

**RESOLUTION
OF THE BOARD OF COUNTY COMMISSIONERS
OF MECKLENBURG COUNTY, NORTH CAROLINA
AUTHORIZING THE ORGANIZATION OF A METROPOLITAN PUBLIC
TRANSPORTATION AUTHORITY**

WHEREAS, on June 30, 2025, the General Assembly of North Carolina ratified and enacted Session Law 2025-39, which added a new Article 34 to Chapter 160A of the North Carolina General Statutes; and

WHEREAS, Session Law 2025-39 states that the newly added Article 34 shall be known and cited as the “Metropolitan Public Transportation Authority Act,” (hereinafter “the Act;”) and

WHEREAS, Mecklenburg County meets the criteria of G.S. 160A-902 (“Definition of Territorial Jurisdiction of the Authority”) for the creation of a Metropolitan Public Transportation Authority (the “Authority”) under the provisions of G.S. 160A-903 (“Creation of Authority”); and

WHEREAS, Mecklenburg County, municipalities within Mecklenburg County, the general public, and other interested parties, both public and private, actively participated, individually, severally, and jointly, in a multi-year, regional issue and consensus building development process fundamental to the ratification and enactment of the Act; and

WHEREAS, Mecklenburg County engaged in these processes for the purposes of coordinating regional transportation planning and cooperation to provide safe, efficient, and effective transportation solutions to worsening transportation problems; to enhance quality of life; provide transportation choices; enhance mobility; accessibility, and safety; and to promote economic development, while protecting the environment; and

WHEREAS, the Act provides an opportunity for an additional source of local revenue by providing Mecklenburg County with the authority to levy a one percent (1%) sales and use tax, with six-tenths of that amount dedicated to public transportation systems and four-tenths of that amount dedicated to roadway systems; and

WHEREAS, Mecklenburg County may not levy a local sales and use tax under the Act until it has established the Authority by resolution as described in G.S. 160A-903; and

WHEREAS, pursuant to G.S. 160A-909 (“Purpose of the Authority”) the purpose of the Authority “shall be to finance, provide, operate, and maintain for a safe, clean, reliable, adequate, convenient, energy efficient, economically, and environmentally sound public transportation system for the service area of the authority through the granting of franchises,

ownership, and leasing of terminals, buses, and other transportation facilities and equipment, and otherwise through the exercise of the powers and duties conferred upon it, in order to enhance mobility in the region and encourage sound growth patterns;" and

WHEREAS, in establishing a Metropolitan Transportation Authority, pursuant to G.S. 160A-903, and consistent with the legislative intent of G.S. 160A-905, it is in the public's best interest that Authority membership reflect geographic, and community range of transportation experiences, to the extent possible, and be designed to meet the needs of the commuting public; and

WHEREAS, it is the intent of the Board of Commissioners to only authorize the organization of the Authority if the voters approve the advisory referendum as described in Session Law 2025-39.

WHEREAS, the Mecklenburg County Board of County Commissioners NOW desires by this Resolution to authorize the organization of an Authority under applicable provisions of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS:

1. That the Mecklenburg County Board of County Commissioners hereby authorizes the organization of a Transportation Authority under the Act.
2. That the Articles of Incorporation of said Authority are included herein by reference, which articles include as follows:
 - a) the "Metropolitan Public Transportation Authority" as the official incorporating name of such Authority,
 - b) that such Authority is organized under the Act,
 - c) the name of the organizing county under the Act is Mecklenburg, and
 - d) that an affirmative vote equal to at least seventy-five percent (75%) of the membership of the board of trustees is required to amend the articles of incorporation or to adopt or amend the bylaws of the Authority.
3. That pursuant to G.S. 160A-909 ("Purpose of the Authority") the purpose of the Authority "shall be to finance, provide, operate, and maintain for a safe, clean, reliable, adequate, convenient, energy efficient, economically, and environmentally sound public transportation system for the service area of the authority through the granting of franchises, ownership, and leasing of terminals, buses, and other transportation facilities and equipment, and otherwise through the exercise of the powers and duties conferred

upon it, in order to enhance mobility in the region and encourage sound growth patterns.”

4. That pursuant to G.S. 160A-903 (“Creation of Authority”) a public hearing was duly conducted on the _16th day of _September 2025 by the Mecklenburg County Board of County Commissioners on the matter of organizing an Authority under the provisions of the Act prior to the adoption of this Resolution.

APPROVED the _____ day of _____, 2025

Approved as to Form:

County Attorney

Clerk to the Board