



OAHU METROPOLITAN PLANNING ORGANIZATION

Planning Process Review

FINAL REPORT



Photos Courtesy of Oahu MPO



September 30, 2015

Oahu Metropolitan Planning Organization Planning Process Review



Final Report

September 30, 2015

Prepared for:

Oahu Metropolitan Planning Organization

707 Richards Street, Suite 200

Honolulu, HI 96813

Prepared by:

Tindale-Oliver

in association with

Weslin Consulting Services, Inc.



Table of Contents

Oahu Metropolitan Planning Organization.....	i
Planning Process Review.....	i
Section 1: Introduction	1
Metropolitan Planning on Oahu	1
OahuMPO History	1
OahuMPO Planning Area and Partner Agencies.....	2
OahuMPO Organization	2
OahuMPO Required Planning Products.....	3
The Planning Process Review.....	5
Section 2: Planning Process Review Work Efforts and Milestones.....	6
Background Review and Issue Identification (Technical Memorandum 1)	6
New Vision, Mission, and Goals for OahuMPO (Technical Memorandum 2).....	9
Vision Statement.....	9
Mission Statement.....	9
Goals	10
2014 Federal Certification Review and Contract Amendment.....	10
Tier 1 Corrective Actions.....	11
Tier 2 Corrective Actions.....	13
Tier 3 Corrective Actions.....	13
Recommendations	14
Milestones Achieved Under the Original Planning Process Review Contract	16
Best Practice MPO Interviews.....	16
Partner Agency and Stakeholder Interviews	17
Comprehensive Background Review	18
Preparing a New Vision, Mission, and Goals for OahuMPO	18
Milestones Achieved Under the Updated Planning Process Review Contracts	19
Establishing Permitted Interaction Groups and Subcommittees	19
Repealing HRS 279-E and Drafting of New State Law.....	19
New Designation Agreement.....	21
Updating the Comprehensive Agreement.....	21

Establishing the OahuMPO Policy Board	22
Preparing an Administrative Supplemental Agreement.....	24
Preparing a Finance Supplemental Agreement	26
Preparing a Data Sharing Supplemental Agreement	27
Preparing Policy Board Bylaws.....	27
Preparing Technical Advisory Committee Bylaws.....	28
Preparing Executive Committee Bylaws	28
Preparing New Policy Board Membership Orientation Materials	29
Preparing MPO Work Program Process and Procedures Documents	29
OahuMPO List of Planning Data.....	30
Section 3: OahuMPO Current Operations	33
Funding	33
Organization and Staffing	33
Administration and Operations	36
Office Space and Equipment.....	36
Computer and Communication Technologies	36
Legal Services	36
Human Resources	37
Financial Audit	37
Training and Continuing Education.....	37
Procurement and Contracting	37
Consultant Management	38
OWP Programs and Development	38
Overall Work Program	38
Oahu Regional Transportation Program.....	41
Transportation Improvement Program	45
OahuMPO Public Participation Plan	48
Congestion Management Process	50
Section 4: Future Implementation Actions	52
Organizational Alternatives	52
Alternative Administrative Agency	53
Leaning Independent MPO	56

Freestanding Independent MPO.....	58
MPO Peer Survey	60
Peer Analysis of Staff Resources	62
Peer Analysis of Funding and Consultant Resources	67
Strategic Staffing Plan	72
Short-Term Staffing Needs.....	73
Intermediate to Long-Term Staffing Needs	75
Implementation Plan	77

List of Figures

Figure 1: OahuMPO Organization	3
Figure 2: Semi-Annual Schedule for Reviewing List of Planning Data	32
Figure 3: OahuMPO Current Organizational Chart	36
Figure 4: ORTP Workflow and Development Tasks	45
Figure 5: TIP Development Process	48
Figure 6: Total Number of Full-Time Staff Positions	64
Figure 7: Percent of Administrative Staff.....	66
Figure 8: Full-Time Staff Positions per 100,000 Population.....	66
Figure 9: Total Funding Per Capita	69
Figure 10: Federal and State/Local Match Funds Per Capita	70
Figure 11: Non-Federal and Other State/Local Funds per Capita.....	70
Figure 12: Total Revenue per Full-Time Staff Position (X\$1000)	71
Figure 13: Consultant Expenditures as a Percent of Total Budget	72
Figure 14: OahuMPO Staff Organizational Chart (Short-Term)	74

List of Tables

Table 1: Comparison of Policy Committee and Policy Board Membership Composition.....	23
Table 2: Agency Responsibilities Reviewing List of Planning Data	31
Table 3: MPO Survey Candidates	62
Table 4: Summary of MPO Staff by Category	65
Table 5: Funding Comparison (x\$1,000)	68
Table 6: OahuMPO Five-Year Consultant Budget as a Percent of Total Budget.....	72
Table 7: OahuMPO Implementation Plan	78

List of Appendices (provided under separate cover)

Appendix A: Technical Memorandum 1

Appendix B: Technical Memorandum 1

Appendix C: Feedback Tool Analysis (Vision, Mission, Goals)

Appendix D: 2014 Federal Certification Review

Appendix E: Memorandum of Source Material for Initial Draft of New State Legislation

Appendix F: Act 132, Session Laws of Hawaii 2015

Appendix G: 2015 Comprehensive Agreement

Appendix H: Administrative Supplemental Agreement

Appendix I: Finance Supplemental Agreement

Appendix J: Data Sharing Supplemental Agreement

Appendix K: Policy Board Bylaws

Appendix L: Technical Advisory Committee Bylaws

Appendix M: Executive Committee Bylaws

Appendix N: Policy Board Orientation Materials

Appendix O: Oahu Overall Work Program Processes and Procedures

Appendix P: OahuMPO Oahu Regional Transportation Plan Processes and Procedures

Appendix Q: OahuMPO Transportation Improvement Program Policies and Procedures

Appendix R: OahuMPO Congestion Management Process and Procedures

Appendix S: OahuMPO Public Participation Plan Development Procedures

Appendix T: OahuMPO Environmental Justice Policies and Procedures

Appendix U: List of Planning Data Policies and Procedures

Appendix V: Initial List of Planning Data

List of Acronyms

3-C – Continuing, cooperative, and comprehensive planning process
AMATS – Anchorage Metropolitan Area Transportation Solutions
CAC – Citizen Advisory Committee
CMP – Congestion Management Process
COMPASS – Community Planning Association of Southwestern Idaho
DAGS – State of Hawaii Department of Accounting and General Services
DBE – Disadvantaged Business Enterprise
DBEDT – State of Hawaii Department of Business, Economic Development and Tourism
DHRD – State of Hawaii Department of Human Resources Development
DPP – City and County of Honolulu Department of Planning and Permitting
DTS – City and County of Honolulu Department of Transportation Services
FHWA – Federal Highway Administration
FTA – Federal Transit Administration
FY – Fiscal Year
HART – Honolulu Authority for Rapid Transit
HDOT – State of Hawaii Department of Transportation
HRS – Hawaii Revised Statutes
IT – Information Technology
ITS – Intelligent Transportation System
KERN COG – Kern Council of Governments
MAP-21 – Moving Ahead for Progress in the 21st Century Act
OahuMPO – Oahu Metropolitan Planning Organization
OP – State of Hawaii Office of Planning
ORTP – Oahu Regional Transportation Plan
OWP – Overall Work Program
PAG – Pima Association of Governments
PPP – OahuMPO Public Participation Plan
RTA – Regional Transit Authority
STP – Surface Transportation Program
TAP – Transportation Alternatives Program
TAC – Technical Advisory Committee
TAZ – Traffic Analysis Zones
TIP – Transportation Improvement Program
TMA – Transportation Management Area
TOD – Transit Oriented Development
U.S.C. – United States Code
UPWP – Unified Planning Work Program
V/C – Volume to Capacity Ratio

Section 1: Introduction

The Oahu Metropolitan Planning Organization (OahuMPO) has undertaken this comprehensive Planning Process Review to identify ways to improve the continuing, cooperative, and comprehensive (“3-C”) planning process¹ between the OahuMPO and its participating agencies, other departments and agencies, and the public. The goal of this effort is to provide work products and programs that not only meet applicable federal requirements but that enhance the multimodal transportation planning process on Oahu.

To accomplish this goal, a thorough assessment of where the OahuMPO is today, a clear vision for the OahuMPO’s future, and a plan of action for implementing necessary changes to metropolitan planning processes, procedures, and work products to achieve the vision was completed. The process for completing these activities, the milestones accomplished to-date, and subsequent steps required beyond this effort are documented in this report. Appendices referenced within this document are provided under separate cover in the OahuMPO’s *Planning Process Review Support Appendices* document, dated September 30, 2015.

Metropolitan Planning on Oahu

OahuMPO History

The OahuMPO is the agency formed under federal law to provide a forum for local decision-making on transportation issues for the island of Oahu. Under the Federal Surface Transportation Assistance Act of 1973, the formation of a MPO is required for any urbanized area with a population greater than 50,000 to ensure that decisions for expending federal dollars for transportation projects and programs are made through the 3-C planning process.² This includes developing a long-range regional transportation plan and transportation improvement program that encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within its jurisdiction.³

Urbanized areas with populations of 200,000 or more are designated by the United States Secretary of Transportation as a Transportation Management Area (TMA) and are thereby given additional responsibilities and authority.⁴

The OahuMPO was created in December 1975 by Chapter 279-E, Hawaii Revised Statutes (HRS) and is a Transportation Management Area, or TMA MPO.

¹ 23 U.S.C. 134 (d)(1).

² 23 U.S.C. 134 (d)(1).

³ 23 U.S.C. 134(a) and (d)(1).

⁴ 23 U.S.C. 134 (k)(1).



OahuMPO Planning Area and Partner Agencies

There are currently two urbanized areas on Oahu, the Honolulu urbanized area and the Kailua-Kaneohe urbanized area. In 1992, the OahuMPO planning boundary was expanded to include the entire island of Oahu.

Most MPOs on the US mainland have members representing numerous local governments and public transportation operators within the urbanized area. OahuMPO is unique because there is one local government on the island, the consolidated City and County of Honolulu (City). Public transportation operators on Oahu include the Honolulu Authority for Rapid Transportation (HART), which oversees construction and operation of the island's elevated rail system, and TheBus, which operates under the City Department of Transportation Services (DTS) and provides fixed-route and paratransit service on Oahu.

The Hawaii Department of Transportation (HDOT), responsible for overseeing activities on state roads on Oahu, is a participating agency of the OahuMPO. In addition to the City and HDOT, HART was added as a third participating agency after the most recent federal transportation funding package, Moving Ahead for Progress in the 21st Century (MAP-21), was signed into law in July 2012. MAP-21 required that by October 1, 2014, each TMA MPO include representatives of public transportation operators on its policy board.⁵ To comply with this requirement, the Executive Director and CEO of HART was added to the OahuMPO Policy Committee.

OahuMPO Organization

The decision-making authority of an MPO lies within the policy board of the organization established by the federal designation process.⁶ For all intents and purposes, the MPO policy board is "the MPO." For the OahuMPO, the decision-making body is called the Policy Board. The Policy Board was established on July 1, 2015.⁷ Prior to this date, the decision-making body of the OahuMPO was called the Policy Committee. While no longer in existence, this document may refer to the OahuMPO Policy Committee when describing historical events.

The Policy Board is currently supported by the OahuMPO Executive Director, staff, and two advisory committees: the Technical Advisory Committee (also referred to as the TAC) and the Citizen Advisory Committee (also referred to as the CAC). The Policy Board Bylaws, approved by the Policy Board on July 20, 2015 identify a third advisory committee, the Transit Oriented

⁵ 23 U.S.C. 134(d)(2).

⁶Per 23 U.S.C. 134 (b)(2), the term "metropolitan planning organization" means the policy board of an organization established as a result of the designation process under 23 U.S.C. 134 subsection (D).

⁷ A MPO policy board is defined under Section 1 of Act 132, Session Laws of Hawaii 2015. The OahuMPO Policy Board is designated under Section B.1 of the 2015 Comprehensive Agreement and Section 2 of the Designation Agreement between the State of Hawaii and the City and County of Honolulu.

Development (TOD) Advisory Committee. This new advisory committee has not yet been established.

A diagram of the OahuMPO’s organization is shown in Figure 1.

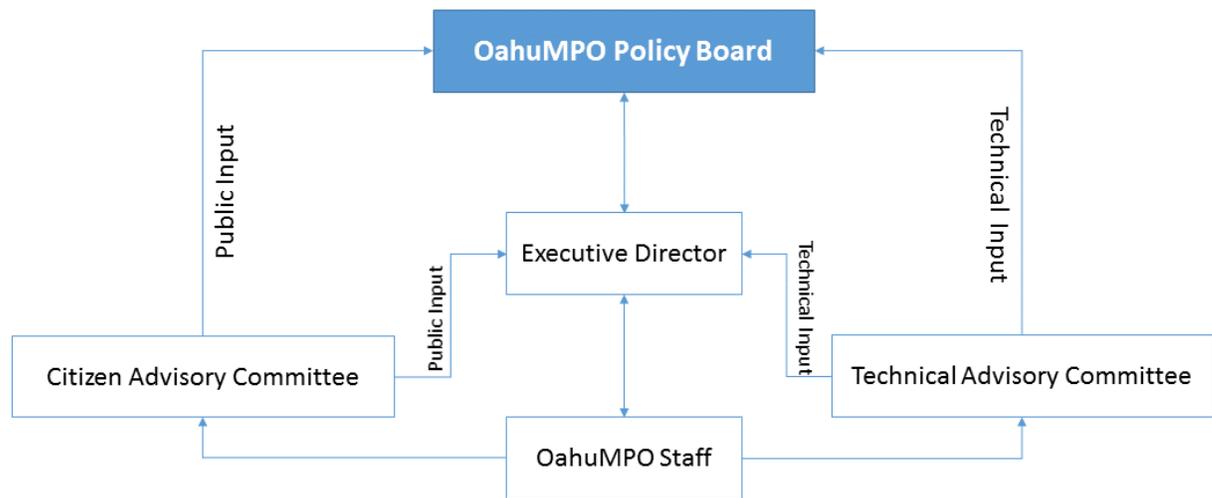


Figure 1: OahuMPO Organization

OahuMPO Required Planning Products

The OahuMPO is responsible for preparing the following planning products through the 3-C planning process.

The Oahu Regional Transportation Plan

The Oahu Regional Transportation Plan (ORTP) is the long-range transportation plan for Oahu that provides a long-term vision intended to guide the investment of public funds in transportation projects. The ORTP must have a minimum planning horizon of 20 years and be updated at least every five years. The 2035 ORTP is the current long range transportation plan for Oahu and the OahuMPO is currently in the process of preparing the 2040 ORTP.⁸

Overall Work Program

The Overall Work Program (OWP) serves as the budget for the OahuMPO. The OWP is an annual listing of transportation planning and programming activities to be undertaken by the OahuMPO in support of the ORTP and other regional metropolitan planning activities during the next fiscal period. MPOs are required to document all activities funded under Titles 23 and 49 of the U.S. Code

⁸Required under 23 U.S.C. 134(i).

(USC) in the annual unified planning work program (UPWP), which is referred to as the Overall Work Program in Hawaii.⁹

Public Participation Plan

The Public Participation Plan documents a MPO's process for including public participation in various transportation planning activities. The OahuMPO Public Participation Plan (PPP) serves to provide citizens, affected public agencies, and all other interested parties a reasonable opportunity to be involved in the development of MPO plans and programs.¹⁰

Transportation Improvement Program

The Transportation Improvement Program (TIP) is a fiscally constrained document intended to reflect the OahuMPO's prioritization of projects from the adopted ORTP to be implemented during the TIP program period.¹¹

Congestion Management Process

The Congestion Management Process (CMP) uses a systematic approach to identify congestion within a defined geographic area and to develop and select appropriate strategies to reduce or mitigate the impacts of congestion.¹² As a TMA, the OahuMPO is required to develop a Congestion Management Process.

Project Selection

The OahuMPO is responsible for selecting federally funded projects carried out within the boundaries of the TMA. Projects that are not carried out on the National Highway System (NHS) must be selected for implementation from the approved TIP by the OahuMPO in consultation with HDOT and any affected public transportation operator. Projects that are carried out on the NHS must be selected for implementation from the HDOT-approved TIP in cooperation with the OahuMPO.¹³

Other Regional Transportation Planning Activities

In addition to the above, many MPOs are responsible for a range of other transportation planning and programming activities, either as the lead agency or in consultation with other lead agencies. Examples of other MPO activities include sub-area and corridor studies, bicycle/pedestrian safety

⁹23 CFR 450.308.

¹⁰23 U.S.C. 134(i)(6).

¹¹23 U.S.C. 134(j)(A).

¹²Required under 23 U.S.C. 134(k)(3).

¹³23 U.S.C. 134(k)(4).

plans, livability, sustainability, mixed-use and complete-streets planning studies, and serving as a centralized data warehouse for traffic characteristics and demographic data.

The Planning Process Review

As a TMA, the OahuMPO must be certified jointly by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) at least every four years to ensure that the metropolitan planning process is being carried out in accordance with applicable provisions of federal law.¹⁴ A federal quadrennial certification review of the OahuMPO was conducted in 2011, and the findings presented to the OahuMPO Policy Committee on August 14, 2013.¹⁵ This certification review resulted in one commendation, seven recommendations, and one corrective action.

In the 45 years since the OahuMPO was initially designated, various processes have developed to address planning needs and federal planning regulations that have become accepted standard operating procedures. During this time, Hawaii State law and internal/interagency processes and procedures have not evolved at the same pace. The federal certification review recognized the inconsistencies between federal, state, and local law and required the following corrective action by the OahuMPO and its partner agencies (HDOT and the City) before full certification will be granted to the OahuMPO by the US DOT:

Transparency & 3-C Process: OahuMPO is to work with the appropriate agencies and legislative bodies to bring state statutes, local ordinances, and the Comprehensive Agreement into alignment with current federal statute and regulations.¹⁶

In response to this corrective action, the Policy Committee approved the OahuMPO Federal Certification Review Corrective Action Plan, which outlined the necessary steps to bring the OahuMPO into full compliance with federal regulations. This Planning Process Review was born to conduct a comprehensive assessment of all policies, procedures, and processes to address the corrective action. This includes ensuring that all federal regulations are being met and identifying necessary actions to improve the 3-C process between the OahuMPO and its participating agencies, other departments and agencies, and the public.

¹⁴23 U.S.C. 134(k)(5) and 49 U.S.C. 5303(k)(5).

¹⁵U.S. Department of Transportation Joint Certification Review of the Oahu Area Metropolitan Transportation Planning Process-Final Report, U.S. DOT, May 2013.

¹⁶U.S. Department of Transportation Joint Certification Review of the Oahu Area Metropolitan Transportation Planning Process-Final Report, U.S. DOT, May 2013, pg. 2.

Section 2: Planning Process Review Work Efforts and Milestones

The Planning Process Review began in October 2011 with initial activities undertaken by OahuMPO staff in cooperation with another consultant team. In October 2013, the OahuMPO retained Tindale Oliver in conjunction with Weslin Consulting Services, Inc. (collectively referred to as the Consultant Team) to prepare a detailed action plan that identifies potential changes to OahuMPO processes, procedures, and work products to be implemented over time.

The work tasks under the Planning Process Review contract have evolved to respond to requirements imposed by FHWA and FTA. At the same time, much has been accomplished towards addressing federal requirements and correcting issues identified early in the Planning Process Review. This section describes the Planning Process Review work efforts, changes to the consultant contract, and milestones completed to-date.

Background Review and Issue Identification (Technical Memorandum 1)

The first task undertaken by the Consultant Team was to perform a comprehensive review of OahuMPO policies, procedures, and programs. As part of this, interviews were held with a number of partner agency and stakeholder representatives. Information collected by the OahuMPO staff from interviewing other MPOs known for “best practices” was reviewed. A comprehensive assessment of applicable federal, state, and local laws, policies, and regulations was also undertaken.

The information collected during this effort was synthesized and preliminary project findings were identified. These preliminary project findings were then categorized into “critical” and “key” issues and associated challenges and opportunities were identified for each issue. From this, one critical and five key issues were identified.

Critical Issue: *Address conflicts between federal statutes and state legislation/local ordinances.*

- HRS 279E does not reflect current federal requirements for metropolitan planning.
- HRS 279-E conflicts with federal law by positioning the role of the Policy Committee as advisors to HDOT and the City in the use of federal transportation funds, rather than the decision-making authority for use of these funds in the metropolitan planning area.
- HRS 279E does not distinguish the additional requirements and responsibilities of a TMA MPO from a MPO with an urbanized area that does not meet the population threshold of a TMA.
- HRS 279-E does not accurately reflect the OahuMPO’s responsibilities as a TMA MPO as defined by federal law.

- HRS 279E dilutes the OahuMPO’s role and responsibility of selecting non-NHS projects for prioritization, inclusion and approval in the TIP.

Key Issue #1: *Ensure continuation of funding for metropolitan planning on Oahu.*

- Fund the OWP to continue metropolitan planning activities on Oahu. Funding cannot be withheld by the OahuMPO’s administrative “host” agency.
- Address the corrective actions received from the 2011 and 2014 federal certification reviews to bring the OahuMPO into full compliance with federal regulations and avoid de-certification and subsequent withholding of federal funds.

Key Issue #2: *Clearly define the role of the MPO as a decision-maker, consistent with federal statutes.*

- More clearly define the OahuMPO’s role as the decision-maker on the use of federal-aid transportation funds and empower the decision-making authority of the Policy Committee and the relationship of the OahuMPO to its partner agencies.
- Establish clear performance measures to meet the federal requirements and support the transportation decision-making process.¹⁷ This includes establishing a process for tracking progress towards attainment of critical outcomes for the metropolitan planning area that are coordinated with state agencies and public transportation providers, to the maximum extent practicable.
- More clearly define the role of the OahuMPO concerning regional multimodal transportation planning projects.
- Evaluate potential changes to the organizational structure of the OahuMPO to better support its role as the decision-maker for the use of federal-aid transportation funds on Oahu.

Key Issue #3: *Address issues related to Policy Committee membership and subcommittees.*

- Evaluate the Policy Committee membership to ensure it is structured to effectively carry out the vision/mission of the OahuMPO and to meet federal requirements.¹⁸
- Establish rules and procedures to strengthen the functionality of the Policy Committee by developing formal bylaws and meeting attendance requirements.
- Rename the “OahuMPO Policy Committee” to the “OahuMPO Policy Board” consistent with federal law¹⁹ and to strengthen the decision-making authority of this body by further distinguishing it in name from other MPO committees whose roles are advisory in nature.

¹⁷ 23 USC 134(h)

¹⁸ 23 USC 134(d)(2)

¹⁹ 23 USC 134(b)(2).

- Establish a regularly meeting schedule for both the OahuMPO Policy Committee and the Technical Advisory Committee and provide agenda materials via the MPO’s website at least one week in advance.
- Evaluate extending the term of the Policy Committee Chair’s position from one year to two-years to provide more leadership stability.
- Evaluate the purpose and composition of the Executive Committee to ensure that it is effectively serving the Policy Committee.
- Evaluate the Technical Advisory Committee membership to ensure it is structured to effectively carry out the vision/mission of the OahuMPO.
- Establish formal rules and procedures (bylaws) to strengthen the functionality of the Technical Advisory Committee.
- Evaluate the Citizen Advisory Committee membership to ensure it is structured to effectively carry out the vision/mission of the OahuMPO and support the Policy Committee.
- Evaluate the need for additional advisory committees or working groups to help the Policy Committee carry out the vision/mission of the OahuMPO.
- Address communication barriers among the OahuMPO Policy Committee, advisory committees, and staff that diminish the capacity of all parties to carry out the 3-C planning process.

Key Issue #4: Address issues related to OahuMPO work products.

- Better integrate and more effectively use public input during the transportation planning process.
- Address a clear disconnect between the technical analysis process and public input aspects of the ORTP and list of projects ultimately included in the plan.
- Enhance the CMP to be of more value to the transportation planning process.
- Better integrate projects identified by the CMP and projects identified in the ORTP and subsequently programmed in the TIP.
- Develop a more formal project selection and prioritization technical process for developing the TIP.
- Improve the timeliness of participating agencies in developing the OWP.
- Better define the role of public and Citizen Advisory Committee during the OWP project selection and prioritization process.
- Provide a more formal process for committing and receiving local matching funds for the OWP.

Key Issue #5: Address issues related to OahuMPO staffing.

- Evaluate the staffing needs of the OahuMPO, including the role and administrative authority of the OahuMPO Executive Director and additional staff needs or organizational modifications.

The findings of the background review in support of the above critical/key issues are documented in the technical memorandum titled *Oahu Metropolitan Planning Organization Planning Process Review Project: Technical Memorandum* (February 11, 2014). This document provides detailed information on OahuMPO functions, policies, and procedures as of this date and discussion of how these critical/key issues were developed. A copy of this technical memorandum is provided in Appendix A.

New Vision, Mission, and Goals for OahuMPO (Technical Memorandum 2)

The findings documented in Technical Memorandum 1 also formed the basis of developing the draft Vision statement for OahuMPO. Along with the draft Vision, a draft mission statement, goals, and action items to support each goal were prepared and documented in a second technical memorandum titled *Development of Preliminary OahuMPO Vision, Mission, and Action Items* (March 10, 2014). A copy of this technical memorandum is provided in Appendix B.

Input on each of these draft items was solicited from the OahuMPO Policy Committee, Technical Advisory Committee, Citizen Advisory Committee, and OahuMPO staff via an online tool. The draft Vision, Mission, Goals, and Action Items were refined from the comments received and documented in a subsequent document titled *OahuMPO Planning Process Review Feedback Tool Analysis* (June 27, 2014). A copy of this document is provided in Appendix C.

The vision, mission, and goals of the OahuMPO developed through this effort are provided below. The vision statement is designed to reflect where the OahuMPO wants to be, communicating both the purpose and values of the organization to the citizens of Oahu. The mission statement identifies actions undertaken to achieve the vision. To further support the vision and mission, three goals were identified to measure progress towards achieving the vision. Within Technical Memorandum 2, a series of immediate, short-term, and longer-term action items were also identified for each goal to create a road map for how the OahuMPO's vision could be implemented over time.

Vision Statement

Provide high-quality regional planning services to Oahu.

Mission Statement

Create value in regional planning through exemplary service, public engagement, innovation, leadership, and strong partnerships at all levels.

Goals

Goal 1: Ensure compliance with federal metropolitan planning requirements for the OahuMPO Transportation Management Area.

Meet the requirements of all federal statutes and regulations governing Transportation Management Areas to further the OahuMPO's value as an effective and respected regional planning resource and as a policy leader for expending federal-aid transportation funds under the continuing, cooperative, and comprehensive planning (3-C) process.

Goal 2: Empower and strengthen the OahuMPO's role as a decision-maker in the regional planning process.

Create a highly effective and efficient decision-making board that is advised by strong citizen and technical committees, maximizes all available tangible and intangible resources, and leverages the knowledge and experience of the community and partner agencies during all transportation planning processes.

Goal 3: Plan for sustainable and livable communities on Oahu.

Prepare plans and provide services to support and guide growth in an economically-focused, sustainable, and responsible manner, respecting the significant cultural, historical, and environmental assets found on Oahu.

2014 Federal Certification Review and Contract Amendment

The background review and vision, mission, and goal development were the primary work efforts to be completed under Task 1 of the initial Planning Process Review consultant contract. The contract outlined two subsequent tasks to develop a detailed implementation plan and recommendations for addressing the critical/key issues identified under the first task. Towards the end Task 1, FHWA and FTA announced that another joint certification review would be conducted outside of the quadrennial process. This subsequent certification review was completed June 2-5, 2014, and the Final Certification Review Report was issued September 26, 2014. A copy of the 2014 Final Certification Review Report is provided in Appendix D. This 2014 Final Certification Review Report replaces, in entirety, the findings of and actions required by the 2011 TMA Certification.

In its report, the Federal Review Team noted that "Since the 2011 TMA Certification, the FHWA-Hawaii Division Office and FTA-Region 9, have become increasingly aware of continued and escalating challenges that appear to be limiting the TMA's ability to meet the intent of federal planning rules."²⁰ The findings of this Federal Certification Review speaks to the seriousness of the issues with the 3-C process on Oahu and the intent of FHWA and FTA to correct the issues of non-

²⁰ Oahu Metropolitan Planning organization TMA Certification Review, Final Report, September 26, 2014, Pg. 1.

compliance with the federal regulations in an expedited manner. Among the Joint Federal Certification Review Team’s findings is a list of corrective actions categorized into three tiers.²¹ The Federal Review Team has also provided a list of recommendations based on national best practices for the OahuMPO to consider.²²

Tier 1 Corrective Actions

The Tier 1 corrective actions reflect activities necessary to support a fully functioning 3-C process as described in 23 CFR 450 and are fundamental to the success of the OahuMPO to meet all other planning requirements. The Tier 1 corrective actions identified by the Federal Review Team closely mirror the critical/key issues previously identified by Consultant Team in Technical Memorandum 1.

The Federal Review Team provided a deadline for completion for each Tier 1 corrective action. If each Tier 1 corrective action is not adequately addressed by the stated deadline, FHWA and FTA will not certify the MPO planning process, resulting in a withholding of 20 percent of the federal apportionment attributed to the metropolitan planning area.²³ Non-certification would remain in place until compliance is demonstrated through the resolution of any outstanding Tier 1 corrective actions.

The following is a list of the Tier 1 corrective actions identified by the Federal Certification Review Team:

Revise HRS 279-E to ensure appropriate authority for the OahuMPO to comply with applicable federal laws.

Deadline for completion: Within 60 days of the conclusion of the 2015 legislative session.

Revise the 2008 Comprehensive Agreement to reflect the 3-C multimodal transportation planning process that will:

- Define the decision-making body as the Policy Board.
- Define the decision-making structure of the MPO and the role and responsibility of each body, e.g. the Executive Committee, Technical Advisory Committee and Policy Board.
- Define Policy Board membership and define the eligibility of ex-officio membership.

²¹ As noted in the 2014 Federal Certification Review Final Report (pg. 9) ,a “corrective action” defines the actions an MPO must take to come into compliance with federal planning regulations under 23 CFR 450 and carry with them compliance deadlines, defining when the corrective action must be resolved, consequences if the corrective action is not resolved by the defined compliance deadline and responsible parties, identifying which person, MPO committee, or participating agency is responsible for taking action to resolve the corrective action.

²² As noted in the 2014 Federal Certification Review Final Report (pg. 9),a “recommendation” reflect improvements to the MPO based on proven national practices that the MPO may benefit from implementing. Recommendations are not tied to federal law or requirements and are not mandatory for compliance.

²³ Per 23 CFR 450.334(b)(2). For Oahu, this equates to approximately \$12 million in federal highway and transit funds.

- Define the eligibility of designated alternates within the MPO decision-making structure to ensure the opportunity for meeting quorum.
- Define the use of sub-agreements.
- Define the funding structure of the MPO including member contributions.

Deadline for completion: July 26, 2015 (10 months from issuance of Final Certification Review Report)

Prepare signed interagency agreements with individual OahuMPO member agencies or groups of member agencies to specify roles and responsibilities for the following:

- **Administrative Agreement** between OahuMPO and the host agency (currently HDOT) outlining roles, responsibilities, and required administrative procedures including staffing and procurement.
- **Financial Agreement** between the OahuMPO and member agencies for consistent and dependable financial support for the OahuMPO's operation and formalizing funding for OWP planning activities.
- **Data-Sharing Agreement** between the OahuMPO and member agencies for the collection, maintenance, and sharing of data necessary to carry out the metropolitan planning functions.

Deadline for completion: July 26, 2015

Prepare and approve bylaws for the Policy Committee, Executive Committee, and Technical Advisory Committee that address:

- The function and role of the body within the MPO structure.
- Role and responsibility of member agencies.
- Define the use of proxies or designated alternates and their relationship to voting and quorum.
- Define a regular meeting schedule and time.
- Define the process for the delivery of meeting materials.
- Define new member orientation and education processes.

Deadline for completion: July 26, 2015

Following the 2014 certification review process, the Planning Process Review contract was modified to enable the Consultant Team to better assist the OahuMPO in addressing these Tier 1 corrective actions by the stated deadlines. The updated revised contract also includes preparing this report summarizing the Planning Process Review activities, outcomes, and next steps.

Tier 2 Corrective Actions

Tier 2 corrective actions reflect activities necessary to facilitate the development and execution of key MPO planning requirements under 23 CFR 450 for which the OahuMPO is responsible. If each Tier 2 corrective action is not sufficiently addressed by the stated deadline, then the consequence will be non-approval of the FY 16 OWP and/or OahuMPO portion of the FY 16 State Transportation Improvement Plan (STIP). Non-approval means that the projects identified in the OWP or OahuMPO portion of the STIP would not be eligible for federal funding, continuing until compliance is demonstrated through the resolution of all outstanding Tier 2 corrective actions and federal approval is given for the OWP or Oahu portion of the STIP.

Tier 2 corrective actions include:

- Identify and document procedures for the development and approval of key planning products, e.g. the ORTP, OWP, and TIP.
- Develop and document a list of available planning data among partner agencies, and the protocols for interagency transportation planning data collection, maintenance and sharing.
- Update and approve the CMP. The revised CMP must include procedures to implement CMP outcomes and influence project selection for the ORTP and TIP. The CMP must also include performance measures that demonstrate the effectiveness of congestion reduction strategies.

Deadline for completion: All Tier 2 corrective actions must be completed within 12 months from issuance of final certification report, or September 26, 2015.

Tier 3 Corrective Actions

Tier 3 corrective actions reflect activities necessary to meet key MPO planning document requirements under 23 CFR 450 to support and reflect the 3-C planning process.

A deadline for completion has been identified for all Tier 3 corrective actions, which address the OWP, ORTP, TIP, and PPP.

Required OWP Preparation and Content Improvements:

The OWP must document all planning studies, processes, and programs funded through the MPO with federal funds regardless if they are current or on-going projects. The same level of information should be provided to ensure funding is available and to provide a full outline of the OahuMPO's planning program.

Deadline for completion: With the Policy Board's approval of the FY 2016 OWP.

Required ORTP Preparation and Content Improvements:

- Consult with state and local agencies responsible for land management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the transportation plan.
- The ORTP must include a discussion of the types of potential environmental mitigation activities and potential areas to carry out these activities.
- The ORTP must demonstrate and document implementation of the approved CMP.
- The final ORTP must include a documented disposition of public comments received.
- The ORTP must include documentation of the analysis completed for Title VI/ Environmental Justice (EJ).

Deadline for completion: With the Policy Board's approval of the next ORTP update.

Required TIP Preparation and Content Improvements:

- The final TIP must include a documented disposition of public comments received.
- The TIP must demonstrate and document implementation of the approved CMP.
- The TIP must include documentation of the analysis completed for Title VI/EJ.

Deadline for completion: With the Policy Board's approval of the next TIP following the issuance of this report.

Required Public Participation Plan Improvements:

- The documentation of the disposition of public comments in the final ORTP and TIP.
- Document explicit outreach techniques to engage traditionally underserved populations (Title VI/EJ).

Deadline for completion: September 26, 2015 (12 months from issuance of Final Certification Review Report).

Recommendations

In addition to the corrective actions, the Federal Review Team provided a list of recommendations based on proven national practices that the OahuMPO may benefit from implementing. Recommendations are not tied to federal law or requirements and are not mandatory for compliance. Resolution of these recommendations are at the discretion of the OahuMPO and therefore no consequences are identified or timeline given for resolution.

Overall Work Program

OahuMPO Staff Technical Capacity Improvements:

- Prepare a five-year strategic plan outlining upcoming planning product deadlines; staff training needs and interests; technical capacity and professional service needs to accomplish planning requirements; administrative procedure/processes deadlines; and new product/planning opportunities and timelines.

OahuMPO Administrative Improvements:

- Establish formal performance reviews and appraisals for the OahuMPO Executive Director and staff to monitor and recognize technical capacity and administrative improvements, needs and successes.
- The Executive Director should engage in focused training in leadership, management, public relations and working with the media in a public position.
- A mentorship program for the MPO Executive Director and staff could help support and improve technical capacities and job satisfaction.

Develop and provide MPO Training Curriculum that outlines:

- The role and responsibility of the OahuMPO for regional transportation planning and programming and the steps necessary to meet requirements.
- The MPO decision-making structure and roles and responsibilities for decision-making; how components of the MPO and MPO products relate to the overall multi-modal transportation planning process.
- How the OahuMPO planning and programming decisions are carried out through and related to member agency decision-making processes and programs.

Oahu Regional Transportation Plan

ORTP Cost Estimation Process:

- The OahuMPO should research how member agencies estimate project costs to better understand consistencies and inconsistencies between agencies and to improve cost estimation for the ORTP.
- The OahuMPO should establish procedures to ensure cost estimates meet specific currency standards to improve support for fiscal constraint of the ORTP.
- The OahuMPO should establish cost estimate update procedures as projects move from the ORTP to the TIP.

Public Participation Plan

Manage CAC expectations in the decision-making process:

- The Policy Board should clarify in the CAC bylaws and in the PPP when in the decision-making process the CAC will be invited to provide comments, any parameters by which the CAC should focus its comments, and how CAC comments will be considered in the TAC and Policy Committee decision-making processes.
- All OahuMPO documented planning processes (OWP, ORTP, TIP) should clearly define how the CAC will be involved, the parameters of its involvement, and how any comments received will be considered by the TAC and Policy Committee.

Milestones Achieved Under the Original Planning Process Review Contract

The following summarizes the major deliverables or work efforts completed under the original Planning Process Review contract. Numerous project team coordination meetings, stakeholder meetings, and other activities were also completed to help develop these documents.

Best Practice MPO Interviews

During the initial phase of the Planning Process Review, a series of interviews with seven other MPOs was conducted to determine the “best practices” these agencies engage in as part of the metropolitan planning process. OahuMPO staff completed this effort independently, working with FHWA to identify peer agencies that had characteristics and challenges similar to those of OahuMPO. In determining the peer MPOs to select, consideration was given to the relative size of the population served, if it was a Transportation Management Association, the level of staffing, and other characteristics recommended by FHWA. Summaries from these interviews prepared by OahuMPO staff were reviewed by the Consultant Team and key findings were incorporated into Technical Memorandum 1.

Highlights of the best practices and other insights gathered from these interviews include:

- Use of standardized meeting dates and times to reduce scheduling conflicts and increase participation of policy boards and committee members.
- Set membership dues to clearly identify financial responsibility of each participating agency.
- Use of sub-committees outside of a technical committee to advise on topics such as the travel demand model, demographics, geographic information systems, and bicycle/pedestrian planning.
- Using the regional platform of the MPO to enhance planning and coordination beyond the minimum federal requirements and to strengthen collaborative relationships with transit, local, and state agencies for cross-jurisdictional planning issues.
- Collection and maintenance of good in-house data, maintaining reciprocal relationships with other data providers (or access to a centralized data warehouse), and having solid

modeling capabilities are necessary to efficiently develop quality work products and promote regional planning efforts.

- Incorporating “outcomes-based planning” into the metropolitan planning process by utilizing performance measures, setting performance targets, and regularly evaluating and reporting on progress.
- Obtaining citizen input through methods other than a standing citizen advisory committee. Interestingly, only one MPO interviewed had such a committee. Instead citizen input was obtained by citizens serving as public representatives on technical sub-committees or through ad hoc public meetings for specific programs or projects.
- Enhancing the public outreach efforts through customized evaluation processes, multi-lingual capabilities, and specific efforts to include military and tribal populations.
- Use of visualization techniques to communicate complex technical processes to the public.
- Providing easy to navigate websites and sending regular e-mail newsletters or project updates to interested parties.
- Including an evaluation of non-auto modes of transportation in the CMP.
- Policy board and advisory committees are comprised of representatives from a number of different local governments or public transportation providers within the urbanized area. This helps strengthen the regional perspective on transportation planning issues, rather than focusing on the goals and desires of a single agency or conflicting goals between only a few participating agencies.

Partner Agency and Stakeholder Interviews

Interviews with federal, state, and local partner agencies and stakeholders were conducted to understand of how effective the OahuMPO is perceived to be in achieving its mission and identifying strengths and weaknesses in its processes and procedures.

Key findings from these interviews are summarized below.

- There is a broad range of confusion as to what the 3-C process is and the role and purpose of the OahuMPO as an organization in carrying out the 3-C process.
- There is confusion or disagreement as to the role and purpose of the Policy Committee, leading to a lack of empowerment or authority of the Policy Committee to operate in the capacity as the decision-making authority for the use of federal funding for transportation planning on Oahu.
- The current organizational structure of the OahuMPO may not be best suited to meet the needs of the organization, its partner agencies, or the public.

- There is confusion or disagreement as to the purpose and function of the Technical Advisory Committee and Citizen Advisory Committee and the role that each should play in the metropolitan planning process.
- Fundamental decision-making elements are missing to help the OahuMPO operate efficiently, such as bylaws, standard meeting times, attendance requirements, and use of information from other committees.
- The OahuMPO Policy Committee does not serve as the decision-maker for the use of federal metropolitan planning funds on Oahu in the capacity as intended by federal statute.
- There are communication issues between the OahuMPO and its partner agencies; between the Policy Committee, Technical Advisory Committee, and Citizen Advisory Committee; and, to some degree, internal to the OahuMPO. These communication issues seem to stem largely from the confusion or disagreement as to the role and purpose of the OahuMPO.
- There is an overall lack of transparency in the overall decision-making process, in part because there is not a defined technical process for selection and prioritization of projects to receive federal funding.
- There is confusion as to the role that public input should play in the transportation planning process and how the public input should flow and be used between the OahuMPO and the partner agencies.
- There is inherent disconnect between transportation and land use planning on Oahu.
- The role of multimodal planning on Oahu, in particular related to bicycle and pedestrian modes, has not been clearly defined.
- There is no centralized data warehouse that the OahuMPO and its partner agencies can use as a resource for regional-level data specific to Oahu.
- The organization and operation of the partner agencies (i.e., operating in “silos”) impacts the 3-C process on Oahu.

Comprehensive Background Review

A comprehensive background review was completed to understand all aspects of the OahuMPO policies, procedures, and programs in order to identify a series of critical/key issues. The results of this background review are documented in the report titled *Oahu Metropolitan Planning Organization Planning Process Review Project: Technical Memorandum* (dated February 11, 2014).

Preparing a New Vision, Mission, and Goals for OahuMPO

The findings documented Technical Memorandum 1 formed the basis of developing the draft vision, mission, and goals for OahuMPO, documented in a second technical memorandum titled *Development of Preliminary OahuMPO Vision, Mission, and Action Items* (March 10, 2014). Once the initial vision, mission, and goals were drafted, feedback from the OahuMPO Policy Committee, the Technical Advisory Committee, Citizen Advisory Committee, and OahuMPO staff was sought via

an online tool. Comments received were reviewed and incorporated. The revised vision, mission, and goal statements are documented in a second document titled *OahuMPO Planning Process Review Feedback Tool Analysis* (June 27, 2014).

Milestones Achieved Under the Updated Planning Process Review Contracts

As previously noted, the Planning Process Review contract was modified twice after the 2014 Federal Certification Review to enable the Consultant Team to better assist the OahuMPO in addressing the Tier 1 corrective actions by the stated deadlines. The contract modifications contained changes to the schedule and scope of services, but retained the original contract funding amount. The following milestones achieved under the updated Planning Process Review contract are described below.

Establishing Permitted Interaction Groups and Subcommittees

Hawaii's Sunshine Law allows for the permitted interaction of three or more members of an elected board to discuss a specific issue outside of a public meeting setting.²⁴ Consistent with state law, two permitted interaction groups (PIG) were formed to review revisions to key documents developed to address Tier 1 corrective actions. One permitted interaction group was formed to represent the Policy Committee (PC-PIG) and one to represent the Technical Advisory Committee (TAC-PIG). Following the review of each Tier 1 deliverable by the PIGs, the PIGs were reformed (re-approved) to address the next Tier 1 deliverable. Individuals involved in these sub-committees were tasked with reviewing and providing input on draft documents that would be taken back to the full Policy Committee and Technical Advisory Committee for review and approval. Both the PC-PIG and TAC-PIG were formed in the Fall of 2014 to review drafts of documents prepared prior to being presented to the Policy Committee and Technical Advisory Committee for review and approval or endorsement.

In addition to the permitted interaction groups, a separate subcommittee of the Citizen Advisory Committee was formed. This subcommittee served in a similar capacity to the permitted interaction groups by providing input on the implementation plan to address the Tier 1 corrective actions from the perspective of the Citizen Advisory Committee.

Repealing HRS 279-E and Drafting of New State Law

Immediately following the 2014 Federal Certification Review, OahuMPO staff, with support from the Consultant Team, began drafting new state legislation relating to metropolitan planning in Hawaii with the goal of replacing HRS 279-E. A memorandum documenting the source material used to develop this initial draft legislation is provided in Appendix E.

²⁴ HRS 92-2.5

While HRS 279-E was specific to the OahuMPO, the new legislation was written to apply to any MPO designated in Hawaii, and includes separate provisions applicable only to TMA MPOs and to OahuMPO. Act 132, Session Laws of Hawaii 2015 was signed by the Governor on June 19, 2015, and became law effective July 1, 2015. A copy of Act 132, Session Laws of Hawaii 2015 is provided in Appendix F.

The overarching purpose of repealing HRS 279-E and establishing a new state law pertaining to metropolitan planning in Hawaii was to eliminate conflicts between HRS 279-E and federal law. In summary, Act 132, Session Laws of Hawaii 2015:

- Removes non-essential language that was previously included in the preamble of HRS 279-E.
- Reflects current federal laws pertaining to metropolitan planning as 23 U.S.C 134 and 135, 23 CFR 450
- Clearly defines the role of the policy board as the decision-maker of the MPO, rather than an advisory body as was written in HRS 279-E.
- Renames the MPO “policy committee” as the “policy board” to reinforce its decision-making authority.
- Defers to the executed comprehensive agreement to outline the organization and structure of the metropolitan planning organization, the roles and responsibilities of the MPO’s member jurisdictions or authorities, and the provision of funding and membership dues. Therefore if federal law changes, revisions to the comprehensive agreement, rather than state legislation, are required.
- Allows for the development of supplemental agreements between the state, county, and other operators of public transportation receiving federal funds.
- Allows for an MPO to be placed under another state department or agency for administrative purposes only, not diminishing the decision-making capacity of the policy board. For TMA MPOs, this administrative attachment is defined between the MPO and HDOT.
- Carries forth in the state treasury a revolving fund for the OahuMPO where member dues, federal funds, and other revenues are deposited.
- Establishes that the MPO policy board membership shall be determined through the comprehensive agreement and allows for the development of policy board and sub-committee bylaws.
- States that a full-time executive director of the metropolitan planning organization shall be appointed by the policy board, who shall be independent of state and county agencies. The roles and responsibilities of the executive director shall be established by the policy board or in the comprehensive agreement.

- The executive director is responsible for hiring and management of any MPO staff. MPO staff shall receive state benefits.
- The policy board shall be responsible for establishing member dues, which shall be outlined in an interagency agreement.
- Meetings of MPO policy boards, advisory committees, or subcommittees are subject to Part I of Chapter 92, HRS. However, for members that serve on other boards and committees, meetings of the policy board shall be a permitted interaction under HRS 92-2.2.5(h).
- The majority of policy board members are required for quorum. Less than a quorum of policy board members may discuss metropolitan planning organization business, without limitation, outside of a duly noticed meeting of the policy board.

New Designation Agreement

On June 17, 2015, the Governor of Hawaii and Chair of the Honolulu City Council signed an agreement establishing the OahuMPO as a TMA MPO pursuant to 23 USC 134(d)(1)(a), 49 USC 5303(d)(1)(A), and 49 CRF 450.310(b), effective July 1, 2015.

Updating the Comprehensive Agreement

On July 20, 2015, the OahuMPO Policy Board approved a new comprehensive agreement consistent with Act 132, Session Laws of Hawaii 2015 in response to the Tier 1 corrective action from the 2014 Federal Certification Review. Prior to this date, the OahuMPO operated under a 2008 Comprehensive Agreement between the OahuMPO, the State of Hawaii, and the City and County of Honolulu.²⁵ The 2008 Comprehensive Agreement references and enforces sections of HRS 279E that are in conflict with 23 USC 134. Act 132, Session Laws of Hawaii 2015 removes this conflicting language and now includes more detail as to the structure and operations of the OahuMPO that were previously contained in HRS 279-E.

Specifically, the 2015 Comprehensive Agreement:

- Clearly defines the OahuMPO organization and structure, including the role of the Policy Board as the decision-making body of the OahuMPO and its membership, consistent with federal law and now state law.
- Requires that a Policy Board member must be a registered voter within, and permanent residents of, the island of Oahu. Under HRS 279-E, members from the State Senate or House of representatives could be appointed to the Policy Board even though they live on and represent islands other than Oahu.
- Requires the Policy Board operate under a set of formal bylaws.
- Provides for the use of and defines ex-officio, non-voting, and alternate members.

²⁵ Comprehensive Agreement dated October 23, 2008.

- Establishes the Technical Advisory Committee and Citizen Advisory Committee as formal advisory committees to the Policy Board and allows for the creation of additional advisory committees at the discretion of the Policy Board.
- Establishes the Policy Board Executive Committee, consisting of the Policy Board Chair, Vice-Chair and two other members as voted by the Policy Board.
- Requires the use of an administrative supplemental agreement between the OahuMPO and its host agency, HDOT, assigning responsibility for administrative tasks between the two agencies.
- Outlines the fiscal and funding responsibilities of the OahuMPO.
- Identifies the specific responsibilities of the OahuMPO Policy Board, Executive Director, and staff to carry out the 3-C process, including the required work programs and products or other regional multimodal transportation planning efforts.

A copy of the executed 2015 Comprehensive Agreement is provided in Appendix G.

Establishing the OahuMPO Policy Board

The Policy Committee of the MPO was renamed as the Policy Board under Act 132, Session Laws of Hawaii 2015 to elevate the decision-making authority of this body consistent with federal law. Under HRS 279-E, the role of the Policy Committee was characterized as an advisory body, directly conflicting with 23 USC 134.

Along with its name, the membership composition of the Policy Board also changed. Under HRS 279-E, the Policy Committee was comprised of 14 members; 6 members representing the City, 1 member representing HART, and 7 members representing the State. Under the 2015 Comprehensive Agreement, the Policy Board is comprised of 11 members; 5 members representing the City, 1 member representing HART, and 5 members representing the State.

Table 1: Comparison of Policy Committee and Policy Board Membership Composition Table 1 compares the membership of the former Policy Committee to the current Policy Board.

Table 1: Comparison of Policy Committee and Policy Board Membership Composition

Body Represented	Policy Committee Membership ²⁶	Policy Board Membership ²⁷
State Senate	Total Members: 3 One (1) of whom shall be the chairperson of the Senate Committee with primary responsibility for transportation issues; two (2) of whom shall be residents of the City and County of Honolulu and appointed by the Senate President).	Total Members: 2 Two (2) members of the Senate, who shall be appointed by the Senate President.
House of Representatives	Total Members: 3 One (1) of whom shall be the chairperson of the House Committee with primary responsibility for transportation issues; two (2) of whom shall be residents of the City and County of Honolulu and appointed by the Senate President)	Total Members: 2 Members shall be appointed by the Speaker of the House.
Hawaii Department of Transportation	Total Members: 1 Member shall be the State Director of Transportation	Total Members: 1 Member shall be the State Director of Transportation
Honolulu Department of Transportation Services	Total Members: 1 Member shall be the Director	Total Members: 1 Member shall be the Director
Honolulu City Council	Total Members: 5 At least three (3) must have primary responsibility for transportation issues.	Total Members: 3 One member shall be the Committee on Transportation Chair, who is picked by the Council Chair; one member shall be the Committee on Transportation Vice-Chair, who is picked by the Council Chair; and one member shall be chosen by the Council Chair from among the remaining Council members.
Honolulu Authority for Rapid Transportation	Total Members: 1 Executive Director	Total Members: 1 Executive Director
Honolulu Department of Planning and Permitting	N/A	Total Members: 1 Director
Total	State: 7 members City: 6 members HART: 1 member Total Policy Committee: 14 members	State: 5 members City: 5 members HART: 1 member Total Policy Board: 11 members

²⁶ HRS 279E-3; 2008 Comprehensive Agreement, Section B.1

²⁷ 2015 Comprehensive Agreement, Section B(a)-(g)

Preparing an Administrative Supplemental Agreement

The OahuMPO has historically been placed for administrative purposes under HDOT. This arrangement is maintained for TMA MPOs in Hawaii, including OahuMPO, within Section 4(b) of Act 132, Session Laws of Hawaii 2015. Section B.8 of the 2015 Comprehensive Agreement requires that the OahuMPO shall enter into an administrative supplemental agreement with its host agency, HDOT, assigning responsibility for administrative tasks between OahuMPO and HDOT.

Discussions between OahuMPO and HDOT on drafts of the administrative were ongoing throughout development of the other Tier 1 corrective action deliverables, but consensus on a final agreement could not be reached prior to the July 26, 2015 initial deadline. To provide the necessary time to finalize the agreement language, FHWA and FTA approved OahuMPO's request for an extension until September 26, 2015 to complete this Tier 1 corrective action. This coincides with the deadline for completing the Tier 2 corrective actions.

The administrative supplemental agreement was approved by the Policy Board on September 21, 2015. The agreement is effective for an initial three (3) year period and may be renewed in writing for subsequent three (3) year terms upon mutual agreement between the Policy Board and HDOT. A copy of the signed Administrative Supplemental Agreement is provided in Appendix H. Highlights of the administrative supplemental agreement are summarized below.

Budget

The OahuMPO is responsible for annually developing and approving the OWP, managing its own budget, maintaining its own records, and providing all necessary documentation required by the HDOT to comply with Chapter 37 HRS and its implementing regulations and policies. HDOT is responsible for overseeing and implementing the established state budget process and ensuring that funds are budgeted for the OahuMPO dues.

Finance

HDOT shall administer and process its planning, programming and program reporting activities as mandated by the Executive Budget Act to meet the OahuMPO's financial obligations. HDOT shall administer the Oahu TMA MPO revolving fund, including payment of expenses/payroll submitted by OahuMPO, draw down of federal funds, and supporting the annual financial audit procured by the State Auditor. The OahuMPO shall establish fiscal policies and procedures consistent with 2 CFR 200, including the establishment of appropriate financial controls to comply with federal and state regulations. The OahuMPO shall report annually to the legislature no later than twenty days prior to the convening of each regular session beginning with the regular session of 2016 on a detailed accounting of the activities of the revolving fund for the previous fiscal year.

Procurement and Contracting

HDOT is responsible for reviewing and approving the form and process of the OahuMPO procurement and contracting activities to ensure fair and equitable treatment of all persons who deal with the OahuMPO, foster full and open competition, and ensure fiscal integrity, responsibility, and efficiency in the procurement and contracting process. Where state funds are involved, HDOT will continue to do so until the OahuMPO develops and approves its own written procurement procedures. Under Section 4 of the Administrative Supplemental Agreement, HDOT delegates procurement authority to the OahuMPO Executive Director provided that the OahuMPO Executive Director meets state requirements to receive procurement authority. HDOT is responsible for providing supporting documentation for OahuMPO procurement and contracting activities pursuant to the approved procurement procedures.

Federal Funding

HDOT is responsible for processing federal funding appropriated to the OahuMPO, and the OahuMPO is responsible for developing and submitting the approved OWP and funding reimbursement requests.

Human Resources

The OahuMPO is responsible for all of its human resources matters. All employees of OahuMPO shall be eligible to receive the benefits of any state or federal employee benefit program generally applicable to officers and employees of the State. The OahuMPO shall track employee work hours, vacation hours, and sick leave hours, except for the OahuMPO staff person responsible for this function (HDOT shall assist with this person's tracking).

Information and Technological Services

While HDOT shall process any OahuMPO computer hardware or software acquisition requests, OahuMPO is responsible for operating and maintaining its own Information and Technology (IT) system, including but not limited to acquisition, installation, access, maintenance, and consultant services.

Ensuring Non-Discriminatory Public Input

HDOT and the OahuMPO have a mutual duty to ensure that a comprehensive transportation planning process is used that incorporates input from the public. HDOT shall advise on Title VI obligations and compliance documents, and perform project management reviews to ensure compliance; assist in the coordination of Title VI Training for the OahuMPO; maintain documentation and statistical data on race, color, national origin and sex on participants and beneficiaries of OahuMPO projects; and advise on ensuring public involvement with OahuMPO's transportation planning process. OahuMPO shall adhere to all federal and civil rights laws; promptly investigate, document, and report all reported civil rights claims; ensure full participation

of all social, economic and ethnic populations impacted by the OahuMPO's planning processes; collect, document, and report data on gender, race and national origin of the public meeting attendees; provide timely and accurate data to the HDOT on Title VI issues; and perform Title VI compliance assessments as part of the annual reviews of the OahuMPO's work and transportation programs.

Reimbursement of Administrative Costs

OahuMPO is responsible for paying administrative costs invoiced by HDOT for its services provided to the OahuMPO. Administrative expenses include but are not limited to time, labor, and necessary material. The total of all reimbursements in a fiscal year shall not exceed the amount of funding budgeted in the approved OWP.

Preparing a Finance Supplemental Agreement

A finance supplemental agreement between the OahuMPO, HDOT, City, and HART was cooperatively prepared and signed by all parties, effective July 1, 2015. The agreement outlines the payment of member dues by the State, the City, and HART necessary to provide local financial support for the function of the OahuMPO. Member dues provide the necessary local match to federal grants to fund the OWP and carry out the 3-C Planning Process, consistent with the terms of the 2015 Comprehensive Agreement.

The term for this initial finance supplemental agreement is three years, providing funding for fiscal years (FY) 2016-2018. The State (HDOT), City, and HART must each contribute a lump sum of \$125,000 annually to the OahuMPO for member dues. This amount of dues was identified as necessary to sustain OahuMPO and would allow OahuMPO to leverage approximately 89 percent of its federal planning grants received from FHWA and FTA to support its operations and planning programs. After this initial three years, the amount of funding will be reviewed and adjusted as needed.

A significant change under the finance supplemental agreement is the pooling of member dues into a single account to fund the OWP rather than a line-item funding by participating agencies. More discussion on this relating to the funding of OahuMPO operations is provided in Section 3. The agreement also clearly stipulates that providing membership dues in no way diminishes the authority of the OahuMPO Policy Board in approving the OWP.

The finance supplemental agreement also outlines reporting requirements, use and lapse of funds, federal participation, and use of federal funds.

A copy of the executed Finance Supplemental Agreement is provided in Appendix I.

Preparing a Data Sharing Supplemental Agreement

A wealth of data and information is required to successfully carry out a regional performance-based metropolitan planning process. Much of this data and information is collected, processed, or maintained outside of the OahuMPO or its members through other state or local agencies. In order to more efficiently and effectively share data required to carry out the 3-C process, a data sharing supplemental agreement has been developed between the OahuMPO and HDOT, Hawaii Department of Business and Economic Development and Tourism (DBEDT), Hawaii Office of Planning (OP), State of Hawaii Department of Health, the City, and HART. The Data Sharing Supplemental Agreement became effective July 1, 2015.

To facilitate a more cooperative data sharing process and discussion of available regional data and tools, the OahuMPO will develop a list of data and information necessary to prepare various plans and work products necessary to carry out the 3-C multimodal transportation planning process. For each data item, the specific agency(ies) to whom the request is being made will be identified and provided to all parties of the agreement for review and comment. Under this agreement it is stipulated that data will remain with the “custodian” agency that shall be responsible for setting all conditions for use of the data, for establishment and maintenance of security agreements as needed, and for determining where and how the data will be stored and maintained.

To achieve the objective of a more coordinated data management and sharing process between the OahuMPO and its member agencies, the OahuMPO may conduct a comprehensive data management and sharing study. Longer term, this may establish a data sharing pool and recommend a program to outline specific policies and procedures concerning the collection, management, and distribution of data to support the local, metropolitan, and state decision-making process. As part of this process, the establishment of a data management subcommittee to oversee the development, research, and analysis of data may be considered.

A copy of the executed Data Sharing Supplemental Agreement is provided in Appendix J.

Preparing Policy Board Bylaws

No formal bylaws previously existed for the OahuMPO Policy Committee, resulting in a lack of defined or documented governance process. As part of the 2014 Federal Certification Review Final Report, FHWA included in the Tier 1 list of corrective actions that bylaws must be established that include written rules and procedures by which the OahuMPO Policy Board will be governed once established by Act 132, Session Laws of Hawaii 2015. On July 20, 2015, the first meeting of the Policy Board was held. During that meeting, the Policy Board approved the *Bylaws for the Policy Board of the Oahu Metropolitan Planning Organization*. These bylaws outline the responsibilities of the Policy Board, membership (voting, non-voting, and use of alternates), rules and procedures for members, the process for conducting business, and amendment procedures. These bylaws also

establish a new TOD Advisory Committee. The bylaws were developed consistent with federal law, state law under Act 132, Session Laws of Hawaii 2015, and the 2015 Comprehensive Agreement.

A copy of the adopted Policy Board bylaws is provided in Appendix K.

Preparing Technical Advisory Committee Bylaws

As with the Policy Committee, no formal bylaws previously existed for the OahuMPO Technical Advisory Committee. The Tier 1 list of corrective actions in the 2014 Federal Certification Review Final Report required the establishment of formal bylaws for the OahuMPO Technical Advisory Committee. On July 16, 2015, the Technical Advisory Committee endorsed the *Bylaws for the Technical Advisory Committee of the Oahu Metropolitan Planning Organization*. These bylaws were subsequently approved by the Policy Board at its first meeting on July 20, 2015. These bylaws follow the same format as the bylaws established for the Policy Board by outlining the responsibilities of the Technical Advisory Committee, membership (voting, non-voting, and use of alternates), rules and procedures for members, the process for conducting business, and amendment procedures.

Through its bylaws, the role of the OahuMPO Technical Advisory Committee is defined as follows:

*The TAC provides the technical input to carry out the continuing, cooperative and comprehensive multimodal transportation planning process for the OahuMPO. The members of the TAC will participate as representatives from and technical experts of their governmental agency; and as a whole the TAC shall serve as the technical advisor to the Policy Board and the OahuMPO Executive Director.*²⁸

A copy of the adopted Technical Advisory Committee Bylaws is provided in Appendix L.

Preparing Executive Committee Bylaws

As with the Policy Committee and Technical Advisory Committee, no formal bylaws previously existed for the OahuMPO Executive Committee. The Tier 1 list of corrective actions in the 2014 Federal Certification Review Final Report required the establishment of formal bylaws for the OahuMPO Executive Committee. At its first meeting on July 20, 2015, the Policy Board endorsed the *Bylaws for the Executive Committee of the Oahu Metropolitan Planning Organization*. These bylaws follow a consistent format as the bylaws established for the Policy Board and Technical Advisory Committee by outlining the responsibilities of the Executive Committee, membership (membership changes, non-voting members, and alternates), rules and procedures for members, the process for conducting business, and amendment procedures.

Through its bylaws, the role of the OahuMPO Policy Board Executive Committee shall:

²⁸ Section I.A.1 of the *Bylaws for the Technical Advisory Committee of the Oahu Metropolitan Planning Organization* (July 20, 2015).

1. *Provide a forum for informal conversation and discussion about matters important to OahuMPO and the 3-C planning process;*
2. *Consider, evaluate, and vet ideas and strategies, as needed, before they are ready to be put before the full Policy Board for action;*
3. *Provide informal guidance to OahuMPO staff between Policy Board meetings or as needed when timely meetings of the full Policy Board are not possible;*
4. *Be a standing sub-committee of the Policy Board;*
5. *Not act as a decision-making body, but rather, a deliberative one which may make recommendations to the Policy Board.*

A copy of the adopted Executive Committee bylaws is provided in Appendix M.

Preparing New Policy Board Membership Orientation Materials

The Policy Board bylaws²⁹ require that new members participate in a mandatory training session with the Executive Director to provide the necessary background information on the 3-C process; history, operations and functions of the OahuMPO; organization of the OahuMPO; and required work programs and products. The bylaws also stipulate that the Policy Board will receive an annual “refresher” course on the roles and responsibilities of the OahuMPO, including its Policy Board and any standing committees; federal, state, and local laws; and programs, processes and procedures, and work products that are the responsibility of the OahuMPO. To enable this process, OahuMPO staff has prepared an orientation packet that includes a PowerPoint presentation. It is anticipated that this material will evolve over time as new member orientation and annual Policy Board trainings occur.

A copy of the new Policy Board membership orientation materials is provided in Appendix N.

Preparing MPO Work Program Process and Procedures Documents

As noted during both the 2014 Federal Certification Review and Planning Process Review efforts, OahuMPO staff and member agencies and MPO staff expressed confusion and conflict over the roles and responsibilities to develop and administer required metropolitan planning work programs, including the OWP, ORTP, and TIP. The 2014 Federal Certification Review identified the need to document specific procedures for the development and approval of key planning products as a Tier 2 corrective action. In response to this corrective action, OahuMPO staff prepared the following process and procedures documents, all of which were approved by the Policy Board on September 21, 2015, including:

- *OahuMPO Overall Work Program Process and Procedures (see Appendix O)*

²⁹ Section III.E of the *Bylaws for the Policy Board of the Oahu Metropolitan Planning Organization*(July 20, 2015)

- *Oahu Regional Transportation Plan Processes and Procedures* (see Appendix P)
- *OahuMPO Transportation Improvement Program Policies and Procedures* (see Appendix Q **Error! Reference source not found.**)
- *OahuMPO Congestion Management Process and Procedures* (see Appendix R)
- *OahuMPO Public Participation Plan Development Procedures* (see Appendix S)
- *Title VI and Environmental Justice Policies and Procedures* (see Appendix T)
- *List of Planning Data Policies and Procedures* (see Appendix U **Error! Reference source not found.**)

These documents define the federal regulations governing each work product, the overall process/schedule, applicable planning priorities and performance metrics, and more clearly define the roles and responsibilities of the OahuMPO and participating agencies during the development/update process. The Consultant Team’s review of these documents found them to be comprehensive and complete.

OahuMPO List of Planning Data

The OahuMPO List of Planning Data, born from the Data Supplemental Agreement, is a new document that will be prepared by OahuMPO staff for the purposes of identifying and coordinating available data necessary to develop, maintain, and update its core planning products.

The OahuMPO Data Processes and Procedures document, approved by the Policy Board on September 21, 2015, outlines the steps for initial development and subsequent update of the list of planning data to be available to the OahuMPO.

This document establishes procedures necessary to prepare the List of Available Planning Data through the following tenets:

1. The OahuMPO is committed to supporting a performance-based, data driven strategic decision-making process;
2. Data items which must be delivered in a timely manner to enable staff to produce the required studies, reports, and related documentation;
3. Data can be obtained from readily available sources, through data sharing agreements, through purchase from private sources, or collected in the field;
4. Resources are held in the form of databases, reports, studies, models, tools, and financial data; and
5. The OahuMPO philosophy is to use the best available information to deliver a high-quality product and insure the integrity of the analyses.

It is recognized that regional planning requires coordination of new or existing data sets maintained by different agencies or new data sources. The List of Available Planning Data document identifies four basic types of data used by the OahuMPO, which include:

- Existing public data in the OahuMPO’s possession.
- Existing data in a partner agency’s possession
- Data or models available in OahuMPO’s repository
- Newly created, collected, or purchased data.

The List of Available Planning Data document lists a comprehensive set of information that will be collected for each data source. Initially, and then no less than every six (6) months, the OahuMPO will prepare a draft List of Available Planning Data and request an update to the list from the participating agencies. The responsibilities and actions required of the OahuMPO and participating agencies is summarized in Table 2 and the process for this semi-annual update is illustrated in Figure 2.

The OahuMPO has prepared an initial List of Planning Data that will be distributed to the partner agencies for approval and publication by the end of 2015. A copy of this initial List of Planning data is provided in Appendix V.

Table 2: Agency Responsibilities Reviewing List of Planning Data

Responsibilities	Action Needed	Deadline
OahuMPO	Prepare the List of Available Planning Data, distribute to partners, and offer to meet to discuss availability and format of the requested data	Semi-Annually (with OahuMPO’s Semi-Annual Status Report for Projects Programed in the TIP)
OahuMPO and Partner(S)	Provide written status of the availability of the requested data and the date to be provided	30 days of initial request
Partner(s)	Provide the requested data	60 days of initial request
OahuMPO	Provide the updated list of planning data to the OahuMPO TAC	TAC Meeting

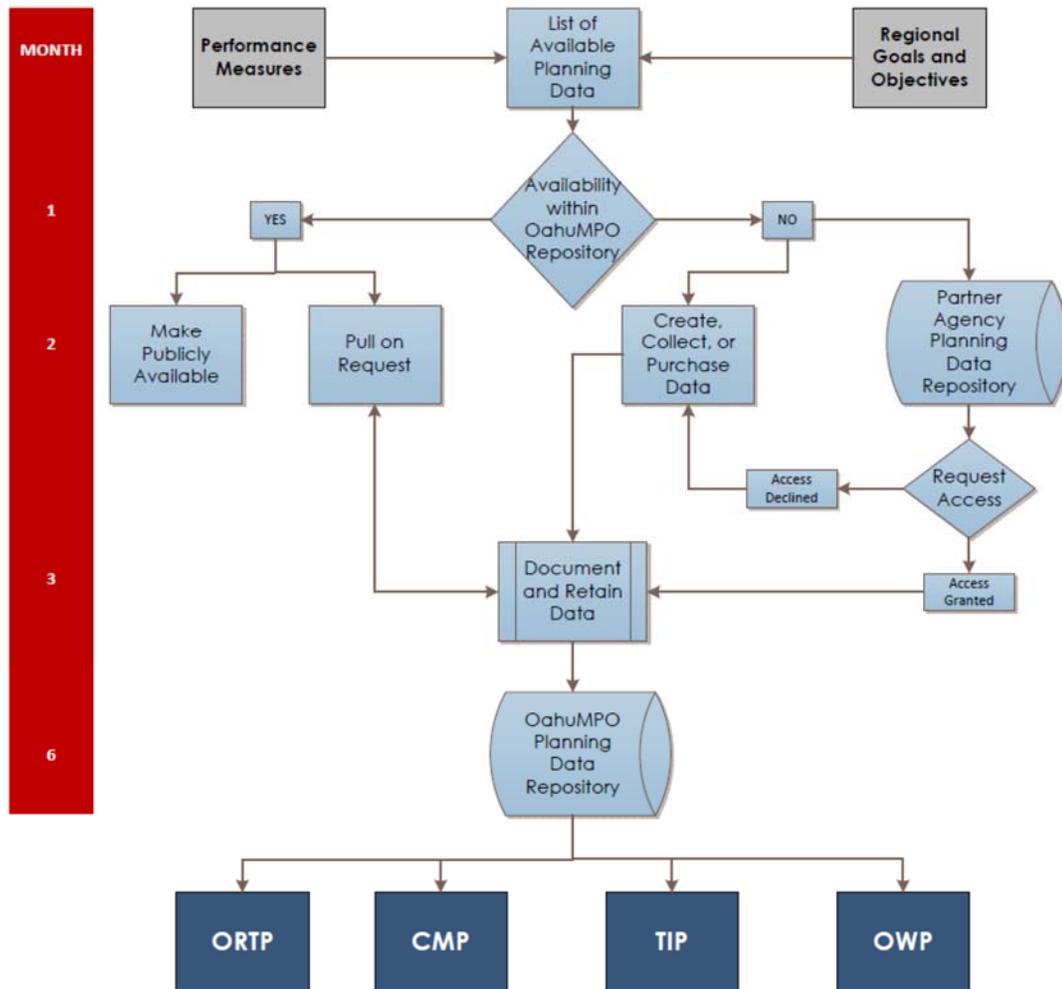


Figure 2: Semi-Annual Schedule for Reviewing List of Planning Data

Section 3: OahuMPO Current Operations

This section describes the operations of the OahuMPO as of July 2015 related to funding, staffing, and MPO work programs. As discussed in Section 2, the OahuMPO and HDOT are in the process of preparing an administrative supplemental agreement to formally assign administrative responsibilities between the two agencies. Therefore current processes or procedures for topics discussed in this section may change based on this final agreement.

Funding

Under Act 132, Session Laws of Hawaii 2015, OahuMPO operations and planning activities are financed through the Oahu Transportation Management Area Metropolitan Planning Organization Revolving fund (referred to hereinafter as the “revolving fund”). Act 132 stipulates that up to \$500,000 be appropriated out of the State Highway Fund and deposited into the revolving fund. This replaces the former revolving fund of \$30,000 established in 1979 under HRS 279-E.

Revenues deposited into the revolving fund include member dues, operating revenue, legislative appropriations, and other gifts, grants, or monies in compliance with federal and state law. The Finance Supplemental Agreement between OahuMPO and its member agencies, effective July 1, 2015, identifies annual member dues to be paid into the OahuMPO revolving fund in a lump sum amount. For FY 2016-2018, dues are \$125,000 per member agency.³⁰ As the State’s Federal Grantor, HDOT receives quarterly reimbursement appropriations of federal grants for the OahuMPO under 23 USC 134-135 and 49 USC 5303-5304. This federal reimbursement revenue is also deposited into the revolving fund to fund the OWP.

All OahuMPO expenses included in the approved OWP are paid for from the revolving fund. The OahuMPO is responsible for reviewing and submitting invoices and requirement documentation from third-party vendors to HDOT for payment. HDOT reviews the invoice and forwards to the State of Hawaii Department of Accounting and General Services (DAGS) for payment. OahuMPO is responsible for receiving payments for third-party vendors from DAGS and sending them to the appropriate party to complete payment. Reoccurring operational expenses, such as rent, salaries, etc. are paid from the revolving fund.

Organization and Staffing

As defined by federal law, the decision-making authority of an MPO lies within the policy board of the organization established as a result of the MPO designation process under 23 USC 134(d).³¹ For all intents and purposes, a MPO policy board is “the MPO.” However, in a broader sense of the

³⁰ Section B.2 of the Finance Supplemental Agreement (July 1, 2015).

³¹Per 23 U.S.C. 134 (b)(2), the term “metropolitan planning organization” means the policy board of an organization established as a result of the designation process under 23 U.S.C. 134 subsection (D).

OahuMPO, the OahuMPO Policy Board is supported by the Technical Advisory Committee, Citizens Advisory Committee, Executive Director, and staff.

The OahuMPO currently employs seven full-time staff positions. Each MPO position must be approved by the Policy Board. Below is a brief summary of the current responsibilities of each position.

Executive Director

The Executive Director is responsible for the conduct and administration of the multimodal 3-C Planning Process. Under Act 132, Session Laws of Hawaii 2015, the OahuMPO Executive Director is a full time position independent of other state or county agencies appointed by the Policy Board. This is consistent with the 2008 Comprehensive Agreement. However, under Act 132 and the 2015 Comprehensive Agreement, the Executive Director is given authority for the recruitment, hiring and management of MPO staff for positions authorized by the Policy Board. Under the 2008 Comprehensive Agreement, the Policy Committee was responsible for the hiring of MPO staff.

Planning Program Coordinator

The Planning Program Coordinator has the overall responsibility for all activities involving the maintenance and update of the ORTP, Title VI/EJ program, and the ITS program. The Planning Program Coordinator also monitors and coordinates with sub-recipients of federal planning grants provided by OahuMPO, supervises, provides directions, and oversees work activities of planners in the conduct and development of various metropolitan planning activities. The Planning Program Coordinator is also responsible for representing the OahuMPO in meetings with agencies and the public.

Senior Planner

The Senior Planner has the overall responsibility for all activities involving the operations of and analysis resulting from the OahuMPO travel demand forecasting model. The Senior Planner also has oversight responsibility for the development, update, and modification of the TIP and its related processes. Along with the Planning Program Coordinator, the Senior Planner supervises, provides directions, and oversees work activities of planners in the conduct and development of various metropolitan planning activities. The Senior Planner is also responsible for representing the OahuMPO in meetings with agencies and the public.

Community Planner

The Community Planner serves as the coordinator for the OMPO Citizen Advisory Committee and public involvement programs. The Community Planner also provides technical support and

assistance to the Executive Director by performing a variety of tasks in various planning projects and analyses.

Data Specialist

The Data Specialist is responsible for collecting, analyzing, and evaluating transportation data, producing geographic information systems (GIS) maps and reports for input into plans and programs. The Data Specialist is also responsible for some administrative tasks, such as preparing correspondence, and performing copying, filing, and mailing.

Finance Specialist

The Financial Specialist is primarily responsible for performing procurement and accounting activities for the OahuMPO. The Finance Specialist also serves as the Disadvantaged Business Enterprises (DBE) Liaison Officer and manages the OahuMPO annual compliance and financial audit activities.

Office Manager

The Office Manager is responsible for oversight of day-to-day administrative activities for the OahuMPO office operations, including documentation of office procedures, coordinating property management activities, conducting research and/or studies for administrative and operational concerns, and presenting findings and interpretations of rules, regulations, policies, and procedures to Executive Director. The Office Manager coordinates the intergovernmental review process for review of OahuMPO documents (such as the OWP and TIP). The Office Manager is responsible for arranging OahuMPO Policy Board and advisory committee meetings and workshops, including coordinating members' attendance, space, time, and materials. The Office Manager is also responsible for quality control of outgoing correspondence and documents for accuracy of information, procedural instructions, clarity, format, etc. The Office Manager maintains personnel records and files for OahuMPO staff, receives telephone and walk-in callers, and serves as liaison between the Executive Director and staff and persons outside the office.

The current organization of the OahuMPO full time positions is illustrated in Figure 3.

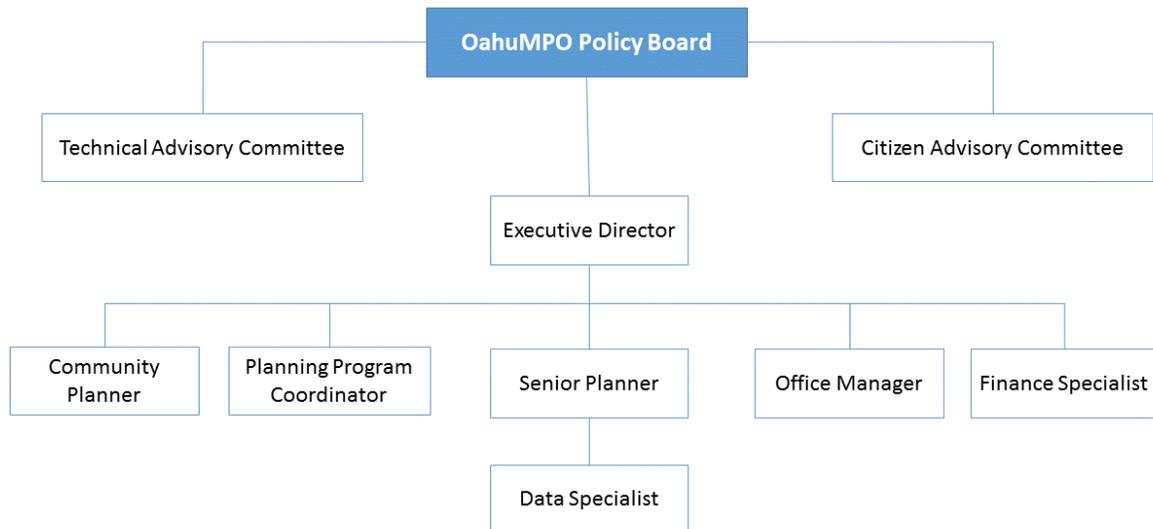


Figure 3: OahuMPO Current Organizational Chart

Administration and Operations

This section characterizes the current administrative processes and operations of the OahuMPO, many of which were formalized in writing through the approval of the Administrative Supplemental Agreement by the Policy Board on September 21, 2015.

Office Space and Equipment

The DAGS oversees the provision of facilities to house office space for state agencies. Because the OahuMPO is administratively attached to a state agency (HDOT), this oversight applies to office space for the OahuMPO. The OahuMPO Executive Director coordinates with the DAGS to procure independent office space with the location approved by the Policy Board. Furniture, fixtures, and equipment purchased by the OahuMPO through OWP funds are the property of the OahuMPO.

Computer and Communication Technologies

The OahuMPO maintains its own computer, internet and technology networks separate from HDOT or any other agency. The cost of procuring, acquiring, installing, and maintaining internet, phone, computers, software, and other communication technology is budgeted in the OWP approved by the Policy Board.

Legal Services

The State DAGS provides legal counsel and services to state agencies throughout Hawaii. Because the OahuMPO is administratively attached to a state agency (HDOT), it is also afforded legal counsel through the State Attorney General’s office.

Human Resources

Per Section 7 of the approved Administrative Supplemental Agreement, the OahuMPO is responsible for all of its human resources matters. All employees of OahuMPO are eligible to receive the benefits of any state or federal employee benefit program generally applicable to officers and employees of the state. The OahuMPO can use all personnel services offered by the State Personnel Office, including recruitment, hiring, and applicable pre-employment testing of its employees. OahuMPO is responsible for tracking employee work hours, vacation hours, and sick leave hours, except for the OahuMPO staff person responsible for this function (HDOT shall assist with this person's tracking). HDOT is responsible for processing OahuMPO payroll.

Financial Audit

Since the OahuMPO is administratively attached to a state department, the annual financial audit is performed by the State Auditor. Per Section 3(b) of the approved Administrative Supplemental Agreement, OahuMPO is responsible working with the financial auditor procured by the State Auditor and is responsible for its annual financial audit and A-133 (single) audit. HDOT is responsible for supporting the OahuMPO's annual financial audit.

Training and Continuing Education

Costs associated with staff training and continuing education is budgeted in the OWP to be approved by the Policy Board. Per Section 7(b)(ii)(6)(b) of the approved Administrative Supplemental Agreement, the OahuMPO is responsible for establishing and maintaining policies and procedures consistent with applicable state and federal laws and regulations for human resources, including those related to training and continuing education opportunities for OahuMPO staff. This is consistent with providing the Executive Director with the responsibility for the hiring and management of all staff under Section 7(a) of Act 132, Session Laws of Hawaii 2015.

Procurement and Contracting

Under Section 4 of the approved Administrative Supplemental Agreement, HDOT is responsible for reviewing and approving the form and process of OahuMPO's procurement and contracting activities. HDOT will continue to do this where state funds are involved until OahuMPO develops and approves its own written procurement procedures. OahuMPO is responsible for providing supporting documentation to HDOT concerning its procurement and contracting activities pursuant to the approved procurement procedures, such as but not limited to: annual notice to providers of professional services, selection committee members and affidavits, project or consultant service advertisement, selection of consultant, negotiations, fee approval, debriefing, response to protests, contract execution, and notice to proceed. Authority for procurement is delegated to the OahuMPO Executive Director provided that this position meets the State requirements to receive procurement authority.

Consultant Management

The OahuMPO Policy Board has the authority to procure consultants or third party vendors for services/projects included in the approved OWP. OahuMPO staff oversees and manages third-party vendors on behalf of the Policy Board based on approved contracts and agreements.

OWP Programs and Development

Overall Work Program

The OWP describes the programs and planning studies to be undertaken by the OahuMPO and also programs the budgetary and staffing requirements for the MPO. The OWP is a two-year rolling document, showing studies and budget for the next two fiscal years that is updated annually. The OWP is a requirement for metropolitan transportation planning activities performed with federal funds provided under 23 USC 134-135 and 49 USC 5303-5304.

The OahuMPO Policy Board is responsible for the approval of the OWP.³² Under the Finance Supplemental Agreement effective July 1, 2015, MPO member dues are collected in an annual, lump-sum amount to match federal funds based on the approved OWP. Prior to this, local funds were identified for each OWP work element and requested in advance of the project starting. This occasionally created conflicts if a member agency did not agree that the work element should be a priority for funding in that the member agency could refuse to provide the local match. There were also instances of the local match not being available at the time the project was to begin.

The Finance Supplemental Agreement is intended to address these issues by requiring member dues be paid to the OahuMPO in one annual lump-sum amount within 30 days of the start of the federal fiscal year³³ and by specifying that member dues will not be linked to any specific OWP project but rather pooled together for the purpose of matching federal funds.³⁴

The process for developing the OWP is documented in the Overall Work Program Process and Procedures document approved by the Policy Board on September 21, 2015. This process consists of three primary activities: call for projects, drafting and approving the OWP, and fiscal management/oversight.

Call for Projects

The OWP covers a rolling two-year time frame to provide the participating agencies with sufficient time to program the necessary local match in their budgets. Only the first year of the OWP is funded, but planning studies and projects are identified for the second year. Now that member

³² Section D.2(c) of the 2015 Comprehensive Agreement; Section D.1 of the Finance Supplemental Agreement (July 1, 2015).

³³ Section B.2 of the Finance Supplemental Agreement (July 1, 2015).

³⁴ Section C.1 of the 2015 Comprehensive Agreement Section D.1 of the Finance Supplemental Agreement (July 1, 2015).

dues are set by the Finance Supplemental Agreement, this process could be reviewed. An early public participation option includes the solicitation of ideas for planning studies and projects from the OahuMPO's Citizen Advisory Committee. OahuMPO staff prepares a list of planning studies and projects identified by the Policy Board, participating agencies, advisory committee members, or public that it intends to pursue.

Drafting and Approving the OWP

Once the proposed studies and projects are identified, the OahuMPO begins an extensive process of seeking input from the public, the CAC, inter-governmental agencies, and the OahuMPO Technical Advisory Committee before the OWP is presented to the OahuMPO Policy Board for endorsement. If more than one entity participates in a project, either the OahuMPO or one of its agencies must be designated as the lead agency. Upon receiving that endorsement, the OWP is submitted to FHWA and FTA for approval.

Fiscal Management and Oversight

To provide appropriate management and oversight including grant applications, project management, and progress and expenditure reporting, the OahuMPO and its participating agencies submit semi-annual progress and expenditure reports that provide the current status of and identify constraints on the studies that are underway. These updates form the basis for the OahuMPO's project oversight, as well as its annual reports to FHWA and FTA, the project status section of the OWP, and the processing of reimbursement requests.

Once the OWP is approved, OahuMPO invoices the participating agencies for their annual dues, based upon the approved Finance Supplemental Agreement, and requests obligation of the funds by HDOT. The OWP Process and Procedures document details how annual base dues are calculated. The Financial Supplemental Agreement sets the annual base dues amount from each of the participating agencies. By terms of the 2015 Comprehensive Agreement, any unencumbered local funds from previous years are used to offset the amount of dues owed in the current fiscal year.³⁵ In addition, any interest earned on deposited local funds is similarly deducted from the amount of dues owed in the current fiscal year. The total deductions are applied equally to the participating agencies.

Planning Priorities

The OahuMPO uses the following criteria when evaluating projects for funding to ensure that limited resources are allocated effectively:

³⁵ Section C.1

1. Projects that fulfill requirements under metropolitan transportation regulations set forth in 23 CFR 450.300.
2. Projects that are necessary to enable the OahuMPO and its participating agencies to support the metropolitan transportation planning process or fulfill other federal, state, or local regulations applicable to this process.
3. Projects that support planning efforts for projects identified in the ORTP.
4. Projects that support planning efforts consistent with the direction set forth in master plans or other planning documents adopted by the OahuMPO, the State, and/or the City.
5. Projects that support planning efforts to enable the State and the City to meet other needs that support Oahu's integrated, multimodal transportation system.

Agency Responsibilities

Each participating agency is responsible for completing their respective work elements in the OWP and providing the required documentation to ensure proper grant management and oversight. In developing the OWP, all proposals for planning studies are submitted in writing by participating agencies and the OahuMPO, who are responsible for:

1. Submitting an OWP Proposed Work Element Form for each proposed planning study.
2. Signing a sub-award agreement.
3. Conforming to federal procedure requirements. This includes performing a cost or price analysis with every procurement in excess of \$150,000. For any selection or evaluation committee established under this process, the OahuMPO must be made a non-voting member.
4. Managing the work element, including working cooperatively with OahuMPO staff for the monitoring of all work tasks, and completing the requirement Progress and Expenditure Report.
5. Maintaining records available to the OahuMPO for review as requested.
6. Requesting prior approval for change in scope or project objective, change in or reduction in involvement of the key person/project manager, inclusion of new costs or funds, reduction or transfer of funds originally budgeted for support costs by the participating agency, new sub—awards, transferring or contracting out any work under the federal award, and changes in the amount of approved cost-sharing or matching provided by the participating agency.
7. Submitting reimbursement requests through the participating agencies fiscal offices, including providing the monthly Disadvantaged Business Enterprise (DBE) payment certification.

8. Completing the work element within the specified period of performance. This schedule may be extended one time by a period of up to 12 months.
9. Submitting draft work products and final report electronically to the OahuMPO.
10. Retaining records, including financial records, supporting documents for no less than three (3) years from the date of submission of the final expenditure report. These records shall be made available to the OahuMPO auditor upon request.

Oahu Regional Transportation Program

The ORTP is the long-range transportation plan for Oahu that provides a long-term vision plan intended to guide the investment of public funds in transportation projects. The ORTP must have a minimum planning horizon of 20 years and be updated at least every five years. The OahuMPO is currently updating the ORTP to a 2040 planning horizon. The process for developing the 2040 ORTP is documented in the Oahu Regional Transportation Program Processes and Procedures document approved by the Policy Board on September 21, 2015. This process consists of the following activities:

Develop the ORTP Public Outreach Plan

Public outreach to be conducted by the OahuMPO and or consultants on behalf of the OahuMPO in developing the ORTP is outlined in a public outreach plan for the ORTP. Activities within this plan should meet or exceed the requirements set forth in the OahuMPO's PPP. The PPP includes policies that ensure early and continuing public involvement in transportation planning and decision-making processes, to ensure adherence to federal requirements.

Prepare Vision Statement and Goals

The OahuMPO works with its participating agencies and Citizen Advisory Group to develop the draft vision statement and supporting goals and objectives for the ORTP. The draft is submitted to the Technical Advisory Committee and Citizen Advisory Committee for recommendation to the Policy Board. The Policy Committee has the potential to amend the vision statement, goals and objectives, as it deems appropriate, prior to approving.

Update Performance Measures

The OahuMPO works with its participating agencies and Technical Advisory Committee to validate that the performance measures included in the prior ORTP remain viable for the current update and identify any changes to the performance measures. Performance measures should be realistic, measurable, and address at a minimum those areas identified by MAP-21. The resulting draft performance measures are submitted to the Technical Advisory Committee for endorsement.

Obtain Econometric Data and Prepare for Modeling

Socio-econometric data from DBEDT and origin-destination data from the Household Interview Travel Survey (HITS) are obtained to update the land use model.

Update the Land Use Model

The OahuMPO, in cooperation with DPP, updates the land use model. The model uses the socioeconomic data obtained from DBEDT and applies it to the Traffic Analysis Zones (TAZs) required for forecasting. The OahuMPO coordinates with the DPP to calibrate the model's output.

Update the Transportation Demand Forecasting Model (TDFM)

The OahuMPO puts the new land use dataset into the model and tests it for reasonable results.

Establish Baseline Projects and Update the TDFM

The TDFM is updated with a set of baseline transportation projects, which include projects that enhance performance at a regional scale, and those that are either currently being constructed or are programmed for construction within the first year of the current TIP.

Identify and Document Existing Conditions

The existing transportation system, land use conditions, and the population and employment data that are used to establish the baseline data for travel patterns on Oahu are reviewed and documented.

Identify and Document Future Conditions

Future conditions with only the baseline projects added to the transportation network are forecasted.

Document Revenue Sources

All established sources of federal, state, and local revenues are identified and documented.

Forecast Revenues

Potential funding generated by each source is forecasted for the years covered by the ORTP. Traditionally, revenue forecasting is "conservative". The preliminary forecasts are provided to the Technical Advisory Committee for comment and to the Policy Board for approval.

Identify Potential Projects

Projects that must be identified in the ORTP include, but are not limited to 1) any project for which federal aid will be sought or that impacts a federal aid roadway, and 2) any project that is considered "regionally significant." There are also several sources for potential projects based on

the future-forecasted land use, population, and employment areas of growth. Each project for potential inclusion in the ORTP must be submitted on a Project Request Form that includes detailed project information.

Analyze Projects based on Performance

All projects proposed for implementation will be analyzed based on performance of the transportation system(s). Projects that rank highly based on performance are given preference over projects that do not rank high.

Conduct Title VI/EJ Analyses

The Title VI/EJ justice analyses associated with the ORTP include the assessment of adverse impacts during the qualification of projects for potential selection, and the production of a document entitled *Title VI and Environmental Justice Compliance Report for the ORTP*. This document provides a detailed report of all actions related to the public and Title VI/EJ outreach associated with the development of the ORTP.

Project Selection

Projects selected for inclusion in the ORTP considers the priority of the project given performance data and Title VI/EJ analyses. The selection also considers any priorities that may have been established throughout the course of the ORTP development by the Citizen Advisory Committee, Technical Advisory Committee, or Policy Board. The list of selected projects is approved by the Policy Board.

Prepare a Fiscally Constrained Plan

The list of selected projects with the amount of funding that is forecasted for the planning horizon is compared. The results are then presented to the implementing agencies to make any necessary adjustments to ensure the projects are fiscally constrained. The final listing of fiscally-constrained projects is then submitted to the Citizen Advisory Committee and Technical Advisory Committee for comment and to the Policy Committee for approval. Any selected project that cannot be included in the ORTP due to lack of funding is to be deemed an “illustrative” project.

Prepare Draft ORTP Document for Review

The ORTP document is drafted, which consists of a summary booklet and a technical report that includes the complete listing of fiscally-constrained projects (as well as those that are illustrative) and a clear financial plan showing expenditures by funding source. A draft of the ORTP document is provided to the OahuMPO’s participating agencies, Citizen Advisory Committee, Technical Advisory Committee, and Policy Board for review and comment.

Prepare Draft Final ORTP Document

Comments received on the draft review document are incorporated into a draft final ORTP document. Copies of the draft final ORTP document are printed for distribution and electronic copies are posted to the OahuMPO's website.

Public Review of ORTP

The availability of the draft final ORTP document for public review is announced to the broadest possible audience. The public review period is a minimum of 60 days, during which comments must also be sought from the standing list of agencies for intergovernmental review. The OahuMPO catalogs and, working with the participating agencies, prepares responses to each comment received. The OahuMPO then publishes all comments and responses as a working paper prior to submitting the draft final ORTP document for approval.

Policy Board Approval the ORTP

The amended draft final ORTP document is presented to the Citizen Advisory Committee and Technical Advisory Committee for their endorsement. The Policy Board then approves the ORTP. Copies of the approved ORTP are delivered to the Governor, FHWA, FTA, and posted to the OahuMPO website.

The process for updating the ORTP and obtaining public and stakeholder feedback is illustrated in Figure 4.

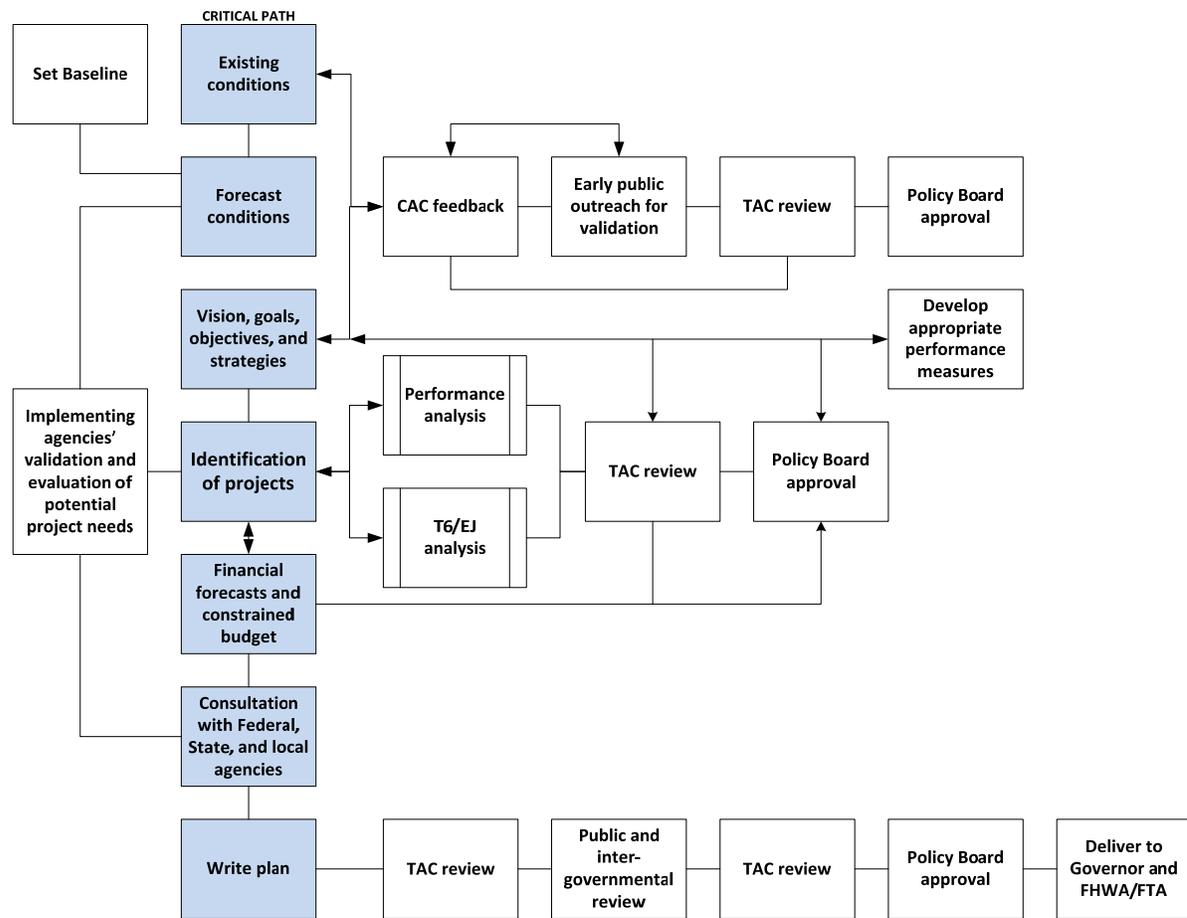


Figure 4: ORTP Workflow and Development Tasks

Transportation Improvement Program

The TIP is a four-year implementation program that identifies federally-assisted surface transportation projects to be undertaken on Oahu by the State, City, and OahuMPO and includes public transit, highway, bicycle, and pedestrian projects. The OahuMPO TIP development process generally spans over a year and is documented in the Transportation Improvement Program Policies and Procedures document, which was approved by the Policy Board on September 21, 2015. This process includes the following steps:

Early Public Input

The development of a TIP update begins with early public input. For example, when developing the FY 2011-2014 TIP, the OahuMPO Citizen Advisory Committee and Freight Task Force developed recommended lists of transportation project to include in the TIP. These recommendations were presented to the Policy Committee for their recommendation when selecting projects for the TIP.

Development of Financial Estimates

The OahuMPO, HDOT, and DTS cooperatively formulate estimates of FHWA funds (based on historic data) that are reasonably expected to be available for projects on the island of Oahu.

Call for Projects

The OahuMPO does a “call for projects” to the implementing agencies. In response, the HDOT and DTS submit projects to be considered for inclusion in the TIP.

Public Outreach on the Draft TIP

Public outreach on the draft TIP includes the following activities:

- Visualization: Maps illustrating the location of each project in the draft TIP are prepared to the extent feasible. Additional interactive project location maps are posted the OahuMPO website that allow the user to “turn off” and “turn on” layers to compare how each proposed project interacts with other plans and programs (e.g., conservation, natural resources, etc.).
- Interested Parties: Opportunities are provided for interested parties to review and comment on the draft TIP project listing and financial plan. The draft TIP is posted on the OahuMPO website during the public comment period. Information on the draft TIP is also distributed to the public via email or direct mail.
- Agency Consultations: Details on the draft TIP are circulated under OahuMPO’s intergovernmental review process. Agencies responsible for planning activities that may be affected by the proposed transportation project are consulted for their perspectives on planning issues, needs, and priorities. Stakeholder agencies are provided with details on each TIP project, as well as the interactive project location maps, and are consulted to ensure compatibility with their respective plans, maps, inventories, and planning documents.
- Responses to Comments Received: All comments received and the MPO’s responses to these comments are provided to the Policy Board for their consideration when selecting projects for the final TIP.

Technical Project Evaluations

Various technical project evaluations are performed on the draft TIP in order to assist the Policy Board in selecting projects. These technical evaluations include compliance with MAP-21 planning factors, detailed project evaluations, consistency with the ORTP, consistency with the Oahu Regional ITS Architecture, Title VI/EJ compliance; and CMP analyses. The Technical Advisory

Committee reviews the results of the technical evaluations prior to making a recommendation to the Policy Board.

Project Selection

After reviewing the results of the agency consultations and the technical analyses, the Technical Advisory Committee makes a recommendation to the Policy Board regarding endorsement of the TIP. The Policy Board approves the TIP after considering and discussing the early project recommendations, public comments on the draft TIP, the results of the technical analyses, and the Technical Advisory Committee's recommendation.

Incorporation of the TIP into the STIP

Following approval by the Policy Board, the TIP is sent to the Governor (or the Governor's designee) for incorporation as the Oahu element of the STIP.

FHWA and FTA Action on the STIP

FHWA and FTA jointly determine whether the STIP is based on a statewide transportation planning process that meets federal requirements.

The processes for developing the four-year TIP is illustrated in Figure 5.

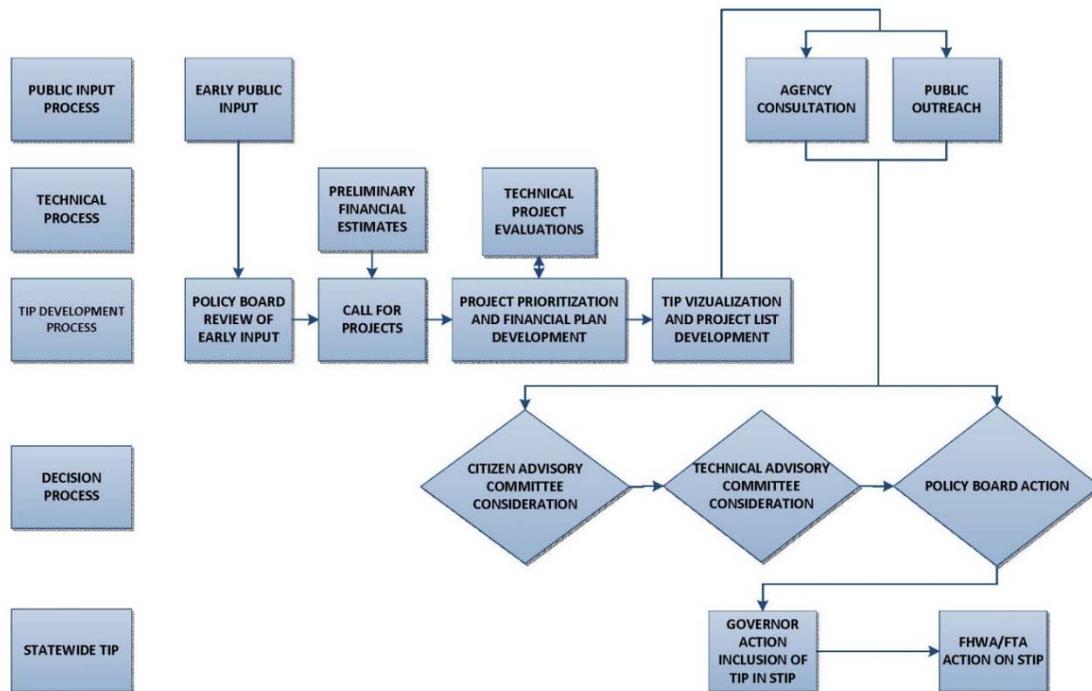


Figure 5: TIP Development Process

OahuMPO Public Participation Plan

The PPP serves as the public participation plan required as part of the metropolitan planning process. The PPP was most recently amended by the Policy Committee on April 10, 2013, and procedures for developing and updating the PPP approved by the Policy Board on September 21, 2015.

PPP Mission and Objectives

The mission of the OahuMPO’s PPP is to seek and encourage public participation by stimulating broad public awareness of, and increased public participation in, the OahuMPO's comprehensive, cooperative, and continuing transportation planning and decision-making process. In support of this mission, the objective of the PPP is to continue to expand its outreach programs by:

- Identifying ways to more effectively involve communities, groups, and individuals, including citizens who are traditionally underserved and underrepresented such as minority and low-income populations.

- Providing interested communities, groups, and individuals with pertinent information in a timely manner.
- Establishing effective means of obtaining feedback from interested communities, groups, and individuals through the transportation planning process.

Title VI/EJ

The PPP states the OahuMPO's intent to eliminate participation barriers and engage minority and low-income populations in its outreach activities. Through the public participation process, the OahuMPO will seek the input of those traditionally underserved by existing transportation systems, such as minority and low-income populations, who may face challenges accessing employment and other services.

Administrative Guidelines and Procedures

The PPP identifies the administrative guidelines and procedures established to implement the PPP public involvement activities under the purview of the OahuMPO, which are subject to the availability of financial and staff resources and the direction of the OahuMPO Executive Director. The administrative guidelines and procedures outlined in the PPP pertain to the following:

- Public involvement opportunities
- Public meetings
- Standing committee meetings
- Distribution of public records
- Interested parties and intergovernmental review
- Public review of draft documents
- Public testimony at meetings of the Policy Committee (now Policy Board)

Title VI and Limited English Proficiency Plan

The OahuMPO seeks to involve the people traditionally underserved in transportation issues. In addition to the outreach activities listed above, OahuMPO may use untraditional outreach strategies that are tailored to fit the affected community, when reasonable. Examples of these outreach strategies are described in the PPP.

Discrimination Complaint Procedures

If a formal complaint regarding Title VI is received, OahuMPO follows the Title VI investigation and complaint procedures developed by HDOT.

Early and Continuous Involvement

Early and continuous involvement opportunities for the development of the ORTP, TIP, and OWP are offered through the Citizen Advisory Committee, the foundation of the OahuMPO's public involvement process. The PPP describes the public participation process for the development of each of these documents.

Performance Metrics

The PPP Development Process document identifies metrics by which OahuMPO will measure attainment of the federal requirements related to public participation and Title VI and attainment of related regional goals and objectives. For each metric, a target for achievement, description of how the metric will be measured, data and resources needed for evaluation, and length of assessment period is provided.

Congestion Management Process

The purpose of the OahuMPO CMP is to identify congested surface transportation facilities, evaluate projects proposed to mitigate congestion, and prioritize these projects using quantifiable performance measures to assist decision-makers in selecting projects for inclusion in the TIP and ORTP. In preparing the CMP for Oahu, the following activities are undertaken:

Selection of Performance Measures

The CMP is used to monitor and analyze the magnitude of congestion on a multimodal transportation system and to plan and implement appropriate actions to alleviate congestion and enhance the performance of the overall transportation system. As such, one of the fundamental issues in developing the CMP is pinpointing performance measures to identify congestion and monitor the effects of implemented strategies in reducing congestion.

In the most recent OahuMPO CMP Performance Monitoring and Evaluation Plan (updated December 2005), performance measures were selected that:

1. had data that are readily available and/or collectable;
2. could be forecasted;
3. are meaningful in the context of objectives that are important to the region; and
4. reflect the resources available to OMPO and the participating agencies.

Performance measures were identified to evaluate projects pertaining to both highway and transit projects for their potential to improve overall system or general facility performance. The following seven performance measures were identified to evaluate and prioritize proposed highway projects:

1. Change in Volume to Capacity (V/C) Ratio

2. List of Congested Roadways
3. Transit Mode Share
4. Vehicle Volume
5. Vehicle Miles Traveled
6. Vehicle Hours Traveled
7. Vehicle Hours of Delay

The following six performance measures were identified to evaluate and prioritize proposed transit projects:

1. List of Congested Roadways
2. Transit Mode Share
3. Transit Trips to Work
4. Vehicle Miles Traveled
5. Vehicle Hours Traveled
6. Vehicle Hours of Delay

Travel Demand Analysis

Each project is input in the future year travel demand model. The project's results are compared with the baseline future year model run to evaluate any changes resulting from the project using the performance measures.

Evaluation of Proposed Projects

For both highway and transit projects, the project results are used to assign points for each performance measure based on a specified point system. For example, for highway projects, the "Change in V/C Ratio" performance measure refers to the project's forecasted impact on the AM peak V/C ratio of the roadway facility on which the project is planned. If the project is forecasted to increase the V/C ratio on the facility as compared to the baseline, it receives 0 points; if it is forecasted to result in no change, it receives 2 points; and if it is projected to decrease the V/C ratio, it receives 5 points. New roadway projects receive 3 points automatically. The total points awarded for each project based on the evaluation of each performance measures are used to prioritize proposed highway and transit projects for inclusion in the ORTP and TIP, based on their potential to improve overall system or general facility performance.

Section 4: Future Implementation Actions

As detailed in Section 2, the OahuMPO, working cooperatively with its member agencies, has made significant achievements in addressing the Tier 1 and 2 corrective actions by the stated deadlines. The OahuMPO is working towards addressing all Tier 3 corrective actions and evaluating the recommendations identified by the Federal Review Team for possible implementation. This also provides an opportunity to identify and evaluate other potential changes that enhance the operational efficiency or capacity of the metropolitan planning process. Potential changes discussed include the organizational structure of OahuMPO (in terms of administrative attachment), staffing resources and needs, and other enhancements to various metropolitan programs and processes. An implementation plan is provided at the conclusion of this section that summarizes these recommendations.

Organizational Alternatives

Act 132, Session Laws of Hawaii 2015 retains the current organizational structure of the OahuMPO as attached to HDOT for administrative purposes only. The Administrative Supplemental Agreement required under Act 132 and approved by the Policy Board on September 21, 2015, more specifically defines the administrative process and responsibilities of both HDOT and OahuMPO.

In preparing revised state legislation and other documents to address the Tier 1 corrective actions, there was not adequate time to evaluate alternatives to the current arrangement. This evaluation requires an in-depth understanding of each organizational alternative to identify the benefits of each, assess what changes from the current arrangement would need to occur, understand the overall process and any legal obstacles, and understand the potential impacts to OahuMPO operations and functionality.

This section provides information regarding alternatives that may be evaluated by OahuMPO. No organizational alternatives that would remove or diminish independence from or authority of the OahuMPO afforded under Act 132, Session Laws of Hawaii 2015, the 2015 Comprehensive Agreement, and the Administrative Supplemental Agreement were considered. The three organizational alternatives discussed within this section include:

- **Retaining the current structure with an alternative administrative agency**—The OahuMPO would remain attached to another agency for administrative purposes only, but this would change from HDOT to another state agency or to the City.
- **Evolving into a “leaning independent” MPO**—In many respects, a leaning independent MPO is consistent with the current structure of the OahuMPO with the exception that the OahuMPO currently receives administrative support from HDOT under state law as opposed to another agency under a *severable* contract.

- **Evolving into a “freestanding independent” MPO**—This is a truly independent agency. The OahuMPO must meet all of its operating needs by itself, including employee benefits, finances, payroll, and purchasing.

Alternative Administrative Agency

The OahuMPO has historically been attached to HDOT through HRS 279-E. Act 132, Session Laws of Hawaii 2015, effective July 1, 2015, retained this administrative attachment but clarified that placement within a county or state agency is for administrative purposes only.³⁶

Under federal law, the MPO Board is the decision-maker on the use of federal-aid transportation funds in metropolitan planning areas. However, the OahuMPO has been largely perceived as an advisory body that must delegate final decisions on project selection and use of funds to HDOT or the City.³⁷ Act 132 was carefully written to remove any language that dilutes the decision-making authority of the OahuMPO consistent with federal law and more clearly delineates the administrative role of HDOT. The approved Administrative Supplemental Agreement even further defines the administrative roles of both HDOT and the OahuMPO. If Act 132 and the Administrative Supplemental Agreement work as intended, then authority of the OahuMPO Policy Board is affirmed consistent with federal law. In theory, this independence established by Act 132 and further affirmed by the 2015 Comprehensive Agreement and supplemental agreements should remain intact even if the administrative oversight is transferred from HDOT to another agency.

Structure

Since responsibilities of the OahuMPO are administrative in nature, there are no anticipated changes to the internal structure of the OahuMPO, including the composition of the Policy Board or committees, if the OahuMPO is placed under another state agency or the City.

Employee Benefits

Pursuant to Act 132, all employees of OahuMPO are eligible to receive the benefits of any state or federal employee benefit program generally applicable to officers and employees of the state³⁸. If administratively attached by another state agency, OahuMPO staff would remain state employees and should experience no changes to their current employee benefits. The City has similar employee benefits to those afforded to state employees and so it is anticipated that there will be minimal changes to OahuMPO employee benefits if the OahuMPO were placed under the City for administrative purposes.

³⁶ Section 3(c)(3), Act 132, Session Laws of Hawaii 2015

³⁷ Section 2, HRS 279-E

³⁸ Section 7(c), Act 132, Session Laws of Hawaii 2015

Accounting

Section 5 of Act 132, Session Laws of Hawaii 2015 establishes OahuMPO's revolving fund in the state treasury and specifies that the revolving fund is to be administered by HDOT. If OahuMPO's administrative agency were to change, accounting functions via this revolving fund could be transferred to the new agency. As Hawaii's Federal Grantor, HDOT would still be responsible for receiving and depositing OahuMPO's quarterly federal reimbursement appropriations into the revolving fund and filing the necessary reports required by FHWA and FTA, independent of other administrative responsibilities.

Changes to Enabling and Administrative Documents

Transferring administrative attachment from HDOT to another state or county agency would require minimal statutory changes. Section 4(b), Act 132, Session Laws of Hawaii 2015, requires that a TMA MPO be attached for administrative purposes to HDOT. This language would need to be modified within the state law if another state or county agency were to assume HDOT's role.

Appropriate changes to the 2015 Comprehensive Agreement would also need to be made, consistent with any changes made to Act 132.

The most significant document change would be required to the Administrative Supplemental Agreement. If another state agency or the City assumes the role of HDOT, a new administrative agreement would need to be drafted between the new agency and OahuMPO. A separate administrative agreement outlining HDOT's remaining responsibilities to receive and deposit OahuMPO obligated federal funds and for any other financial or accounting-related activities may be required.

Legal Representation

The State Department of the Attorney General (AG) provides legal counsel and services to state agencies throughout Hawaii. The OahuMPO is afforded legal counsel through the AG's office because it is administratively attached to a state agency. This would continue if administrative attachment were to remain with another state agency.

The Honolulu Department of Corporation Counsel provides legal advice to and legal representation for all City agencies. If the OahuMPO were administratively attached to the City, then its legal representation would be provided by the Corporation Counsel.

Procurement and Contracting

Per Section 4 of the approved Administrative Supplemental Agreement, HDOT is responsible for reviewing and approving the form and process related to the OahuMPO's procurement and contracting activities. As state funds are involved, HDOT will continue this until OahuMPO develops and approves its own written procurement procedures. If such internal procedures are developed and approved by the Policy Board, they should remain in place even if administrative attachment

changes to another state agency or the City, so long as these internal procedures are in compliance with all applicable federal, state, and local regulations. This would, however, need to be agreed upon and documented in the new administrative agreement between the two agencies.

Administration and Operations

Human Resources and Management of Staff

Section 7(a) of Act 132, Session Laws of Hawaii 2015 authorizes the OahuMPO Policy Board to appoint a full time executive director who shall be independent of state or county agencies. Section 7(b) of Act 132 delegates responsibility of the OahuMPO Executive Director for the hiring and management of all staff. This is further established in Section 7 of the approved Administrative Supplemental Agreement, which states that the OahuMPO shall be responsible for all of its human resources matters. This should not change if an alternative administrative agency is used, but would need to be reaffirmed in the new administrative supplemental agreement.

Office Space

As previously discussed, the DAGS oversees the provision of facilities to house office space for state agencies. If the administrative agency were changed to another state agency, no change would be made to this process. If the City were to assume HDOT's role, then it is anticipated the OahuMPO would coordinate with the appropriate city department/official regarding the leasing of office space. Regardless of the administrative agency, OahuMPO offices should continue to be located independent of any other agency. Furniture, fixtures, and equipment purchased by the OahuMPO through OWP funds would remain the property of the OahuMPO.

Technology

The OahuMPO currently procures and maintains its own computer and IT networks. The cost of procuring, acquiring, installing, and maintaining internet, phone, computers, software, and other communication technology is budgeted in OWP approved by the Policy Board. This process could continue if the administrative agency changes and the OahuMPO and such agency agree that the OahuMPO's technology needs be processed and received internally. The cost of these services would remain to be funded through the OWP.

Benefits and Constraints

Benefits to retaining the current structure with an alternative administrative agency include:

- Least challenging organizational change to implement in lieu of retaining HDOT as the administrative agency.
- No required organizational changes to the Policy Board, committees, or staff are anticipated.

- Minimal changes to state law or the comprehensive agreement are needed. This would, however, require a more robust set of revisions to the administrative supplemental agreement.
- No changes to OahuMPO staff benefits are anticipated if the administrative agency is another state agency. If the OahuMPO is administratively attached to the City, comparable benefits to those the OahuMPO staff currently receive as state employees are anticipated, consistent with benefits afforded to other City staff.

Constraints that may be encountered if retaining the current structure with an alternative administrative agency include:

- Additional time and effort for the OahuMPO and new administrative agency to discuss and agree on administrative procedures documented in a new administrative agreement.
- A need to ensure that the administrative agency clearly understands the purpose and role of the OahuMPO as the decision-maker on the use of federal transportation funds on Oahu. This is necessary so that recent progress to elevate the authority of the OahuMPO consistent with federal law and address the federal corrective actions is not diminished.

The OahuMPO has the opportunity to observe how the administrative relationship between the newly designated Maui MPO and Maui County evolves and functions. Maui County was designated as an urbanized area exceeded the 50,000 population threshold by the 2010 Census, requiring the formation of a MPO on Maui. The Maui MPO is in the process of being formed and will be placed under Maui County for administrative purposes. Once the Maui MPO is operational, leaders from both the OahuMPO and Maui MPO should communicate regularly on various MPO matters, including the benefits and challenges of the different organizational arrangements.

Leaning Independent MPO

A leaning independent MPO is consistent with the current organizational structure of the OahuMPO in that it is administratively tied to another agency. The main difference between the current structure and a leaning independent MPO is that the administrative relationship is formed under a *severable* contract as opposed to a relationship established by state law. This organizational alternative serves as a stepping stone between the current arrangement and complete independence. Under this alternative, the administrative agency could remain HDOT or be transferred to another state agency or the City as discussed under the previous alternative.

Two main activities would need to take place to transition to the OahuMPO from its current organizational structure to a leaning independent MPO:

- **Ability to sever relationship with administrative agency**—A revision to Act 132, Session Laws of Hawaii would be needed to remove the definitive requirement that the OahuMPO be tied to HDOT (or other state agency/City) so that the relationship could be defined

solely in an administrative agreement between the two agencies. As an alternative, the current language regarding the OahuMPO being administratively tied to HDOT (or modified to be another state agency or the City) in Act 132 could remain and then be repealed if the OahuMPO begins the transition to a freestanding independent MPO, in essence severing the administrative relationship between the two agencies. Both require a change to state law to accomplish the same result; however, it is more ideal to make any necessary changes to allow for the transition of the OahuMPO from the current arrangement to a leaning independent MPO, rather than wait to change state law once the OahuMPO and administrative agency agree to sever their relationship so the OahuMPO can transition to a freestanding independent MPO.

- **Potential redefinition of administration functions**—If the language tying the OahuMPO to HDOT (or modified to be another state agency or the City) is removed from state law, then this opens the door to further redefine the responsibilities of the administrative agency over time.

Benefits and Constraints

Benefits to a leaning independent agency include:

- No required organizational changes to the Policy Board, committees, or staff are anticipated.
- Long-term, this provides more flexibility to the OahuMPO should the Policy Board desire to transition more of the administrative responsibilities to the OahuMPO or to transition to a freestanding independent MPO.

Constraints that may be encountered if transitioning to a leaning independent agency include:

- Requiring changes necessary to state law and changing any responsibilities between the administrative agency and OahuMPO would require a more robust set of revisions to the administrative supplemental agreement.
- If a new administrative agency is sought, then there would be additional time and effort needed for the OahuMPO and new administrative agency to agree on an acceptable administrative agreement.
- If a new administrative agency is sought, then there would be a need to ensure that the administrative agency clearly understands the purpose and role of the OahuMPO as the decision-maker on the use of federal transportation funds on Oahu. This is necessary so that recent progress to elevate the authority of the OahuMPO consistent with federal law and address the federal corrective actions is not diminished.

Freestanding Independent MPO

As a freestanding independent MPO the OahuMPO must meet all of its operating needs by itself with no administrative ties or reliance on any other agency. This organizational alternative is the greatest departure from the current structure. This alternative would require a revision to state law completely removing any administrative attachment of OahuMPO to any other agency for any purpose. Under this structure, an administrative agreement with HDOT responding to Act 132 is no longer necessary as the OahuMPO is fully independent. Any administrative functions previously provided by another agency, including employee benefits, purchasing and procurement, legal services, etc. would be transitioned to the responsibility of the OahuMPO, which may provide those services internally or contract with another entity of its choosing to provide such services. Policies and procedures for these now in-house functions would need to be developed, as appropriate. The scope of this study did not allow for an in-depth exploration of all legal issues, barriers, or requirements to permit an MPO in Hawaii to become a freestanding independent MPO. If it is ever the desire of the OahuMPO Policy Board to move the agency toward becoming a freestanding independent MPO, a thorough evaluation of the legal issues must be conducted. A few issues of note did come to light in the course of this review.

Article V, Section 6 of the Hawaii Constitution limits the number of principal state departments by stating that “[a]ll executive and administrative offices, departments and instrumentalities of the state government and their respective powers and duties shall be allocated by law among and within not more than [20] principal departments in such a manner as to group the same according to common purposes and related functions.” There are currently 20 principal state departments in existence and many state agencies are tied administratively to one of these 20 principal departments for administrative purposes, similar to the OahuMPO’s relationship with HDOT. For example, the State of Hawaii OP is not one of the 20 principal state departments, but is tied administratively to DBEDT. While the OP Director reports directly to the Governor on substantive issues, it reports to the DBEDT Director for administrative purposes.³⁹

If the OahuMPO wanted to be a truly independent freestanding agency, it may need to be elevated to a principal state department. This would require an amendment to the Hawaii Constitution as the maximum number of principal state departments currently allowed under the Hawaii Constitution has been reached. According to Article XVII of the Hawaii Constitution, constitutional conventions and legislatively-referred constitutional amendments are the two methods by which the State Constitution can be revised or amended. A legislatively-referred constitutional amendment would be introduced to the House Committee on Judiciary or Senate Committee on Judiciary and Labor.

³⁹ Sections 225M-1 and 225M-2(b), HRS

It is highly unusual for an MPO to also be a State agency. Around the country, many MPOs are formed under joint-powers authority granted by the various states to local jurisdictions. These joint-powers authorities permit multiple local governments to pool their resources to form regional public service providers such as fire departments, for example, or regional utilities. At the conclusion of this review, it was not clear if such regional public service providers are permitted under Hawaii State law. A more thorough legal review would be necessary to determine if it would be permitted. If not, a joint-powers law in Hawaii may be sufficient to allow for the formation of MPOs in the State.

A third option for becoming a free standing independent MPO would be for OahuMPO to be formed as a tax-exempt non-profit organization under Section 501(c)(3) of the Internal Revenue Code. This, too, would be highly unusual as most MPOs around the country are recognized as public entities. It may also require that MPOs be added to the list of procurements that are exempt from State procurement requirements so that the State, City, and HART do not need to competitively solicit and procure MPO services. Again, a more thorough legal review would be needed to determine any issues or barriers to forming an MPO in this manner.

Lastly, it should be noted that the majority of states do not have statutes pertaining to the formation of MPOs, which are mandated under federal laws for all urbanized areas exceeding 50,000 residents. Most MPOs appear to be formed based on those federal laws without requiring any corresponding changes to statutes. Similarly, it may be legally possible for OahuMPO to exist in Hawaii based on the federal mandate without the existence of any State statute in support of it.

Benefits, Constraints, and Opportunities

Benefits to a free standing independent agency include:

- No required organizational changes to the Policy Board, committees, or staff anticipated, though additional administrative responsibilities of Executive Director and staff would be anticipated.
- Ultimately provides complete independence of the OahuMPO with sole authority of the Policy Board over all aspects of OahuMPO operations.
- Removes the need for an administrative agreement to identify the responsibilities of the administrative agency versus the OahuMPO since all responsibilities would fall under purview of the OahuMPO.

Constraints that may be encountered if transitioning to a free standing independent agency include:

- It may require an amendment to the Hawaii State Constitution to increase the number of allowed principal state departments via the House Committee on Judiciary or Senate

Committee on Judiciary and Labor. Other significant changes to Hawaii State laws may also be necessary.

- Requires a revision to Act 132 to recognize the independence of the OahuMPO and remove any administrative ties between the OahuMPO and another agency.
- Requires the OahuMPO to develop internal processes and procedures for new functions previously completed through the administrative agency; requires time and will likely require additional staff before all new processes and procedures can be implemented.
- A determination may be made that the Policy Board must be able to cooperatively determine how administrative functions are to be fulfilled and not have these unilaterally dictated by state law.
- This would be the most expensive organizational alternative since no resources are shared with an administrative agency.

MPO Peer Survey

The OahuMPO is responsible for coordinating transportation planning on Oahu, which currently has a population of nearly one million.⁴⁰ With a staff size of seven full-time positions, OahuMPO staff time is limited to ensuring that the core metropolitan planning activities and programs are completed in compliance with federal regulations. Completing these activities leaves little time for OahuMPO staff to explore other planning initiatives and often requires the use of consultants if funding is available. While Policy Board members and partner agencies have expressed an interest in OahuMPO leading additional planning studies, programs, and efforts, the agency does not have the staff capacity to take on additional responsibilities.

Funding is a key element in the ability of any MPO to provide staff and other services, and both funding and staffing levels to some extent help determine whether an MPO can complete its services in-house or whether a consultant must be procured. To understand how the OahuMPO compares to other MPOs in terms of overall funding, staff resources, and use of consultants, a survey was conducted as part of the Planning Process Review. While many potential MPOs were evaluated for inclusion in this survey, six MPOs were ultimately chosen as they represent a mix of innovative/best practice MPOs and range of organizational types, service areas, and number of local governments represented. It is recognized that OahuMPO is unique in that its service area is geographically restricted to the island of Oahu, which only has one local government, the consolidated City and County of Honolulu. A survey consisting only of MPOs that represent a singular consolidated government or are geographically isolated is not feasible, as nearly all other MPOs have regional service areas representing multiple local governments.

⁴⁰2010 population of 953,207 per 2010 U.S. Census

A list of the six MPOs included in the survey, as well as a brief explanation for why each is included is provided below. The service area, organizational type, number of local governments served, and service area population is summarized in Table 3.

- **Metro Portland**, chosen for its innovative planning practices and national reputation as a best practice MPO. Metro was also recommended by FHWA as a “best practice MPO” and therefore interviewed early in the Planning Process Review effort.
- **Broward MPO**, chosen for innovative planning practices, emphasis on alternative modes of transportation, and approach to combining livability and congestion management. Broward MPO is a relatively new independent organization, transitioning from a county department in 2010. Since then, Broward MPO has greatly increased the breadth of its planning activities and has also increased its staff size considerably during this time to take on these additional studies and programs as well as the necessary administrative functions.
- **Genesee Transportation Council (GTS)**, chosen as it is similar in both population and staff size to OahuMPO.
- **Pima Association of Governments (PAG)**, established at a similar time as OahuMPO (1971) and has a similar service area population as OahuMPO. PAG was also recommended by FHWA as a “best practice MPO” and therefore interviewed early in the Planning Process Review effort.
- **Anchorage Metropolitan Area Transportation Solutions (AMATS)**, chosen as it is the only other MPO nationally that also only serves a single consolidated government, requiring participation from state agencies on its policy board and technical committees. AMATS also has a similar staff size similar to OahuMPO, though the population of its service area is considerably smaller than that of Oahu.
- **Kern Council of Governments (KERN COG)**, chosen as it has a similar service area population to OahuMPO. KERN COG was recommended by FHWA as a “best practice MPO” and therefore interviewed early in the Planning Process Review effort.

Table 3: MPO Survey Candidates

MPO (Service Area)	Organizational Type	Number of Participating Local Agencies	Approximate Population
OahuMPO (Oahu, HI)	Administratively attached to HDOT	1 consolidated city/county	983,500
Broward MPO (Broward County, FL)	Administratively supported by the South Florida Regional Transit Authority	1 county, 30 cities	1,839,000
Metro (Portland, OR metro area)	Freestanding independent	3 counties, 24 cities	1,500,000
GTC (Rochester, NY metro area)	Freestanding independent	9 counties, 1 city	1,225,000
PAG (Pima County, AZ)	Non-Profit 501(c)4; freestanding independent	1 county, 5 cities, 2 tribes	996,500
AMATS (Anchorage, AK)	Administratively supported by the Municipality of Anchorage	1 consolidated city-borough	285,000
KERN COG (Kern County, CA)	Freestanding independent	1 county, 11 cities	865,000

Peer Analysis of Staff Resources

The total number of full-time staff positions at each MPO was reviewed and categorized.⁴¹ Figure 6 compares the number of full-time staff positions for each peer MPO surveyed, while

⁴¹Metro is not included in this comparison as the agency also oversees considerable non-metropolitan planning activities, including regional parks and environmental services, solid waste services, and visitor centers including the Metropolitan Exposition Recreation Commission (MERC) administration, the Portland Convention Center, Oregon Zoo, Portland Center for the Arts, and Portland Expo Center. Metro administrative and planning staff support many of these functions and therefore including Metro in the staff survey would not be an accurate comparison for this purpose.

Table 4 categorizes the different staff positions into common categories. Key observations from this survey are summarized below.

- All MPOs surveyed have an executive director position who serves as the liaison between the MPO staff and its policy board and advisory committees.
- Four of the five MPOs surveyed have a deputy/assistant director position, with PAG having two, one responsible for overseeing MPO functions and one responsible for overseeing the Regional Transit Authority (RTA), which is housed within PAG. Only AMATS (with 5 staff positions) and OahuMPO (with 7 staff positions) do not have a deputy executive director position. GTC, which has a staff size of seven also, does have a designated assistant director position.
- Both AMATs and GTC, with staff sizes similar to OahuMPO, have assigned a specific planning/work program area to each of its core planning staff to ensure that there is limited overlap between staff responsibilities and that all required metropolitan planning activities are completed. PAG has a distinct hierarchy of staff positions, with directors of each program area having one or more staff positions to support them. Broward and KERN COG, with moderate staff sizes, have both staff dedicated to specific program areas (such as public involvement or bicycle and pedestrian planning) and staff that are involved in many different planning initiatives and programs (e.g., managing different MPO work programs and studies).
- In terms of total staff positions, PAG has more than twice that of any other peer MPO. PAG has a robust technical group at 13 staff positions. RTA staff are also included in MPO's total staff size. In addition to transit, PAG also has staff dedicated to several specialty areas, including a Clean Cities program, Watershed/Air Quality Program, and Sustainable Environment. PAG is also a freestanding independent agency so it requires additional staff for human resources, communications/marketing, accounting, and other administrative functions to support both the MPO and RTA.

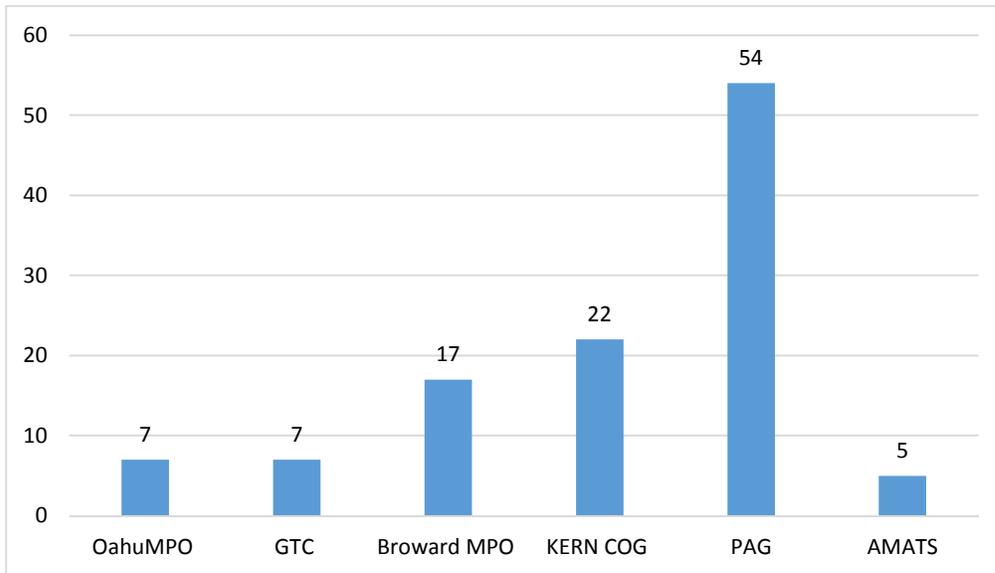


Figure 6: Total Number of Full-Time Staff Positions

Table 4: Summary of MPO Staff by Category

Staff Category	OahuMPO	GTC	Broward MPO	KERN COG	PAG	AMATS
Executive Director	1	1	1	1	1	1
Deputy Executive Director	--	1	1	1	2	--
Planning Director/Program Manager	--	--	1	1	7	--
Senior Planner	2	1	--	2	5	2
Planner	1	--	7	11	4	2
ITS/Modeling/GIS/Computer/Graphics	1	2	--	--	13	--
Environment/Air Quality/Sustainability	--	--	--	--	--	--
Transit	--	--	--	--	5	--
Bike/Ped	--	1	1	--	1	--
Public Involvement/Marketing	--	--	2	--	1	--
Admin/Office Management	1	--	3	5	7	--
Finance/Accounting/Procurement/HR	1	1	1	1	8	--
Legal Counsel	--	--	--	--	--	--
Total Staff Positions	7	7	17	22	54	5

In terms of dedicated administrative staff positions as a percentage of total staff positions, there is a consistent percentage observed among most of the MPOs surveyed and OahuMPO (see Figure 7). For this purpose, dedicated administrative staff positions include administrative/office management staff, finance, accounting, and contracting/procurement staff, and legal counsel. AMATS is not included in this comparison as it contracts administrative functions out to the Municipality of Anchorage and therefore has no dedicated administrative positions.

The number of staff positions needed is largely driven by the size (population, physical area, and number of participating jurisdictions). While the total number of staff positions is important, the number of staff per capita is another measure to compare staff resources among the MPOs in relation to the population served (see Figure 8). While OahuMPO and GTC have the same number of full time staff positions (seven), OahuMPO has slightly higher number of staff positions per 100,000 population. At the same time, AMATS with only five staff positions has more than twice the number of staff per 100,000 population OahuMPO has and three times the number that GTC has. PAG’s high number of staff positions does not directly correlate to the population of the service area, as the number of staff positions per 100,000 population is more than twice that of any other peer MPO surveyed and nearly 8 times that of OahuMPO.

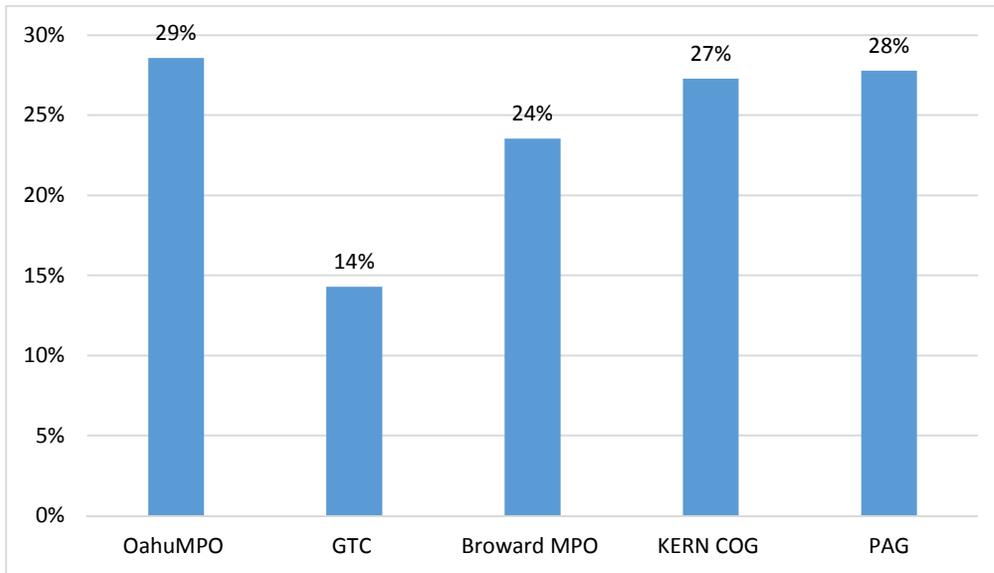


Figure 7: Percent of Administrative Staff

Notes:

1. Administrative staff include administrative/office management staff; finance, accounting, and contracting/procurement staff; and legal counsel.
2. AMATS not shown in graph as the agency contracts its administrative functions with the Municipality of Anchorage.

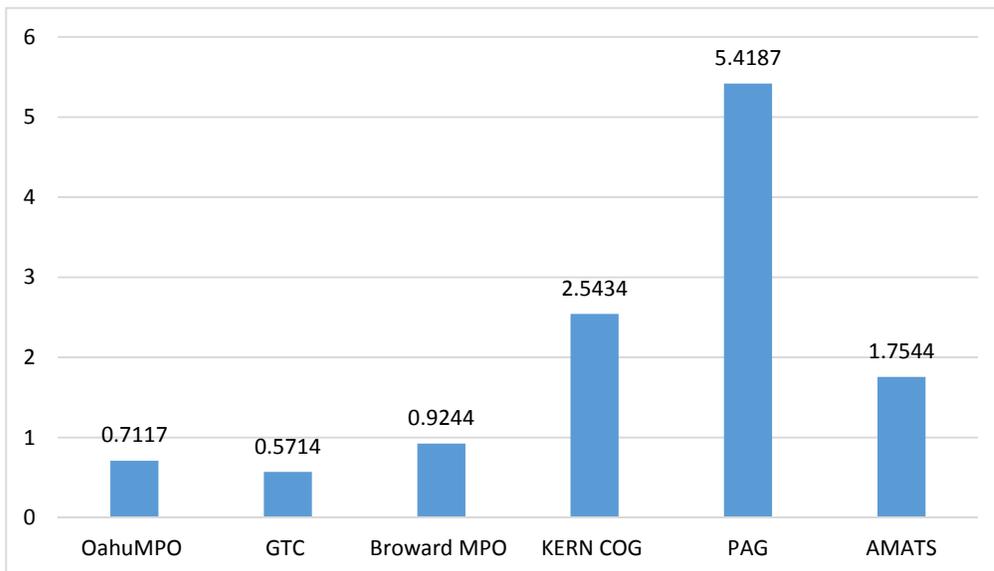


Figure 8: Full-Time Staff Positions per 100,000 Population

Peer Analysis of Funding and Consultant Resources

Similar to staff resources, the different funding sources and amounts contributing to each peer MPO's current adopted OWP or UPWP was reviewed. For each MPO, the current year federal and state/local funding amounts (excluding any carryover funds) was extracted from its current adopted OWP/UPWP. A summary of the current year funding for each MPO is summarized in Table 5. The average funding levels of the six peer MPOs is also calculated in this table to provide a benchmark comparison to funding levels of OahuMPO. Key observations from this effort include:

- Federal PL and state/local match are the only consistent funding sources across all MPOs surveyed. Total FHWA PL funds for OahuMPO are in line with the average of all other peer MPOs surveyed. The amount of FTA 5303 funds ranges considerably among the peer MPOs surveyed.
- Surface Transportation Program (STP) is the most flexible of all the highway programs and the one that provides the most financial support to local agencies. However, these funds also vary considerably between different MPOs. On Oahu, STP funds are generally used for highway or transportation projects. Although they may be used to conduct metropolitan transportation planning initiatives, it is seldom done due to the large transportation infrastructure needs of Oahu's roadway system.
- While total FHWA PL funds for OahuMPO are in line with the average of all other peer MPOs surveyed, the total amount of federal funding for OahuMPO is considerably less (43%) than the average of the peer MPOs surveyed. This is due to most other MPOs receiving some STP or other federal funding in addition to FHWA PL and FTA 5303 funds.
- GTC is the only other MPO surveyed that relies solely on FHWA PL and FTA 5303 federal funds and state/local match to fund their adopted UPWP. All other MPOs surveyed had some level of other federal or state/local funds.

Table 5: Funding Comparison (x\$1,000)

Year	MPO	Federal					State & Local			Total
		FHWA PL	FTA 5303	Other (STP)	Other	Federal-Subtotal	Match	Other	State/Local-Subtotal	
FY 15-16	OahuMPO	\$1,361	\$338	\$0	\$0	\$1,699	\$425*	\$0	\$425	\$2,124
FY 15-16	Metro	\$1,849	\$503	\$0	\$2,039	\$4,392	\$1,951	\$7,774	\$9,725	\$14,117
FY 15-16	GTC	\$1,486	\$361	\$0	\$0	\$1,847	\$1,164	\$0	\$1,164	\$3,011
FY 15-16	Broward MPO	\$1,453	\$1,466	\$500	\$2,540	\$5,959	\$737	\$208	\$945	\$6,904
FY 15-16	KERN COG	\$1,326	\$262	\$80	\$201	\$1,869	\$558	\$465	\$1,023	\$2,892
FY 15-16	PAG	\$916	\$0	\$3,785	\$389	\$5,090	\$851	\$2,028	\$2,879	\$7,969
CY 15	AMATS	\$1,262	\$618	\$1,820	\$950	\$4,650	\$267	\$0	\$267	\$4,917
Average of All Peer MPOs		\$1,382	\$535	\$1,237	\$1,020	\$3,968	\$921	\$1,746	\$2,667	\$6,635

Source: Each respective MPO’s adopted 2015 OWP/UPWP. Carryover funds from prior years are not included.

*Beginning in FY2016, the local match provided by dues from the participating agencies will total \$375,000.

In terms of funding per capita, the OahuMPO is considerably lower than the average and in fact is the lowest of all the other peer MPOs surveyed when accounting for all funding sources (see Figure 9). Further, when compared to the average of the peer MPOs without AMATS, Oahu MPO is about 40 percent of the average.

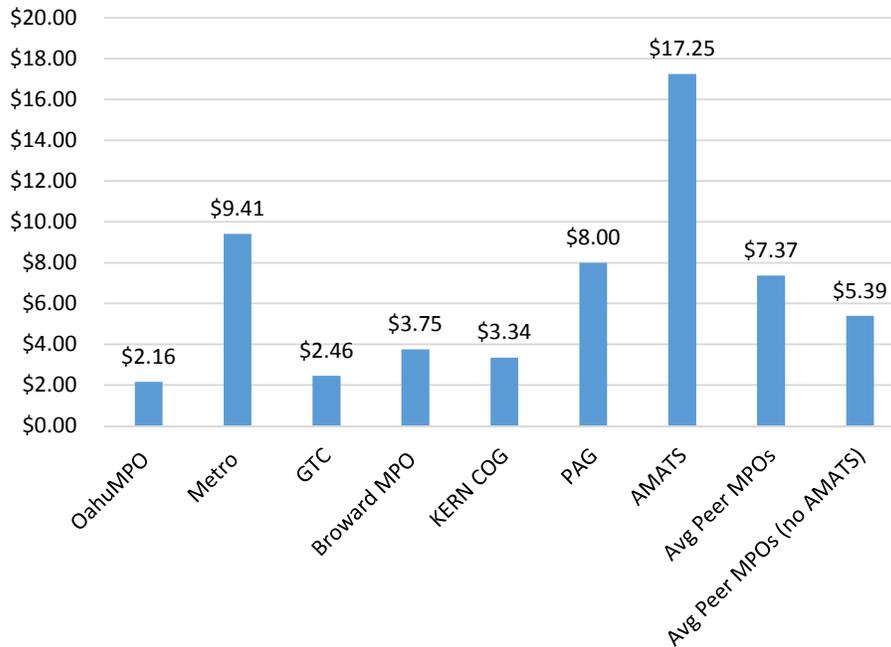


Figure 9: Total Funding Per Capita

When examining the sum of FHWA PL, FTA 5303, and state/local match funding per capita, OahuMPO is in line with all other peer MPOs with the exception of AMATS, which has a very high funding per capita figure (see Figure 10). When removing AMATS as an outlier from the average, OahuMPO at \$2.16 per capita is close to the average of the remaining peer MPOs surveyed (\$2.31 per capita).

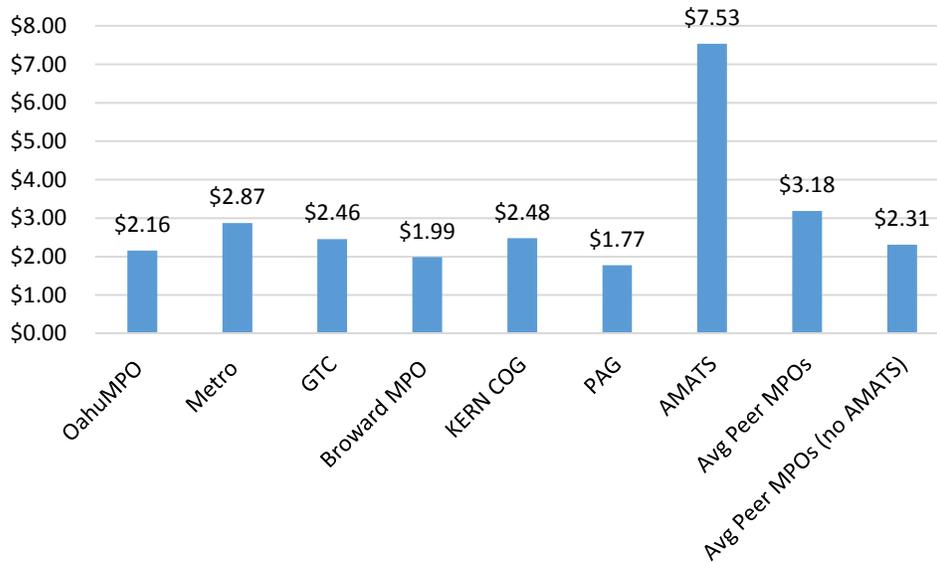


Figure 10: Federal and State/Local Match Funds Per Capita

While both OahuMPO and GTC do not have any other federal or state/local funding sources identified in their adopted FY 2015-16 budgets, Figure 11 is provided to illustrate the wide range in other funding sources on a per-capita basis observed from this survey effort. In looking at other federal and state funding per capita, there does not appear to be any significant correlation between the funding levels and population.

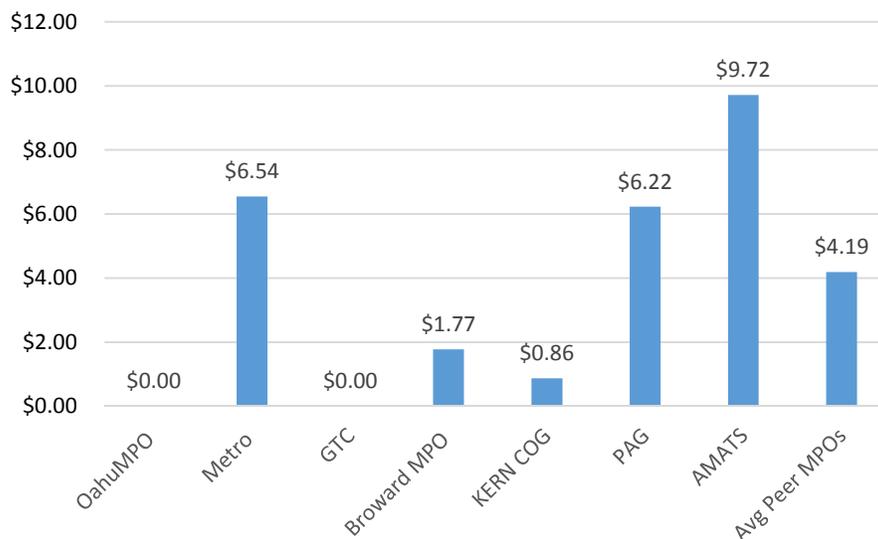


Figure 11: Non-Federal and Other State/Local Funds per Capita

The relationship between total funding and staff size is an interesting comparison. As shown in Figure 12, the total revenue per staff position for OahuMPO is approximately \$303 (x\$1,000). The total revenue per staff position for the peer MPOs surveyed does range, with AMATS again being an outlier. When removing AMATS from the average, the total revenue per staff position for the peer MPOs surveyed averages \$279 (x\$1,000).

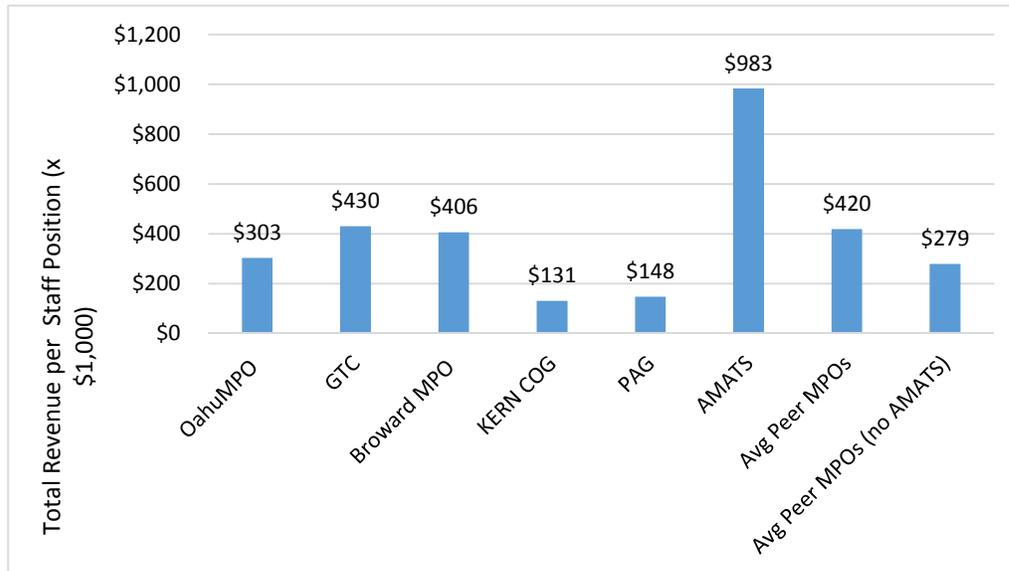


Figure 12: Total Revenue per Full-Time Staff Position (X\$1000)

As shown in Figure 13, in examining the percentage of the overall budget set aside for consultant expenses, OahuMPO is higher than the average of the other peer MPOS surveyed at 65 percent compared to the average of 35 percent. However, there is a range among the other MPOs surveyed (23%-53%). It is recognized that two-thirds (or \$835,000) of the OahuMPO’s total consultant budget allocated for FY 2015-16 is intended to fund two planning studies, the Farrington Highway Realignment Feasibility Study (\$385,000) and the Kapalama Sub-Area Multimodal Circulation and Mobility Study (\$450,000). As shown in Table 6, a review of OahuMPO OWPs for the last five years indicates that the OahuMPO has consistently allocated a high percentage of its annual budget for various consultant expenses.

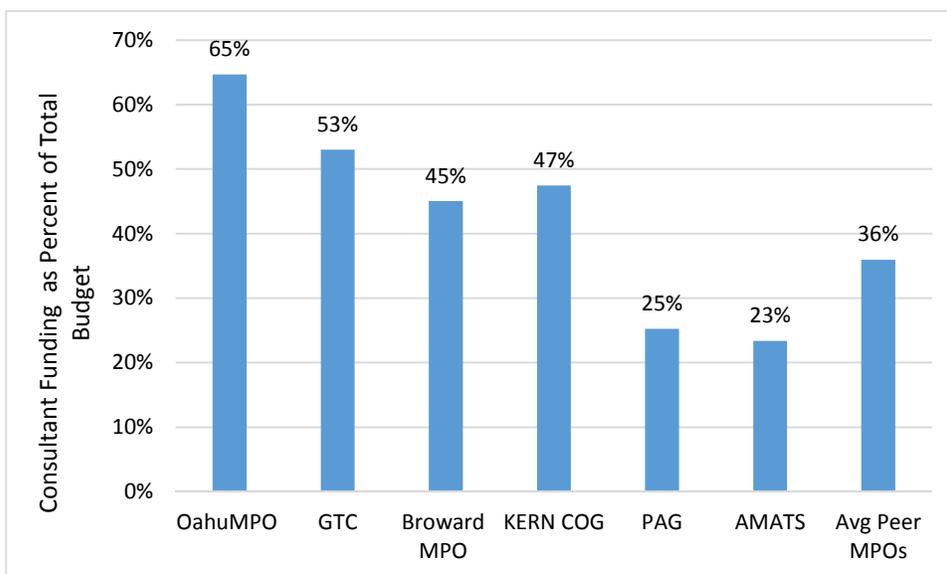


Figure 13: Consultant Expenditures as a Percent of Total Budget

Table 6: OahuMPO Five-Year Consultant Budget as a Percent of Total Budget

Adopted OWP	Total Budget	Consultant Budgets for OahuMPO Projects	Consultant Budgets for Participating Agencies	Total Consultant Budget	Percent of Total Budget for Consultants
FY 2011-12	\$2,867,383	\$1,398,000	\$757,000	\$2,155,000	75%
FY 2012-13	\$2,925,349	\$1,529,220	\$670,000	\$2,199,220	75%
FY 2013-14	\$2,804,725	\$528,000	\$1,300,000	\$1,828,000	65%
FY 2014-15	\$2,286,778	\$1,028,500	\$515,052	\$1,543,552	67%
FY 2015-16	\$2,123,850	\$923,500	\$450,000	\$1,373,500	65%
Five-Year Average					70%

Source: OahuMPO historical adopted OWPs

Strategic Staffing Plan

The following section outlines a short-term, intermediate, and long-term strategic staffing plan for the OahuMPO. The short-term strategic staffing plan is intended to be a realistic concept of staff currently needed to support the various metropolitan planning functions on Oahu. The strategic staffing plan for the intermediate and long-term are illustrative as actual staff needs will greatly depend on the evolution of the organizational structure of the OahuMPO, funding availability, and

expansion of regional planning functions and responsibilities to be carried out or coordinated by OahuMPO staff.

Short-Term Staffing Needs

In the immediate future, OahuMPO is looking to fill the seven full-time positions identified in Section 3, three of which are currently vacant at the time this report was published. Fulfillment of these seven staff positions is necessary for OahuMPO staff to be able to complete the required work programs and perform day-to-day management of metropolitan activities, effectively coordinate with other agencies, and support the Policy Board and advisory committees. However, the Consultant Team's observation is that, with only seven full-time positions, it is difficult for OahuMPO staff to complete all required MPO activities, requiring the use of consultants to assist staff or forgoing/postponing other non-required planning activities. Immediate growth in staff resources is limited by both the current office space and additional financial resources needed to fund more staff positions. Therefore, the short-term staffing plan includes the addition of one full-time staff position to support the Senior Planner and one part-time Clerk/Secretary to support all staff members.

Lessons learned from the best practice review interviews completed early in the Planning Process Review, Consultant Team experience working with other MPOs, and the MPO peer staff survey indicate that MPOs with smaller staff sizes benefit from assigning individual staff in charge of different programmatic areas, boards, and committees to ensure that staff resources are maximized to complete all required activities with minimal overlap of responsibility. This short-term staffing plan also aligns with the OahuMPO maintaining its current organizational structure as administratively attached to another agency (currently HDOT). The short-term organization of OahuMPO staff is illustrated in Figure 14 and is based on the following:

- Assumes the addition of one full-time staff position (Transportation Planner) to support the Senior Planner and one part-time Clerk Typist/Secretary to support all staff members.
- Renames and expands the Data Specialist position to Planning Analyst to emphasize the analytical responsibilities of the position, including analysis of transportation data related to transportation system performance monitoring and performance measures, as well as evaluating how measurable targets have been met.
- Renames and expands the Finance Specialist position to Accountant to recognize the additional financial management/procurement responsibilities required of this position under the approved finance and administrative supplemental agreements.
- Renames the Office Manager position to Administrative Assistant to better define the administrative responsibilities of this position and shifting any financial or procurement-related responsibilities previously associated with this position to the Accountant.

- Limits the number of full-time staff positions to nine, consistent with what the OahuMPO’s current office space can support.
- Ensures that no single staff position is responsible for more than one major planning document.
- Ensures that no single person responsible for more than one advisory committee.

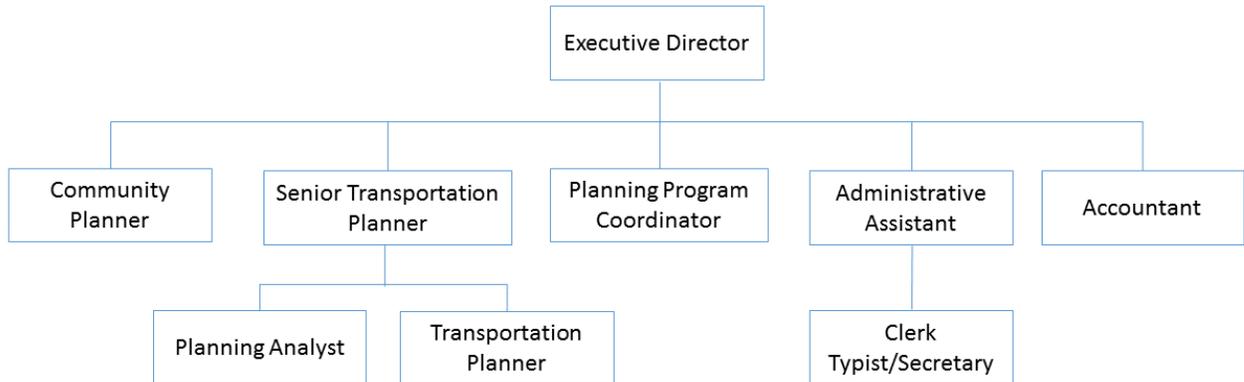


Figure 14: OahuMPO Staff Organizational Chart (Short-Term)

The foreseen roles and responsibilities of each staff position are organized as follows:

- **Executive Director:** The Executive Director is responsible for the OWP process as well as preparing OahuMPO budgets. The Executive Director is also responsible for preparing/updating/clarifying operating policies and procedures, hiring and day-to-day management of OahuMPO staff, as well as overseeing personnel and human resource matters. The Executive Director serves as a representative of the Policy Board in meetings with elected officials and local leaders as necessary. The Executive Director also serves as the Policy Board coordinator.
- **Senior Planner:** The Senior Planner is responsible for the ORTP process as well as overseeing any modeling work/products completed internally or by participating agencies or consultants. The Senior Planner is also responsible for managing/completing various corridor and sub-area studies led by the OahuMPO. The Senior Planner will also serve as coordinator for the new TOD Advisory Committee coordinator once it is formed.
- **Planning Analyst:** The Planning Analyst is responsible for transportation system performance monitoring, data collection and analyses, and performance measures.
- **Transportation Planner:** The Transportation Planner is responsible for the TIP process, as well as overseeing the Transportation Alternatives Program (TAP). The Transportation Planner is also responsible for assisting the Senior Planner with completion or management of various corridor and sub-area studies led by the OahuMPO.

- **Community Planner:** The Community Planner is responsible for developing, maintaining, and implementing the Public Participation Plan and is the coordinator for the Citizen Advisory Committee. The Community Planner also monitors Title VI & Environmental Justice issues with regard to opportunities for public input and completes all Federal and State required Title VI and Environmental Justice reports. In addition, the Community Planner maintains the OahuMPO website and social media resources and serves as OahuMPO’s “customer service representative” to the general public.
- **Planning Program Coordinator:** The Planning Program Coordinator is responsible for monitoring grant sub-recipients, serves on steering committee for partner agency projects, and provides intergovernmental staff interface to carry-out the 3-C process. The Planning Program Coordinator also serves as the Technical Advisory Committee coordinator.
- **Accountant:** The Accountant is responsible for all financial and accounting matters related to the OahuMPO, including general accounting functions and financial management/reporting. The Accountant will also serve as the procurement specialist for the OahuMPO.
- **Administrative Assistant:** The Administrative Assistant is responsible for overseeing day-to-day administrative functions of the OahuMPO office, including answering phones, filing, copying, mailing, meeting coordination, posting meeting notices, and preparing meeting minutes. The Administrative Assistant will also support the Executive Director in developing and maintaining office policies and procedures consistent with applicable State and Federal laws and regulations.
- **Clerk Typist/Secretary:** The part-time Clerk Typist/Secretary will work under the direction of the Administrative Assistant and will assist with routine typing, filing, mail-out of meeting agenda packets, and other routine tasks as needed.

Intermediate to Long-Term Staffing Needs

Beyond the short-term, staffing needs for OahuMPO are anticipated to build upon the eight core staff positions previously identified in Figure 14 to expand the depth and knowledge of MPO staff and the services they provide. The timeline at which this occurs is both a function of need (in terms of the planning activities to be undertaken) and available funding. Increasing internal staff resources will allow the OahuMPO to oversee and perform in-house activities beyond those required by federal regulations. Increasing staff resources over time will better position the OahuMPO’s transition to leaning independent and subsequently to a freestanding independent MPO, should that occur in the future.

In addition to staff salaries and benefits, other costs must be considered as the OahuMPO adds additional positions. For example, additional costs associated with moving to a larger office to accommodate more staff must be factored into the staff growth plan.

Based on a review of the peer MPOs surveyed, outcomes from this Planning Process Review effort, and the Consultant Team’s professional experience, the following potential staff positions that could be considered by the OahuMPO as it evolves in both capacity and independence:

- **Deputy/Assistant Executive Director**—Of the peer MPOs surveyed, all but AMATS (which has a staff of only five and relies heavily on the Municipality of Anchorage for administrative support) have a deputy/assistant director. This position is especially important for a freestanding independent MPO to ensure that daily operations continue in the event the OahuMPO Executive Director is unable to fulfill his or her duties due to illness, absence, etc. The deputy director assists the Executive Director with overseeing the day-to-day management MPO operations and staff and represents the Executive Director in meetings and at events, as needed.
- **Planning (Programmatic) Director(s)**—Of the peer MPOs surveyed, all but one freestanding independent MPO has a planning director or similar position that oversees the various planning functions of the MPO. As the OahuMPO grows in capabilities, it is important to diversify the levels of staff experience to provide opportunities for staff to grow professionally over time within the organization. If there is a hierarchy of positions with staff at various levels of experience (i.e., planner, senior planner, project manager, planning director) where younger staff can grow into supervisory and other roles, this can help with staff retention. As the number of planning initiatives overseen by the OahuMPO grows, it is also important to have someone responsible for overseeing the entire planning program to ensure consistency among the different projects and to provide oversight among and serve as a resource to the different OahuMPO project managers.
- **Specialized Planning and Programmatic Staff**—As MPOs increase in size, it is common to diversify staff by having different planning and programmatic specialists in addition to planning generalists. Based on a review of its budgets over the past five years, the top three areas where OahuMPO uses consultants most (in terms of dollars spent) include:
 - Corridor, subarea, or other special plans
 - Modeling and data analysis
 - ITS and operations

Additional staff that bring experience in these areas could reduce the amount of annual funding spent on consultants, as consultants typically cost more on a per-hour basis than OahuMPO staff. Other specialist staff common to many MPOs that could benefit the OahuMPO include:

- Bicycle/pedestrian planning
- Public involvement/Title VI
- Transit/TOD

- GIS/Graphics
- **Human Resources Director**—Under the approved Administrative Supplemental Agreement, OahuMPO is solely responsible for its human resources. Under the existing roles and responsibilities of OahuMPO staff, the Executive Director is responsible for human resource matters. As the OahuMPO grows in the number of staff, a separate staff position responsible for human resources matters is important to oversee the employee-centered activities, including conflict resolution, staff training, performance evaluations, etc.
- **Procurement/Contracts Officer**—Under the existing organization of the OahuMPO, the Accountant is also responsible for procurement/contract matters. As the OahuMPO grows in the number of staff and services provided, a review of the Accountant position responsibilities should be undertaken to determine if workload and responsibilities justify a separate staff position responsible for procurement/contract matters.
- **Legal Counsel**—None of the peer MPOs surveyed have full-time legal counsel on staff, but rather contract for these services as needed. Should the OahuMPO transition to a freestanding independent MPO, then obtaining independent legal counsel will be an important component of this transition. Unless the OahuMPO determines it to be cost justified to employ a full-time legal counsel position, then it would be fiscally prudent to contract these services out.

Implementation Plan

As documented in this report, considerable progress has been made in not only addressing the Tier 1 and 2 corrective actions, but also towards:

- Redefining the role of the OahuMPO Policy Board as the regional decision-maker on the use of federal transportation funds on Oahu.
- Strengthening the vision and mission of the OahuMPO.
- More clearly defining the role of the OahuMPO and its partner agencies in preparing metropolitan planning work programs and elements.
- Reinforcing the 3-C process as a fundamental underpinning of regional planning on Oahu.

To continue the progress made or to continue enhancing the metropolitan planning progress, there are additional actions that the OahuMPO should consider over time. These ideas are organized into an implementation plan presented in Table 7. The action items included in this implementation plan were identified from several sources, including the Tier 3 correction actions and recommendations from the 2014 Federal Certification Review, actions related to next steps or monitoring/evaluation of Tier 1 and 2 corrective action deliverables, actions identified earlier in the Planning Process Review but not yet addressed, and finally, recommendations from the Consultant Team based on professional experience.

Table 7: OahuMPO Implementation Plan

Action #	Topic Area	Description	Responsible Party(ies)	Timeframe
1	Data	Complete review and approval of the initial List of Planning Data.	OahuMPO in coordination with participating agencies	Within 3 months
2	Advisory Committees	Establish the TOD Advisory Committee. Prepare TOD Advisory Committee bylaws and integrate functionality of this advisory committee into the different processes and procedures documents, as appropriate.	OahuMPO in coordination with regional partners to identify committee candidates	Within 6 months
3	Administrative	Begin holding regular coordination meetings between the OahuMPO and Maui MPO executive directors to provide a forum for collective discussion about policy and operations.	OahuMPO and Maui MPO	Within 6 months (of Maui MPO opening for business)
4	Staffing/ Administrative	Establish formal performance reviews and appraisals for the OahuMPO Executive Director and staff to monitor and recognize technical capacity and administrative improvements, training and education needs and successes.	OahuMPO	Within 6 months
5	Staffing/ Administrative	Identify opportunities for the Executive Director to participate in focused training in leadership, management, public relations and working with the media in a public position.	OahuMPO	Within 6 months
6	Staffing/ Administrative	Complete short-term staffing plan to fill vacant full-time staff positions and increase staff by one, for a total staff of eight persons.	OahuMPO	Within 6 months
7	Advisory Committees	Clarify the Citizen Advisory Committee’s role in the decision-making process by:	OahuMPO	Within 6 months

Action #	Topic Area	Description	Responsible Party(ies)	Timeframe
		<ul style="list-style-type: none"> Reviewing the Citizen Advisory Committee bylaws to ensure consistency with newly established Policy Board and Technical Advisory Committee bylaws. Clarifying in both the Citizen Advisory Committee bylaws and PPP when in the decision-making process the Citizen Advisory Committee will be invited to provide comments, any parameters by which the CAC should focus its comments, and how CAC comments will be considered in the Technical Advisory Committee and Policy Board decision-making processes. 		
8	OWP	<p>Consider the following changes to the OWP Process and Procedures document:</p> <ul style="list-style-type: none"> Increase the five basic work program development phases into six. The additional phase would become the first, requiring staff to identify what resources are needed to support the required work elements and the regional transportation planning process that responds to the metropolitan planning regulations set forth in 23 CFR Subpart C. Clarify that the call for candidate projects should be a supplemental process based on whatever funds remain not required by the new first phase of the process discussed in the bullet above. Broaden the call for candidate projects to encourage potential local sources of funding from non-members. These new local sources could only be used to match the unobligated FHWA PL fund balance or federal funds not identified in the OahuMPO OWP Process and Procedures report. 	OahuMPO in consultation with HDOT, HART, and the City	With Policy Board's approval of the next OWP.

Action #	Topic Area	Description	Responsible Party(ies)	Timeframe
9	CMP	<p>Per the 2014 Federal Certification Review, update the CMP based on the approved processes and procedures and consider the following:</p> <ul style="list-style-type: none"> • Safety location issues, audits, countermeasure solutions and conceptual projects (highway, bicycle, pedestrian and transit safety). • Travel demand reduction strategies and project improvements. • Alternative mode strategies and project improvements. • Operational and ITS strategies and system improvements. • Leveraging local funding for federal and state safety funds, including the annual boxing of safety, operational and ITS funds. 	OahuMPO in consultation with partner agencies during CMP update	With the Policy Board's approval of the next CMP update
10	ORTP	<p>Per the 2014 Federal Certification Review, the next ORTP approved by the Policy Board must:</p> <ul style="list-style-type: none"> • Demonstrate consultation with state and local agencies responsible for land management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the transportation plan. • Include a discussion of the types of potential environmental mitigation activities and potential areas to carry out these activities. • Demonstrate and document implementation of the approved CMP. • Include a documented disposition of public comments received. 	OahuMPO in consultation with partner agencies during ORTP update	With the Policy Board's approval of the next ORTP update

Action #	Topic Area	Description	Responsible Party(ies)	Timeframe
		<ul style="list-style-type: none"> • Include documentation of the analysis completed for Title VI/EJ. 		
11	TIP	<p>Per the 2014 Federal Certification Review, the next TIP approved by the Policy Board must:</p> <ul style="list-style-type: none"> • Include a documented disposition of public comments received. • Demonstrate and document implementation of the approved CMP. • Include documentation of the analysis completed for Title VI/EJ. 	OahuMPO in consultation with partner agencies during TIP update	With the Policy Board's approval of the next TIP update
12	Staffing/Administrative	Prepare a five-year strategic plan that evaluates the technical capacity of OahuMPO Staff and outlines upcoming planning product deadlines; staff training needs and interests; technical capacity and professional service needs to accomplish planning requirements; administrative procedure/processes deadlines; and new product/planning opportunities and timelines.	OahuMPO	Within 12 months (predicated on completing short-term staffing plan)
13	Staffing/Administrative	Establish a mentorship program for the MPO Executive Director and staff to support and improve technical capacities and job satisfaction.	OahuMPO	Within 12 months
14	Administrative/Procurement	Prepare written procurement procedures (per Section 4 of the approved Administrative Supplemental Agreement).	OahuMPO in consultation with HDOT	Within 12 months
15	Administrative/Organizational Structure	<p>Evaluate transition from current structure to a leaning independent MPO by:</p> <ul style="list-style-type: none"> • Evaluating political and agency support for such transition. • Researching and documenting the legal aspects of a Constitutional amendment. 	OahuMPO in coordination with HDOT, the City, and HART	Within 12 months

Action #	Topic Area	Description	Responsible Party(ies)	Timeframe
		<ul style="list-style-type: none"> Evaluating additional staff/administrative needs to support additional administrative independence. Preparing a list of activities that would need to be completed (e.g., required changes to State law, Comprehensive Agreement, and supplemental agreements, etc.). 		
16	Administrative	Evaluate the Data Sharing Supplemental Agreement mid-way through the term of the agreement to determine its effectiveness and benefit to the OahuMPO and participating agencies and to determine if any changes are appropriate.	OahuMPO in coordination with its participating agencies	Within 12 months
17	Funding	Under Section C.1 of the 2015 Comprehensive Agreement, unencumbered local funds from previous years are used to offset the amount of dues owed in the current fiscal year. This effectively prevents a fund balance carryover of local funds from one year to the next. The financial impact of this policy should be reviewed to determine if some amount of unencumbered local funds should carry over into the current fiscal year as a fund balance to fund additional projects approved under the OWP.	OahuMPO in coordination with HDOT, the City, and HART	Within 12 months
18	Transit	In coordination with the establishment of the TOD Advisory Committee, evaluate and develop recommendations concerning the OahuMPO's participation in transit decision-making on Oahu.	OahuMPO in coordination with transit providers (HART and the City)	Within 12 months
19	TIP	Shorten the TIP cycle from four years to two years.	OahuMPO in coordination with HDOT for consistent TIP/STIP cycle	Within 12 months

Action #	Topic Area	Description	Responsible Party(ies)	Timeframe
20	Advisory Committees	Evaluate implementation of a bicycle/pedestrian advisory committee.	OahuMPO	Within 12 months
21	ORTP	Document the ORTP Cost Estimation Process by: <ul style="list-style-type: none"> • Researching how member agencies estimate project costs to better understand consistencies and inconsistencies between agencies and to improve cost estimation for the ORTP. • Establishing procedures to ensure cost estimates meet specific currency standards to improve support for fiscal constraint of the ORTP. • Establishing cost estimate update procedures as projects move from the ORTP to the TIP. 	OahuMPO in coordination with HDOT, the City, and HART	Within 18 months
22	Administrative	Evaluate the Administrative Supplemental Agreement mid-way through the term of the agreement to determine its effectiveness and benefit and to determine if any changes are appropriate.	OahuMPO in coordination with HDOT	Within 18 months
23	Administrative	Evaluate the Finance Supplemental Agreement mid-way through the term of the agreement to determine its effectiveness and benefit and to determine if any changes are appropriate.	OahuMPO in coordination with HDOT, the City, and HART	Within 18 months
24	Administrative/ Advisory Committees	Evaluate Policy Board, Executive Committee and advisory committee bylaw language to determine its effectiveness and benefit and to determine if any changes are appropriate.	OahuMPO staff (based on input from Policy Board, Executive Committee, or respective advisory committee)	Within 18 months
25	Administrative/Data	Conduct a comprehensive data management and sharing study to establish a data sharing pool and recommend a program to outline specific policies and procedures concerning the collection, management, and distribution	OahuMPO in coordination with its participating agencies	Within 2 years

Action #	Topic Area	Description	Responsible Party(ies)	Timeframe
		of data to support the local, metropolitan, and state decision-making process. Determine if any changes are required to the Data Sharing Supplemental Agreement as a result of this process.		
26	Administrative	Evaluate Tier 2 deliverables documenting OahuMPO work programs and procedures.	OahuMPO in coordination with its participating agencies	Within 2 years
27	ITS/Operations	Update the Oahu Regional ITS Architecture and Operational Concept.	OahuMPO in coordination with its participating agencies	Within 2 years
28	Administrative/ Staffing	Implement intermediate staffing plan by increasing the number of full-time staff positions to support OahuMPO's expanding role in regional planning.	OahuMPO	1 to 3 years
29	Administrative/ Organizational Structure	Evaluate transition to a freestanding independent MPO by: <ul style="list-style-type: none"> • Evaluating political and agency support for such transition. • Researching and documenting the legal aspects of this transition. • Evaluating additional staff/administrative needs to support complete administrative independence. • Preparing list of activities that would need to be completed. 	OahuMPO in coordination with HDOT, the City, and HART	1 to 3 years
30	Administrative/ Staffing	Implement long-term staffing plan by increasing the number of full-time staff positions to support OahuMPO's expanding role in regional planning and possible transition to a freestanding independent agency.	OahuMPO	3+ years