

# Draft Memorandum for the Record

## Boston Region Metropolitan Planning Organization Meeting

### Memorandum of Understanding (MOU) Update Committee Meeting Summary

#### July 17, 2024, Meeting

1:00 PM–2:10 PM, Zoom Video Conferencing Platform

Tom Bent, representing the Inner Core Committee, City of Somerville, and Mayor Katjana Ballantyne

### Decisions

The Committee to Update the Memorandum of Understanding (MOU) agreed to the following:

- Approve the minutes of the meeting of April 3, 2024
- Present MOU work to the MPO board

### Meeting Agenda

#### 1. Introductions

See attendance on page 9.

#### 2. Public Comments

There were none.

#### 3. Action Item: Approval of April 3, 2024, MOU Meeting Minutes

*Documents posted to the MPO meeting calendar*

1. MOU Meeting Minutes of April 3, 2024 ([pdf](#)) ([html](#))

#### **Vote**

A motion to approve the minutes of the meeting of April 3, 2024, was made by the Metropolitan Area Planning Council (Eric Bourassa) and seconded by the City of Boston (Jen Rowe). MBTA Advisory Board (Hanna Switekowski) abstained. The motion carried.

#### 4. MOU Document Review and Discussion—*Erin Maguire, MPO Staff*

*Documents posted to the MPO meeting calendar*

1. MOU document ([pdf](#)) ([html](#))

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Erin Maguire, MPO staff, reviewed changes that had been made to the MOU since it was last presented at the committee meeting on July 10, 2024. E. Maguire stated that the goal of today's discussion was for committee members to feel comfortable voting to present the MOU work to the MPO board for discussion and deliberation.

The first change altered the grammar of a statement in Section 1, and the meaning was unchanged.

The next change clarified the language regarding the addition of a regional transit authority (RTA) seat on the MPO board in Section 1. The meaning of the paragraph was unchanged.

E. Maguire stated that feedback about language regarding the Regional Transportation Advisory Council influenced the next changes in Section 2D. The changes included an addendum to the Accountability section, which reflected the Advisory Council's goal of bringing transparency and accountability to MPO decision-making and ensuring decisions are consistent with the Long-Range Transportation Plan (LRTP) and the priorities and needs of the public. Another addition in the final paragraph reflects previous conversations with the Advisory Council and members' approved language.

Lenard Diggins, Regional Transportation Advisory Council, asked J. Rowe for an opinion about the addition to the accountability section. L. Diggins stated that his inclination would be to remove the change, but that if J. Rowe approved of the change he would also approve of the change.

J. Rowe expressed support for the change because it defined the Advisory Council's role of representing stakeholders such as the public but deferred to L. Diggins on the final decision.

L. Diggins approved of the change.

E. Maguire continued and presented changes to Section 3A, which adds a clause to specify that the MPO is the forum for cooperative decision-making about transportation planning, programming, and policy in the Boston region. E. Maguire stated that there has been internal discourse over the use of "the" versus "a" when referring to the MPO as a forum. E. Maguire stated that MPO staff prefer the use of "the" because it is the federally mandated forum for the region but asked committee members for their input.

J. Rowe expressed understanding of staff's reasoning but said that changing some of the verbiage may be appropriate because of the existence of other non-federally mandated, cooperative, decision-making forums in the region. J. Rowe suggested changing the language to explicitly state that the MPO is the federally mandated forum.

Derek Krevat, Massachusetts Department of Transportation (MassDOT), supported J. Rowe's suggestion and suggested that the language could reference the 3C Process (continuing, cooperative, and comprehensive) because the term holds significance in

federal regulations. D. Krevat stated that using the term “policy” should be more clearly defined because the term can imply legislation, which the MPO does not take part in.

Tom Bent, Inner Core Committee (City of Somerville), supported D. Krevat’s suggestion of incorporating the 3C Process to mitigate confusion by readers.

E. Maguire stated that those edits would be implemented after the committee meeting.

Another change in Section 3A included removing “transportation-related” from a clause that stated “the MPO strives to eliminate transportation-related disparities borne by people in disadvantaged communities.”

J. Rowe stated that this change was suggested because it allows for the inclusion of disparities that are connected to transportation but are not explicitly transportation related.

L. Diggins stated that the term should still be qualified because eliminating all disparities would be too broad and puts too much responsibility on the MPO.

J. Rowe suggested changing the clause to “The MPO strives to help eliminate disparities,” and L. Diggins supported the suggestion. E. Maguire stated that the change would be added.

Another change to the second part of the same clause included removing “with a view towards geographic balance of projects throughout the region where feasible,” from “The MPO shall consider the geographic distribution of projects when selecting which to fund, with a view towards geographic balance of projects throughout the region where feasible.” E. Maguire stated that staff had initial concerns about removing the language because federal requirements state that the MPO must consider the geographic distribution of projects. However, staff had concerns about what the language meant in practice.

J. Rowe stated that the term “balance” implies considering the population density or demographics of an area, and that solely using the term “distribution” suffices when referencing federal requirements.

Tegin Teich, Executive Director of the MPO staff, stated that the suggestion is understandable and staff are moving away from prior language that implied geographic equity, which brought a lot of challenges due to misperceptions of the terminology. T. Teich expressed the importance of acknowledging the federal intent that the MPO should consider the entire region to ensure that areas are not forgotten. T. Teich expressed support for language that communicates commitment to equal consideration of all areas in the region.

D. Krevat expressed support for both perspectives and suggested adding “and planning studies” after the term “projects” to give the sentence a holistic approach.

J. Rowe suggested adding the language, "...with a view to remove barriers to participation in MPO work."

E. Maguire stated that staff would make the appropriate revisions and would discuss the changes after the next two agenda items.

T. Bent expressed appreciation for the staff's work on the MOU update.

## **5. Agency Coordination Description Update—*Dave Hong and Ethan Lapointe, MPO Staff***

Dave Hong and Ethan Lapointe, MPO staff, presented on updates to the Agency Coordination language through the Operations Plan and conversations held with relevant agencies to reach agreements.

E. Lapointe discussed coordination efforts between the MPO and MassDOT.

E. Lapointe stated that MPO staff have been working with the MassDOT Office of Transportation Planning (OTP) and the MassDOT Highway Division to discuss quarterly readiness updates for projects at meetings.

These readiness updates would focus on regional priority and potentially other statewide highway program projects on the TIP. These projects would be identified at members' request.

E. Lapointe stated that MPO staff continue to discuss ways to provide these updates to the board, working with MassDOT Highway Districts and OTP in an informative and timely manner.

E. Lapointe spoke about constraints to achieving this goal. E. Lapointe stated that the data on readiness is stored in multiple locations, resulting in much manual data gathering and limitations to data collection. Additionally, E. Lapointe stated that the Transportation Improvement Program (TIP) Readiness Days is difficult to replicate more than once per year.

E. Lapointe presented a graphic that displayed the cycle of quarterly readiness updates if it were to be adopted. The cycle includes the following steps:

- MPO staff and MassDOT OTP schedule Quarterly Readiness Updates.
- MPO staff compile a list of projects with questions or comments to be addressed.
- MassDOT Highway Division responds to the inquiry and provides additional information as necessary.

- MPO staff, MassDOT OTP, and MassDOT Highway Division resolve points of clarification or outstanding questions.
- MPO staff present the project updates to the MPO board and solicit follow-up items to be addressed at the next update.

D. Hong discussed coordination among stakeholders within the Massachusetts Bay Transportation Authority (MBTA) and the RTAs to align on information sharing protocols and workflows. These discussions informed the proposed language in the Operations Plan and provided relevant information for the TIP and the LRTP. The topics discussed included the following:

- TIP:
  - TIP Projects for Scenario Scoring
  - Twice Annual Project Status
  - List of Obligated Projects
- LRTP:
  - Financial Information for the LRTP
  - Coordination of Long-Range Plans

### ***Discussion***

D. Krevat asked if the quarterly readiness updates would occur during MPO meetings, or if they would constitute separate meetings.

E. Lapointe stated that they would happen either within existing forums of the MPO board or the TIP Process, Engagement, and Readiness Committee meeting.

J. Rowe expressed some confusion about documentation posted to the calendar and asked for follow-up documentation that will clarify the information that falls under given subheadings, and D. Hong responded that MPO staff would organize the documentation accordingly.

## **6. Operations Plan Document Review and Discussion—*Dave Hong and Ethan Lapointe, MPO Staff***

### ***Documents posted to the MPO meeting calendar***

1. MOU Operations Plan Redline ([pdf](#)) ([html](#))

D. Hong presented changes to the MPO Operations Plan. The first change rearranges language in Section 2 regarding the MPO board composition.

The subsequent change adds language to Section 2.2 establishing how the vice chair is elected.

D. Hong highlighted a change to Section 3.1 establishing the addition of the RTA seat on the MPO board.

Changes to Section 3.3 clarify expectations regarding virtual MPO board meetings and in-person annual meetings.

D. Hong highlighted the addition of Section 3.4, Board Member Education, which outlines the different modes of educational initiatives provided by MPO staff.

E. Maguire spoke about changes to Section 5, which outlines the role of the Advisory Council. Staff made edits to this section to align with the edits to the MOU. E. Maguire stated that these changes include specifying MPO staff's role as administrator of the Advisory Council and giving more onus to the Advisory Council.

E. Maguire discussed the addition of the Unfunded Projects List to Section 6.2, which was relocated from the MOU to the Operations Plan and needs additional revisions. Other changes to Section 6.2 establish expectations for MassDOT staff when requesting information.

L. Diggins expressed a preference for a stylistic change regarding using lists with only one bullet point and stated that the point should just remain as the description of the item rather than a point underneath.

Changes to Section 8.1 outline expectations for MPO staff to request information from relevant agencies three weeks in advance, when possible.

D. Hong discussed changes to Section 8.2, which describes the process for the quarterly TIP readiness updates in greater detail. D. Hong listed the factors that may require additional information from MassDOT Highway District Planning Staff, such as moving a project.

E. Lapointe clarified that moving a project entails either a change to the program where a project's funding comes from or to the project's funding year if it is accelerated or delayed.

J. Rowe asked if there was a difference between shifting funds and moving a project. E. Lapointe responded that shifting funds implies only part of the funds in a given fiscal year are moving to another year, whereas moving implies the project in its entirety is moving.

D. Hong discussed changes to Section 8.3, which added language related to the LRTP. The language included information related to financial investments, projected financial

investments, coordination between agencies' long-range plans, and ensuring a transparent process.

E. Maguire discussed changes to Section 8.4, which included language that was taken directly from the MOU. The language discusses MassDOT's Accelerated Bridge Program, the Massachusetts Association of Regional Planning Agencies, and other general information relevant to the TIP.

L. Diggins asked a question about changes to Section 8.2 outlining the quarterly TIP readiness updates. L. Diggins asked why MassDOT Highway Division asks MPO staff to reach out regarding a project proponent to provide updates. E. Lapointe responded that MassDOT Highway Division may ask MPO staff for support if MassDOT Highway Division does not have the resources to acquire the necessary information.

E. Maguire returned to the revised language previously discussed and created two different language options for members to use as a basis for discussion. J. Rowe did not have a preference. Members expressed their preference for the second option, which stated, "The MPO shall also consider the geographic distribution of projects and planning studies when selecting which to fund. The MPO shall make efforts to remove barriers to participate in MPO work throughout the region."

## **7. Action Item: Vote to Present MOU Work to the MPO Board—*Dave Hong, MPO Staff***

### ***Vote***

A motion to present MOU work the MPO board was made by the Town of Brookline (Mike Sandman) and seconded by the Advisory Council (L. Diggins). The MBTA Advisory Board (H. Switekowski) abstained. The motion carried.

## **8. Members' Items**

There were none.

## **9. Work Planning: Upcoming Committee Activities—*Dave Hong, MPO Staff***

D. Hong presented a draft of the 2024 MOU Work Plan and key dates:

- July 18, 2024 (MPO Board)
  - Chair Report: Notify board that staff will present a MOU work overview on August 1 and request a vote to release the MOU for public comment on August 15

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- August 1, 2024 (MPO Board)
  - Chair Report: Notify board that staff will request a vote on August 15
  - Presentation: Update of work modules and preview of next steps
- August 7, 2024 (MOU Update Committee)
  - MOU Update Committee Meeting
- August 15, 2024 (MPO Board)
  - Action Item: Vote to release MPO MOU Update for 21-day public comment period
- September 19, 2024 (MPO Board)
  - Action Item: Vote to endorse MPO MOU

## **10. Adjourn**

A motion to adjourn was made by the City of Boston (J. Rowe) and seconded by the Advisory Council (L. Diggins). The motion carried.



## Attendance

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<b>Members</b>	<b>Representatives and Alternates</b>
City of Boston	Jen Rowe
Inner Core Committee, City of Somerville	Tom Bent
Massachusetts Department of Transportation	John Romano
Massachusetts Department of Transportation	Derek Krevat
MBTA Advisory Board	Hanna Switekowski
Metropolitan Area Planning Council	Eric Bourassa
Regional Transportation Advisory Council	Lenard Diggins
Town of Brookline	Michael Sandman

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<b>Other Attendees</b>	<b>Affiliation</b>
Eddie Marques	Cape Ann Transportation Authority
Medora Champagne	Metropolitan Area Planning Council
Jim Nee	MetroWest Regional Transit Authority

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### **MPO Staff/Central Transportation Planning Staff**

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Tegin Teich, Executive Director  
Adriana Jacobsen  
Annette Demchur  
Dave Hong  
Erin Maguire  
Ethan Lapointe  
Lauren Magee

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