

City Council Briefing Document

Subject: Memorandum of Understanding (MOU) for Establishment of the Mecklenburg Public Transportation Authority (MPTA) and trustee application process

Date: August 21, 2025

Purpose of the Briefing

To inform and seek Charlotte City Council's endorsement on a **Memorandum of Understanding (MOU)** among the local government Appointing Authorities (Mecklenburg County, the City of Charlotte, the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville) for the **creation of the Mecklenburg Public Transportation Authority (MPTA)** and the schedule for the **appointment process**. To meet the needed timeline, a vote on the MOU is planned for September 2, 2025.

The governing boards/councils of all participating local governments need to approve the MOU as a requirement of complying with the PAVE Act. This is a time-sensitive request since there is a requirement for MPTA board action by January 1, 2026.

Overview of the MOU

The Appointing Authorities agree to the following schedule regarding the creation of the MPTA, as well as additional agreements and timeline for the appointment of members to the MPTA.

Parties to the MOU:

Mecklenburg County, the City of Charlotte, the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville

Key Objectives of the MOU:

1. Prepare an **Appointment Process** needed for Board composition as defined by legislation.
2. **Agreement on Appointments** with City and County to establish a collaborative appointment process to determine qualified applicants to serve on the MPTA and remaining jurisdictions will determine eligibility of their applicants.
 - Ensure transit user representation by committing to at least one appointment from both the City and County will be an active user of the current transit system
 - Public Transit Advisory Board (PTAC), current citizen advisory board to the Metropolitan Transit Commission (MTC) will transfer over to the new MPTA to continue in their role in providing recommendations and feedback regarding budgets, policies and input on transit services
3. **Timeline for Appointments and Resolution Regarding Establishing the Authority** and supports Board Composition and Board establishment prior to January 1, 2026, as defined in the legislation.

1. Appointment Process

The MOU outlines a schedule for appointments to the MPTA. After the MOU has been approved, City of Charlotte MPTA appointments will be made following the traditional appointments process for City of Charlotte Boards and Commissions. The city clerk will work with the Mayor and Council on the specific requirements and considerations needed to implement a specific appointment process for the City of Charlotte appointees.

Board Composition Defined in G.S. 160A-905:

- Total MPTA Board members: 27
- Appointments will be allocated as follows:
 - 6 appointed by the County (at least 1 member must live in an unincorporated area of the county and at least 1 member must have experience owning or operating a small business).
 - 6 appointed by the towns -1 member appointed by each the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville.
 - 12 members appointed by the City of Charlotte including:
 - At least 3 appointments made must be based upon the recommendation of an entity that represents the business interest of the county
 - 2 recommended from Charlotte Regional Business Alliance
 - 1 recommended from Foundation for the Carolinas
 - At least 1 of the remaining 9 appointees must be an individual that has experience owning or operating a small business.
 - 2 members appointed by the General Assembly,
 - 1 recommended from the President Pro Tempore of the Senate, and
 - 1 recommended from the Speaker of the House of Representatives.
 - 1 member appointed by the Governor.
- Members shall serve for 4 years terms, with half of the initial appointments (as determined by lot at their first meeting) designated to serve for a 2-year term to create staggered terms.
- No elected official may serve, nor a lobbyist or an immediate family member of a lobbyist.
- Members must have demonstrated experience or qualifications in the areas of law, finance, engineering, public transportation, urban planning, logistics, government, architecture, or economic development.
- Members shall reside within the jurisdiction of Mecklenburg County.
- Members shall elect officers from its membership for chairperson, vice-chairperson, secretary, and treasurer.
- No Member may service more than 2 consecutive terms, but a member may be reappointed after being off of the MPTA board for at least 2 years.
 - An initial term that is 2 years or less shall not be counted in determining the limitation on consecutive terms.

2. Agreement on Appointments Defined in MTC MOU

Appointing Authorities (Mecklenburg County, the City of Charlotte, the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville) agree that the following terms will govern the application process, vetting, and approval of appointments to the MPTA.

- Each Appointing Authority will follow the normal application process for their appointments.
- The City of Charlotte Clerk, Mecklenburg County Clerk, and the city and county's respective legal staff will work in collaboration to determine qualified applicants for consideration to serve on the MPTA. The Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville Attorneys and Clerks will determine the eligibility of their applicants.
- All advisory boards and members of the current advisory system structure of the Metropolitan Transit Commission will transfer over to the new MPTA as they exist and continue to serve as they currently serve, such as being a member of the PTAC.
- To ensure that the public interests are represented, appointments shall include transit user representation by committing to at least 1 appointment from both the City and County being an active user of the current transit system. If no qualified applicants are available for this appointment, then the County and City shall be excused from the above requirement.

3. Timeline for Appointments and Resolution Regarding Establishing the Authority Defined in MTC MOU

Appointing Authorities (Mecklenburg County, the City of Charlotte, the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville) agree to a schedule regarding creation of the MPTA as well as appointment of its members.

The schedule presented in the MOU is for reference and may be altered as necessary by any of the local governments. The City of Charlotte and Mecklenburg County are aligning schedules to allow their boards additional time to evaluate candidates and coordinate final selection of appointments. This results in a schedule adjustment as highlighted below and changes the end of the application period from November 7, 2025 to October 13, 2025. This change in schedule continues to support final appointments to be made by December 12, 2025.

July 30, 2025 MTC special meeting: Metropolitan Transit Commission reviews in an information only meeting to the finalized MOU **(Complete)**

August 6, 2025: Mecklenburg County Commission Public Hearing on the Ballot Referendum. **(Complete)**

August 7 – September 16, 2025: All municipalities to review and vote on the MOU for approval.

September 3, 2025: Mecklenburg County Commission vote to Notice a Public Hearing and place said Public Hearing on the calendar for September 16, 2025, to hear public comments and vote to establish the MPTA.

September 16, 2025: Mecklenburg County to hold Public Hearing and Vote on Resolution for Establishment of the MPTA and trustee application process. Mecklenburg County will be the final voting entity granting approval of this MOU.

September 17, 2025: Application period opens for trustee appointments to the MPTA.

September 17, 2025 – October 13, 2025: Application Period for Appointments to the Authority.

November 8, 2025 – December 12, 2025: Trustee appointments will be made to the Authority by the Local Government appointing Authorities from the approved lists made by the Attorneys and Clerks.

By December 31, 2025: Authority is convened for the limited purpose of approving the required initial reports to the General Assembly.

Council Action Requested

- Adopt a resolution authorizing an MOU for the creation of the MTPA, including timeline schedule and appointment framework, as described in the preceding overview. This Request for Council Action is scheduled for September 2, 2025.

Next Steps specific to the City of Charlotte, after approval of the MOU:

- City of Charlotte Clerk is developing an MPTA Board application
 - Applications will be accepted September 17 – October 13, 2025
 - Appointments will follow similar format to existing process for city advisory boards and include additional questions relevant to the MPTA requirements
- City of Charlotte Clerk, Mecklenburg County Clerk, and the city and county's respective legal staff will work in collaboration to review applications and to determine qualified applicants for consideration
- Staff will follow up with additional details regarding the council selection process for these appointments
- Charlotte City Council will vote on appointments no later than at the November 24, 2025 Council Business Meeting

Background Overview – Why MOU required and timing

The North Carolina General Assembly and NC Governor passed and signed into law effective July 1, 2025 Session Law 2025-39; The Projects for Advancing Vehicle-Infrastructure Enhancements (“**P.A.V.E.**”) Act. The PAVE Act authorizes Mecklenburg County to create a new Mecklenburg Public Transportation Authority (MPTA).

The PAVE. Act authorizes Mecklenburg County, the City of Charlotte, the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville to appoint members to the MPTA.

The PAVE Act requires that certain actions be taken by the MPTA by January 1, 2026, under Section 6.2 of the PAVE Act. The Appointing Authorities acknowledge that the NC Secretary of State's issuance of a certificate of incorporation to create the MPTA would be contingent on the approval of a voter referendum authorized by the PAVE Act; and if a voter referendum is approved, the Appointing Authorities would need to be able to promptly appoint members to the MPTA to ensure that the MPTA can take action to meet the January 1, 2026, deadline referenced above.

Attachments

1. MTC Memorandum of Understanding (MOU)