

LARAMIE URBAN SYSTEMS ADVISORY COMMITTEE

BYLAWS

1.0 Name of Committee

The committee shall be known as the Laramie Urban Systems Advisory Committee (USAC).

2.0 Purpose and Duties

This Committee shall be a transportation advisory committee to the local city and county governments for the Urban Systems program, a cost-sharing program authorized by the Transportation Commission of Wyoming.

The purpose of the Committee is to evaluate the transportation needs of the urban area; compile and prioritize a list of potential improvement projects constrained by available federal and local matching funds and submit said list to the appropriate governing bodies for their approval.

The Committee shall follow the procedures outlined in the Cooperative Agreement among the Wyoming Department of Transportation, City of Laramie, and Albany County dated February 9, 2000 as amended, and the Wyoming Department of Transportation Operating Policy 2-4, Urban Systems Program, both of which are attached as Exhibit A.

3.0 Membership

The membership of the Urban Systems Advisory Committee shall at a minimum consist of a twelve (12) member voting body as follows:

- 3 representatives appointed by the Laramie City Council
- 3 representatives appointed by the Albany County Board of County Commissioners
- 1 representative appointed by WYDOT from the District or designee
- 1 representative appointed by the University of Wyoming
- 1 representative appointed by the Laramie Traffic Commission
- 1 representative appointed by the Albany County Planning and Zoning Commission
- 1 representative appointed by the Laramie Planning Commission
- 1 representative appointed At-Large with concurrence of the Laramie City Council and Albany County Board of County Commissioners

One WYDOT representative from the WYDOT Planning Program shall be a non-voting member except in the absence of the WYDOT District Representative.

Members shall serve 2-year terms, and may be removed, with or without cause, by the entity which appointed them. Prior to expiration of a member's term, the appointing authority shall either re-

appoint or appoint a new member to prevent vacancies in the committee. A list of the members, and the entity they represent, shall be prepared by the Recording Secretary or appointed staff member and distributed to the membership every year, or as new members are appointed, whichever occurs first.

Other agencies or individuals may be asked or encouraged to participate on an “as needed,” non-voting basis. If non-members wish to address the urban systems committee, the non-members will be recognized under “Other Business” on the agenda, or during public comment related to items on the agenda.

4.0 Officers

The officers of the Committee shall consist of a Chair and Vice Chair, Secretary and other such officers as the Committee may wish to appoint. The Committee may choose to appoint a City employee to record minutes in place of a Secretary as the Recording Secretary. The officers shall be elected by a majority vote of the Committee membership at its annual meeting for a term of two (2) years without limitations of re-election. If there is a vacancy in the office of Chair, the Vice Chair will become Chair until an election can be held at the next regularly scheduled meeting. Any officer may resign at any time by delivering a written resignation to the Recording Secretary. If, in the judgment of the officers, the best interests of the committee will be served, any officer may be removed from office by the affirmative vote of two-thirds of the voting membership.

The duties of the officers shall be those normally associated with the offices and shall hold no special voting privileges.

The Chair shall be responsible for conducting all regular and special meetings unless incapacitated or unable to attend. The Chair may move, second and debate from the chair subject only to the limitations placed on all members and shall not be deprived of rights and privileges of a member.

The Vice Chair shall perform the duties or responsibilities of the Chair in the absence or disability of the Chair.

In the absence of the Chair and Vice Chair, a Temporary Chair shall be elected to serve as the Chair until the appointed Chair is in attendance.

The Recording Secretary shall be responsible for keeping the meeting minutes, maintaining the membership roster, and setting the meeting dates. Minutes of the meeting will be prepared by the Recording Secretary and distributed to the membership a minimum of seven (7) days prior to the next scheduled meeting.

5.0 Meetings Rules and Procedures

The Committee shall hold a minimum of one (1) annual meeting with arrangements made by the Recording Secretary via email consensus for committee members’ availability if the date is not

established at the previous meeting and shall not be held on any Federal, State, City or County holiday. The Committee shall meet at other times, as necessary, on the call of its Chair, in coordination with the WYDOT Planning Program representative.

Eight (8) of the voting membership of the Committee shall constitute a quorum for the conduct of business. All members must be present either physically or virtually to count towards a quorum or take any action. Voting on motions before the Committee shall be by voice vote or show of hands at the direction of the Chair. Action may be taken by a majority of the voting members present, however, no action may be taken with less than three (3) affirmative votes. Roberts Rules of Order shall govern the conduct of all meetings of the Committee, except for rules set forth or adopted by the Committee. Minutes of the meeting will be prepared by the Secretary or appointed Recording Secretary and distributed to the membership within fourteen (14) days following each meeting, and will be considered for approval at the following regularly scheduled meeting.

Voting members may designate a proxy for their representative entity to have full voting rights whenever the appointed member is absent for a meeting. If a member desires to designate a proxy, a written proxy appointment from the appropriate entity shall be provided to the recording secretary prior to the meeting.

When a member recuses themselves from consideration of an item before the Committee because of conflict of interest or any other reason, the member shall be considered present for purposes of maintaining a quorum. The record of voting on such items shall indicate the affected member who recused themselves.

A member may not vote on approval of minutes for a meeting they did not attend.

6.0 Conflict of Interest

Members have the right and the obligation to vote on all questions before them and to participate in the business of the Urban Systems Advisory Committee except when a conflict of interest exists, or if there is a perception of a conflict of interest.

Whenever a voting member has a conflict of interest, be it for financial or personal interest in any matter coming before the committee, the affected person shall;

- a) fully disclose the nature of the interest, and
- b) withdraw from discussion, lobbying, and voting on the matter or participate in any other way.

Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested members determine that it is in the best interest of the committee to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

7.0 Ex Parte Contacts

Ex parte contacts are contacts between individuals seeking to influence a decision on a USAC matter outside the meeting forum. Ex Parte Contacts may include site visits with petitioners outside of a meeting, telephone calls, letter, email or any other correspondence which attempt to influence a member's opinion on a matter which will be subject to the member's vote.

It is understood that all ex parte communications cannot be avoided. Members shall attempt to avoid ex parte conversations and communications concerning any possible proposal which may be heard by the board. Should any such ex parte contacts occur where relevant information is obtained and considered by a member, the ex parte contact and information obtained shall be disclosed at the public hearing or meeting so that participants at such hearing or meeting may be confronted with all facts that influence the disposition of the case and have an opportunity to respond.

8.0 Open Meetings & Records

All meetings of the Urban Systems Advisory Committee shall be open to the public except as provide by law. Any information presented to the Urban Systems Advisory Committee in carrying out its responsibilities, records and recordings of meeting and any other material resulting from the conduct of its activities shall be kept on file, and shall be available for inspection by the public upon reasonable request except as provided by law.

9.0 Adoption and Amendment

The Bylaws for the Urban Systems Advisory Committee may be adopted and amended by the affirmative vote of a two-thirds majority of its full membership. Any adoption or amendments to the Bylaws will require a minimum of eight (8) members voting in the affirmative and previous notice has been given to the membership of the proposed amendment. All Amendments shall be in compliance with all applicable statutory provisions and all applicable WYDOT Operating Policies pertaining to the Urban Systems Program.

10.0 Duration

This agreement shall be renegotiated on a periodic basis in conjunction with the time frame established by the Urban System Program and the duration of the Cooperative Agreement among the Wyoming Department of Transportation, The City of Laramie, and Albany County.

City of Laramie, Wyoming

_____ Date: _____

Joe Shumway, Mayor and President of the City Council

ATTEST:

_____ Date: _____

Nancy Bartholomew, City Clerk

Albany County Wyoming

_____ Date: _____

Terri Jones, Chairman of the County Commissioners

ATTEST:

_____ Date: _____

Jackie R. Gonzales, County Clerk

Wyoming Department of Transportation

_____ Date: _____

Martin E. Kidner, P.E., State Planning Engineer

ATTEST:

_____ Date: _____

Mark Wingate, P.E., Systems Planning Engineer

Adopted: July 1, 2020

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| WYOMING DEPARTMENT OF TRANSPORTATION | | OPERATING POLICY |
| ISSUED: February 27, 2006 | POLICY NUMBER: | 2-4 |
| AUTHORITY: Director | | |

SUBJECT: Urban System Program

I. Authorization

The Urban System Program is authorized by the Transportation Commission of Wyoming.

II. Eligibility

All incorporated areas with a population of 5,000 or more, according to the latest federal decennial census, are eligible to participate in the program. To qualify, the general requirements are:

- A. Approval by the Transportation Commission of Wyoming as an urban area.
- B. A cooperative agreement negotiated between the urban area and the Wyoming Department of Transportation (WYDOT) to establish cooperative planning procedures for urban planning and project selection. Representatives from the urban community must draft bylaws to be adopted by the Department, the city, and the county for operating the urban system advisory committee.
- C. For all new communities participating in WYDOT's Urban Program, a maintenance agreement for state highways within the urban area shall be negotiated between the urban community and the district engineer.

III. Planning Assistance to the Urban Area

- A. A transportation planning analysis, performed by the Planning Program, is required in urban areas with populations of less than 50,000, if the urban area does not have a continuing transportation planning process in effect. This analysis consists of the following information:
 - 1. A 10- and 20-year socioeconomic forecast for the urban area.
 - 2. A land-use plan showing present and future areas intended for residential, commercial, industrial, and recreational activities.
 - 3. A 20-year major street and highway plan based on the future land-use plan, including designated eligible roadways for participation in the program.
 - 4. A brief narrative report that includes estimates of present and future internal and external travel for the transportation network as well as preliminary development estimates and priority assignments.

- B. For all urban areas, a functional classification map will be developed to include anticipated classifications no more than five years into the future. Those roadways functionally classified as collectors or higher are eligible for federal aid participation under the Urban Program.

Changes to the functional classification map are approved by resolution in the urban system advisory committee, or if applicable, the technical and policy committees. The Planning Program's Systems Planning Section forwards all changes to the Planning Roadway Inventory Section, which calculates and records mileage changes to the urban system. Inventory staff then forward changes to Planning's Mapping Section for re-drafting of the urban systems map. Minor changes may not necessitate a re-drafting and may be documented with a letter stating the resolution. Final approval of all changes requires signature by WYDOT and the Federal Highway Administration (FHWA).

IV. Urban System Advisory Committee

Each designated urban area must have an urban system advisory committee responsible for recommending potential projects to local government officials. As a minimum, this committee should be comprised of city and county officials or their designees, local citizens, the Department's district or resident engineer, and a representative from WYDOT's Planning Program. All projects must be initiated through this committee, and any major change in project scope must be coordinated through it. Each urban system advisory committee meets at its own discretion, but it should meet at least once a year.

V. Programming

A prioritized list of projects must be made by each local urban system advisory committee, certified by local city and county governments, and concurred to by the Department. Projects selected by each urban area are programmed against that area's respective urban fund balance and allocation, including Phase "1" and "2" preliminary engineering and construction. The appropriate local governing agency shall pay the local match for all project activities charged to the Urban Program.

The following process is used to obtain accurate, balanced project sequence listings for each qualified urban area:

- A. The local urban system advisory committee prepares a master project listing of all proposed (six-year) projects.
- B. A letter is sent to the state planning engineer by the urban system advisory committee asking for the project to be included in the State Transportation Improvement Program (STIP).
- C. The Planning Program prepares an urban planning study report, which identifies the project location and intent, a reasonable estimate, and other pertinent information necessary for initiating the reconnaissance report.

- D. A cooperative agreement between the city and WYDOT is negotiated to authorize Phase 1 Preliminary Engineering (P.E.) for conducting reconnaissance reports to determine the scope and estimated cost of the proposed projects.
- E. The local urban system advisory committee, in cooperation with the Planning Program, prepares the final project sequence list based on the results of the reconnaissance reports.
- F. Local elected officials and the Department ratify and certify project sequence lists.
- G. A final cooperative agreement is negotiated for Phase 2 P.E. and constructing the selected project(s).

Since all Urban System Program project candidates must be on routes functionally classified as collectors or higher, urban communities will not be allowed to use such funds on streets functionally classified as local. Only portions of the roadway within the urban limits will be eligible for Urban System Program funds.

VI. Distribution of Funds

- A. Urban System Program funds shall be distributed by formula and allocated to all urban areas in Wyoming participating in the program at the following ratio (as determined by the most recent federal decennial census).

$$\frac{\text{Corporate boundary population}}{\text{Total corporate population of all urban areas in Wyoming}}$$

- B. A maximum of two years of Urban Program funding may be borrowed against future allocations to complete an Urban Program project. Borrowing against future allocations will be at the discretion of the chief engineer. Factors to be considered in the borrowing of funding should include:
 1. Relative need for the project in the urban area;
 2. Whether the funds need be borrowed beyond the horizon of the current highway bill;
 3. The combined current status of funds in the Urban Program; and
 4. Whether other applicable sources of funding are available to complete the Urban Program project.

VII. System Designation

The urban system in each designated urban area consists of a state system and a local system. The state system includes those routes for which matching funds are provided by WYDOT and maintenance responsibilities are assumed, in accordance with Operating Policy 40-2, Construction Agreements and Maintenance Responsibilities with Cities and Towns for Streets on the State Highway System. The local system consists of routes for which matching funds are provided and maintenance responsibilities assumed by the local governments. Urban System Program funds will be primarily used on the local system.

(As stated in preceding Section V, Programming, all funds must be expended on roads classified as collectors or higher.)

VIII. Right-of-Way

- A. The Department will acquire right-of-way and provide relocation assistance on Urban System Program projects. The city or county must perform all eminent domain proceedings with preparatory assistance from the Right-of-Way Program. All right-of-way WYDOT acquires for the project will be held in the city or county's name. Procedures are contained in the *Right-of-Way Manual* and in Wyoming Department of Transportation Rules and Regulations, General Section, Chapter 4, Relocation Assistance Program.
- B. Procedures set forth in the Wyoming Uniform Relocation Assistance Act of 1973 (including amendments) and the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (including amendments) are followed in acquiring right-of-way required for Urban System Program projects.
- C. Cattle guards, stock passes, and irrigation structures constructed to benefit adjacent property owners are justified in the same manner as for other state-funded projects.

IX. Utilities

- A. WYDOT will resolve and/or mitigate all utility adjustments and conflicts for all Urban System Program projects. Procedures consistent with other federal-aid type projects must be followed and are contained in the Utility Accommodations Section of the Wyoming Department of Transportation's Rules and Regulations and 23 CFR 645, Subpart A—Utility Relocations, Adjustments, and Reimbursement.
- B. On urban routes on the state system, the Department has full control over the permitting process for licensing utility crossings and parallel encroachments. The local government has control over licensing of utility lines on urban routes not on the state system.
- C. WYDOT's Utility Section oversees utility adjustments and/or utility relocation assistance for construction projects involving federal-aid funds. Funding for adjustments is determined by the matching fund formula and state and federal regulations for utility adjustments and relocations.
- D. The Department's Railroad Section, as administered by Planning and Right-of-Way, oversees railroad adjustments and other railroad assistance for urban construction projects. Funding for adjustments is determined by the matching fund formula and state and federal regulations for railroad adjustments and relocations.

X. Maintenance Responsibility

WYDOT must assure that urban system improvements are properly maintained. Off the state highway system, the local government must agree to properly maintain and operate facilities constructed with Urban System Program funds. Failure of an urban area to fulfill

its maintenance responsibilities disqualifies that urban community from participating in future urban projects.

References: Operating Policy 40-2, Construction Agreements and Maintenance Responsibilities with Cities and Towns for Streets on the State Highway System.
Wyoming Department of Transportation Rules and Regulations, Utility Accommodations Section.
Wyoming Department of Transportation Rules and Regulations, General Section, Chapter 4, Relocation Assistance Program.
Right-of-Way Manual, Wyoming Department of Transportation.
Wyoming Uniform Relocation Assistance Act of 1973 (including amendments), *Session Laws of Wyoming*, 1973, Chapter 218; W.S. 16-7-101 *et seq.*
Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (including amendments), Public Law 91-646; 42 USC 4601 *et seq.*
23 CFR 645, Subpart A—Utility Relocations, Adjustments, and Reimbursement.