

MVP for Transportation Pre-MPO Steering Committee Meeting

MEMBERS

Todd Vanhove, ADOT&PF
Brad Hanson, City of Palmer
Archie Giddings, City of Wasilla
Brian Winnestaffer, Chickaloon Native Village
Jim Beck, Health and Human Services
Bob Charles, Knik Tribe
Tom Adams, MSB
Kim Sollien, MSB
Brad Sworts, MSB
Antonio Weese, MSB TAB
Joshua Shaver, AK Pioneer Homes
Brian Lindamood, ARRC
Jennifer Busch, Valley Transit



NON-VOTING MEMBERS

Adeyemi Alimi, ADEC
Jackson Fox, FAST Planning
Aaron Jongenelen, AMATS
Josh Cross, TAB
Vacant, City of Houston
Vacant, LRSAAB
Vacant, ADOT&PF Central Region

Microsoft Teams meeting

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Conference ID: 659 364 894#

Agenda

Tuesday, November 8th, 2022
2:00 - 3:30 pm

1. Call to Order
2. Introduction of Pre-MPO Steering Committee Members and other Attendees
3. Approval of the November 8th, 2022, Agenda – **(Action Item)**
4. Approval of the October 11th, 2022, Minutes – **(Action Item)**
5. Committee/Working Group Reports (Including the Staff Report)
 - a. Staff Report
6. Voices of the Visitors (Non-Action Items)
7. Old Business
 - a. 2023-2024 Unified Planning Work Program (UPWP) Comments to-date and recommendation **(Action Item)**
 - b. Draft Operating Agreement
 - c. Draft Bylaws
 - Technical Committee membership
8. New Business
9. Other Issues
10. Informational Items
11. Steering Committee Comments
12. Adjournment

Next Scheduled Pre-MPO Steering Committee Meeting – **Tuesday, December 13th, 2:00pm-3:30pm**, to be held via Microsoft TEAMS Meeting

MVP for Transportation Pre-MPO Steering Committee Meeting

Tuesday, October 11th, 2022
2:00 - 3:30 pm

Meeting Minutes

1. Call to Order

Meeting called to order with quorum at 2:02pm.

Steering Committee Members Present:

Brad Hanson, City of Palmer Community Development Director
Archie Giddings, City of Wasilla Public Works Director, Retired
Jim Beck, Mat-Su Health Foundation Senior Program Officer
Bob Charles, Knik Tribe IRR Roads Manager
Kim Sollien, MSB Planning Services Manager (Chair)
Brian Lindamood, ARRC VP of Engineering
Brad Sworts, MSB Pre-Design & Engineering Manager
Jennifer Busch, Valley Transit Executive Director
Brian Winnestaffer, Chickaloon Native Village Transportation Director

Member Absent:

Todd Vanhove, DOT&PF Central Region Chief of Planning
Tom Adams, MSB Director of Public Works
Anthony Weese, MSB TAB Member
Josh Shaver, Alaska Pioneer Homes Administrator

Guests and Other Attendees:

Donna Gardino, Gardino Consulting Services
Natalie Lyon, RESPEC
Elise Blocker, RESPEC
Adam Bradway, MSB Planning
Kathryn Wenger, FHWA
Clint Adler, AK DOT
Jackson Fox, FAST Planning
Robert Walden, City of Wasilla
Eric Schaal, City of Wasilla

2. Introduction of Pre-MPO Steering Committee Members and other Attendees

Robert Walden and Eric Schaal from City of Wasilla introduction

3. Approval of the October 11th, 2022, Agenda – **(Action Item)**

Motion to approve the October 11th, 2022 agenda **(Winnestaffer)**, seconded. No edits. Passed unanimously.

MVP for Transportation Pre-MPO Steering Committee Meeting

4. Approval of the September 13th, 2022, Minutes – **(Action Item)**

Motion to approve the September 13th, 2022 minutes **(Winnestaffer)**, seconded. No edits. Passed unanimously.

5. Committee/Working Group Reports

a. Staff Report

Governments represented on the Pre-MPO Policy Board were requested to submit a resolution of support for MVP for Transportation. A presentation for the MPO was made to the City of Wasilla and Chickaloon Village Traditional Council about MPO accomplishments and tasks still to do. Both the City of Wasilla and Chickaloon Village Traditional Council provided resolutions of support the night of the presentations. The package has been sent to the governor with a letter from the MPO and the resolutions of support from the Mat-Su Borough, City of Palmer, Chickaloon Village Traditional Council, City of Wasilla, and Knik Tribe. The email went on Friday and the mailed package went out via the manager's office on Monday and awaiting a response.

Kim Sollien is scheduled to present to the RSA big board on November 17th. The presentation will be similar to what was previously presented but will also include information on how RSAs will be involved in the MPO. There will also be a presentation on the MPO at the joint Planning Commission tonight. The Mat-Su Transportation Fair, sponsored by DOT will be October 20th.

Progress is being made on the on the operating agreement and representation on the Policy Board has been finalized but it is unclear how DOT is going to provide support with large procurement or how reports will be handled and reimbursed. A meeting has been set up with Adam Moser, James Marks, Judy Chapman, Todd Vanhove, and grant writers to determine how reports and procurement will be handled. An update will be provided at the next Steering Committee meeting.

6. Voices of the Visitors (Non-Action Items)

None

7. Old Business

a. MVP for Transportation Technical Committee composition **(Action Item)**

Update to Technical Committee Recommendation to remove caveat to have Air Quality representation regardless of a present air quality issue. Motion to approve removal of caveat **(Winnestaffer)**, seconded.

Comment: **(Sworts)** change wording to include environmental in Department of Conservation so it reads Department of Environmental Conservation, seconded. Passed unanimously.

No additional edits. Passed unanimously.

b. 2023-2024 Unified Planning Work Program (UPWP) Comments to-date

To date, one comment has been received on the UPWP.

c. Draft Operating Agreement

MVP for Transportation Pre-MPO Steering Committee Meeting

Many of the questions have been resolved with two that need to be worked out with DOT. The operating agreement has been modified to include the achieved milestones such as the name of MPO, representation on the Policy Board and the Technical Committee, and the decision to establish the MPO as a non-profit organization. Comments are requested by the Steering Committee to then be reviewed by the Pre-Policy Board so agency lawyers can review it.

d. Draft Bylaws

An Executive Director will serve as the Policy Board Secretary that will have administrative support. A Chair and Vice Chair will be appointed annually. There will be monthly Policy Board meetings, which can be modified later. If there is not a quorum, no meeting will be held. Roll call vote will be held on all matters unless it passed without objection. A meeting format has been provided with public comment period. Specific committees and subcommittees will not be named in the bylaws to allow for flexibility to create them as they are needed. At the Technical Committee level, everyone will get one vote except for the Executive Director and the Transportation Planner who will not get a vote. Monthly meetings will be held monthly at a place that is accessible to the public. Levels of approval authority will be provided based on monetary level or by project, which is yet to be determined. That detail will be in the Policies and Procedures. If a representative misses three consecutive meetings, an alternative representative shall be designated.

8. New Business

9. Other Issues

10. Informational Items

a. Resolutions of support for State funding request to support MPO formation/operations

11. Steering Committee Comments

No comments

12. Adjournment

Motion to adjourn (**Busch**), seconded. Passed unanimously. Meeting adjourned at 2:33pm.

Next Scheduled Pre-MPO Steering Committee Meeting – **Tuesday, November 8th, 2:00pm-3:30pm**, to be held via Microsoft TEAMS Meeting

**2023-2024 UPWP
Comments and Response Summary**

#	Comment	Response
1	I don't think this statement is correct - on page 18 it states- Upon designation as an MPO, the Mat-Su MPO transit providers will be eligible to apply for the urbanized FTA 5307 formula grants and other competitive grant programs. I think the MSB will be eligible as a direct recipient but the non-profits are not. The MSB is in the process of developing a program to make these funds available to providers but we don't know what that will look like at this time.	Will modify this to read: Upon designation as an MPO, the Mat-su MPO transit providers will not be able to directly apply for FTA 5307 as non-profits are not eligible to be direct recipients of this program. The MSB will develop a program to make these funds available.
2	Insert a quick definition of fiscal constraint	Done.
3	Page 2: Change July date for designation as an urban area	Changed to December
4	Page 2, first paragraph: Are these the correct dates?	Modified to 2020 - 2022.
5	Page 4: Add a quick explanation of GIS for the public audience. Note that this is for map analysis/mapping. Good to remember that all documents are available to the general public and should be understandable by technical and non technical audiences.	Done.
6	Page 5: Add a discussion of regional priorities at the bottom.	Done.
7	Page 11: Could mention the self-certification document and its location in the TIP.	Done.
8	PL should be defined/explained in the Budget on the next page or in its own funding section. Also best to explain the match source.	Done.
9	A checklist provided by FHWA is attached and the following items were addressed:	
a.	Provided a map of the MPO Planning Boundary	Map is not available until after release of urbanized area boundaries and development of the boundary
b.	Approval/Resolution by MPO Board	Once approved by the PB, the Action Item approving this UPWP will be forwarded along with the final UPWP.
c.	Include a discussion of regional planning priorities. Not necessary now but need to include once MVP for transportation is designated as the MPO.	Done.

2023-2024 UPWP
Comments and Response Summary

- | | | |
|----|--|---|
| d. | Description of proposed planning activities for the next fiscal years(s) | Already included although a suggestion was made to group activities 100(f) to 100(j) under an administrative category. Changed 100(F) to Administration. That has been modified in the updated draft. |
| e. | Along with listing "Completion Date" and "Responsible Party: it would be advisable to highlight "Resulting Products" for each task. | Done. |
| f. | State and local match by type: While listing the amount of match required meets the minimum requirements, it is a best practice to list or describe where the local match is coming from/the source (due, fees etc.). | Done. |
| g. | It looks like no in-kind match is being used at this time. If at some point MVP decides to utilize this, please be sure to get pre-approval and provide appropriate documentation as outlined below. | Noted. |
| h. | Self-certification: This document is required to be included with either your TIP or your UPWP once you become an MPO. Will attach a template for future use. | Self-certification will be provided with the TIP. |

UPWP Review Checklist - Alaska MPOs

Required Items 23 CFR 420 Subpart A – Administration of FHWA Planning and Research Funds & 23 CFR 450.308 – UPWP		Response (Y/N/NA/Follow Up)	Comments - KW - 10/13/22
UPWP Development	Fiscal Year(s)/Calendar Year(s) covered by UPWP - identify work proposed for the next 1- or 2-year period	Yes	
	Intro with description of UPWP and MPO planning processes and organization, including development and approval of the UPWP	Yes	
	Map of the MPO Planning Boundary	Follow Up	Not required but always helpful for the general public.
	Approval/Resolution by MPO Board	Follow Up	Once approved including this in the documentation is helpful to show your processes were followed.
Planning Priorities	Discussion of regional planning priorities for MPA (metro planning area)	No	Could not find a discussion. Could include now, but need to include if MVP becomes an MPO.
	Identify activities that address planning factors	Yes	
	For TMAs, the UPWP addresses "Recommendations" and/or "Corrective Actions" from past FHWA/FTA Certification Reviews	NA	
Planning Activities	Description of transportation planning activities proposed for the area in the next fiscal year(s), (Activities such as - Administration, Data Collection, TIP, MTP, UPWP, TPM, Transit, Public Participation or Air Quality Planning activities). Descriptions should include:		The document covered all required elements. As a note, while listing out activities 100(f)-100(j) is perfectly allowable, many MPOs tend to group these tasks together into one category for administration. Again, you are not required to group these, but it could help with reporting later on.
	Major activities and tasks	Yes	
	Who will perform the work/Responsible agency	Yes	
	Schedule to complete the work	Yes	
	Resulting Products	Follow Up	Along with listing the "Completion Date" and "Responsible Party" it would be advisable to highlight "Resulting Products" from each task. For example FY23/24 UPWP or FY23-26 TIP.

UPWP Review Checklist - Alaska MPOs

Required Items 23 CFR 420 Subpart A – Administration of FHWA Planning and Research Funds & 23 CFR 450.308 – UPWP		Response (Y/N/NA/Follow Up)	Comments - KW - 10/13/22
	In EPA-designated air quality nonattainment/maintenance areas, the UPWP clearly list transportation-related air quality Tasks	NA	
Financial Information	Statement identifying if a Consolidated Planning Grant (CPG) has been implemented and an explanation/narrative of what it means		
	Financial summary reflects the most current and available combined estimated FHWA and FTA planning funds available to the region for each fiscal year		
	Summary budget table that indicates:		
	Federal share by type of fund		
	State and /or local match by type of fund	Follow Up	While listing the amount of match required meets the minimum requirements, it is a best practice to list or describe where the local match is coming from/the source (due, fees etc.).
	Cost estimates by activity/task	Yes	
	Cost estimates for transportation planning activities funded with other Federal funds, such as other modes of travel and air quality planning activities in non-attainment areas (TMAs required to do this, all other MPOs encouraged to include)	Yes	
In Kind Contributions	MPO uses third party in-kind contributions as non-federal match for FHWA PL funds, If yes*:	No	It looks like no in-kind match is being used at this time. If at some point MVP decides to utilize this, please be sure to get pre-approval and provide appropriate documentation as outlined below.
	Date of formal approval from Policy Committee to use in-kind contributions as match		
	Was prior approval to use in-kind contributions obtained by FHWA? (All three letters referenced below should be included in the final UPWP)		
	i. MPO letter formally requesting the DOT to seek the prior approval from FHWA for their use of in-kind contributions.		
	ii. DOT's letter to FHWA requesting prior approval.		
	iii. FHWA's prior approval letter.		

UPWP Review Checklist - Alaska MPOs

Required Items 23 CFR 420 Subpart A – Administration of FHWA Planning and Research Funds & 23 CFR 450.308 – UPWP		Response (Y/N/NA/Follow Up)	Comments - KW - 10/13/22
	c. Includes signed “Statement of Notification and Assurances” forms for <u>each</u> contributing third party		
	Includes a discussion about the use of third party in-kind contributions		
	Indicate in the work item details how the contributions by third party agencies contribute to the various products under the relevant program category		
	Includes third party in-kind contribution worksheets that summarize the total estimated value of the contributions, valuation methodology, and where in the program it will be earned		
	Includes third party in-kind contribution information in the summary budget tables		
Documentation	Self Certification statement	Follow Up	This document is required to be included with either your TIP or your UPWP once you become an MPO. Will attach a template for future use.

MATSU VALLEY PLANNING (MVP) FOR

TRANSPORTATION

Federal Fiscal Year

2023 - 2024

Unified Planning Work Program (UPWP)



Draft

~~09.21.2022~~ 10.21.2022

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Purpose of the UPWP

The Unified Planning Work Program (UPWP) for Matsu Valley Planning for Transportation (MVP) outlines the Metropolitan Planning Organization's (MPO) transportation planning activities. It is a planning document that identifies and describes the MPO's budget, planning activities, studies, and technical support expected to be undertaken in a two-year period (23 CFR 450.104). The purpose of the UPWP is to ensure that a continuing, cooperative, and comprehensive (3C) approach to transportation planning is maintained and coordinated between the MPO, Alaska Department of Transportation & Public Facilities (DOT&PF), Matanuska-Susitna Borough (Borough), the Cities of Palmer and Wasilla, and other jurisdictions. It is a statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area (MPA). At a minimum, a UPWP includes a description of the planning work and resulting products, deadlines, who will perform the work, time frames for completing the work, and the source of funds.

The UPWP is required for the MPO to receive metropolitan planning funds from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) through the DOT&PF. It is a fiscally constrained document based on the amount of programmed planning grants and match contributions and may be revised as needed after adoption by Administrative Modification or Amendment. Fiscal constraint in long-range transportation planning is intended to ensure plans are based on a reasonable expectation of sufficient revenues to support the costs of maintaining the existing metropolitan area transportation system and any planned expansion of the system over at least a 20-year time frame.

In addition to the UPWP, the MPO must develop and implement the following plans as part of the transportation planning process (23 USC 134 & 23 CFR 450):

- **Metropolitan Transportation Plan (MTP)** – a multimodal transportation plan that addresses a 20- year planning horizon that the MPO develops, adopts, and updates every four years.
- **Transportation Improvement Program (TIP)** – a prioritized listing/program of transportation projects covering a four-year period that is developed, adopted, and implemented by the MPO in coordination with the MTP.
- **Public Participation Plan (PPP)** – a guiding document that outlines the goals, strategies, and implementation plan for public involvement in the development of MPO plans, programs, and policies, including the MTP and TIP.

With the prior approval of the DOT&PF, Federal Highways Administration (FHWA), and Federal Transit Administration (FTA), an area not designated as a Transportation Management Area (TMA) may prepare a simplified statement of work in cooperation with the DOT&PF and the public transportation operator(s) in place of a UPWP. The simplified statement of work must include a description of the major activities to be performed during the next one- or two-year period, who will perform the work, the resulting products, and a summary of the total amounts and sources of federal and matching funds. If a simplified statement of work is used, it may be submitted as part of the DOT&PF's planning work program, per 23 CFR 420. The MPO may elect to use a simplified

statement of work in the future with direction from and using the desired format as proposed by the DOT&PF. A newly designated MPO does not need to develop an MTP or TIP within the first 12 months. However, the initial MPO work plan should include tasks and a schedule to develop a TIP and MTP (23 CFR 450.308). Administrative requirements for UPWPs and simplified statements of work are contained in 23 CFR 420 and FTA Circular C8100, as amended (Program Guidance for Metropolitan Planning and State Planning and Research Program Grants). This is the initial official UPWP for MVP as designation as an urbanized area is expected to occur in ~~July~~December 2022 and designation by the Governor as the MPO of the Matsu Valley urbanized area is anticipated to occur within one year.

MVP has utilized the UPWP process to outline the pre-MPO planning activities for Federal Fiscal Year (FFY) 2020 ~~and 2021-2022.~~

MPO Formation

All Urbanized Areas over 50,000 in population must have an MPO to carry out a 3C transportation planning process, as stipulated in the Federal Highway Act of 1962. In mid-2022, the U.S. Census Bureau will publish a Federal Register notice announcing the qualifying urban areas based on the results of the 2020 Decennial Census and release TIGER/line geographic shapefiles on their website. New for the 2020 Census, an urban area will comprise a densely developed core of census blocks that meet minimum housing density requirements, along with adjacent territory containing non-residential urban land uses as well as other lower density territory included to link outlying densely settled territory with the densely settled core. Three housing unit densities are used in the delineation – 425 housing units per square mile (HPSM) to identify the initial core of urban block agglomerations and the cores of noncontiguous peripheral urban territory; 200 HPSM to expand the urban block agglomerations into less dense, but structurally connected portions of urban areas; and 1,275 HPSM to identify the presence of higher-density territory representing the urban nucleus.¹ In the fall of 2022, the United States Department of Transportation will publish a Federal Register Notice designating Transportation Management Areas (TMAs) for urban areas with populations more than 200,000, as determined by the Census Bureau and the results of the 2020 Decennial Census.²

Designation of a new MPO consists of a formal agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the population to be included in the MPA. The agreement should, at minimum, **identify the membership structure of the policy board and establish the metropolitan planning area (MPA) boundaries** (23 USC 134 (b) and 49 USC 5303 (c)). An MPO must represent each UZA listed in the relevant Federal Register notice within 12 months of the official Census Bureau listing. A draft operating agreement is available. The MVP is currently waiting for the urbanized area designation and will then go through

¹ Federal Register/Vol. 87, No. 57/Thursday, March 24, 2022, Department of Commerce, Census Bureau, Docket Number 220228-0062, *Urban Area Criteria for the 2020 Census – Final Criteria*, Page 16711

² U.S. Department of Transportation, Federal Highway Administration, Census Issues, referenced 05.03.2022, https://www.fhwa.gov/planning/census_issues/urbanized_areas_and_mpos_tma/schedule

the process of developing the MPA boundaries.

MVP has utilized a Pre-MPO Steering Committee and Policy Board in its decision-making process before designation as an MPO. The Pre-MPO Steering Committee (Steering Committee) represents general-purpose local governments that together represent at least 75 percent of the expected affected population including the largest incorporated city, based on population, as named by the Bureau of the Census. Also on the Steering Committee, is a representative of a provider of public transportation (Valley Transit), State of Alaska Department of Transportation and Public Facilities (DOT&PF), the Alaska Department of Environmental Conservation (DEC), the Alaska Railroad (ARRC), the City of Wasilla, the City of Palmer, the Borough, the Borough Transportation Advisory Board, the Native Village of Knik, Chickaloon Native Village, Mat-Su Trails and Parks Foundation, Mat-Su Health Foundation, and members of peer MPOs in Anchorage and Fairbanks.

The Pre-MPO Policy Board is made up of representatives from the Borough, State of Alaska Department of Transportation and Public Facilities, the City of Wasilla, the City of Palmer, Knik Tribe, Valley Transit, Chickaloon Native Village, and Mat-Su Trails and Parks Foundation as multimodal advocates. The Steering Committee meets monthly and makes recommendations to the Pre-MPO Policy Board, who is making decisions on behalf of the stakeholders within the likely urbanized area of the Borough.

MPO Structure

The MPO structure has been discussed at length by the Pre-MPO Steering Committee and Policy Board. The Policy Board recommended, in March 2022, that the MPO form an independent 501(c)3 organization. The Pre-MPO Policy Board also recommended, in April 2022, that MVP use the 2019 Department of Labor forecast in projecting the population of the MPA out twenty years. The final members of the official Policy Board to be named in the Operating Agreement will be decided during the boundary development discussion. The Infrastructure Investment and Jobs Act (IIJA) of November 2021 requires, under Section 11201, Transportation Planning, that when designating MPO officials or representatives for the first time, subject to the bylaws or enabling statute of the MPO, the MPO shall consider the equitable and proportional representation of the population of the MPA. MVP should consider incorporating a population-based vote share into its initial bylaws. This is not a mandatory requirement for small MPOs but this discussion could be initiated when selecting Policy Board member structure, dues and defining the voting members of the board.

MPA Boundary

The MPA boundary must be examined by the MPO, in cooperation with the State and public transportation operator(s) to determine if MPA boundaries meet the minimum statutory requirements for new urbanized areas and shall adjust them, as necessary. The MPA boundaries shall encompass the entire urbanized area (as defined by the Bureau of the Census) plus the contiguous area expected to become urbanized within a 20-year forecast period for the metropolitan transportation plan. As appropriate, additional adjustments should be made to

reflect the most comprehensive boundary to foster an effective planning process that ensures connectivity between modes, improves access to modal systems, and promotes efficient overall transportation investment strategies. Following the MPA boundary approval by the MPO and the Governor, the MPA boundary descriptions (in GIS format) shall be provided to the FHWA and the FTA for informational purposes. [A GIS file format is a standard of encoding geographical information into a computer file used for mapping and map analysis.](#)

Under the review and guidance of the Steering Committee, a Boundary Development Strategy was developed and approved by the Policy Board in October 2021. The boundary development task is being conducted by the Borough Planning and GIS team with assistance from subject matter experts in areas such as forecasting, real estate and several planning specialties. [The GIS team has the ability to overlay various assumptions regarding population, growth forecasting, housing forecasts, building restrictions, wetlands and the like over the urbanized area boundary to predict where growth may occur.](#) This effort began in early 2022 and started with determining the population forecast to be used in the next 20 years and reexamining the developable and undevelopable lands within the Borough. The latest information from the U.S. Census is that the list of urbanized areas will not be released until December 2022, delayed from April 2022. Thus, it is expected that the MPA boundary will be set in early 2023, and from there, the Operating Agreement and Bylaws can be re-worked and sent to all involved agencies for resolutions of support.

Operation of the MPO

The Policy Board desired to hire an interim Project Manager to steer the MPO and complete all necessary documents to become an MPO in good standing. Unfortunately, the Borough was not successful in hiring a Project Manager, so the consulting team will continue to assist in this effort being led by the MSB Planning Manager. In 2021, the following were approved by the Pre-MPO Policy Board:

- Name of the MPO: Matsu Valley Planning for Transportation (MVP)
- 2022 UPWP
- Pre-MPO Policy Board and Steering Committee Mission and Tasks
- Boundary Development Strategy
- Public Participation Plan (PPP) and the 2022 Addendum

The PPP will be consulted and followed as the team finalizes the following:

- Update the Metropolitan Transportation Plan (MTP) scope of work to include new requirements under the Infrastructure Investment and Jobs Act (IIJA)
- 2023 – 2024 UPWP
- Updates to Intergovernmental Operating Agreement & Memorandum of Understanding for Transportation Planning in the Mat-Su Metropolitan Planning Area (Operating Agreement with boundary map)
- MVP Bylaws
- MVP Policy and Procedures
- Development of the legal entity of the MPO

- Grandfather agreements with the DOT&PF regarding current Community Transportation Program (CTP) projects in the Statewide Improvement Program (STIP)

Federal Planning Factors and Performance-Based Planning: The Fixing America's Surface Transportation (FAST) Act was signed into law on December 4, 2015. In 23 CFR 450.306, it states that the metropolitan planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following factors:

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 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. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation
9. Enhance travel and tourism
10. Emphasize the preservation of the existing transportation system

In addition to the planning factors noted above, previous legislation (Moving Ahead for Progress in the 21st Century Act [MAP-21]) required that state Departments of Transportation (DOTs) and MPOs conduct performance-based planning by tracking performance measures and setting data-driven targets to improve those measures.

Performance-based planning ensures the efficient investment of federal transportation funds by increasing accountability of local agencies receiving the funds, prioritizing transparency to the public, and providing insight for better investment decisions that focus on key outcomes which relate to the seven national goals of:

1. Improving Safety
2. Maintaining Infrastructure Condition
3. Reducing Traffic Congestion
4. Improving System Reliability
5. Improving Freight Movement & Supporting Regional Economic Development
6. Protecting the Environment
7. Reducing Delays in Project Delivery

The current Borough LRTP 2035 addresses the planning factors above and addresses performance-based planning. This LRTP provides a good base to develop the MTP which will likely encompass a much smaller area than the entire Mat-Su Borough, which is over 25,000 square miles. See Table 1 for more information.

The current Borough Long-Range Transportation Plan (LRTP 2035) addresses the planning factors above and addresses performance-based planning. This LRTP provides a good base to develop the MTP which will likely encompass a much smaller area than the entire Mat-Su Borough, which is over 25,000 square miles. See Table 1 for more information. Regional priorities identified in the 2035 LRTP include improving congestion, safety, accessibility, and mobility. The LRTP is a fiscally constrained document that set priorities for both ADOT&PF and the MSB to be completed by 2035. Funded ADOT&PF projects of regional significance include upgrades to, the Glenn Highway, Parks Highway, Knik Goose Bay Road, and Seward Meridian Parkway. The MSB has funded and constructed the majority of its priority list, including projects such as, Hemmer Road Extension and South Trunk Road Extension. The MSB is currently developing an amendment to the LRTP that will include a new list of regionally significant projects, scoring criteria, a chapter on Bike and Pedestrian infrastructure needs, and a new chapter on Public Transit. This update should be completed by October 2023.

Table 1 FFY2022 UPWP Work Tasks & National Performance Goals

FFY2021 Work Tasks	Safety	Infrastructure Condition	Congestion Reduction	System Reliability	Freight Movement and Economic Vitality	Environmental Sustainability	Reduce Project Delivery Delays
100 Plans & Programs							
100(A) Metropolitan Transportation Plan	X	X	X	X	X	X	X
100(B) Update and Execution of the PPP	X	X	X	X	X	X	X
100(C) Transportation Improvement Program	X	X	X	X	X	X	X
100(D) UPWP	X	X	X	X	X	X	X
100(E) Support Services	X	X	X	X	X	X	X
100(F) Administration	X			X			X
200 Borough Public Transit System Planning							
200 Public Transit System Planning	X		X	X		X	X
300 Contingency Projects							
300(A) Active Transportation Plan	X	X	X	X	X	X	X

Task 100 MPO Planning Process

Task 100(A) Metropolitan Transportation Plan

The MTP is the official multimodal transportation plan addressing no less than a 20-year planning horizon that the MPO develops, adopts, and updates through the metropolitan transportation planning process. The MPO will develop its first MTP using the 2017 MSB LRTP 2035 as its base. The MTP is not due within 12 months of being designated as an urbanized area but must be planned for within the UPWP. The UPWP will provide the work plan that will include the tasks and a schedule to complete the MTP. It must be updated every five years. The MTP planning process shall include the development of a transportation plan addressing no less than a 20-year planning horizon as of the effective date. The MPO shall consider factors described in CFR 450.306 as the factors relate to a minimum 20-year forecast period.



The MTP effort will involve the following:

TransCad Modeling: The development of the MTP will require updates to the TransCad Travel Model currently being managed and updated by the DOT&PF or the creation of a new model. This will be necessary to model the proposed projects to be included in the MTP and to perform any requested scenario planning analyses. Borough staff will provide a demographic analysis to update and recalibrate the travel demand model for existing and future conditions, travel patterns, and utilization of the transportation network with updated population, employment, and household data using the latest planning assumptions. Coordination on the horizon year of the MTP should occur between the MPO, DOT&PF and AMATS.

Development of the MTP: The planned schedule is to release an RFP for consulting services in late 2023 to develop the MTP. The DOT, or its consultants, will provide for all required and desired TransCad modeling. The plan will focus on the MPA boundary and address all transportation planning within those boundaries, regardless of ownership. In updating the transportation plan, the MPO shall base the update on the latest available estimates and assumptions for population, land use, travel, employment, congestion, and economic activity. The update will include the collection of traffic data, analysis of the transportation network, evaluation of land use and supporting transportation scenarios for travel demand model forecasts, and outreach to local agencies and the public to confirm project needs outlined in the 2035 MSB LRTP and new project needs not yet identified. The Public Participation Plan will define the minimum public involvement efforts, but the efforts may be more robust. The draft MTP will be released for public comment, and after the resolution of public comments, the final MTP will then be presented to the Technical Committee and Policy Board for

consideration of adoption. Following adoption, the final MTP will be transmitted to FHWA and FTA for approval.

The FAST Act supplemented the MAP-21 legislation by establishing timelines for state DOTs and MPOs to comply with the requirements of MAP-21. State DOTs are required to establish statewide targets and MPOs have the option to support the statewide targets or adopt their own. The MPO will need to develop a Memorandum of Understanding between the DOT&PF, AMATS, and FAST Planning to cooperatively support a performance-based approach to the metropolitan transportation planning and programming process and to develop and share information related to transportation performance data. The table on the following page shows how UPWP work tasks relate to these seven national performance goals.

The IIJA was signed into law in November 2021. New considerations for the metropolitan transportation planning process include:

- Dedicated funding to build out electric vehicle charging systems and expand current programs eligibility to support climate mitigation activities and emphasize resiliency to natural disasters
- Complete Streets standards and policies
- Many competitive grant opportunities outside of the program funds such as grants to support local initiatives to prevent deaths and serious injuries on roads, demonstration projects focused on community technologies and systems to improve transportation efficiency and safety, and rail crossing elimination programs (list not inclusive)

Advanced Project Definition and Financial Estimates: The MTP must be fiscally constrained. The DOT&PF will provide Scope, Schedule, and Estimate (SSEs) for all projects included in the MTP. This will be an ongoing project as estimates may need to be updated as new projects are nominated. The SSEs are completed by DOT&PF staff at the MPO's request when projects are nominated by local agencies, DOT&PF, and the public for funding and inclusion in the MTP. The local agencies may be able to reach an agreement with the State to participate in the development of SSEs, but the work must be done under the federal project development regulations.

The DOT&PF will also assist in the development of financial projections for funding anticipated to be received by the MPO for the period covered by the MTP. This will include all reasonably expected funding sources. This will be provided by the DOT&PF in-kind.

Development of a Complete Streets Policy: Section 11206 of the IIJA outlines the federal definition of a Complete Street and establishes that MPOs must adopt a complete streets policy and incorporate the application of said policy into the development of its transportation plan to receive federally apportioned funds. This work can be done concurrently with the development of the MTP by the MTP consultant team. The term "Complete Street" standards or policies means standards or policies that ensure the safe and adequate accommodation of all users of the transportation system, including pedestrians, bicyclists, public transportation users, children, older individuals, individuals with disabilities, motorists, and freight vehicles (see IIJA, Section 11206(a)). Not less than 2.5 percent of the amounts made available to the MPO under section 23 USC 104(d) shall be used for complete

streets activities. Any project developed with federally apportioned funds must use the federal guidelines in the design and construction of capital projects, not regional or local standards. The capital projects must be developed using the Design and Construction Standards found at <https://dot.alaska.gov/stwddes/dcsaboutus/>.

Completion Date: July 31, 2025

Responsible Party: Pre-MPO Staff, Borough Staff, Consultant(s), MPO Executive Director and DOT&PF

Resulting Product: [Metropolitan Transportation Plan and associated Travel Model](#)

Task 100(B) Update and Execution of the Public Participation Plan (PPP) and Title VI Implementation Plan

Before the development of the MTP, the PPP should be updated to reflect the planned public involvement for the MTP. The PPP will be updated by the MTP consulting team relevant to how the MTP will be developed and the public involvement process that will be utilized. The use of social media will be incorporated into the PPP as well as any web-based interactive techniques.

The PPP will also assist in outlining the proper public involvement necessary for the development and operation of the MPO. The Project Manager and, subsequently, the MPO Executive Director will implement the Public Participation Plan (PPP). Staff will be responsible for:

- Maintaining the MVP website complete with staff and committee member contact information, operating documents, plans and policies, meeting calendar, meeting agendas, meeting packets and minutes, calendar, project information, and a method for interaction with the public such as a comment form
- Hosting all MPO meetings in an accessible manner with proper public notice
- Preparing all meeting materials
- Providing public comment periods, open house events, workshops, surveys, interactive maps, and other opportunities for the public to be involved in the transportation planning process
- Maintaining a presence on social media (Facebook, Instagram, Twitter, and LinkedIn) to provide additional opportunities for the general public to engage in the transportation planning process
- Hosting local events that introduce the public to the MPO
- Advertising all meetings, events, and public comment opportunities in the newspaper, on the website and social media accounts, local bulletin boards, radio, television, and the Alaska DOT&PF public notice website
- Development and execution of the ***Title VI Implementation Plan***: Once recognized as the MPO through an *Inter-Governmental Operating Agreement and Memorandum of Understanding for Transportation Planning*, the MPO has the responsibility to ensure, for all people, that its programs, plans, and policies are carried out in a manner that is not discriminatory, regardless of race, color, national origin, or sex (gender). Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination based upon race, color, and national origin. Specifically, 42 USC 2000d states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” *The Federal Aid Highway Act of 1973 (23 USC 324), and related federal regulations (23 CFR 200.5 (p))*,

prohibit discrimination on the basis of sex (gender).

Later Executive Orders placed further emphasis on the Title VI protections of race and national origin, added low-income populations to the list of protected groups, and clarified that minority and limited English proficient populations are included under national origin. The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557], March 22, 1988).

Together these requirements form the legal basis for the Federal Highway Administration (FHWA) Title VI Program. According to 49 CFR 21.7 (b), recipients of federal financial assistance are required to provide for such methods of administration, as determined by the Secretary of Transportation, for a program to give a reasonable guarantee that it, and other participants under the program including contractors and subcontractors, will comply with all requirements imposed or pursuant to Title VI related federal regulations. The guidance provided by FHWA, Public Funds for Public Benefit: Subrecipient’s Guide to Implement Title VI, outlines additional information to be addressed in a Title VI Nondiscrimination Plan.

The State of Alaska has long recognized the importance of ensuring non-discrimination in how they conduct business and provide services to the public. This Title VI Non-Discrimination Implementation Plan will document a process specifically for ensuring non-discrimination by the MPO and should be consistent with non-discrimination policies of both the DOT&PF and FHWA Title VI requirements.

The Title VI Plan is integral to the PPP and provides specific goals, objectives, and strategies for reaching low-income, minority, and Limited English Proficiency populations to help mitigate barriers to public participation in the transportation planning process. As a Federal Aid recipient, the MPO has the responsibility to ensure that its programs, plans, and policies are carried out in a manner that is not discriminatory, regardless of race, color, national origin, or sex (gender) in accordance with Title VI of the Civil Rights Act of 1964, as amended. Measures to include are listed but are not limited to:

- Hosting all meetings open to the public and broad advertising of meetings, events, and public comment opportunities
- Opportunities in accordance with the PPP to reach different demographics of the population
- Holding meetings in a location familiar and comfortable to the public, accessible by non-motorized travel and transit, and in ADA-accessible buildings
- Providing contact information on all public notices and advertisements for individuals to request special accommodations for translation (language barriers) and hearing and sight impairments
- Preparing Title VI Reports for the DOT&PF Civil Rights Office for every meeting and event held open to the public and public comment periods
- Advertisement of Title VI complaint procedures and complaint form for any person who believes they have been excluded from or denied the benefits of, or subjected to discrimination based on race, color, national origin, or sex (gender) under any MPO plan, program, or activity
- Annual participation by all MPO staff in Title VI training

Completion Date: July 30, 2023

Responsible Party: Pre-MPO Staff, Borough Staff, Borough managed Consultant(s), new MPO Executive Director, and DOT&PF Staff

Resulting Product: [Updated Public Participation and Title VI Implementation Plan](#)

Task 100(C) Transportation Improvement Program (TIP)

The TIP is a prioritized listing/program of transportation projects covering four years developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the MTP and required for projects to be eligible for funding under 23 USC and 49 USC Chapter 53. Currently, the federally funded transportation projects for the area can be found in the 2020–2023 Alaska Statewide Transportation Improvement Program (STIP). Upon official designation as an MPO, projects funded by federal transportation funds on locally or state-owned (non-NHS) roadways and transit projects will be found in the MPO’s TIP. Federally funded projects within the MPO boundaries that are located on the State-owned National Highway System (NHS) or are owned by the Alaska Railroad Corporation will generally be shown in the TIP for informational purposes. Including these projects will require careful coordination with the state and transit providers.


For all MPAs, concurrent with the submittal of the entire proposed TIP to the FHWA and FTA as part of the STIP approval, the State and the MPO shall certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements as set forth in 23 CFR 450.336. [The self-certification shall be drafted and included as the cover letter in the transmittal of the TIP FHWA and FTA.](#)

Development of a new TIP will begin concurrently with the development of the MTP, which is anticipated to be completed in September 2024. The initial effort will be consultant-led and will involve development of project scoring criteria and nomination forms, followed by a call for project nominations. Projects included in the TIP must be prioritized in the MTP. The project nominations often, but are not all required to, come from the short-range list of projects included in the updated MTP. A workshop will be held for local agencies and the public to learn about the nomination process, scoring criteria, and project selection process for funding. At the close of the nomination period, the Technical Committee members will score and rank the projects in order of priority for consideration of funding in the new TIP.

2020-2023 Alaska Statewide Transportation Improvement Program
2020-2023 Original STIP; Approved April 28, 2020

Need ID: 25911
Title: Vine Road Improvements Koik-Goose Bay Road to Hollywood Blvd.
Region: Central
Place Name: Central Region
Highway: N/A

Project Description:
Project will rehabilitate the existing two-lane rural road from the Hollywood Boulevard to Koik-Goose Bay Road. The road will be designed to accommodate ongoing traffic growth. Scope includes repaving roadbed, drainage improvements, repaving, pedestrian accommodations and possible HSIP safety improvements.



Phase	Fund	FFY20	FFY21	FFY22	FFY23	After2023
Design	SM	40,184	0	0	0	0
Design	STP	404,816	0	0	0	0
Right of Way	ACC	0	3,298,753	0	0	0
Right of Way	ACC	0	0	-3,298,753	0	0
Right of Way	SM	0	327,247	0	0	0
Right of Way	STP	0	0	3,298,753	0	0
Construction	ACC	0	0	0	5,840,140	0
Construction	SM	0	0	0	569,860	0
Utilities	SM	0	0	0	207,800	0
Utilities	STP	0	0	0	2,062,310	0
Totals:		445,000	3,624,000	0	8,500,000	5,840,140

Program: Alaska Highway System
Primary Work: System Preservation
2013 Election District: 8 Big Lake/Point Mackenzie
Borough/Census Area: Matanuska - Susitna Borough
Municipal Planning Org. (MPO): non-MPO
Performance Measures: Safety, Travel Time

Sponsor:
PEB Score:
Criteria:
Functional Class: MINOR ARTERIAL

STIP

Concurrently, DOT&PF staff will prepare a scope, schedule, and estimate (SSE) for each project nominated. Once the SSEs and project rankings are complete, the MPO will develop a fiscally constrained draft TIP providing a funding plan for the top-ranked projects for release for public comment. After public comments are addressed and/or resolved, the final TIP will then be presented to the Technical Committee and Policy Board for consideration and adoption. Following adoption, the final TIP will be transmitted to FHWA and FTA for approval and to DOT&PF for inclusion into the STIP.

The MPO Staff will work in cooperation with the DOT&PF in the development of an E-TIP that is compatible with the State's Statewide Transportation Improvement Program (STIP), if available.

The MPO Staff, with DOT&PF assistance, will be responsible for:

- Project scoring and ranking by the MVP Technical Committee and preparation of Scope, Schedules, and Estimates (SSEs)
- Development of draft TIP for advertisement for public comment
- Review and respond to comments received during the public comment period
- Presentation of final TIP to FAST Planning Technical Committee and Policy Board for consideration of adoption, and transmittal of adopted TIP to FHWA and FTA for approval
- Monthly tracking of obligated funds in the TIP and receipt of offsets from project closures, reductions to bid award, and other de-obligations through FFY2024
- Administrative Modifications and Amendments to current TIP on an as-needed basis through FFY2024

Completion Date: July 30, 2025

Responsible Party: Pre-MPO Staff, new MPO Executive Director with DOT&PF providing Advanced Project Definition (estimates and schedules) and financial constraint limits and technical support for E-TIP, as necessary

Resulting Product: [2024 – 2027 Transportation Improvement Program](#)

Task 100(D) 2023 - 2024 UPWP Reporting and 2025-2026 UPWP Development

The DOT&PF is responsible for providing the management oversight of the UPWP. The MPO and its partners that receive Federal PL funding will prepare and submit quarterly reports through FFY2024 to the DOT&PF. The quarterly reports will document the planning activities performed and expenditures by the MPO per the tasks listed in the Unified Planning Work Program (UPWP). The DOT&PF will review and compile the quarterly reports into annual reports at the end of each fiscal year. The MPO will initiate Administrative Modifications and Amendments to the UPWP as needed following the provisions of the MPO's Intergovernmental Operating Agreement, when executed. The Borough Staff is currently doing this work.

FFY2025-2026 UPWP: Beginning in spring 2024, the MPO staff will develop the draft 2025-2026 UPWP. This will involve consultation with the State and other MPOs regarding the Planning fund allocation.

Completion Date of the new UPWP: August 15, 2024

Quarterly reports for the current UPWP.

Responsible Party: Pre-MPO Staff, new MPO Executive Director with DOT&PF assistance

Resulting Product: [Quarterly UPWP Reports and 2025 – 2026 UPWP](#)

Task 100(E) Support Services

This task encompasses all planning and program needs for the operation of the MPO. It is recommended that the MPO hire an Executive Director as soon as possible after designation by the Governor, anticipated to be the third quarter of FFY2023, to manage the critical tasks listed below.

- [Development and Mm](#)management and operation of the MVP 501(c)(3) Non-profit Corporation (human resources, payroll, accounts payable/receivable, office space leasing, asset management, insurance coverages, audits, business licensing, and tax filings) (May 2023)
- The Project Manager will obtain all the necessary items for the formation of the MPO office including the hiring of an Executive Director and Transportation Planner (May 2023)
- Procurement of office space. (May 2023)
- Supply or cause to arrange supplies, information technology, website development, social media presence, office administration, utilities, payroll, and benefits, and the like. (May 2023)
- Procure services as necessary to bring the MPO office to an operational status based on the agreed-upon structure. (May 2023)
- MVP budget preparation, tracking, and amendment (ongoing)
- Review of agreements and policies and procedures as needed (ongoing)
- Professional development for staff (online and in-person training and conferences) (ongoing)
- Attending and participating in local, regional, and State committee and commission meetings (ongoing)
- Providing guest presentations to committees, commissions, local organizations and chapters, and other interest groups (ongoing)
- Serving on the Statewide Transportation Innovation Council, Statewide Connected & Autonomous Team
- Attending project status meetings, open house events, stakeholder groups, and other Alaska DOT&PF and Borough planning meetings (ongoing)
- GIS mapping of the transportation network, including preparation of areawide and project-specific maps (ongoing)
- Review and submit comments on local, state, and federal legislation and planning documents (ongoing)
- Monitor the Federal Highway Bill guidance and modify the development of the final MPO structure and documents in accordance with the latest planning assumptions (ongoing)
- Review the Federal Regulations for Metropolitan Transportation Planning and research and apply for other available grant opportunities (ongoing)
- Conduct general communication, correspondence, and presentations to members of the public, organizations, agencies, elected/appointed officials, and other interested parties (ongoing)

- Coordinate with the DOT and other MPOs, as requested (ongoing)
- Attend annual AMPO Conference and Alaska American Planning Association Conference and trainings (ongoing)

Completion Date: September 30, 2024

Responsible Party: Pre-MPO Staff, new MPO Executive Director, DOT&PF, Borough Staff, consultant staff

Task 100(F) Administration

MVP for Transportation Intergovernmental Operating Agreement and Memorandum of Understanding for Transportation Planning within the Metropolitan Area of the Metropolitan Planning Organization (Operating Agreement) and Boundary Development

This agreement details the structure and process for the continuing, cooperative, and comprehensive consideration, development, and implementation of transportation plans and programs for intermodal transportation in the MPA. MPO designation shall be made by agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures established by applicable or local law. It defines the membership of the Policy Board by Title and voting rights of its members. It also defines the members of the Technical Committee by Title. Federal and State law are silent on the size, composition and voting rights of a Policy Board in a non-Transportation Management Area (under 200,000 persons). The Pre-MPO will define the committee, board, and boundary in FFY2022. This agreement defines the key plans and programs of the MPO, rules for consultant contracts, reporting requirements, planning reports, division of cost and payment, audit procedures as well as other standard required contractual elements. It will be finalized in late FFY2022 or early FFY2023.

The Operating Agreement and Metropolitan Planning Area Boundary will have to be presented to the member agency councils and assemblies for review and obtain a resolution of support for the package to be given to the Governor. The package will also need to be reviewed and approved by their respective attorneys before submission to the Governor for designation. It is the responsibility, with Staff oversight and assistance, of the Pre-MPO Steering Committee members to champion this package through their respective organizational processes to ensure the timely designation of the Mat-Su MPO by the Governor. This can take time and may be an iterative process. This includes the review by the State's Attorney General office as well. Staff, which is limited due to the current part-time Project Manager's status, may be available to present information regarding the MPO to each council/assembly, but it may be that the Pre-MPO Steering Committee member of each respective organization will have to take the lead. Documentation on the time spent on this process may serve as in-kind match so each person participating in this effort should document their time, by the quarter hour, and present this monthly to the Project Manager. This includes all time by all involved in obtaining the resolutions of support. Format and

information necessary to document the time will be provided by the DOT.

After the boundary is approved, DOT&PF or the FHWA Division Office should provide the boundary files electronically to the FHWA Office of Planning (HEPP-30) for inclusion in the FHWA Office of Planning Executive Geographic Information System (HEPGIS) database. The preferred submission formats are ArcGIS or TransCAD GIS file formats, the GIS software packages most used by State DOTs and MPOs.

Completion Date: December 2023

Responsible Party: Pre-MPO Staff, DOT & PF, Borough Staff

Resulting Product: [Operating Agreement and Memorandum of Understanding for Transportation within the Metropolitan Planning Organization](#)

Task 100(G) Memorandum of Understanding for the Implementation of the MVP MPO Office (MOU):

The MPO, DOT, and providers of public transportation shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. These responsibilities shall be clearly identified in written agreements with the MPO. The purpose of the MOU is to outline the responsibilities of each of the parties to the Operating Agreement regarding operation of the MPO. The responsibilities will be based on the MPO becoming an independent 501(c)3 organization. Items that may need to be addressed include membership dues, project development, financial reporting, audits, GIS services, land use planning, project planning, programming, human resources, risk management, office space, telephone services, IT services, accounting services, procurement services and the like. A stand-alone MPO needs to file Articles of Incorporation, obtain EIN and DUNS numbers, complete IRS Form 1023 to obtain tax-exempt status, complete a DOT&PF internal review audit to establish an indirect cost rate for billing to receive federal reimbursement, lease office space, consider outsourcing payroll and IT services, and the like. This work will begin in FFY2022 and be completed in early FFY2023.

Completion Date: April 2024

Responsible Party: Pre-MPO Staff, DOT & PF, Borough Staff

Resulting Product: [Memorandum of Understanding for the Implementation of the MVP for Transportation Office](#)

Task 100 (H) MVP Bylaws

The Bylaws spell out the members and officers of the organization, how the Chair and Vice Chair are chosen, and who will serve as Secretary of the organization and what those responsibilities entail. The Bylaws define when meetings occur, at a minimum, and line out the standard order of business. The Bylaws define committee structures and the purpose and duties of the Technical Committee. The Bylaws also address ethics, conflict of interest, and other miscellaneous standards of conduct. The Bylaws should be submitted with the Operating Agreement. If not completed in FFY22, they will be done in early FFY23.

Completion Date: April 2023

Responsible Party: Pre-MPO Staff, DOT & PF, Borough Staff

[Resulting Product: MVP for Transportation Bylaws](#)

Task 100 (I) MVP Policies and Procedures

Finalize the Policies and Procedures of MVP to ensure operations are in accordance with the Operating Agreement, MOU, and Bylaws. Some policies to be developed include, administrative policies, amendment and administrative modification policies, personnel policies, social media policies, human resources, employment practices, and the like.

Completion Date: July 2024

Responsible Party: Pre-MPO Staff, DOT & PF, Borough Staff

[Resulting Product: MVP for Transportation Policies and Procedures](#)

~~Task 100 (J)~~ Other Agreements:

- Develop an agreement(s) to coordinate with the DOT&PF, Anchorage Metropolitan Transportation Solutions (AMATS), and FAST Planning on PL and STPBG funding, target setting, and other transportation issues of common interest.
- Set performance targets in coordination with the State and other MPOs in accordance with a to-be-established memorandum of understanding for a performance-based approach to the metropolitan transportation planning and programming process.
- Consider a coordination agreement with AMATS, and others, as appropriate and necessary
- Consider an agreement with the local tribal governments regarding future consultation processes and to address the government - government relationship with the MPO

Completion Date: September 2023

Responsible Party: MPO Executive, DOT & PF, Borough Staff

[Resulting Product: Coordination Agreement with AMATS, Consultation agreements with Knik Tribe and Chickaloon Traditional Village Council, Memorandum of Understanding with the State and other MPOs regarding performance-based planning](#)

Task 200 Public Transit System Planning

Non-urbanized Formula Program grants provide transit capital, operating assistance, and program administration to non-urbanized areas for public transportation. State agencies, local public bodies and agencies thereof, private-non-profit and private for-profit (inter-city only) organizations, and operators of public transportation services are eligible to apply. These program grants are detailed in 49 USC 5311.

To be eligible for Federal Transit Administration (FTA) or Alaska Mental Health Trust funds through the Alaska DOT&PF Alaska Community Transit (ACT) office, projects must be derived from a locally developed, coordinated plan that is updated at least every five (5) years. These funding sources substantially support transit operations in the Borough. The Borough's previous plan update was in 2011 and required significant changes to reflect current community needs and opportunities, in addition to meeting federal and State requirements. The 2018-2022 Coordinated Human Services Transportation Plan (CHSTP) serves this purpose. It documented community efforts to coordinate

public and human service transportation for the Borough’s residents—especially older adults and individuals with disabilities. FTA 5310 grants through the Fixing America’s Surface Transportation (FAST) Act and Alaska Mental Health Trust funding each focus on the transportation needs of disadvantaged persons and those with special transportation needs that cannot be met through traditional personal automobile or public transportation means. Valley Transit and Sunshine Transit Coalition are prepared to receive Alaska Community Transit State Fiscal Year 2021 Public Transit Grants for Administration, Operating and Preventive Maintenance. Sunshine Transit Coalition was awarded \$729,663, and Valley Transit was awarded \$1,100,000. Sunshine Transit Coalition and Valley Transit are also to receive Public Transit Capital Grants of \$737,692 and \$1,350,207, respectively.

The Federal Transit Administration (FTA) has defined the goals of the 5311 Program to:

- Enhance the access of people in non-urbanized areas to health care, shopping, education, employment, public services, and recreation.
- Assist in the maintenance, development, improvement, and use of public transportation systems in rural and small urban areas.
- Encourage and facilitate the most efficient use of all rural transportation funds used to provide passenger transportation in non-urbanized areas through the coordination of programs and services.
- Assist the development and support of intercity bus transportation.
- Provide for the participation of private transportation providers to the extent feasible.

Due to the operational changes in FFY2020 related to the COVID-19 pandemic, these planning funds will be critical to planning the future of the public transit system within the MPA. Beginning in FFY21, and continuing through FFY2022 and FFY2023, the transit providers will need to develop, implement, and continually update Public Transportation Agency Safety Plan (PTASP) to include the processes and procedures to implement Safety Management Systems (SMS)

Urbanized The transit services within an MPA, once designated, are eligible to receive **FTA Section 5303, 5304 and 5305 planning funds** through a Metropolitan Planning Grant Agreement between the DOT&PF and FTA. Metropolitan & Statewide Transportation Planning Section 5303, 5304 and 5305 provide funding and procedural requirements for multimodal transportation planning in metropolitan areas and states. Eligible activities include the development of transportation plans and programs, plan, design and evaluate a public transportation project and conduct technical studies related to public transportation. The MSB is currently working on updating the long- and short-term transit plans for the area. It is likely that the State will execute a Coordinated Planning Agreement with the MPO to conduct future plans or with the MSB. Funds are apportioned to states by formula that includes each state’s urbanized area population in proportion to the total urbanized area population for the nation, as well as other factors.

- FTA Section 5303: Metropolitan Planning
- FTA Section 5304: Statewide Planning
- FTA Section 5305: Planning Programs

Section 5307 funds provide transit capital and operating assistance in urbanized areas.

- The State Is the Designated Recipient for all small, urbanized areas, but most grantees are Direct Recipients
- Private Non-Profits Can't Be Subrecipients to the Urban Formula Program
- Sub-Recipient: An entity that receives FTA funds via a pass-through agreement with a direct recipient or designated recipient, whereby the original recipient remains responsible for compliance with all terms, conditions, and requirements associated with the grant).
- It is likely that the DOT&PF will want to execute a supplemental agreement with the Borough for the distribution of Section 5307 as it is required for all grantees in urbanized areas under 200,000 in population.
- Non-profit organizations can be subrecipients under the Job Access Reverse Commute (JARC) program

Designation as an urbanized area will result in significant changes to ownership, operation and ridership of the system and may affect the transit routes, frequency, and timing, as well as staff employment, facilities, equipment, and fare collection.

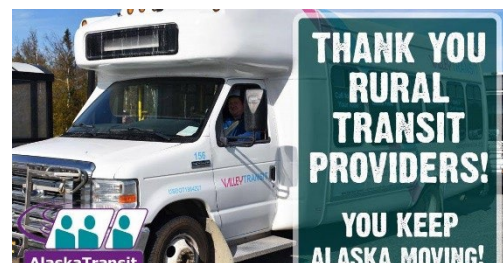
Planning needs to be cooperative, continuous, and comprehensive, resulting in long-range plans and short-range programs reflecting transportation investment priorities. Federal planning funds are first apportioned to State DOTs. State DOTs then allocate planning funding to MPOs. One meeting has been conducted between the local transportation provider, DOT&PF, Alaska Railroad and FTA and more coordination will take place to determine the necessary work tasks for this UPWP.

Funds are available for planning activities that:

- support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency
- increase the safety of the transportation system for motorized and non-motorized users;
- increase the security of the transportation system for motorized and non-motorized users;
- increase the accessibility and mobility of people and for freight;
- 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;
- enhance the integration and connectivity of the transportation system, across and between modes, for people and freight; and
- promote efficient system management and operation; and (H) emphasize the preservation of the existing transportation system.

This funding is used to conduct planning activities related to the operation and improvement of the public transit system, including data collection, studies, system performance management, capital planning, and asset management, preparation of reports and plans, and training and technical assistance for staff. Example plans include:

- Coordinated Transportation Plan



- Short- and Long-Range Transit Plan
- Mobility Management Plan
- Public Transportation Agency Safety Plan
- Bus Stop Amenity & Design Development Plan
- ITS Improvement Plan
- Comprehensive Fixed Route Analysis & Improvement Plan
- Traffic Signal Prioritization Impact Study

Upon designation as an MPO, the Mat-su MPO transit providers will not be able to directly apply for FTA 5307 as non-profits are not eligible to be direct recipients of this program. The MSB will develop a program to make these funds available.

Completion Date: Upon designation as an MPO

Responsible Party: Valley Transit, Sunshine Transit Coalition, Chickaloon Area Transit (CAT), Borough Staff, DOT&PF

Resulting Product: [Ability to distribute urban formula funds to transit providers via a competitive process](#)

Task 300 Contingency Projects

The following projects are Contingency Projects, which are, by definition, a future event or circumstance which is possible but cannot be predicted with certainty. These are projects that could occur in FFY2023 -* 2024 if funding becomes available.

Task 300(A) Develop an Active Transportation Plan

Hire a consultant to complete an Active Transportation Plan (ATP). This plan will address local interest in non-motorized travel and the desire for better transportation options, quality of life, and access to the area's natural surroundings. It will outline policy, programmatic, and infrastructure improvements to help achieve a vision for a more pedestrian and bicycle-friendly community with a non-motorized network that provides safe and comfortable transportation options to many area residents and visitors.

Completion Date: TBD

Responsible Party: MPO Staff, Borough Staff, DOT&PF

Resulting Product: [Active Transportation Plan](#)

Budget

MVP MPO FEDERAL FISCAL YEAR 2023-2024
Estimated Costs by Task
October 1, 2022 - September 30, 2024

DRAFT

Task	Description	Fund Code	FFY2023	Fund Code	FFY2024
100	MPO Planning Process				
100(A)	Metropolitan Transportation Plan (MTP) and Travel Modelling	PL	\$10,000	PL	\$ 500,000
100(B)	Update and Execution of the PPP and Title VI Plan	PL	\$46,000	TBD	\$ 100,000
100(C)	Transportation Improvement Program (TIP)	PL	\$0	TBD	\$ 15,000
100(D)	2023-2024 UPWP Reporting and 2025-2026 UPWP	PL	\$10,000	TBD	\$ 10,000
100(E)	Support Services	PL	\$58,000	TBD	\$ 130,000
100(F)	Administration	PL	\$86,000	TBD	\$ 15,000
	<i>Subtotal</i>		\$210,000		\$770,000
	<i>9.03% match</i>		\$20,845		\$76,433
	<i>Subtotal</i>		<u>\$230,845</u>		<u>\$846,433</u>
	<i>Less Estimated ICAP (7.18%)</i>		\$17,857		\$65,475
	Total Task 100		<u>\$212,989</u>		<u>\$780,958</u>
200	Public Transit System Planning	TBD	\$ -		\$ 143,000
	<i>9.03% match</i>				\$ 14,195
	<i>Subtotal</i>		<u>\$ -</u>		<u>\$ 157,195</u>
	<i>Less Estimated ICAP (7.18%)</i>				\$ 12,160
	Total Task 200				<u>\$ 145,035</u>
300	Contingency Projects				
300(A)	Active Transportation Plan	TBD			\$ 100,000
	Total Task 300				<u>\$100,000</u>
	<i>9.03% match (cash)</i>				\$9,926
	<i>Subtotal</i>				<u>\$109,926</u>
	<i>Less Estimated ICAP (7.18%)</i>				\$8,503
	Total Task 300				<u>\$101,423</u>

Assumptions:

PL = Federal Funding: Metropolitan Planning Program

Match = All match is provided by local government sources to the MPO using Initiation dues and maintenance dues

FED TBD = Federal Funding Type to Be Determined by the State

MVP MPO FEDERAL FISCAL YEAR 2023-2024
Estimated Costs by Task
October 1, 2022 - September 30, 2024

DRAFT

ICAP = Indirect Cost Allocation Plan for FFY23 per DOT&PF

Draft 10.21.2022

**Matanuska-Susitna Borough,
City of Palmer,
City of Wasilla,
Knik Tribe,
Chickaloon
Village
Traditional
Council,

State of Alaska**

**MATSU Valley Planning for Transportation (MVP for
Transportation)**

**INTER-GOVERNMENTAL OPERATING AGREEMENT
and
MEMORANDUM OF UNDERSTANDING
for
TRANSPORTATION PLANNING**

**In the Metropolitan
Area of the
Mat-Su Metropolitan Planning Organization**

Matanuska-Susitna Borough,
City of Palmer,
City of Wasilla,
Knik Tribe,
Chickaloon Village
Traditional Council, and
the
State of Alaska

MATSU VALLEY PLANNING FOR TRANSPORTATION
INTERGOVERNMENTAL OPERATING AGREEMENT
AND
MEMORANDUM OF UNDERSTANDING FOR TRANSPORTATION
PLANNING

In the Metropolitan Area of the Matsu Valley Metropolitan Planning
Organization

This Matsu Valley Planning for Transportation Intergovernmental Operating Agreement and Memorandum of Understanding is entered into this _____ day of _____, 2023, by and between the State of Alaska, the Matanuska Susitna Borough, the City of Wasilla, the City of Palmer, the Knik Tribe and the Chickaloon Village Traditional Council.

WITNESSED, THAT:

Whereas, the above referenced Parties have been working on developing the new Metropolitan Planning Organization since July 2020; and

Whereas, the Pre-MPO Policy Board was formed and met for the first time on September 15, 2021 and is made up of representatives of transportation stakeholders from the Matsu Valley including the Matanuska-Susitna Borough, the City of Palmer, the City of Wasilla, the State of Alaska, the Knik Tribe, Chickaloon Village Traditional Council, Valley Transit and; and

Whereas, the Pre-MPO Policy Board the agreed to name the Metropolitan Planning Organization for the Matanuska Susitna Valley, the *Matsu Valley Planning for Transportation (MVP for Transportation)* on October 20, 2021; and

Whereas, on October 20, 2021, the Pre-MPO Policy Board agreed to oversee the development of all federally required documents necessary to be designated by the Governor as the MPO of the Matsu Valley urbanized area and act as the interim leadership of the MPO in making decisions that will bind the new MPO; and

Whereas, on October 20, 2021, the Pre-MPO Policy Board approved a Metropolitan Planning Area (MPA) Boundary Development Strategy that was subsequently implemented to determine the MPA Boundary which is attached to this document; and

Whereas, the U.S. Department of Commerce, U.S. Census Bureau, announced the list of new urbanized areas on December xx, 2022, and a portion of the Matanuska-Susitna Borough is now considered urbanized; and

Whereas, the Infrastructure Investment and Jobs Act (IIJA) was passed into law on November 15, 2021 and requires, in designating MPO officials or representatives for the first time, subject to the bylaws or enabling statute of the metropolitan planning organization, the MPO shall consider the equitable and proportional representation of the population of the MPA; and

Whereas, the Pre-MPO Policy Board unanimously passed the MVP for Transportation Public Participation Plan and the 2022 Addendum for Pre-MPO Formation and used it as a guide to define the public participation efforts in forming the MPO; and

Whereas, the MVP for Transportation Pre-MPO Policy Board passed a motion to form a 501(c)3 nonprofit corporation on March 16, 2022; and

Whereas, the MVP for Transportation Pre-MPO Policy Board approved the membership of the Policy and Technical Committee on September 13, 2022; and

Whereas, the Matanuska-Susitna Borough, City of Palmer, City of Wasilla, Knik Tribe and Chickaloon Village Traditional Council all passed resolutions of support for MVP for Transportation as the future MPO and a request to the Governor for state funds for the startup of the MPO in September 2022; and

Whereas, the MVP Transportation Pre-MPO Policy Board passed a motion to adopt Articles of Incorporation, and adopted their Bylaws on xxxxxx; and

Whereas, the Pre-MPO Policy Board passed a resolution to initiate operation of MVP Transportation as an independent organization on xxxxxx; and

Whereas, the Pre-MPO Policy Board filed the Articles of Incorporation with the State of Alaska's Department of Commerce, Community, and Economic Development Division of Corporations, Business, & Professional Licensing to become a nonprofit corporation on xxxxxx.

Now, therefore, the above referenced Parties agree to the Inter-Governmental Operating Agreement and Memorandum of Understanding for Transportation Planning, as follows:

Matanuska-Susitna Borough,
City of Palmer,
City of Wasilla,
Knik Tribe,
Chickaloon
Village
Traditional
Council
and
State of Alaska

Matsu Valley Planning for Transportation
INTER-GOVERNMENTAL OPERATING AGREEMENT
AND
MEMORANDUM OF UNDERSTANDING
FOR
TRANSPORTATION PLANNING

In the Metropolitan Area of the Mat-Su Metropolitan Planning Organization

SECTION 1 – PARTIES TO THIS AGREEMENT

The Parties to this Agreement are the State of Alaska (State), Matanuska-Susitna Borough (MSB), Knik Tribe, Chickaloon Village Traditional Council, City of Palmer, and City of Wasilla.

SECTION 2 – PURPOSE

This Agreement is entered into in accordance with 23 USC § 134 – 135, 49 USC § 5303 – 5306, and 23 CFR 450.300 to provide the structure and process for the continuing, cooperative and comprehensive consideration, consultation, development and implementation of transportation plans and programs for intermodal transportation in the metropolitan planning area (MPA).

Metropolitan Planning Organizations (MPOs) are required to develop long-range transportation plans and Transportation Improvement Programs through a performance-driven, outcome-based approach to planning. The MPO will conduct the transportation planning process and provide for consideration and implementation of projects, strategies, and services that will address the planning factors outlined in 23 CFR 450.306 (b) and (c).

SECTION 3 – LEGAL AUTHORITY

3.1 Federal Transportation Planning Statutes

23 USC § 104(f), 23 USC § 134 and 49 USC § 5303 – 5306 provide funding and require designation of a metropolitan planning organization (MPO) for urbanized areas of at least 50,000 population to carry out a transportation planning process and receive federal funding. Those Statutes require the State and the local governments to coordinate the planning and construction of all urban transportation facilities with a continuing, cooperative, and comprehensive transportation planning process.

4.2 MPO Designation

On <insert month and day>, 2023, the Governor of the State of Alaska designated the MPO and identified the Matsu Valley Planning for Transportation (MVP) Policy Board as the body providing the direction of transportation planning in the MPA in accordance with Federal law.

SECTION 4 – DEFINED TERMS

"ADEC" means the State of Alaska Department of Environmental Conservation.

"ADOT&PF" means the State of Alaska Department of Transportation and Public Facilities.

"ARRC" means the Alaska Railroad Corporation

"AOR" means the Annual Obligation Report which includes all projects and strategies listed in the Transportation Improvement Program (TIP) for which Federal funds were obligated during the immediately preceding program year.

"ASSEMBLY" means the MSB Assembly, the legislative governing body of the MSB.

"CHICKALOON VILLAGE TRADITIONAL COUNCILS" means the Athabascan native village with members and land located within the MPA.

"CITY OF PALMER" means the home rule city, a political subdivision of the State of Alaska within the MPA.

"CITY OF WASILLA" means a first-class city, a political subdivision of the State of Alaska, and the most populated city located within the MPA.

"CONSULTATION" means that one or more parties confer with other identified parties in

accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken. This definition does not apply to the “consultation” performed by the States and the MPOs in comparing the long-range statewide transportation plan and the MTP, respectively, to State and tribal conservation plans or maps or inventories of natural or historic resources.

“COOPERATION” means that the parties involved in carrying out the transportation planning and programming processes work together to achieve a common goal or objective.

“COORDINATION” means the cooperative development of plans, programs, and schedules among agencies and entities with legal standing and adjustment of such plans, programs, and schedules to achieve general consistency, as appropriate.

“DBE” or “Disadvantaged Business Enterprise” means a for-profit small business concern (1) that is at least 51-percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and (2) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

“DESIGNATED RECIPIENT” means : (i) an entity designated, in accordance with the planning process under Sections 5303 and 5304, by the governor of a state, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under Section 5336 to urbanized areas of 200,000 or more in population; or (ii) a state or regional authority, if the authority is responsible under the laws of a state for a capital project and for financing and directly providing public transportation.

“DIRECT RECIPIENT” means an eligible entity authorized by a designated recipient or state to receive Urbanized Area Formula Program funds directly from FTA. A state or designated recipient may authorize another public entity to be a “direct recipient” for Section 5307 funds. A direct recipient is a public entity that is legally eligible under federal transit law to apply for and receive grants directly from FTA. The designated recipient may make this authorization one time or at the time of each application submission, at the option of the designated recipient.

“FHWA” means the Federal Highway Administration, an operating agency of the United States Department of Transportation (USDOT).

“FINANCIAL PLAN” means documentation required to be included with a metropolitan transportation plan and TIP that demonstrates the consistency between reasonably available and projected sources of Federal, State, local and private revenues and the costs of implementing proposed transportation system improvements.

“FRA” means the Federal Railroad Administration, created by the Department of Transportation Act of 1966.

“FTA” means the Federal Transit Administration, an operating agency of the USDOT.

“Knik Tribe” means a federally recognized tribe with members and land located in the MPA.

“**MATSU VALLEY PLANNING FOR TRANSPORTATION (MVP)**” means the Matanuska-Susitna area Metropolitan Planning Organization, also known as MVP for Transportation

“METROPOLITAN PLANNING AGREEMENT” means a written agreement between the MPO, the State(s), and the providers of public transportation serving the metropolitan planning area that describes how they will work cooperatively to meet their mutual responsibilities in carrying out the metropolitan transportation planning process.

“MPA” or “METROPOLITAN PLANNING AREA” means the geographic area in which the MPO carries on metropolitan transportation planning process as described in Section 5.4 of this Agreement.

“MPO” or “METROPOLITAN PLANNING ORGANIZATION” means the policy board created by Section 5.2 of this Agreement to carry out the metropolitan transportation planning process.

“MSB” means the Matanuska-Susitna Borough, a second-class borough, a political subdivision of the State of Alaska that includes the City of Palmer, City of Wasilla, and MPA within its boundaries.

“MTP” or “METROPOLITAN TRANSPORTATION PLAN” means the official multimodal transportation plan addressing no less than a 20-year planning horizon that the MPO develops, adopts, and updates through the MTP process.

“PALMER CITY COUNCIL” means the legislative governing body of the City of Palmer.

“PERFORMANCE-BASED APPROACH” means the application of performance management within the planning and programming process to achieve desired performance outcomes for the multimodal transportation system.

“PERFORMANCE MEASURE” means an expression on a metric that is used to establish targets and to assess progress toward achieving the established targets.

“PERFORMANCE METRIC” refers to “Metric” as defined in 23 CFR 490.101 and means a quantifiable indicator of performance or condition.

“PERFORMANCE TARGET” refers to “Target” as defined in 23 CFR 490.101 and means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period.

“PL FUNDS” means the Federal Highway Administration Metropolitan Transportation Planning funds authorized under 23 USC 104 to carry out the requirements of 23 USC 134.

“POLICY BOARD” means the board established under Section 5.2 of the Agreement for cooperative decision-making in accordance with this Agreement.

“PUBLIC PARTICIPATION PLAN” means a documented process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representative of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

“SECTION 5303 FUNDS” means the FTA funds made available under 49 USC 5305(g) to carry out the requirements of 49 USC 5303.

“SSOW” OR “SIMPLIFIED STATEMENT OF WORK” means a statement of work documenting metropolitan transportation planning activities performed with funds provided under title 23 U.S.C. and title 49 U.S.C. Chapter 53 in accordance with the provisions of 23 CFR 450.308 and 23 CFR part 420.

“STATE” means the State of Alaska.

“TECHNICAL COMMITTEE” means the Mat-Su MPO committee established in Section 5.3 of this Agreement for the cooperative decision-making in accordance with this Agreement.

“TIP” or the “TRANSPORTATION IMPROVEMENT PROGRAM” means a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the MTP process, consistent with the MTP, and required for projects to be eligible for funding under title 23 USC and title 49 USC chapter 53.

“TRANSIT” means public transportation systems, including buses subways, light rail, commuter rail, trolleys and ferries.

“UPWP” or “UNIFIED PLANNING WORK PROGRAM” means a statement of work identifying the planning priorities and activities to be carried out within an MPA. At a minimum, a UPWP includes a description of the planning work and resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source(s) of funds.

“URBANIZED AREA” means a geographic area with a population of 50,000 or more, as

determined by the Bureau of the Census.

“USDOT” means the United States Department of Transportation.

“WASILLA CITY COUNCIL” means the legislative governing body of the City of Wasilla.

SECTION 5 – ORGANIZATION AND RESPONSIBILITIES

5.1 MVP for Transportation

MVP for Transportation is the MPO’s staffed organization, in cooperation with the State, units of local government and public transportation operators.

5.1.1 In order to receive and expend federal funding for transportation in urbanized areas with a population of more than 50,000 individuals, there must be coordination between the State and the MPO as required by federal regulation. Therefore, the purpose of the MVP for Transportation is to provide the framework and mechanism for the MPO and the State to jointly develop and implement transportation plans and programs, which will assure compliance with State and Federal transportation planning.

5.2 Policy Board

The MVP for Transportation Policy Board (Policy Board) shall have as members, the Central Region Director of the ADOT&PF, MSB Mayor or member of the Assembly, MSB Manager, City of Palmer Manager, City of Wasilla Mayor, Knik Tribe Traditional Council President, Chickaloon Village Traditional Council Representative. Each member of the Policy Board shall have one vote. MVP for Transportation’s Executive Director will serve as Secretary to the Policy Board.

5.2.1 Powers and Duties of the Policy Board

The Policy Board shall have overall responsibility for the implementation of this Agreement, coordination of MVP for Transportation’s efforts and responsibilities of MVP for Transportation’s Technical Committee, and the ultimate development and adoption of the UPWP, TIP, and MTP.

5.3 Technical Committee

MVP for Transportation shall have a Technical Committee, which consists of representatives, such as planners, engineers, and other specialists from the City of Palmer, City of Wasilla, MSB Planning and Public Works, ADOT&PF Planning and Pre-construction, ADEC Air Quality division, Alaska Railroad Corporation, trucking

industry advocate, Mat-Su Road Service Area Advisory Board Chair, MSB Transportation Advisory Board Chair, Public Transit Provider, Mat-Su School District Operations, Knik Tribe, Chickaloon Native Village , and a non-motorized advocate. Each member of the MVP for Transportation’s Technical Committee (Technical Committee) shall have one vote and all actions of the Technical Committee, including recommendations to the Policy Board, shall be by a majority vote of the members present once a quorum is established.

5.4 Metropolitan Planning Area (MPA)

The MPA specified by 23 USC § 134(e) shall be the geographical area shown on Attachment #1 to the Agreement incorporated herein by reference. Provided such boundaries conform to the requirements of 23 USC § 134(e), the MPO and the Governor may mutually agree to change the boundaries of the MPA.

5.5 MPO Self-certification

Every four years the MPO will, in coordination with the ADOT&PF, self-certify to the FHWA and the FTA that the planning process is addressing the major issues facing the area and is being conducted in accordance with all applicable requirements of 23 CFR 450.336(a).

SECTION 6 – KEY PLANS and PROGRAMS

6.1 There are three primary planning or programming activities that the MPO is responsible for developing. This section summarizes these key plans and programs, which include the MTP, TIP, and UPWP.

6.1.1 MTP

The MPO, in cooperation with the State, is responsible for developing or updating an MTP. The MPO shall follow the latest federal planning requirements, as prescribed in 23 CFR 450.324. The MPO shall update the MTP every five (5) years as prescribed by 23 USC § 134(i).

6.1.2 Transportation Improvements Program (TIP)

The MPO, with full assistance from the State and all other cooperating agencies, is responsible for developing or updating the TIP. The MPO shall follow the latest federal planning requirements, as prescribed in 23 CFR 450.326 and 23 USC § 134(j).

6.1.3 Unified Planning Work Program (UPWP) or Simplified Scope of Work (SSOW)

- (1) The MPO, with full assistance from the State and all other cooperating agencies, is responsible for developing or adjusting the UPWP or SSOW, as prescribed by 23 CFR 450.308. The MPO shall:
 - (a) Describe all the transportation activities to be completed in a fiscal year.
 - (b) Ensure early coordination with FHWA and FTA.
- (2) No later than July 1 of each year, the ADOT&PF, in consultation with the MPO, will provide to the Policy Board in writing the amount of estimated Federal PL and Section 5303 funds, and required match ratios, to be made available to MVP for Transportation for the next fiscal year of October 1 through September 30. MVP for Transportation staff, working with member organizations, shall recommend work tasks with budgets for tasks in which it participates. MVP for Transportation staff shall develop and implement a UPWP or SSOW public involvement program, within a Public Participation Plan, and prepare a UPWP or SSOW with the full cooperation of all members and the MPO. Discussions between ADOT&PF and the MPO shall take place to determine how the proposed tasks can be accomplished in the most efficient and effective manner. The UPWP or SSOW shall be reviewed by the Technical Committee, approved by the Policy Board, and forwarded to ADOT&PF for concurrent approval by FHWA and FTA prior to any work being performed.

6.2 Changes/Amendments to Key Plans and Programs

6.2.1 Amendments to the MTP and TIP

The MPO, with its responsibility to maintain existing plans and programs, shall approve amendments, in accordance with its Public Participation Plan. An Amendment is triggered by the addition or deletion of a project or a major change in the project cost, project / project phase initiation dates, or a major change in design concept or design scope. An amendment is a revision that requires public review and comment periods consistent with the MPO public involvement policy and re-demonstration of fiscal constraint. Amendments require the concurrence of the MPO, ADOT&PF, FHWA, and FTA before becoming effective.

6.2.2 Administrative Modifications to the MTP and TIP

The MPO, with its responsibility to maintain existing plans and

programs, shall approve Administrative Modifications in accordance with the Public Participation Plan. An Administrative Modification is triggered by a minor revision to a metropolitan transportation plan or TIP that includes minor changes to project/project phase costs, minor changes to funding sources of previously included projects, and minor changes to project/project phase initiation dates. It is a revision that does not require public review and comment, or re-demonstration of fiscal constraint. Administrative Modifications require the concurrence of the MPO and the ADOT&PF before becoming effective. The FHWA and FTA will be notified as soon as possible of these changes.

6.2.3 Amendments/Changes to the UPWP or SSOW

Changes in work assignments and studies to be performed to meet transportation planning requirements may be made by the MPO at such times and to such extent as deemed necessary. Total funds to be made available for the performance of said work and services shall not exceed the amount specified in the UPWP or SSOW. Reimbursement will be made by ADOT&PF in accordance with procedures stated herein and shall be expended only on the UPWP or SSOW approved by the MPO, ADOT&PF, FHWA, and FTA.

- (1) Changes in funding levels for tasks, or changes in tasks, shall be requested as soon as possible after the need for such change is recognized.
 - (a) Amendment to the UPWP or SSOW
(No additional funding required)
An Amendment to the UPWP or SSOW is triggered when task budget amounts exceed 20 percent of the original approved program budget, when there are individual changes of \$35,000 or more to task budgets, or when there are significant scope changes. Amendments require the concurrence of the MPO, ADOT&PF, FHWA, and FTA before becoming effective. Amendments to the UPWP or SSOW require public review.
 - (b) Administrative Modifications to the UPWP or SSOW
(No additional funding required or no significant change to scope)
An Administrative Modification is triggered when task budget amounts do not exceed 20 percent of the approved program budget or when individual changes are for \$35,000 or less of a task budget. Administrative Modifications require the concurrence of the MPO and the ADOT&PF

before becoming effective. The FHWA and FTA will be notified as soon as possible of these changes.

SECTION 7 – CONSULTANT CONTRACTS

- 7.1 FHWA and FTA Approval: For all federally funded work to be done under a consultant contract, prior FHWA and/or FTA approval of a Project Development Authorization including the scope of work is required before a Request for Proposal (RFP) is issued. Early coordination is essential. The contracting agency will be the ADOT&PF which will coordinate review and approvals directly with FHWA and FTA.
- 7.2 ADOT&PF Approval: For solicitations over \$50,000, the contracting agency will be the ADOT&PF for review of the final RFP, scope of services, project budget, and project management plan. ADOT&PF shall also reserve the right to select members for the Selection Committees for all consultant contracts. ADOT&PF may provide opportunity to the MPO, as appropriate, to serve on the Selection Committees. The MPO will be the contracting agency for all solicitations under \$50,000 and will follow their approved procurement policies.
- 7.3 Work Products: ADOT&PF and the MPO will have an opportunity to review draft work products prior to review by the Technical Committee and Policy Board.
- 7.4 Inspection of Work: ADOT&PF and/or the owner of the facility shall always be accorded review and inspection of the work performed by consultants and shall at all reasonable times have access to the premises, to all data, notes, records, correspondence, and instruction memoranda or description which pertain to the work involved.

SECTION 8 – ADDITIONAL AND SEPARATE WORK PROJECTS

From time to time, ADOT&PF or the MPO may desire one of the other parties to perform additional work projects for services separate and apart from those set forth in the UPWP. At such times, the requesting party will notify the other party of the intention, including a request for the specific work and/or services desired. If the other party is willing and able to do the work or perform the services requested, written acceptance by the requesting party of the terms accepted shall constitute authority to proceed with the work and/or services requested. The requesting party shall pay for such work or services within a reasonable time after billing. Such billing shall be made pursuant to the terms agreed upon for each particular work project.

SECTION 9 – PROGRAM REPORTING REQUIREMENTS

- 9.1 Reporting: UPWP or SSOW

In accordance with 23 CFR 420.117, the ADOT&PF is responsible for monitoring the UPWP or SSOW supported activities to assure compliance with applicable Federal requirements and assure performance goals are being achieved. Monitoring must cover each program, function or activity. The reporting procedures shall include, but are not limited to, the following:

9.1.1 Quarterly Reports

All parties receiving federal planning funds pursuant to this Agreement shall prepare a quarterly financial statement and a narrative progress report, in a format provided by the ADOT&PF, for all tasks identified in the UPWP or SSOW for which they are responsible and submit to the ADOT&PF Central Region office no later than 30 days following the last day of each UPWP or SSOW fiscal quarter. The quarterly reports shall serve as the basis for quarterly reimbursements.

Within 40 days of the last day of the fiscal quarter, ADOT&PF will compile all reports and shall either, review and approve the reports, or request modifications. Upon approval, the ADOT&PF Central Region staff will forward the reports to the MPO.

If ADOT&PF requests modifications, the report will be forwarded to the MPO as a draft report. Within 50 days following the last day of each UPWP or SSOW fiscal year quarter, all requested report modifications shall be submitted to ADOT&PF Central Region. Upon approval, the ADOT&PF will re-submit the report to the MPO no later than 60 days following the last day of each UPWP fiscal year quarter.

This final UPWP or SSOW Quarterly Report shall consist of the following:

- (1) A financial statement which shall include task and program summary of the following data:
 - (a) Current quarterly expenditures
 - (b) UPWP fiscal year to date expenditures
 - (c) PL, Sec. 5303, and local funds / in-kind expended to date
 - (d) PL, Sec. 5303, and local funds / in-kind remaining

- (2) A narrative progress report which shall include:
 - (a) A description of work accomplished during the quarter
 - (b) Significant events (i.e. travel, training, conferences)
 - (c) Milestones reached in sufficient detail to justify the quarterly expenditures

For tasks consisting of a scheduled completion date, the progress report shall include each task's percentage complete, explanatory information on the progress, and any issues relating to the task such as schedule delays.

9.1.2 Annual Report

Upon receipt of the final (fourth quarter) UPWP or SSOW Quarterly Report, the ADOT&PF will draft the UPWP or SSOW Annual Report. The ADOT&PF will forward the UPWP or SSOW Annual Report to the MPO no later than 60 days following the last day of the UPWP or SSOW fiscal year. The ADOT&PF will submit the UPWP or SSOW Annual Report to FHWA and FTA to meet the reporting requirements of 23 CFR 420.117, as currently adopted or hereafter amended. DOT&PF may combine the UPWP or SSOW Annual Report with similar reports from other subrecipients of federal planning funds into a single report.

The Annual Performance and Expenditure Report for the UPWP or SSOW fiscal year will contain all information required by 23 C.F.R. 420.117.

9.1.3 Significant Events

Events that have significant impact on UPWP or SSOW work elements must be reported by the Parties to this Agreement to ADOT&PF as soon as they become known. The types of events or conditions that require reporting include: problems, delays, or adverse conditions that will materially affect the ability to attain program objectives. This disclosure must be accompanied by a statement of action taken, or contemplated, and any Federal assistance required resolving the situation.

9.1.4 Other Reports

Copies of formal reports, informal reports, and material emerging out of a task specified in the UPWP or SSOW shall be governed by Section 10 of this Agreement.

SECTION 10 – PLANNING REPORTS

10.1 Planning Reports

From time to time, ADOT&PF and the MPO may publish reports, documents, etc., upon completion of a portion and/or a phase of a particular planning element in the continuing transportation planning process. In order for the preparation and

publishing of such reports to be eligible for participation of Federal funds, the Technical Committee shall review the reports with final approval by the MPO Policy Board, as appropriate.

10.2 Publication

Publication, whether in hard copy or through the use of digital technologies such as via the World Wide Web, by any party to the Agreement shall give credit to other parties, FTA, and FHWA. However, if any party, FTA, or FHWA does not wish to subscribe to the findings or conclusions in the reports, the following statement shall be added:

“This report was funded in part through grant(s) from the Federal Highway Administration and/or the Federal Transit Administration, U.S. Department of Transportation. The views and opinions of MVP for Transportation expressed herein do not necessarily state or reflect those of the U.S. Department of Transportation.”

Furthermore, consultant logos are prohibited from the cover of all reports, documents, etc. that are approved by FTA and FHWA.

10.3 Copies

Copies of draft and final reports, documents, etc., will be provided as required to Federal and State Agencies. Parties to this Agreement will be provided copies as requested.

The FHWA reserves a royalty-free, non-exclusive, and irrevocable right to reproduce, publish, or otherwise use, and authorize others to use, the work for Government purposes.

SECTION 11 – DIVISION OF COST AND PAYMENT

11.1 Reimbursement

The maximum amount of Metropolitan Planning Funds available each year for reimbursement to the Parties shall not exceed the budget approved in the UPWP or as amended. ADOT&PF will make reimbursement in accordance with the following procedures:

- (1) The Parties shall submit to ADOT&PF quarterly narrative progress reports and financial statements, as defined in Section 10 of this Agreement.

- (2) Reimbursement will be made within 30 days after ADOT&PF receives and approves the quarterly narrative progress reports and financial statements, subject to Federal planning funds being made available and received for the allowable cost.
- (3) Within 60 days of ADOT&PF's approval of the last quarter narrative progress report and financial statement for the fiscal year, ADOT&PF will close the UPWP or SSOW account and request that an audit be performed.
- (4) The audit will be completed, and final payment adjustments made within 120 days of the last quarter or as soon thereafter as reasonably possible.

11.2 ADOT&PF Tasks

The Parties may agree that ADOT&PF can most efficiently and effectively perform a task or a portion of a task to be funded with PL funds in the approved UPWP. In such cases, ADOT&PF shall:

- (1) Provide the MPO with all necessary documentation in order to permit the preparation of the reports required in Section 10 of this Agreement.
- (2) Upon ADOT&PF approval of the quarterly, ADOT&PF shall submit a billing to FHWA for direct payment to ADOT&PF for approved UPWP or SSOW costs.
- (3) ADOT&PF shall be reimbursed at the rate contained in the applicable UPWP or SSOW.
- (4) ADOT&PF shall promptly provide the MPO with copies of its billings and statements.

11.3 Overruns

When expenditures are anticipated to overrun in any UPWP or SSOW work element, the procedures for budget changes as outlined in Section 6.2 must be followed.

11.4 Cost Limitations

Reimbursement of administrative and operational costs will be made without profit or markup. These costs shall be limited to:

- (1) Direct salaries and wages, with payroll taxes and fringe benefits at actual costs, or if prorated to be allocated on an equitable basis;
- (2) Telephone charges and necessary travel limited to program specific charges;
- (3) Overhead or indirect costs as approved annually in the respective UPWP or SSOW line item budget and verified by audit. Eligibility shall conform to the provisions of 23 CFR 420.113;
- (4) Training as approved specifically in the UPWP or SSOW or otherwise specifically approved by ADOT&PF, FHWA or FTA.

11.5 Rate of Reimbursement

Reimbursement shall be at the rate specified and contained in the applicable UPWP.

11.6 Financial Accounting Level

The expended funds will be accounted for at the task level (100, 200, 300 etc.).

11.7 Fiscal Year

The UPWP or SSOW fiscal year will be October 1 to September 30.

SECTION 12 – PROCUREMENT, MANAGEMENT, AND DISPOSITION OF PROPERTY

Procurement and management of property acquired for the program, including disposition of property if the program is discontinued, will be in accordance with 23 C.F.R. 420.121(f) and any other regulatory requirements applicable to the expenditure of federal funds made available for the implementation of this Agreement.

SECTION 13 – AUDIT PROCEDURES

13.1 In addition to the requirements stated in this section, requirements for audit as defined in 23 CFR 420 will be used as guidelines.

13.2 Each participating party will maintain complete records of all manpower, materials and out-of-pocket expenses, and will accomplish all record keeping in accordance with the following procedures:

13.2.1 Each participating party will furnish ADOT&PF copies of all certified

payrolls which shall include the hourly rate for each employee working on the project during the reporting period. In addition, a loaded rate factor will be shown in a manner compatible with existing approved local procedures. The load rate factor is subject to adjustment based upon audits occurring during the life of this Agreement.

13.2.2 Time Sheets

Individual time sheets will be maintained reflecting the daily total amount of hours worked and amount of time spent on each task within the program. It is imperative that the hours be traceable to the task.

13.2.3 Materials

Copies of invoices shall support costs of any purchased materials utilized on this project.

13.2.4 Out-of-Pocket Expenses

Copies of receipts shall support all expenses.

13.2.5 Record System

The record system will be such that all costs can be easily traceable from all billings through the ledgers to the source document. Each expenditure must be identified with the task within the current approved UPWP or SSOW.

13.3 Each consultant contract or professional services agreement, in which any party engages, may require a specific audit for that project or agreement. The award of any such construction related engineering design services contract must be made in conformity with applicable Federal and ADOT&PF contracting procedures including ADOT&PF Procedure 10.02.010, and related Professional Services Agreement Handbook, or based on acceptable alternative contracting procedures approved by ADOT&PF and FHWA. This requirement is in addition to any agency-wide audit conducted pursuant to OMB Circular A-133 (Single Audit Requirements).

13.4 MVP for Transportation may be audited every year by ADOT&PF Internal Review auditors for compliance and to insure adequate coverage. MVP for Transportation will additionally hire an independent Certified Public Accountant (CPA) to conduct an annual audit of all revenues and expenditures, as well as participate in a state and/or federal single audit as requested. All Parties and/or their subcontractors under this Agreement shall maintain all records and accounts relating to their costs and expenditures for the work during any fiscal

year for a minimum of three (3) years following receipt of the final payment and shall make them available for audit by representatives of ADOT&PF, FHWA, and FTA at reasonable times. All Parties shall maintain records in a form approved by ADOT&PF. Final payment is defined as the final voucher paid by FHWA to ADOT&PF based on an audit. A request to close out a fiscal year or project account does not constitute final payment.

- 13.5 Any review, which does not meet Federal requirements, will be resolved between ADOT&PF and the other party. The financial records relating to a UPWP or SSOW year may be closed out once FHWA accepts the audit and final payment adjustments have been made.

SECTION 14 – COMPLIANCE WITH TITLE VI, CIVIL RIGHTS ACT OF 1964

All Parties hereby agree as a condition to receiving any Federal financial assistance from USDOT, to comply with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to Title 49 CFR, Part 21, Nondiscrimination in Federally Assisted Programs of the USDOT, Effectuation of Title VI of the Civil Rights Act of 1964.

SECTION 15 – DBE PROGRAM REQUIREMENTS

15.1 Compliance

The Parties, their agents and employees shall comply with the provisions of 49 CFR 26 and Title VI of the Civil Rights Act of 1964. 49 CFR 26 requires that all parties shall agree to abide by the statements in paragraphs 15.2 and 15.3 and shall include these statements in all Parties' USDOT financial assistance agreements and in all subsequent agreements between any party and any sub-grantees and any contractor.

15.2 Policy

It is the policy of the USDOT that DBEs, as defined in 49 CFR 26.5, shall have an equal opportunity to participate in the performance of contracts financed in whole or part with Federal funds under this Agreement. Consequently, the DBE requirements of 49 CFR 26 apply to this Agreement.

15.3 DBE Obligation

The Parties to this Agreement agree to ensure that DBEs, as defined in 49 CFR 26.5, have an equal opportunity to participate in the performance of contracts and sub-contracts financed in whole or part with Federal funds provided under this Agreement. In this regard the Parties to this Agreement and/or

their contractors shall not discriminate on the basis of race, color, national origin, or in the award and performance of USDOT assisted contracts.

SECTION 16 - AMENDMENTS

This Agreement may be amended only in writing and must be done prior to undertaking changes or work resulting therefrom or incurring additional costs or any extension of time. Said amendments are subject to approval by the MPO and the State.

SECTION 17 – LIMITATION OF LIABILITY

No liability shall be attached to any party to this Agreement by reason of entering into this Agreement, except as expressly provided herein.

SECTION 18 – COMPLIANCE WITH LAWS

In addition to the laws, statutes, regulations and requirements stated herein, all Parties to this Agreement shall be knowledgeable of and comply with all Federal, State and local laws and ordinances applicable to the work to be done under this Agreement.

SECTION 19 – TERMINATION OF AGREEMENT

This Agreement will continue in force until or unless the Parties terminate the Agreement in writing.

SECTION 20 – NON-APPROPRIATION CLAUSE

Nothing in this agreement shall obligate any party to expend monies if there are insufficient or other lack of funds lawfully appropriated by their respective legislative bodies for performance under this Agreement.

SIGNATURES

Mayor – Matanuska-Susitna Borough

Date

Mayor – City of Palmer

Date

Mayor – City of Wasilla

Date_

Chickaloon Village Traditional Council

Date

Knik Tribe

Date

Governor – State of Alaska

Date

Attachment #1

Matsu Valley for Transportation Metropolitan Planning Area Boundary Map

**Matsu Valley for Transportation (MVP for Transportation)
POLICY BOARD
BYLAWS**

ARTICLE I

Metropolitan Planning Organization

- SECTION 1 The Matsu Valley for Transportation (MVP for Transportation) Policy Board is designated to be the Metropolitan Planning Organization (MPO) for the Matanuska-Susitna Metropolitan Planning Area (MPA) by the Governor of the State of Alaska. As the MPO, the Policy Board is responsible for carrying out the transportation planning process in the metropolitan planning area and to serve as the Board of Directors for the MVP for Transportation MPO. The MPO Coordinator shall serve as the Executive Director of the MPO.
- SECTION 2 The MVP for Transportation Policy Board and committee meetings are subject to AS 44.62.310, Government Meetings Public.

ARTICLE II

Members and Officers

- SECTION 1 In accordance with Section 5 of the MVP for Transportation Inter-Governmental Operating Agreement and Memorandum of Understanding for Transportation, the MPO Policy Board, hereafter referred to as the "Policy Board", shall have as voting members the Central Region Director of the State of Alaska Department of Transportation and Public Facilities (DOT&PF), the Matanuska-Susitna Borough (MSB) Mayor or Assembly Representative, the MSB Manager, the City Manager of the City of Palmer, the Mayor of the City of Wasilla, Tribal Council President of the Knik Tribe and, a representative of the Chickaloon Village Traditional Council. Each member is authorized one vote.
- SECTION 2 The Policy Board shall elect a board Chair and Vice-Chair from its members annually at its regularly scheduled meeting no later than the end of December.
- SECTION 3 The Policy Board shall appoint an Executive Director, who shall serve as Secretary of the Policy Board and perform other duties as described by these Bylaws or directed by the Policy Board. The Secretary shall provide all administrative support for the Policy Board. The Transportation Planner/Assistant of the MPO shall be designated as Assistant Secretary to serve in the absence of the Executive Director and to provide additional support to the Policy Board and Technical Committee.
- SECTION 4 The Chair, or in their absence or disability, the Vice-Chair, shall preside at all meetings and hearings of the Policy Board. In the absence or disability of both the board Chair and Vice-Chair, an acting Chair shall be selected by the members present for the meeting.

- SECTION 5 The Chair shall decide on all points of order and procedure in accordance with Robert's Rules of Order, Newly Revised, unless changed and adopted by the rules agreed upon by the Policy Board.
- SECTION 6 The Chair shall nominate, except for the Technical Committee, which is established by the Bylaws, all committee members and their respective chairs found necessary for the purpose of expediting the work of the Policy Board. All members nominated shall be confirmed by a majority vote of the Policy Board.
- SECTION 7 The Chair shall report on activities taking place that have not come to the attention of the Policy Board at the next regularly scheduled or special meetings of the Policy Board.
- SECTION 8 When required, the Chair shall execute on behalf of the Policy Board all documents it authorizes or approves.

ARTICLE III

Policy Board Meetings

- SECTION 1 All Meetings must be noticed according to A.S. 44.62.310 Government Meetings Public, which shall be strictly adhered to in conduct of the meeting and agenda schedule.
- SECTION 2 Regular meetings of the Policy Board shall be held monthly at a time to be determined by the Policy Board.
- SECTION 3 All regular or special meetings shall be open to the public. An agenda schedule for each meeting of the Policy Board shall be prepared by the Secretary to ensure Policy Board business is conducted in an efficient manner.
- SECTION 4 Special meetings shall be held at the call of the Chair issued upon his/her own initiative or at the request of one (1) or more members of the Policy Board, when necessary, to act upon matters before the Policy Board, providing notice is given in accordance with all applicable open meeting laws.
- SECTION 5 A quorum shall consist of four (4) members of the Policy Board. Four supporting votes are required to approve any action. Proxy voting is not allowed.
- SECTION 6 In the absence of a quorum no meeting shall be held.
- SECTION 7 A roll-call vote will be called for on all matters being voted on by the Policy Board unless it passes without objection.

ARTICLE IV

Agenda

- SECTION 1 The Secretary shall prepare for each meeting of the Policy Board or its Committees, when appointed, an agenda of the items to be considered.
- SECTION 2 Any member of the Policy Board may instruct the Secretary to add any matter to the agenda for discussion or action by the Policy Board.
- SECTION 3 All agenda items to be considered by the Policy Board must be submitted no later than the close of business one week before the meeting.
- SECTION 4 Informational items not on the agenda may be presented to the board, so long as no action is taken until the next meeting of the Policy Board.

ARTICLE V

Order of Business

- SECTION 1 The order of business of meetings shall be as follows:
- A. Meeting called to order
 - B. Introduction of Members and Attendees
 - C. Approval of the Agenda
 - D. Approval of the Minutes of the previous meeting
 - E. Staff/Committee/Workgroup Reports (including the Chair's report)
 - F. Voices of the Visitors (items not on the agenda)
 - G. Old Business
 - H. New Business
 - I. Other Issues
 - J. Informational Items
 - K. Committee Comments
 - L. Adjournment
- SECTION 2 Public Comment shall be accepted for all old business and new business items.
- SECTION 3 The length of the public comment period, per speaker, may be determined at the discretion of the Chair at the beginning of any public meeting. The public comment period will be closed when all speakers have had an opportunity to comment on the item before the Policy Board.

ARTICLE VI

Records

- SECTION 1 The minutes of all Board and Committee meetings shall be recorded by the MPO staff and maintained as a public record in the MPO office and shall be accessible to the public during regular office hours.

ARTICLE VII

Committees

- SECTION 1 All Committees shall consist of at least three (3) members each.
- SECTION 2 Members of the Policy Board shall be a non-voting member of each Committee.
- SECTION 3 Committee meetings may be called at the request of the Committee Chair or at the request of two (2) members. A written or verbal report of Committee business shall be made at the next meeting of the Policy Board by any Committee member or the Executive Director.
- SECTION 4 All Committee meetings must be noticed according to AS 44.62.310, which shall be strictly adhered to in conduct of the meeting.

ARTICLE VIII

Technical Committee Purpose and Duties

- SECTION 1 The MPO shall have a standing Technical Committee to review items of a technical nature and act as an advisory body to assist the Policy Board.
- SECTION 2 The purpose of the Technical Committee shall be to evaluate the technical feasibility of proposed plans and projects, provide technical data and information, and make recommendations to the Policy Board.
- SECTION 3 The Technical Committee shall have approval authority during construction of projects as outlined in the Policies and Procedures.
- SECTION 4 Membership of the Technical Committee shall consist of representatives, such as engineer, planner, or other specialist, from the following agencies or transportation organizations and groups:
- Mat-Su Borough Transportation Advisory Board Chair
 - Mat-Su Borough School District Operations
 - Public Transportation provider
 - City of Palmer
 - City of Wasilla
 - Mat-Su Borough Planning
 - Mat-Su Borough Public Works
 - Nonmotorized Advocate
 - State of Alaska Department of Transportation & Public Facilities Planning Chief
 - State of Alaska Department of Transportation & Public Facilities Preconstruction Engineer

- Road Service Area Advisory Board Chair
- Alaska Railroad Corporation
- Knik Tribe
- Chickaloon Village Traditional Council
- Trucking Industry Advocate
- State of Alaska Department of Conservation Air Quality

- SECTION 5 The Technical Committee shall elect a Chair and Vice-Chair from its regular members or Staff, including the Executive Director, annually at its regularly scheduled meeting no later than the end of November.
- SECTION 6 The Chair shall decide on all points of order and procedure in accordance with Robert's Rules of Order, Newly Revised, unless changed and adopted by the rules agreed upon by the Committee.
- SECTION 7 The Chair, or in their absence or disability the Vice-Chair, shall preside at all meetings and hearings of the Policy Board. In the absence or disability of both the Chair and Vice-Chair, an acting Chair shall be selected by the members present for the meeting.
- SECTION 8 The Executive Director shall serve as Secretary of the Technical Committee. The Secretary shall provide all administrative support for the Technical Committee. The Transportation Planner of MVP for Transportation is designated as Assistant Secretary to serve in the absence of the Executive Director and to provide additional support to the Technical Committee.
- SECTION 9 All committee members shall be entitled to one vote each. The Executive Director and Transportation Planner will not be considered as members and will not get a vote. Proxy voting is allowed if written notification identifying the proxy is received from the Technical Committee member by the Executive Director prior to the meeting.
- SECTION 10 A quorum of voting members must be present for a vote to take place. A quorum will consist of nine (9) or more voting members of the Technical Committee. A majority of the voting members present at a meeting are required for an affirmative vote.
- SECTION 11 Voting members of the Technical Committee will comply with Article IX and X of the Policy Board Bylaws regarding conflict of interest and ethics decisions.
- SECTION 12 The Technical Committee may adopt the use of appointed workgroups, if deemed necessary for the continuing transportation planning process. The workgroups will be appointed by the Technical Committee Chair and ratified by the Technical Committee. Workgroup appointments will usually be temporary in nature and will be terminated at the conclusion of the specific project concerned.
- SECTION 13 Regular meetings of the Technical Committee shall be held monthly. The Committee Chair may call special meetings provided public notice is given as provided by AS 44.62.310. Roberts Rules of Order, Newly Revised shall govern the conduct of all

meetings of the Committee, except for rules set forth or adopted by the Technical Committee.

SECTION 14 The Technical Committee shall have the following duties and all additional duties assigned by the Policy Board:

- A. Develop the Draft Unified Planning Work Program (UPWP) for the Policy Board. This includes recommendation of tasks and task priority.
- B. Develop and prioritize transportation projects for inclusion in the Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP).
- C. Monitor the development of projects included in the TIP. This includes reporting on the status of projects and recommendations if a project is delayed.
- D. Approve changes during construction in accordance with the Matsu for Transportation Policies and Procedures.

ARTICLE IX

Conflict of Interest

Section 1 **Declaration of policy.** The Policy Board declares that members operate as a State and Federally mandated Policy Board; and any effort to realize personal gain through official conduct is a violation of that trust. Policy Board and committee members shall not only be impartial and devoted to the best interests of the Policy Board's jurisdiction but also shall act and conduct themselves both inside and outside the Policy Board and committee's service as not to give occasion for distrust of their impartiality or of their devotion to the best interests of the citizens they represent.

Section 2 **Definitions.** As used in this article:

Conflict of Interest shall mean every member shall vote on all questions unless he has a direct or substantial indirect financial or personal interest in the matter being discussed.

Financial Interest shall mean any interest that shall yield, directly or indirectly, a monetary or other material benefit for services to the Policy Board and committee's jurisdiction to the member or other person retaining the services of the member.

Personal Interest shall mean any direct or substantial indirect interest arising from blood or marriage relationships or from close business or political associations, whether any financial interest is involved.

Confidential Information shall mean all information pertaining to City, Borough or State interests that is not available to the public in general including but not limited to information pertaining to any claims or lawsuits pending against the Board and personnel matters.

Section 3 Disclosure of interest. No member who has a direct or indirect financial or personal interest in any matter before the Policy Board or assigned Committees shall use his/her office or position to exert influence on such matter.

If known by the member, a member who participates in the discussion or expresses an opinion to the Policy Board on any matter before it shall disclose the nature and extent of any direct or indirect financial or other personal interest, he/she has in such matter to the Policy Board. The Chair will determine whether the member has a conflict of interest and whether the member must recuse him/herself from the discussion and vote on the matter.

If a member has reasonable cause to believe another member has failed to disclose actual or possible conflicts of interest, the member shall inform the Policy Board of the basis for such belief and afford the other member an opportunity to explain the alleged failure to disclose. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Policy Board determines the member has failed to disclose an actual or possible conflict of interest, the Policy Board shall take appropriate disciplinary and corrective action.

Section 4 Disclosure of information. No member shall disclose any confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her or others' financial, personal, or political interests. This section shall not prohibit any such member from acquiring and utilizing any information which is available to the public in general so long as such information is obtained in the same manner as it would be obtained by an ordinary citizen.

Section 5 Compensation. No member of the Policy Board or assigned Committees whose jurisdiction includes compensation matters and who personally receives compensation, directly or indirectly, receives compensation, individually or collectively, from <insert name> MPO for services may provide information or vote on matters pertaining to that member's compensation.

Section 6 Securing special privileges. No member shall use or attempt to use the member's position to secure privileges, financial gain or exemption for him/herself or others.

No member shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

Section 7 Post-Membership Activities. No member, after the termination of service with the Policy Board, shall appear before the Policy Board in relation to any case, proceeding or application in which he personally participated during the period of his service, or which was under his active consideration.

Section 8 Annual statements. Each active member of the Policy Board shall annually sign a statement which affirms he/she has read and understands the conflicts of interest policy within this Article, agrees to comply with the policy, and understands that the Matsus Valley for Transportation MPO is a charitable organization and in order to maintain its

federal non-profit tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

ARTICLE X

Policy Board Code of Ethics

Section 1 The Policy Board shall adopt the “American Planning Association (APA) Ethical Principles in Planning” dated May 1992 as broad, general guidelines for the ethical conduct of its members. The guidelines, while directed to AICP and APA members, reflect the ethics of MVP for Transportation and its members will use to guide their efforts. This statement is attached and hereby made a part of these bylaws (Attachment #1).

ARTICLE XI

Miscellaneous

Section 1 Minor Changes to Documents. In instances when documents are approved by the Policy Board and signed by the Chair which are subsequently discovered to contain unintended or incorrect information or language, and when, in the opinion of the Chair, the document submitted to accomplish their correction will not alter the intent of the Policy Board in its original approval, the Chair is authorized to sign such a document, provided that the Secretary provides written concurrence with this action. The Secretary documents, which have been approved by a legislative body (i.e. City Council or the Borough Assembly), must be corrected by amended documents or in accordance with applicable State statutes regarding scrivener's errors.

Section 2 Standards of Conduct. The Policy Board shall adopt and maintain a written policy prescribing a standard of conduct for its involvement in litigation or potential litigation.

Section 3 Attendance. Attendance shall be in person or telephonically. If any member, except ex-officio members, has three consecutive unexcused absences, it shall be cause for an alternative representative to be designated from their organization. If for any reason an alternative representative is not designated, the Policy Board shall instruct the Chair of the Policy Board to inform the proper legislative body of the requirements of this section of the by-laws.

The only exception to the above procedures and requirements shall be in cases of illness or conditions beyond the control of the individual member, as judged by the majority of the Policy Board members. Any member seeking an exception should request an item be placed on the agenda. Said judgment or ruling on the condition beyond the control of a member shall be voted on at a regular meeting or special called meeting for this particular purpose.

Section 5 Legislative Policy Board Member Appointment. Upon appointment to the Policy Board and confirmation by the respective Council or Assembly, the members so confirmed will be seated at the next regular or special meeting.

ARTICLE XII

Amendments

Section 1 In accordance with Article II, Section 5, these rules may be amended, rescinded or supplemented by the Policy Board provided such amendments are presented in writing at a regular meeting or special meeting called for this particular purpose and action taken thereon at a subsequent regular meeting.

These Bylaws were passed and approved by a duly constituted quorum of the <insert name> MPO Policy Board on _____.

, Chair

ATTEST:

, Secretary

PASSED
Yes:
No:
Absent:

Attachment #1

Ethical Principles in Planning (As Adopted May 1992)

This statement is a guide to ethical conduct for all who participate in the process of planning as advisors, advocates, and decision-makers. It presents a set of principles to be held in common by certified planners, other practicing planners, appointed and elected officials, and others who participate in the process of planning.

The planning process exists to serve the public interest. While the public interest is a question of continuous debate, both in its general principles and in its case-by-case application, it requires a conscientiously held view of the policies and actions that best serve the entire community.

Planning issues commonly involve a conflict of values and, often, there are large private interests at stake. These accentuate the necessity for the highest standards of fairness and honesty among all participants.

Those who practice planning need to adhere to a special set of ethical requirements that must guide all who aspire to professionalism.

The Code is formally subscribed to by each certified planner. It includes an enforcement procedure that is administered by AICP. The Code, however, provides for more than the minimum threshold of enforceable acceptability. It also sets aspirational standards that require conscious striving to attain.

The ethical principles derive both from the general values of society and from the planner's special responsibility to serve the public interest. As the basic values of society are often in competition with each other, so do these principles sometimes compete. For example, the need to provide full public information may compete with the need to respect confidences. Plans and programs often result from a balancing among divergent interests. An ethical judgment often also requires a conscientious balancing, based on the facts and context of a particular situation and on the entire set of ethical principles.

This statement also aims to inform the public generally. It is also the basis for continuing systematic discussion of the application of its principles that is itself essential behavior to give them daily meaning.

The planning process must continually pursue and faithfully serve the public interest.

2. Strive to give citizens (including those who lack formal organization or influence) full, clear and accessible information on planning issues and the opportunity to have a meaningful role in the development of plans and programs;

3. Strive to expand choice and opportunity for all person, recognizing a special responsibility to plan for the needs of disadvantaged groups and person;
4. Assist in the clarification of community goals, objectives and policies in plan-making;
5. Ensure that reports, records and any other non-confidential information which is, or will be, available to decision makers is made available to the public in a convenient format and sufficiently in advance of any decision;
6. Strive to protect the integrity of the natural environment and the heritage of the built environment;
7. Pay special attention to the interrelatedness of decision and the long range consequences of present actions.

Planning process participants continuously strive to achieve high standards of integrity and proficiency so that public respect for the planning process will be maintained.

Planning Process Participants should:

1. Exercise fair, honest and independent judgment in their roles as decision makers and advisors;
2. Make public disclosure of all personal interests: they may have regarding any decision to be made in the planning process in which they serve, or are requested to serve, as advisor or decision maker (see also Advisory Ruling “Conflicts of Interest when a Public Planner Has a Stake in Private Development”);
3. Define “personal interest” broadly to include any actual or potential benefits or advantages that they, a spouse, family member or person living in their household might directly or indirectly obtain from a planning decision;
4. Abstain completely from direct or indirect participation as an advisor or decision maker in any matter in which they have a personal interest, and leave any chamber in which such a matter is under deliberation, unless their personal interest has been made a matter of public record; their employer, if any, has given approval; and the public official, public agency or court with jurisdiction to rule on ethics matters has expressly authorized their participation;
5. Seek no gifts or favors, nor offer any, under circumstances in which it might reasonably be inferred that the gifts or favors were intended or expected to influence a participant’s objectivity as an advisor or decision maker in the planning process;
6. Not participate as an advisor or decision maker on any plan or project in which they have previously participated as an advocate;
7. Serve as advocates only when the client’s objectives are legal and consistent with the public interest.
8. Not participate as an advocate on any aspect of plan or program on which they have previously served as advisor or decision maker unless their role as advocate is authorized by applicable law, agency regulation, or ruling of an ethics officer or agency; such participation as an advocate should be allowed only after proper disclosure to, and approval by, their affected client or employer; under no circumstance should such participation commence earlier than on year following termination of the role as advisor or decision maker;
9. Not use confidential information acquired in the course of their duties to further a personal interest;
10. Not disclose confidential information acquired in the course of their duties except when required by law, to prevent a clear violation of law or to prevent substantial injury to third persons; provided that disclosure in the latter two situations may not be made until after

verification of the facts and issues involved and consultation with other planning process participants to obtain their separate opinions’

11. Not misrepresent facts or distort information for the purpose of achieving a desired outcome (see also Advisory ruling “Honesty in the Use of Information”);
12. Not participate in any matter unless adequately prepared and sufficiently capacitated to render thorough and diligent service;
13. Respect the rights of all persons and not improperly discriminate against or harass other based on characteristics which are protected under civil rights laws and regulation (see also Advisory “Sexual Harassment”).

APA members who are practicing planner continuously pursue improvement in their planning competence as well as in the development of peers and aspiring planners. They recognize that enhancement of planning as a profession leads to greater public respect for the planning process and thus serves the public interest.

APA Members who are practicing planners:

1. Strive to achieve high standards of professionalism, including certification, integrity, knowledge, and professional development consistent with the AICP Code of Ethics;
2. Do not commit a deliberately wrongful act which reflects adversely on planning as a profession or seek business by stating or implying that they are prepared, willing or able to influence decisions by improper means;
3. Participate in continuing professional education;
4. Contribute time and effort to groups lacking adequate planning resources and to voluntary professional activities;
5. Accurately represent their qualification to practice planning as well as their education and affiliations;
6. Accurately represent the qualifications, views, and findings of colleagues;
7. Treat fairly and comment responsibly on the professional view of colleagues and members of other professions;
8. Share the results of experience and research which contribute to the body of planning knowledge;
9. Examine the applicability of planning theories, methods and standards to the facts and analysis of each particular situation and do not accept the applicability of a customary solution without first establishing its appropriateness to the situation;
10. Contribute time and information to the development of students, interns, beginning practitioners and other colleagues;
11. Strive to increase the opportunities for women and members of recognized minorities to become professional planners;
12. Systematically and critically analyze ethical issues in the practice of planning. (See also Advisory Ruling “Outside Employment or Moonlighting”).