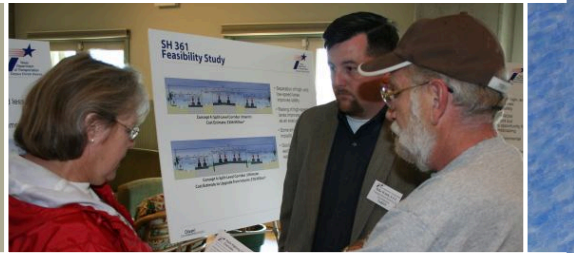


Memorandum of Understanding

CORPUS CHRISTI METROPOLITAN
PLANNING ORGANIZATION



Nueces County
San Patricio County
City of Corpus Christi
City of Portland
City of Gregory
Port of Corpus Christi Authority
Corpus Christi Regional
Transportation Authority
Texas Department of Transportation
Corpus Christi District

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MEMORANDUM OF UNDERSTANDING

ROLES AND RESPONSIBILITIES

In July 1973, the State of Texas, the Cities of Corpus Christi and Portland, and Counties of Nueces and San Patricio agreed to participate in a continuing, comprehensive, and cooperative transportation planning process for the Corpus Christi Urban Transportation Study Area. The 1973 and subsequent agreements established the two-committee organization pursuant to Section 134 of Chapter 1 of Title 23 U.S.C. for the Corpus Christi Metropolitan Planning Organization (MPO). Since its establishment, the City of Corpus Christi performed the administrative functions of the MPO. In 1988, the Governor of Texas designated the City of Corpus Christi as the Metropolitan Planning Organization (MPO) to develop the transportation planning process with the guidance from the committee structure established pursuant to Section 134 of Chapter 1 of Title 23 U.S.C.

In April 2000, the Transportation Policy Committee adopted a resolution to change the MPO designation from the City of Corpus Christi to the Transportation Policy Committee. On June 28, 2000, an agreement was signed by the State of Texas and the elected officials of the cities and counties on the Transportation Policy Committee re-designating the Transportation Policy Committee as the MPO for the Corpus Christi Metropolitan Study Area. The Transportation Policy Committee, composed of four elected officials and three appointed officials, is the policy making governing body and provides a forum for cooperative decision-making for the transportation planning process.

The Transportation Planning activities of the MPO are concentrated in the urbanized areas of Nueces and San Patricio Counties. This area is also known as the Corpus Christi Metropolitan Study Area. The Corpus Christi Metropolitan Study Area (see Figure 1) encompasses more than 348 square miles. Almost the entire population of the MPO study area resides within the incorporated limits of the cities of Corpus Christi, Gregory and Portland.

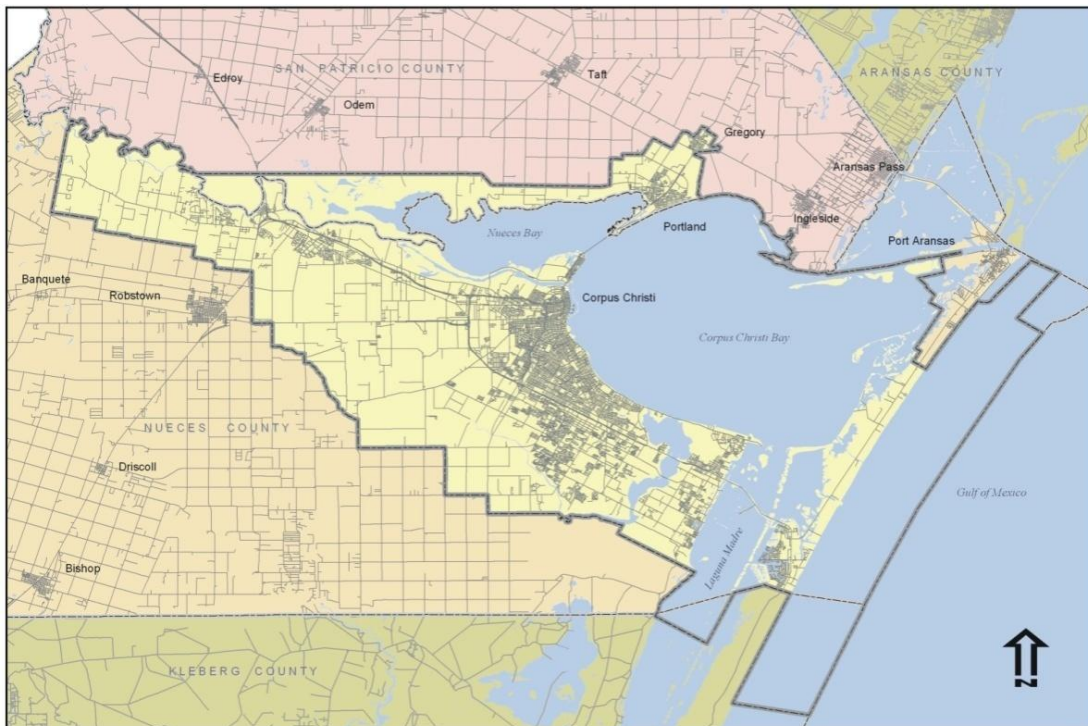


Figure 1 – Corpus Christi Metropolitan Study Area Boundary

The two-committee organizational structure of the Corpus Christi Metropolitan Planning Organizations consists of the Transportation Policy Committee and the Technical Advisory Committee. The responsibilities of these committees are described in the following sections.

TRANSPORTATION POLICY COMMITTEE

The policy body of the organization is the Transportation Policy Committee composed of the elected officials of the general purpose local government entities and appointed officials of the providers of transportation in the metropolitan area. This Committee provides the forum for cooperative decision-making and has the following responsibilities:

1. Approve goals and objectives of the transportation planning process.
2. Review and adopt changes in transportation planning concept.
3. Review and approve the Unified Planning Work Program (UPWP).
4. Review and adopt the Transportation Improvement Program (TIP) including project priorities and approve changes in the priority schedules.
5. Review and adopt the Metropolitan Transportation Plan (MTP) and its revisions.
6. Ensure the efficient and effective use of the Federal Highway Administration (FHWA) Section 112 and the Federal Transit Administration (FTA) Section 5303 planning funds.
7. Encourage the development, implementation, and surveillance of plans to reduce transportation generated air pollution within the study area.
8. Serve as liaison between various governmental units in the study area to obtain optimum cooperation of all governmental units in implementing various elements of the plan.
9. Ensure citizen participation in the transportation planning process through a proactive public participation plan.

Hire, terminate, evaluate, and supervise the Transportation Planning Director. Establish for the MPO staff the salary, salary range, annual or more frequent personnel performance reviews and salary increases based on performance and cost of living indices. Adopt personnel policies and procedures adapted from the personnel policies and procedures of Nueces County for the conduct, rights, and responsibilities of the MPO Staff.

The present voting membership of this Committee, outlined in the Metropolitan Planning Organization Designation Agreement, is as follows:

1. County Judge, Nueces County
2. County Judge, San Patricio County
3. Mayor, City of Corpus Christ
4. Mayor, City of Portland
5. Chairman, Corpus Christi Regional Transportation Authority
6. Chairman, Port of Corpus Christi Authority
7. District Engineer, Texas Department of Transportation

TECHNICAL ADVISORY COMMITTEE

Each Transportation Policy Committee member appoints a person from the organization being represented by the Transportation Policy Committee member to assist in decision making process. Each member is appointed based on the technical ability needed to perform transportation planning activities of the MPO. Currently, this seven-member committee, known as the Technical Advisory Committee is the technical body of the organization. The Technical Advisory Committee reports directly to the Transportation Policy Committee. The Technical Advisory Committee has the following responsibilities.

1. Assist the Transportation Policy Committee with technical tasks associated with developing the Unified Planning Work Program (UPWP) and recommend its adoption by the Transportation Policy Committee.
2. Review transportation related studies within the Corpus Christi Metropolitan Study Area and make recommendations to the Transportation Policy Committee and other agencies.
3. Provide technical support in the preparation of the Metropolitan Transportation Plan and recommend its adoption by the Transportation Policy Committee.
4. Review the Transportation Improvement Program (TIP) and other high priority projects with recommendations to the Transportation Policy Committee.
5. Advise the Transportation Policy Committee on technical matters and, if specifically authorized by the Transportation Policy Committee, on the policy matters with accompanying recommendations and supporting rationale.

The voting members of the Technical Advisory Committee are outlined in the Bylaws and Operating Procedure of the Metropolitan Planning Organization as follows:

1. Director, Department of Engineering Services, City of Corpus Christi
2. City Manager, City of Portland
3. Director of Public Works, Nueces County
4. County Commissioner, San Patricio County
5. General Manager, Corpus Christi Regional Transportation Authority
6. Deputy Director of Engineering, Port of Corpus Christi Authority
7. Director of Transportation Planning and Development, Texas Department of Transportation, Corpus Christi District.

The voting members may designate an alternate to attend on their behalf.

OTHER ADVISORY COMMITTEES

Since the Transportation Policy Committee is responsible for the policy decisions regarding transportation planning, it may appoint additional advisory committees on an as required or as needed basis.

FUNCTIONAL RESPONSIBILITIES OF PARTICIPATING AGENCIES

The Transportation Policy Committee, the Texas Department of Transportation (TxDOT), the Corpus Christi Regional Transportation Authority (RTA), the Port of Corpus Christi Authority (PCCA) and the local governments within the study area are responsible for carrying out the urban transportation planning process consistent with the Metropolitan Transportation Planning Contract. The transportation planning process includes planning for aviation, highways, bikeways, pedestrians, railways, transit and water transportation activities. Planning for a specific mode is delegated to the agency responsible for operating that mode.

For the transportation planning process to function properly, the agencies involved must work cooperatively. Specific responsibilities of the participating agencies are listed in each Unified Planning Work Program (UPWP) associated with a particular task. General responsibilities of each unit of the MPO are listed on the following pages.

METROPOLITAN PLANNING ORGANIZATION (MPO)

The Metropolitan Planning Organization (MPO) is a forum of cooperative decision-making by principal elected officials, TxDOT, RTA, and PCCA. The Transportation Policy Committee is the designated MPO for Corpus Christi Metropolitan Study Area. In order to perform its responsibilities, the Transportation Policy Committee has appointed the Technical Advisory Committee and the MPO Staff. Specific responsibilities of the Transportation Policy Committee and the Technical Advisory Committee are listed above. The MPO Staff responsibilities are listed below.

MPO Staff

The MPO staff has the following general responsibilities:

1. Perform the administrative duties necessary to insure that the UPWP is effectively and efficiently completed in a timely manner.
2. Provide staff support to the Transportation Policy Committee and the Technical Advisory Committee.
3. Review and report on items on the agenda(s) for the Transportation Policy Committee and the Technical Advisory Committee.
4. Coordinate the planning activities contained in the UPWP.
5. Prepare and submit for approval an annual budget for work outlined in the UPWP.
6. Prepare and submit grant applications for federal assistance in transportation planning.
7. Receive and review all bills from agencies with which the MPO has contracted to perform studies listed in the UPWP.
8. Submit requests for reimbursement to the appropriate federal and state agencies for work performed according to the UPWP.
9. Coordinate the activities for the development and maintenance of the Metropolitan Transportation Plan and the Transportation Improvement Program.
10. Report monthly progress of the UPWP tasks to the Transportation Policy Committee and the Technical Advisory Committee.

11. Prepare and submit for approval the annual report summarizing the progress on the UPWP.
12. Coordinate the air quality planning activities outlined in the UPWP.
13. Perform any other administrative duties as required by the Transportation Policy Committee.
14. Maintain a library of all transportation planning documents.
15. Facilitate the development and maintenance of a regional public transportation coordination plan.

TEXAS DEPARTMENT OF TRANSPORTATION

The Texas Department of Transportation (TxDOT) is involved in the metropolitan transportation planning activities at two levels: the Transportation Planning and Programming Division at Austin and the Corpus Christi District in Corpus Christi. The responsibilities of TxDOT at each level, for the MPO study area, are as follows:

Transportation Planning and Programming Division

1. Make available to the MPO the appropriate federal transportation planning funds and the required non-federal, in-kind matching funds as authorized by the Texas Transportation Commission. Federal transportation planning funds will be distributed to the MPOs based on a formula mutually agreed to by the department, Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA).
2. Provide, as appropriate, technical assistance and/or guidance in the collection, processing, and forecasting of socio-economic data needed for development of traffic forecasts and planning proposals within the Metropolitan Study Area.
3. Collect, process and forecast vehicular travel volume data in cooperation with the MPO.
4. Jointly promote the intermodal development of the state's transportation system within the Metropolitan Study Area by identifying points in the system where access, connection and coordination between the modes and inter-urban facilities would benefit the entire system.
5. Share information and information sources concerning transportation planning issues.

Corpus Christi District

1. Provide representation at both the Transportation Policy Committee and the Technical Advisory Committee.
2. Provide assistance in the development of the Metropolitan Transportation Plan, Transportation Improvement Program, and the Unified Planning Work Program.
3. Coordinate transportation planning activities of the MPO with the Planning and Programming Division of TxDOT.
4. Coordinate, review and monitor Section 5311 Rural Public Transportation Program and Section 5310 Transportation for Elderly and Disabled Program.

CITY OF CORPUS CHRISTI

The City of Corpus Christi Department of Engineering Services and the Department of Development Services actively participate in the planning activities of the MPO. The Department of Aviation becomes involved during the preparation of the Transportation Improvement Program. Specific responsibilities of each department are listed below.

Department of Engineering Services

1. Participates in the development of the Metropolitan Transportation Plan, by making available to the MPO the City of Corpus Christi Unified Master Transportation Plan. Participate in the development of the Transportation Improvement Program, and the Unified Planning Work Program.
2. Participates in the Congestion Management Process by implementing the Transportation Demand Management Strategies and Traffic Control Measures, and maintains traffic count and accident records for all the streets included in the metropolitan Congestion Management Process.
3. Performs preconstruction necessities: land acquisition, engineering design and utilities adjustments, and enters into construction/escrow agreements with TxDOT for the construction of the highway projects within the jurisdiction of the City of Corpus Christi.

Development Services

1. Develops and maintains a Comprehensive Master Plan for Corpus Christi.
2. Maintains land use, zoning, and subdivision regulations.
3. Maintains current demographic and employment data.
4. Participates in other short range studies.
5. Participates in the preparation and revision of the Bike Plan and the Pedestrian Plan elements of the Metropolitan Transportation Plan.

Department of Aviation

1. Performs aviation planning and management of the Corpus Christi International Airport.
2. Performs Intermodal Freight and Passenger planning and maintenance according to the adopted Airport Master Plan.

The Office of Environmental Program

1. Coordinate air quality planning activities with the MPO, Texas Natural Resource Conservation Commission (TNRCC), universities, businesses, and other organizations to sustain the attainment status for ambient air quality for the Corpus Christi Metropolitan Study Area.

CITY OF PORTLAND

The transportation planning responsibilities of the City of Portland are listed below.

1. Participates in the development of the Metropolitan Transportation Plan, Transportation Improvement Program, and the Unified Planning Work Program.
2. Develops and revises the Bike Plan and the Pedestrian Plan elements of the Metropolitan Transportation Plan.
3. Participates in the Congestion Management Plan operation by timely implementing the Transportation Demand Management Strategies and Traffic Control Measures, and maintains traffic count and accident records for all the streets included in the metropolitan Congestion Management Plan.
4. Develops and maintains a Comprehensive Master Plan for Portland.
5. Participates in the preparation and revision of the Bike Plan and the Pedestrian Plan, elements of the Metropolitan Transportation Plan.
6. Maintains land use, zoning, and subdivision regulations.
7. Maintains current demographic and employment data.
8. Participates in other short range studies.
9. Performs preconstruction necessities: land acquisition, engineering design and utilities adjustments, and enters into construction/escrow agreements with TxDOT for the construction of the highway projects within the jurisdiction of the City of Portland.

NUECES COUNTY

Nueces County is the fiscal agent for the Metropolitan Planning Organization. Being the fiscal agent, Nueces County provides financial, administrative, legal, and personnel support to the MPO. The Fiscal, Personnel, and Property Management Agreement signed by the MPO and the county list these responsibilities in detail. The transportation planning responsibilities of Nueces County are listed below.

1. Participates in the development of the Metropolitan Transportation Plan, Transportation Improvement Program, and the Unified Planning Work Program.
2. Performs preconstruction activities as necessary: land acquisition, engineering design and utilities adjustments, and enters into construction/escrow agreements with TxDOT for the construction of the highway projects within the jurisdiction of Nueces County.

SAN PATRICIO COUNTY

The transportation planning responsibilities of San Patricio County and on behalf of the City of Gregory are listed below.

1. Participates in the development of the Metropolitan Transportation Plan, Transportation Improvement Program, and the Unified Planning Work Program.
2. Performs preconstruction activities as necessary: land acquisition, engineering design and utilities adjustments, and enters into construction/escrow agreements with TxDOT for the construction of the highway projects within the jurisdiction of San Patricio County.

CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY

The transportation planning responsibilities of the Corpus Christi Regional Transportation Authority are listed below.

1. Participates in the development of the Metropolitan Transportation Plan, Transportation Improvement Program, the Transportation Improvement Program and the Unified Planning Work Program.
2. Develops and certifies financial plans and forecasts in terms of Year of Expenditure for all transit related federal grant activities.
3. Maintains all transit data and is responsible for all transit planning in the metropolitan area.
4. Provides project monitoring, oversight and reporting on all federally funded projects.
5. Identifies, implements and monitors various transit related short and long range studies.

PORT OF CORPUS CHRISTI AUTHORITY

The transportation planning responsibilities of the Port of Corpus Christi Authority are listed below.

1. Participates in the development of the Metropolitan Transportation Plan, Transportation Improvement Program, and the Unified Planning Work Program.
2. Maintains freight data and performs port planning and expansion in the metropolitan area.
3. Performs various short range studies related to port activities and the transportation network.

MEMORANDUM OF UNDERSTANDING AGREEMENT

All the participating agencies of the Corpus Christi Metropolitan Planning Organization agree to:

1. Perform the aforementioned roles and responsibilities.
2. Assume the expense involved in the continuing transportation planning process, data gathering, review, and updating various study elements as it relates to roles and responsibilities of the respective agency.
3. With the authorization of the Transportation Policy Committee, the participating agencies will achieve consensus on the roles and responsibilities of each agency.
4. Comply with the terms of the current Metropolitan Transportation Contract made by and between the Texas Department of Transportation, the Metropolitan Planning Organization and the County of Nueces.

In witness whereof, the parties have hereunto affixed their signature on the dates indicated.

County of Nueces

Loyd Neal County Judge

Date : December 6, 2007

County of San Patricio

Terry Simpson County Judge

Date : December 6, 2007

City of Corpus Christi

Henry Garrett Mayor

Date : December 6, 2007

City of Portland

David Krebs Mayor

Date : December 6, 2007

**Corpus Christi Regional
Transportation Authority**

Crystal Lyons Chairman

Date : December 6, 2007

**Port of Corpus Christi
Authority**

Ruben Bonilla Chairman

Date : December 6, 2007

**Texas Department of
Transportation – Corpus
Christi District**

Craig Clark, P.E. District Engineer

Date : December 6, 2007

APPENDIX

Amendment Notes

The Memorandum of Understanding was first approved and signed by the Transportation Policy Committee on April 1, 1999.

Revision to the Memorandum of Understanding of April 1, 1999 was approved and signed by the Transportation Policy Committee on January 3, 2002.

Revision to the Memorandum of Understanding was approved and signed by the Transportation Policy Committee on December 6, 2007. Technical revisions to agencies title positions and expansion of the Corpus Christi Regional Transportation Authority functional responsibilities.