

**REGIONAL TRANSPORTATION PLANNING
MEMORANDUM OF AGREEMENT**

THIS AGREEMENT is made and entered into this 23rd day of January, 2014, by and between the Wasatch Front Regional Council, hereinafter designated as "WFRC", administrating agency for comprehensive transportation planning in the Salt Lake City-West Valley City and Ogden-Layton Urbanized Areas, the Utah Department of Transportation, hereinafter designated as "UDOT", and the Utah Transit Authority, hereinafter designated as "UTA." This agreement supersedes previous agreements of 02/19/76, 04/08/88, 08/23/01, and 09/24/03.

WHEREAS, the WFRC has been duly constituted under the authority of Title 11, Chapter 13, Utah Code Annotated, 1953, as amended (the Interlocal Cooperation Act), and pursuant to Section 3, Executive Order of the Governor of the State of Utah, dated 27 May, 1970, with the authority to enter into this agreement and act on behalf of its constituent agencies; and

WHEREAS, UDOT's powers and responsibilities are listed in Utah Code Section 72-1-20; and

WHEREAS, pursuant to Title 17B, Chapter 2a, Part 8, Utah Code Annotated, the Utah Transit Authority (UTA) is organized to provide mass transit services within the Regional Council area; and

WHEREAS, Title 23, Chapter 1, Sections 105(d) and 134(b)(1), of the United States Code as amended, require that a Metropolitan Planning Organization (MPO) be designated to carry out the transportation planning requirements of Section 134 for any urbanized area of more than 50,000 population in order to receive federal-aid funds; and

WHEREAS, the WFRC, the UDOT, and the UTA agree to cooperate and participate to the extent permitted by any legal limitations in continuing urban transportation planning in the Salt Lake City-West Valley City and Ogden-Layton Urbanized Areas;

NOW, THEREFORE BE IT RESOLVED, that the parties hereto, the WFRC on behalf of itself and its constituent agencies, the UDOT, and the UTA do mutually resolve and agree as follows:

PURPOSE

This agreement provides an understanding between the parties for assigning responsibilities in conducting transportation planning in the Salt Lake City-West Valley City and Ogden-Layton Urbanized Areas. This agreement also identifies, by reference, the procedures used in the planning process and identifies the decision-making bodies.

SCOPE

Within the Salt Lake City-West Valley City and Ogden-Layton Urbanized Areas, the urban transportation planning process encompasses all modes and facility types of transportation - automobile, transit, aviation, bicycle, pedestrian, trails, etc., and the interfaces between them. Procedures, specific work

items, schedules, funding sources, and other details are identified, described, and assigned in the Unified Planning Work Program referenced below.

UNIFIED PLANNING WORK PROGRAM

The WFRC, UDOT, and UTA agree to work jointly in accordance with items specifically covered in an approved Unified Planning Work Program (UPWP). The UPWP delineates individual work items to be accomplished on a regular basis. Funds required for the various work items and funding sources are also delineated in the UPWP. Federal fund transfers will be by written instrument providing for compliance with provisions of Title VI of the Civil Rights Acts of 1964.

POLICY BODY

The WFRC is the official policy body for the transportation planning process in the Salt Lake City-West Valley City and Ogden-Layton Urbanized Areas and shall be the forum for cooperative decision-making by principal elected officials of general purpose local government and shall be considered such by Federal, State, and local agencies of government, previous agreements notwithstanding.

PROGRAM MANAGEMENT

The WFRC will be the agency responsible for conducting the transportation planning process. Work to be accomplished and responsibility for individual work items shall be as stated in the UPWP. The WFRC will also be responsible for preparing the UPWP, coordinating with appropriate agencies, and submitting the UPWP to appropriate Federal agencies for approval. UDOT and UTA will assist the WFRC in preparing the UPWP and accomplishing the work specified in it.

TRANSPORTATION PLANNING COMMITTEES

Six committees will be utilized in the transportation planning process. These are: (1) the Regional Growth Committee (RGC), a policy advisory committee to the Regional Council for long range transportation planning and growth-related issues; (2) two Long Range Planning Technical Advisory Committees--one each for the Salt Lake City-West Valley City Urbanized Area and the Ogden-Layton Urbanized Area; (3) the Transportation Coordinating Committee (Trans Com), a policy advisory committee to the Regional Council for short range transportation planning and implementation; and (4) two Short Range Transportation Planning Technical Advisory Committees--one each for the Salt Lake City-West Valley City Urbanized Area and the Ogden-Layton Urbanized Area.

1. The Regional Growth Committee will be established by the WFRC.

The Committee will be comprised of members and representatives from the Regional Council, County Councils of Governments, local governments in Box Elder County that are part of the Ogden-Layton Urbanized Area, and various city, county, state, federal and other agencies and interest groups concerned with regional transportation and growth-related planning. The Committee will serve as the policy advisory body to the Regional Council on long-range transportation planning, land use and other growth issues. The RGC is responsible for the Region's Long Range Transportation Plan, corridor preservation, and developing regional growth planning strategies in cooperation and coordination with local governments, Utah Department of

Transportation, Utah Transit Authority, and other organizations and stakeholders. RGC will also be able to approve certain amendments to the RTP as authorized by the Regional Council. The WFRC or RGC can appoint sub-committees under the RGC as needed and appropriate.

The membership of the RGC shall be appointed as follows:

The WFRC appoints one member each from the Weber, Davis, and Salt Lake County Councils of Governments who is also a member of the WFRC for a total of three members.

The Davis and Weber County Councils of Governments each appoint one of its members and the Salt Lake County Council of Governments appoints three of its members (other than the members appointed by the WFRC) for a total of five members.

The Morgan and Tooele County Councils of Governments each appoint one of its members.

Box Elder County, Brigham City, Perry City and Willard City jointly appoint one member who is a local elected official from the local governments in Box Elder County that are part of the Ogden-Layton Urbanized Area.

The Utah State Transportation Commission appoints one member of the State Transportation Commission.

The UTA Board of Trustees appoints one member of the UTA Board of Trustees.

The Envision Utah Board of Directors appoints one member.

The Utah Air Quality Board appoints one member from the Board and a Utah Department of Air Quality staff representative.

The Utah Department of Transportation appoints one representative from UDOT.

The Utah Transit Authority appoints one representative from UTA.

The Federal Highway Administration appoints one representative from the Utah Division office.

The Utah League of Cities and Towns appoints one staff representative from the League of Cities and Towns.

The Utah Association of Counties appoints one staff representative from the Association of Counties.

The Mountainland Association of Governments appoints one representative to support coordination in planning with the MPO for the Provo/Orem Urbanized Area.

The WFRC may appoint up to five additional representatives from other organizations for the purpose of adding uniquely qualified individuals as additional resources to the Regional Growth Committee.

Each organization appoints an alternate member who shall serve and vote in the absence of the regular appointed member. For the WFRC, alternates shall be members or alternates of the WFRC. For all other organizations, alternates shall be members of the organization.

2. The Transportation Coordinating Committee (Trans Com) will be established by the WFRC.

The Committee will be comprised of members and representatives from the Regional Council, County Councils of Governments, local governments in Box Elder County that are part of the Ogden-Layton Urbanized Area, and various city, county, state, federal, and other agencies concerned with short range transportation planning and programming. The Committee will serve as a policy advisory body of the Regional Council and have responsibility for short range planning issues, such as the Transportation Improvement Program (TIP), programming of funds, management systems, and special studies, in cooperation and coordination with local governments, Utah Department of Transportation, Utah Transit Authority, and other organizations and stakeholders. Trans Com will also be able to approve certain amendments to the TIP as authorized by the Regional Council. The WFRC or Trans Com can appoint sub-committees under Trans Com as needed and appropriate.

The membership of Trans Com shall be appointed as follows:

The WFRC appoints one member each from the Weber, Davis, and Salt Lake County Councils of Governments who is also a member of the WFRC for a total of three members.

The Davis and Weber County Councils of Governments each appoint one of its members and the Salt Lake County Council of Governments appoints three of its members (other than the members appointed by the WFRC) for a total of five members.

The Morgan and Tooele County Councils of Governments each appoint one of its members.

Box Elder County, Brigham City, Perry City and Willard City jointly appoint one member who is a local elected official.

The Utah State Transportation Commission appoints two members of the State Transportation Commission.

The UTA Board of Trustees appoints two members of the UTA Board of Trustees.

The Utah Air Quality Board appoints one member from the Board and a Utah Department of Air Quality staff representative.

The Utah Department of Transportation appoints one representative from UDOT.

The Utah Transit Authority appoints one representative from UTA.

The Federal Highway Administration appoints one representative from the Utah Division office.

The Mountainland Association of Governments appoints one representative to support coordination in planning with the MPO for the Provo/Orem Urbanized Area.

The WFRC may appoint up to five additional representatives of other organizations to represent aviation, trucking, railroad, as other uniquely qualified individuals as additional resources to Trans Comm.

Each organization appoints an alternate member who shall serve and vote in the absence of the regularly appointed member. For the WFRC, alternates shall be members or alternates of the WFRC. For all other organizations, alternates shall be members of the organization.

3. The general operational guidelines for the RGC and Trans Com are as follows:

Members and alternate members shall be designated in writing by the parties represented.

Each of the members appointed by the WFRC, the County Councils of Governments, local governments in Box Elder County that are part of the Ogden-Layton Urbanized Area, the Utah Transportation Commission, the UTA Board of Trustees, the Utah Air Quality Board, or their alternate members in the members' absence, shall be voting members. Also, for the RGC, the member or alternate from Envision Utah shall be a voting member.

The representatives appointed by FHWA, UDOT, UTA, and the Mountainland Association of Governments shall be non-voting representatives. Also, for the RGC, representatives from the Utah League of Cities and Towns and the Utah Association of Counties shall be non-voting representatives.

Each member/representative shall be notified of meetings in advance of the meeting.

No formal action shall be taken unless a quorum of at least seven members is present.

A majority of the voting members present is necessary to take formal action.

Unless otherwise specified in this agreement, meetings shall be conducted using Robert's Rules of Order as a guide unless suspended by a two-thirds majority of those present.

The Chairpersons and Vice-Chairpersons of the two committees shall be appointed from the memberships of the RGC and Trans Com by the WFRC Chair.

4. Technical Advisory Committees

The two Long Range Planning Technical Advisory Committees will report to the RGC, one each in the Salt Lake City-West Valley City and Ogden-Layton Urbanized Areas, and the two Short Range Planning Technical Advisory Committees will report to Trans Com, one each in the Salt Lake City-West Valley City and Ogden-Layton Urbanized Areas. These committees will be comprised of a diverse and broad membership from federal, state, and local governments, and from the private sector. The membership will be drawn from the pool of the region's professionals and others with technical expertise in their respective disciplines who will provide technical advice and input to the transportation planning process.

a. The membership will be as follows:

Each municipality and county within the Urbanized Areas and UDOT, UTA and other federal, state and private organizations that have representation on the RGC and Trans Com can appoint a technically qualified member, or members, along with an alternate, or alternates, to the Long Range and Short Range Planning Technical Advisory Committees.

The RGC and Trans Com may add members and alternates to the Technical Advisory Committees as needed.

b. The general operational guidelines for the Technical Advisory Committees are as follows:

A Chairperson and Vice-Chairperson shall be elected by each committee.

Each member shall be notified of meetings in advance of the meeting.

A majority of members present is necessary to take formal action.

Each member, or alternate member in the member's absence, shall be a voting member with one vote.

Unless otherwise specified in this agreement, meetings of the Technical Advisory Committees shall be conducted using Robert's Rules of Order as a guide unless suspended by a two-thirds majority of those present.

If conflict should arise among committee members, any member shall have the opportunity to express his/her views to the RGC and Trans Com.

CHANGES

Alterations, extensions, supplements, or modifications of the terms of this agreement as detailed herein shall be agreed to in writing by the parties concerned, incorporated as amendments to this agreement, and made a part thereof.

TERMINATION OF AGREEMENT

If, through any cause, the parties fail to fulfill in a timely and proper manner the obligations under this agreement, or if any of the parties shall violate any of the covenants, agreements, or stipulations of this agreement, or if any of the parties so wishes to withdraw from this agreement, they shall thereupon have the right to terminate this agreement by giving written notice of such termination and specifying the effective date thereof, at least sixty (60) days before the effective date of such termination.

MISCELLANEOUS

Each party agrees to undertake and perform all further acts that are reasonably necessary to carry out the intent and purposes of the agreement at the request of another party.

The failure of any party to insist upon strict compliance of any of the terms and conditions or failure or delay by any party to exercise any rights or remedies provided in this agreement, or by law, will not release any party from any obligations arising under this agreement.

Each party represents that it has the authority to enter into this agreement.

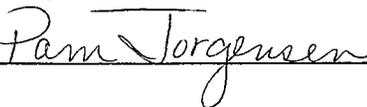
This agreement may be executed in counterparts by the parties.

IN WITNESS THEREOF, the WFRC, the UDOT, and the UTA have executed this agreement as of the date first written.

Attest  _____

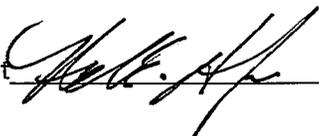


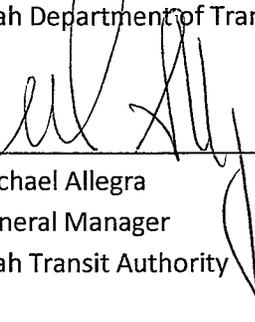
P. Bret Millburn
Chairman
Wasatch Front Regional Council

Attest  _____



Carlos Braceras
Executive Director
Utah Department of Transportation

Attest  _____



Michael Allegra
General Manager
Utah Transit Authority