

**MEMORANDUM OF AGREEMENT FOR THE GREATER HELENA AREA
METROPOLITAN TRANSPORTATION PLANNING PROCESS**

THIS AGREEMENT is made and entered into this 26 day of June, 2024, by and between the STATE OF MONTANA, DEPARTMENT OF TRANSPORTATION, hereinafter referred to as "STATE," the CITY OF HELENA, hereinafter referred to as "HELENA", the CITY OF EAST HELENA, hereinafter referred to as "EAST HELENA," and the COUNTY OF LEWIS AND CLARK, hereinafter referred to as "COUNTY".

WITNESSETH THAT:

WHEREAS, 23 U.S. C. § 134, 23 U.S.C. § 150, and 49 U.S.C. § 5303 require that a Metropolitan Planning Organization (MPO) be designated for each metropolitan area with a population of 50,000 or greater, as a condition to the receipt of Federal highway and transit funds, that the metropolitan area has a continuing, cooperative, and comprehensive performance-based multimodal transportation planning process that provides for consideration and implementation of projects, strategies, and services, that consider all transportation modes and supports community development and sound goals that lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods; and,

WHEREAS, HELENA, EAST HELENA and the COUNTY signed an Interlocal Agreement for Transportation Planning Services between Lewis and Clark County, City of Helena, and City of East Helena that addresses cooperation in the provision of transportation planning services; and

WHEREAS, the parties to this Agreement desire to continue to cooperate in the transportation planning process now in progress and further desire to ensure that transportation planning is an integral part of continuing, cooperative, and comprehensive planning; and,

WHEREAS, the parties to this Agreement desire to take a performance-driven, outcome-based approach to planning and programming linking investment decision-making to the achievement of performance targets; and,

WHEREAS, the HELENA and COUNTY Consolidated Planning Board, once designated by the Governor of the State of Montana and affected local units of government representing 75 percent of the population in the entire metropolitan area is the Greater Helena Area Metropolitan Planning Organization (MPO); and,

WHEREAS, the Transportation Policy Coordinating Committee (TPCC) is established as the official governing body of the Greater Helena Area Metropolitan Transportation Planning Process, thus having final local approval of all Federal Surface Transportation Program-Urban Funded transportation projects in the Greater Helena Area Metropolitan Planning Area, approval of the Metropolitan Transportation Plan, the Transportation Improvement Plan, the Unified Planning Work Program, and other required documents; and,

WHEREAS, HELENA operates a transit system and maintains responsibility for providing transit district residents with safe and reliable transit service, as well as implementing improvements to meet changing travel needs; and,

WHEREAS, 23 U.S.C. § 104 (d) and 49 U.S.C. § 5303 provide planning funds (PL and Section 5303) for the purpose of carrying out metropolitan transportation planning requirements of Section 134 of Title

23; and,

WHEREAS, the STATE and designated MPO shall execute or cause to be executed separate agreements for performance management and data sharing, and the distribution of PL and Section 5303 funds; and,

WHEREAS, the STATE and designated MPO shall execute or cause to be executed separate agreements for the roles and responsibilities for the development of financial plans that support the transportation plan, transportation improvement program, and annual listing of obligated projects; and,

WHEREAS, the STATE and designated MPO shall execute or cause to be executed separate agreements for the roles and responsibilities for air quality conformity; and developing and sharing performance data, setting performance targets, reporting targets, and tracking progress towards meeting targets.

NOW, THEREFORE, BE IT RESOLVED that the parties hereto do mutually agree to:

1. The Greater Helena Area TPCC is established as the policy board of the Greater Helena Area MPO to cooperatively carry out transportation planning and programming in the Greater Helena Area Metropolitan Planning Area through the following established forum and process:
 - A. The TPCC shall carry out the metropolitan transportation planning process and work cooperatively to develop the Long-Range Transportation Plan, the Transportation Improvement Program, the Unified Planning Work Program, and any amendments or updates. The TPCC shall coordinate transportation planning with other providers of transportation and transportation infrastructure. The TPCC shall consist of the following officials:
 - a. Voting Members:
 - 1) City of Helena Mayor
 - 2) Lewis and Clark County Commission Chair
 - 3) City of East Helena Mayor
 - 4) Montana Department of Transportation (MDT) District Administrator
 - 5) Chair of the Transportation Technical Advisory Committee (TTAC)
 - b. Non-Voting Members:
 - 1) Division Administrator, Federal Highway Administration (FHWA)
 - 2) Transit Manager, City of Helena
 - 3) Federal Transit Administration (FTA) Region 8 Administrator
 - c. Each member of the TPCC may designate an alternate to serve in his/her place via written notice to the TPCC Chairperson. All elected members shall designate another elected official as their designee.
 - d. Additional members of this Committee may be appointed by a majority of the membership if such an appointment is determined to be necessary or useful by the Committee.

- B. The Transportation Technical Advisory Committee (TTAC) shall provide the TPCC with the technical advice necessary to carry out the continuing, comprehensive, and cooperative (3-C) transportation planning process in the Greater Helena Area Metropolitan Planning Area. The TTAC shall, at a minimum, consist of the following members:
- a. Voting Members:
 - 1) City of Helena Transportation Systems Director
 - 2) City of Helena Community Development Director
 - 3) City of East Helena Public Works Director
 - 4) City of East Helena Planning Staff
 - 5) Lewis and Clark County Public Works Director
 - 6) Lewis and Clark County Community Development and Planning Director
 - 7) City of Helena Transit Manager
 - 8) City of Helena Americans with Disabilities Act (ADA) Coordinator
 - 9) Non-Motorized Advocate at Large
 - 10) Montana Department of Transportation (MDT) Statewide & Urban Planning Planner
 - 11) MDT Great Falls District Preconstruction Engineer
 - 12) Helena Public Schools District No. 1 Superintendent
 - 13) East Helena Public Schools District No. 9 Superintendent
 - b. Non-Voting Members:
 - 1) City-County Public Health Officer
 - 2) Helena Regional Airport Director
 - 3) Helena Police Chief
 - 4) Lewis and Clark Rural Fire Council Chair
 - 5) Federal Highway Administration (FHWA) Division, Statewide and Urban Planner
 - 6) Federal Transit Administration (FTA) Region 8 Transportation Program Specialist
 - 7) MDT Division Maintenance Chief
 - c. Additional members of the TTAC may be appointed by nomination and approval by a majority of the voting members of TTAC, with final approval by TPCC. These members should represent specific technical skills and various jurisdictional viewpoints, schools, public health, etc.
 - d. Each member of the TTAC may designate an alternate to serve in his/her place via written notice to the TTAC Chairperson.
- C. Public Involvement Procedures for obtaining public involvement will be adopted by the TPCC. These procedures will describe methods to obtain additional local input in the planning process consistent with 23 C.F.R. §450.

D. Transportation Planning At a minimum, continuing, cooperative and comprehensive transportation planning will be conducted in that portion of the Greater Helena Area that is expected to become urbanized during the forecast period. Said area shall be referenced as the Greater Helena Area Metropolitan Planning Area (MPA).

E. Scope of Services the transportation planning process shall be:

- 1) Cooperative, in that, the STATE, COUNTY, HELENA, and EAST HELENA shall cooperatively accomplish the transportation planning process in response to the needs and changes occurring in the study area.

The STATE and MPO shall coordinate their respective targets for performance measurement to ensure consistency, to the maximum extent practicable. This includes, but is not limited to, identifying how performance-based planning provisions will be cooperatively implemented.

- 2) Comprehensive, in that, all elements affecting metropolitan area development and transportation shall be considered. These elements and requirements are described in various documents published by the U. S. Department of Transportation.
- 3) Continuing, in that, the planning process is intended to continue indefinitely and shall be maintained as long as this Agreement is in force.

The operational scope of the transportation planning process will involve conducting the following general activities:

- (a) Establish a coordinated process for the collection and sharing of performance data, the selection of performance targets, reporting targets, and tracking progress towards meeting targets for the metropolitan area.
- (b) Collect, maintain, analyze, and disseminate basic planning information, financial information and plans, and engineering data to support the development of the metropolitan transportation plan, annual listing of projects and Transportation Improvement Program.
- (c) Serve the public and private sectors by providing current information concerning plans, programs, projects, recommendations, and implementation schedules.
- (d) Prepare, update, and revise long and short-range transportation plans to consider all transportation modes in the transportation planning area; develop transportation improvement programs for project implementation; prepare, update, and revise a public involvement plan; and, conduct air quality conformity determinations, to the extent required, for new or revised transportation plans and improvement programs.
- (e) Prepare and distribute studies, reports, maps, plans, annual listings of obligated projects, etc., for documentation and information purposes; participate in meetings, seminars, etc., at all levels of government; coordinate planning and plan implementation activities; and, conduct public information and involvement programs.
- (f) Research, investigate and develop estimating, forecasting and related

planning procedures.

- F. Work Program – An annual unified planning work program shall be prepared and approved by the participating agencies, which defines the urban transportation and transportation related planning activities to be conducted within the MPA, regardless of funding sources. The unified planning work program shall include:
- 1) A brief discussion of program objectives and accomplishments, including performance targets, during the previous 12-month period; and
 - 2) A description of major activities to be performed during the next year, who will perform the work, the resulting products and a summary of the total amounts and sources of federal and matching funds.

2. Mechanisms governing the agreement are as follows:

- A. Amendments – Any amendments to the terms of this Agreement, as detailed herein, shall be agreed to, in writing, by the signatory parties.
- B. By-laws – Both the TPCC and the TTAC shall adopt and comply with by-laws as are justified and warranted to enact the purposes of this Agreement.
- C. Term of Agreement – This Agreement shall be for a perpetual term unless changed as provided for in paragraph 2.A. above or terminated in the manner described as follows: Any party may terminate its interests and obligations under this Agreement by giving at least ninety (90) days' notice, in writing, to the other parties.

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals the day and year first above written.

LEWIS AND CLARK COUNTY, MONTANA

By: [Signature]
Board of County Commissioners, Chair

Date: 5-29-24

ATTEST:

[Signature]
Lewis and Clark County Clerk and Recorder

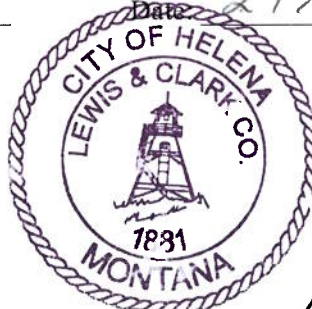
CITY OF HELENA, MONTANA

By: [Signature]
City of Helena, Mayor

Date: 29 MAY 2024

ATTEST:

[Signature]
City of Helena City Clerk, Acting



CITY OF EAST HELENA

By: [Signature]
City of East Helena, Mayor

Date: 6-18-2024

ATTEST:

[Signature]
City of East Helena City Clerk

APPROVED FOR THE STATE

By: [Signature]
MDT Rail, Transit, and Planning
Division Administrator

Date: 6/20/24

By: [Signature]
Legal Counsel, Montana Department
of Transportation