

BYLAWS

OF THE

ABILENE METROPOLITAN PLANNING ORGANIZATION (MPO)
TRANSPORTATION POLICY BOARD

FOR

TAYLOR COUNTY, TEXAS

JONES COUNTY, TEXAS

ABILENE, TEXAS

IMPACT, TEXAS

TYE, TEXAS

As Revised March 20, 2012

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ARTICLE ONE

INTRODUCTION

Late in 1964 a study of transportation in the Abilene urban area was begun, with respect to existing facilities, existing deficiencies, and future needs. This study was initiated as a result of the passage by Congress of the Federal-Aid Highway Act of 1962, which provided for a "continuing, comprehensive transportation planning process carried on cooperatively by States and local communities" for each urban area of more than fifty thousand population. Completion of the initial phase of study covering ten (10) basic study elements resulted in the publication of a two volume report: Abilene Urban Transportation Plan, Volume 1, 1965 Origin-Destination Survey, published in 1966; and Abilene Urban Transportation Plan, Volume 2, 1965-1985 Transportation Plan, published in 1968.

In order to provide for the continuing phase of the comprehensive cooperative planning process for the purpose of keeping Abilene's transportation plan up to date, a continuing phase agreement between the City of Abilene and the State of Texas was executed on January 23, 1969, and superseded by a revised agreement, including Taylor County as a party, executed March 30, 1973. This revised agreement provided the guidelines for the organization and functioning of the continuing phase of the Abilene Urban Transportation Study. It also assigns the primary responsibility of each of the basic study elements to either the city, state or county.

On July 2, 1974, the Governor of Texas designated the City of Abilene to be the Metropolitan Planning Organization (MPO) which, in cooperation with the State, would have overall transportation planning responsibilities for the urbanized area. The designation was repeatedly renewed until 1988 when the designation became continuous. A series of agreements between the State of Texas and the City of Abilene have assigned individual and joint responsibilities to the State and the City of Abilene in the conduct of transportation planning activities to fulfill the requirements of federal and State law.

The 1973 agreement established a group structure to provide overall transportation policy guidance for the planning activities. Initially, the group structure contained two committees: a Policy Advisory Committee consisting of area legislators and elected officials of local governments and a Steering Committee consisting of other elected officials and key transportation planning staff personnel. The group structure evolved in response to changes in legislation and contractual agreements, becoming a single Abilene Urban Transportation Planning Committee with both voting and non-voting members. The group adopted the name Abilene MPO Transportation Policy Board in 1993 and continues to act as the forum for cooperative transportation planning decision making and the provider of overall transportation policy guidance to the MPO.

In June of 1998 the Transportation Equity Act for the 21st Century (TEA 21) was signed into law. TEA 21 modified the mandatory planning considerations required under previous law but retained the emphasis on cooperative decision making in transportation plans and programs.

ARTICLE TWO

PURPOSE OF THE TRANSPORTATION POLICY BOARD

Section 2.01 Board Functions

Functions of this Board will include the following:

- A. Provide general policy guidance for the transportation planning process.
- B. Review and approve the Transportation Improvement Program and the Unified Planning Work Program for the Abilene Metropolitan Area annually and revise as necessary.
- C. Take appropriate action on the recommendations of the Planning Coordinators or their staff, including those relative to certification and recertification action for the planning activities.
- D. Meet as necessary to perform its function as the forum for cooperative transportation decision making in the Abilene Metropolitan Area.
- E. Hold a public meeting to discuss the status of the planning process at least once a year.
- F. Designate such technical committees or task forces as found necessary to carry out the planning process.

ARTICLE THREE

STRUCTURE OF THE TRANSPORTATION POLICY BOARD

Section 3.01 Organization

The operations of the Abilene Metropolitan Transportation Planning Program shall be directed by the Transportation Policy Board. The Transportation Policy Board shall consist of the following members.

Voting members:

- City of Abilene Mayor
- City of Abilene Council Member
- Jones County Judge
- Taylor County Judge
- TxDOT Abilene District Engineer

Non-voting members:

- US Representative District 13
- US Representative District 19
- State Senator District 24
- State Senator District 28
- State Representative District 71
- State Representative District 85

The City of Abilene Council Member position shall be occupied by the Council Member designated by action of the City Council. All other positions on the Transportation Policy Board shall be occupied by the individuals who hold the positions.

Section 3.02 No Compensation

Members shall serve on the Transportation Policy Board without special compensation from any agency, person, or governmental entity for serving on this Board. Employment compensation of those members who serve as a part of their employment is not referred to by this section.

Section 3.03 Officers

The Transportation Policy Board shall elect a Chairman and a Vice-Chairman from the voting members. The Vice-Chairman shall assume the duties of the Chair in the absence of the Chairman. The chairman shall be an elected official. The officers may be elected (a) by the individual person or (b) by the membership position. The officers shall be elected for a term of two (2) federal fiscal years and may be re-elected.

ARTICLE FOUR

STAFF

Section 4.01 Planning Coordinators

Because of the joint responsibility of the MPO and Texas Department of Transportation to carry out transportation planning, the Abilene Metropolitan Transportation Planning Program uses two planning coordinators. One coordinator directs the Texas Department of Transportation's planning staff in its day to day activities and one directs the MPO planning staff. The MPO coordinator and the TxDOT coordinator work closely to see that the planning process is accomplished in a comprehensive and efficient manner.

The coordinator for TxDOT is the transportation planner. This coordinator's responsibilities are as follows:

- A. Maintain current records of expenditures by the State and the Federal Highway Administration for surface transportation facilities within the Study Area.
- B. Ensure the preparation and/or execution of the planning elements for which this document, the Transportation Policy Board, or the urban transportation planning contract assigns responsibility to the State.

The coordinator for the MPO is the MPO Executive Director. This coordinator's responsibilities are as follows:

- A. Annually or biannually supervise the preparation of the Unified Planning Work Program.
- B. Oversee the development of a metropolitan transportation plan that will complement the Statewide Multimodal Transportation Plan required by state and federal law.

- C. Arrange for meetings of the Transportation Policy Board when appropriate, but at least once a year.
- D. Maintain a file of annual summaries of all study elements involved in the continuing planning process and prepare an annual progress report to reflect general development and plan implementation within the area.
- E. Direct MPO transportation planning staff in the preparation and/or execution of the planning elements for which this document, the Transportation Policy Board, or the urban transportation planning contract assigns responsibility to the MPO.
- F. Maintain liaison and act in an advisory capacity to the Transportation Policy Board.
- G. Coordinate and maintain liaison between the Cities, the Counties, and the State.
- H. Through coordination with State and local officials, develop and annually update the Transportation Improvement Program.
- I. Recommend to the Transportation Policy Board special studies, revision of the Transportation Plan, or renegotiation of the urban transportation planning contract when considered appropriate.
- J. Arrange for meetings between the MPO staff and the TxDOT staff, as necessary.

In certain areas of the planning process the duties of the coordinators overlap to such an extent that one coordinator cannot be singularly responsible. Such areas of joint responsibility are as follows:

- A. Ensure an active effort to involve the public in the planning process.
- B. Make available to participating agencies all projected traffic and other data relative to the Study Area.
- C. Arrange for additional or modified traffic assignments and assist in the procurement of additional data for zonal traffic forecasts
- D. Effect studies and procedures to ensure the planning process is in compliance with Title VI of the Civil Rights Act of 1964.
- E. Assure that special efforts are made in the planning stage so that older persons and persons with disabilities can effectively utilize public transportation facilities and services.
- F. Ensure that all planning efforts include all considerations mandated by applicable law.

Section 4.02 MPO Staff

The MPO staff shall be employees of the fiscal agent. The work of the staff shall be directed by the Transportation Policy Board.

ARTICLE FIVE

RULES OF PROCEDURE

The Transportation Policy Board shall adopt rules of order and procedure to regulate meetings and activities directly related thereto. The rules shall deal only with procedural matters and shall be available to the public and kept on file with the Abilene MPO Executive Director.

ARTICLE SIX

PUBLIC MEETINGS

Section 6.01 Open Meetings

All meetings of the Transportation Policy Board shall be open to the public. The Abilene MPO Executive Director shall call together the Transportation Policy Board as necessary to conduct official business. Regular meetings shall be scheduled at least once a year. Additional meetings may be held upon the call of the chairman or upon petition of a simple majority of the Transportation Policy Board. All meetings of the Transportation Policy Board shall be in compliance with the requirements of the Texas Open Meetings Act and the Texas Open Records Act.

Section 6.02 Notice

Notice of any meeting of the Transportation Policy Board, whether a regular or a special meeting, shall be given to the members at least three (3) days in advance of the meeting by written notice delivered personally, sent by mail, or electronically transmitted to each member of the Board. Such notice shall contain the time, date, place, and the agenda to be considered.

Section 6.03 Quorum

For purposes of convening a meeting, a quorum shall consist of three (3) voting members of the Transportation Policy Board. Except as otherwise stated, decisions shall only require a simple majority of the voting members present. If a quorum cannot be obtained, the chair may adjourn the meeting or invite discussion of the items to be transacted at the meeting; however, no action shall be taken on such items.

Section 6.04 Agenda

The Abilene MPO Executive Director is hereby assigned the responsibility for preparing the agenda for the Transportation Policy Board. However, any member of the Transportation Policy Board may have an item placed on the agenda by notifying the Abilene MPO Executive Director.

Section 6.05 Briefing Session

The Chairman may wish to hold briefing sessions prior to regular or special meetings. In such cases, the Chairman shall so notify the members of the Board. Briefing sessions shall be public meetings, but no formal vote shall be taken on any matter under discussion.

Section 6.06 Discussion of Agenda

Other than members of the Transportation Policy Board, and members of the Technical Advisory Committee, each person who wishes to address the Board regarding an item on the agenda shall be limited to a five (5) minute presentation unless such person requests and receives additional time from the Chairman. The Chairman may exercise discretion in allowing or not allowing additional time to any speaker.

The use of a single spokesperson to represent a group of people is encouraged. Where there are large numbers of persons who wish to address the Transportation Policy Board on a single matter, the Chairman may decrease the amount of time available to each person who wishes to address the Transportation Policy Board.

Where the number of people who wish to address the Transportation Policy Board is too great for the time available during the scheduled hearing, the Board may hear so much of the information as time permits and continue the hearing on that matter to a later date.

Section 6.07 Records

The Transportation Policy Board shall keep minutes of its proceedings, showing the vote upon each question. Such minutes shall be a public record, filed with the Texas Department of Transportation Planning Coordinator.

ARTICLE SEVEN

TECHNICAL ADVISORY COMMITTEE

Section 7.01 Responsibilities

The Technical Advisory Committee shall review and make recommendations to the Transportation Policy Board on all technical matters and on any other issues assigned to it by the Board.

Section 7.02 Organization

The Technical Advisory Committee shall consist of the following positions. The individual fulfilling the duties and responsibilities of the member position shall serve as the Committee member. For those member positions that are not a specific job position, the

respective organizations shall appoint an individual to serve as the committee member and shall notify the MPO Executive Director in writing of the appointment.

Voting members

- MPO Executive Director
- City of Abilene Airport Director
- City of Abilene Planning Director
- City of Abilene Public Works Director
- City of Abilene City Engineer
- City of Abilene Traffic & Transportation Administrator
- Abilene Transit System General Manager
- TxDOT Abilene Area Engineer
- TxDOT Director of Traffic Operations
- TxDOT Director of Transportation Planning and Development
- Jones County Commissioner
- Taylor County Commissioner
- City of Tye Mayor
- City of Tye Public Works Director
- City of Impact Mayor
- Abilene Chamber of Commerce representative
- West Central Texas Council of Governments representative
- Dyess Air Force Base Engineer designee

Non-voting members

- TxDOT Regional MPO Coordinator
- TxDOT Austin TP&P Area Planner
- Texas Commission on Environmental Quality Regional Director
- FHWA Planning Representative
- FTA Review Office

Section 7.03 No Compensation

Members shall serve on the Technical Advisory Committee without special compensation from any agency, person, or governmental entity for serving on this Committee. Employment compensation of those members who serve as a part of their employment is not referred to by this section.

Section 7.04 Officers

The MPO Executive Director shall serve as the Chair of the Technical Advisory Committee. The Committee may elect additional officers as necessary for conduct of its

activities.

Section 7.05 Quorum

Seven voting members, with at least one from the City of Abilene, one from TxDOT and one from another agency, shall constitute a quorum of the Technical Advisory Committee.

Section 7.06 Rules of Procedure

The Technical Advisory Committee shall adopt rules of order and procedure to regulate meetings and activities directly related thereto. The rules shall deal only with procedural matters and shall be available to the public and kept on file with the Abilene MPO Executive Director.

ARTICLE EIGHT

AMENDMENTS TO BYLAWS

Changes in the Bylaws of the Transportation Policy Board shall require a two-thirds (2/3) vote of the voting members of the Transportation Policy Board.

ARTICLE NINE

PARAGRAPH HEADINGS AND TABLE OF CONTENTS

The table of contents and paragraph headings contained herein are for convenience in reference to these Bylaws and are not intended to define or to limit the scope of any provision herein.

ARTICLE TEN

RULES OF CONDUCT AND ETHICS

The members and staff of the Abilene Metropolitan Planning Organization Transportation Policy Board and the members of the Technical Advisory Committee shall abide by the requirements of Section 472.034 of the Transportation Code of the State of Texas as it may be amended or recodified from time to time. These requirements are in addition to, and not in replacement of, any ethical requirements that may be incumbent on any member or employee of the Board as a representative or employee of a constituent entity of the Board.

ADOPTED AND APPROVED by the Abilene Metropolitan Planning Organization Transportation Policy Board this 20th day of March, 2012.

ATTEST: _____
Chairman