of the State</li> </ul>	



	<ul style="list-style-type: none"> <li>o Except that a unit of local government operating its own public transportation system or franchising the operation may by a majority vote of its governing board deny consent</li> <li>o May not extend more than 10 miles outside of the territorial jurisdiction, except vanpool and carpool service</li> </ul>	
<b>Funding</b>	<ul style="list-style-type: none"> <li>- Any unit of local government may appropriate funds to support the establishment and operation</li> <li>- The State and any unit of local government may also dedicate, sell, convey, donate, or lease any of their interest in any property</li> <li>- Apply for grants from the State or from the US</li> <li>- DOT may allocate any funds appropriated for public transportation or any funds whose use is not restricted by law</li> <li>- Issue bonds and notes</li> <li>- Levy an annual license tax on motor vehicles</li> </ul>	

**ARTICLE 27 REGIONAL TRANSPORTATION AUTHORITY ACT  
N.C. GENERAL STATUTES CHAPTER 160A**

Full Article: [https://ncleg.gov/EnactedLegislation/Statutes/HTML/ByArticle/Chapter\\_160A/Article\\_27.html](https://ncleg.gov/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_160A/Article_27.html)

		<b>CRITERIA IN ACTION</b>
<b>Criteria</b>	<ul style="list-style-type: none"> <li>- May be created for the area of any MPO of the State</li> <li>- Consists of all or part of 5 counties, all 5 counties of which form a contiguous territory</li> <li>- At least 2 of the 5 counties are contiguous to each other and each have a population of 250,0000 or over</li> <li>- The other 3 counties have a population of 100,000 or over</li> </ul>	<ul style="list-style-type: none"> <li>- We interpret this language to mean it may be created for areas within any MPO.<sup>1</sup> <b>Note: Could be ambiguous, requiring amendment for legislative clarification.</b></li> <li>- 5 counties are required to participate, but can expand to include up to 12 counties in the Charlotte region.</li> <li>- 2 counties with populations of 250,000 or over are required. The eligible counties are Mecklenburg (1,145,392) and Union (249,070).</li> <li>- 3 counties with populations of 100,000 or over are required. The eligible counties are Cabarrus (235,797), Gaston (234,215), Iredell</li> </ul>

<sup>1</sup> The language of the Act as a whole implies that part or all of an MPO, multiple MPOs or portions thereof may be included.

		(195,897), Davidson (172,586), Catawba (163,462), Rowan (149,645), Cleveland (100,670).
<b>Steps to Organize</b>	<ul style="list-style-type: none"> <li>- By resolution of each of the city councils of the 4 largest cities</li> <li>- Each resolution adopted after a public hearing</li> <li>- Notice: <ul style="list-style-type: none"> <li>o Newspaper with general circulation</li> <li>o At least once, not less than 10 days prior</li> <li>o Brief statement of the substance of the resolution</li> <li>o Proposed Articles of Incorporation including: <ul style="list-style-type: none"> <li>▪ Name,</li> <li>▪ Statement that its organized under this Article 27, and</li> <li>▪ Names of the 4 organizing cities</li> </ul> </li> <li>o Time and place</li> </ul> </li> <li>- Certified copy of the resolution filed with the Secretary of State with proof of notice</li> <li>- Certification of Incorporation issued by the Secretary of State</li> <li>- May become a Designated Recipient pursuant to the Urban Mass Transportation Act of 1964, as amended</li> </ul>	<ul style="list-style-type: none"> <li>- The 4 largest cities that would need an authorizing resolution would be Charlotte (897,720), Concord (109,896), Gastonia (82,653), Huntersville (63,035).</li> </ul>
<b>Jurisdiction</b>	<ul style="list-style-type: none"> <li>- Initially consists of the areas included within the MPO boundaries</li> <li>- With the consent by resolution of the affected board of county commissioners, the jurisdiction and area may be expended to include contiguous areas</li> <li>- Total jurisdiction and service area not to exceed part or all of 12 counties</li> <li>- May not take over the operation of any existing public transportation without consent of the owner</li> </ul>	
<b>Relevant Powers</b>	<ul style="list-style-type: none"> <li>- Governed by a Board of Trustees, whose members must reside within the territorial jurisdiction of the Authority, and which shall consist of: <ul style="list-style-type: none"> <li>o The mayor of the four cities within the service area that have the largest population, a member of the city council designated by the city council to serve in the absence of the mayor.</li> <li>o At least two, but not more than three, members of the Board of Transportation appointed by the Secretary of Transportation.</li> <li>o The chair of each MPO or a member of the MPO designated by the MPO in the territorial jurisdiction.</li> </ul> </li> </ul>	<p>The Board of Trustees would include:</p> <ul style="list-style-type: none"> <li>- Members from several different related government entities.</li> <li>- The mayors of the 4 largest cities of Charlotte, Concord, Gastonia, and Huntersville.</li> <li>- The chair of the principal airport authority or commission of the two most populous</li> </ul>

	<ul style="list-style-type: none"> <li>o The chair of the board of commissioners of any county within the territorial jurisdiction or a member of the board of commissioners designated by the board to serve in the absence of the chair, but only if the Board of Trustees by resolution has expanded the Board of Trustees to include the chair of the board of commissioners of that county and the board of commissioners of that county has consented by resolution.</li> <li>o The chair of the principal airport authority or airport commission of each of the two most populous counties within the territorial jurisdiction, as determined by the most recent decennial federal consensus.</li> <li>- Enter into and perform contracts and agreements with other:             <ul style="list-style-type: none"> <li>o Public transportation authorities</li> <li>o Regional public transportation authorities</li> <li>o Units of local government</li> </ul> </li> <li>- Operate public transportation systems extending service into any political subdivision of the State             <ul style="list-style-type: none"> <li>o Except that a unit of local government operating its own public transportation system or franchising the operation may by a majority vote of its governing board deny consent</li> <li>o May not extend more than 10 miles outside of the territorial jurisdiction, except vanpool and carpool service</li> </ul> </li> </ul>	<p>counties, which would be Mecklenburg and Union counties.</p>
<p><b>Funding</b></p>	<ul style="list-style-type: none"> <li>- The State and any unit of local government may appropriate funds to support the establishment and operation</li> <li>- The State and any unit of local government may also dedicate, sell, convey, donate, or lease any of their interest in any property</li> <li>- Apply for grants from the State or from the US</li> <li>- DOT may allocate any funds appropriated for public transportation or any funds whose use is not restricted by law</li> <li>- Issue bonds and notes</li> </ul>	

<b>Limitations</b>	<ul style="list-style-type: none"> <li>- No jurisdiction over public transportation subject to the jurisdiction of and regulated by the Interstate Commerce Commission or US DOT, as applicable</li> <li>- No jurisdiction over intrastate public transportation classified as common carriers of passengers by the NC Utilities Commission</li> <li>- No equipment of the authority may be used for charter, tour, or sight-seeing service</li> </ul>
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<p align="center"><b>ARTICLE 20 INTERLOCAL COOPERATION</b> <b>N.C. GENERAL STATUTES CHAPTER 160A</b></p> <p align="center">Full Article: <a href="https://www.ncleg.net/enactedlegislation/statutes/html/byarticle/chapter_160a/article_20.html">https://www.ncleg.net/enactedlegislation/statutes/html/byarticle/chapter_160a/article_20.html</a></p>	
<b>Joint Exercise of Powers</b>	<ul style="list-style-type: none"> <li>- Any unit of local government in the State and any one or more other units of local government in the State or any other state (to the extent permitted by the laws of the other state) may enter into contracts or agreements with each other in order to execute any undertaking</li> <li>- The contracts and agreements shall be of reasonable duration, as determined by the participating units, and shall be ratified by resolution of the governing board of each unit</li> </ul>
<b>Joint Agencies</b>	<ul style="list-style-type: none"> <li>- Units agreeing to an undertaking may establish a joint agency charged with any or all of the responsibility for the undertaking</li> <li>- The units may confer on the joint agency any power, duty, right, or function needed for the execution of the undertaking, except:               <ul style="list-style-type: none"> <li>o Legal title to all real property necessary to the undertaking shall be held by the participating units individually, or jointly as tenants in common, in such manner and proportion as they may determine</li> </ul> </li> <li>- Participating units may appropriate funds to the joint agency on the basis of an annual budget recommended by the agency and submitted to the governing board of each unit of approval</li> </ul>
<b>Required Provisions of Joint Agreements</b>	<ul style="list-style-type: none"> <li>- Purpose</li> <li>- Duration</li> <li>- If a Joint Agency               <ul style="list-style-type: none"> <li>o Composition</li> <li>o Organization</li> <li>o Nature</li> <li>o Powers</li> </ul> </li> <li>- Manner of appointing necessary personnel</li> <li>- Method of financing, including apportionment of costs and revenues</li> <li>- Formula for ownership of real property, and procedures for the disposition</li> <li>- Methods for amending</li> <li>- Methods for terminating</li> <li>- Any other necessary proper matter</li> </ul>