

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE STATE OF TEXAS ACCEPTING THE DESIGNATION OF THE CITY OF ABILENE, TEXAS, AS METROPOLITAN PLANNING ORGANIZATION FOR THE ABILENE URBANIZED AREA.

WHEREAS, Section 112 of the Federal-Aid Highway Act of 1973 establishes the Metropolitan Planning Organization as the recognized entity for review and coordination of all transportation planning and improvement projects to be funded by the U.S. Department of Transportation; and

WHEREAS, the City of Abilene has been the designated Metropolitan Planning Organization for the Abilene Urbanized Area since 1974; and

WHEREAS, the City of Abilene recognizes that it is in the best interest of the City and of the member jurisdictions, City of Tye, City of Impact, and County of Taylor, for the City to continue to function as Metropolitan Planning Organization; and

WHEREAS, the required Committee structure, review process and procedures for developing the necessary annual documents have been in effect since 1974 and function to meet the needs of the involved parties; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART I: The City of Abilene hereby accepts the designation of Metropolitan Planning Organization for the Abilene Urbanized Area, to be effective until 1988; and

PART II: The Mayor is hereby authorized to execute the attached agreement, styled Exhibit "A", between the State of Texas and the City of Abilene and to forward it to the Governor of Texas for his signature; and

PART III: This resolution shall take effect immediately from and after its passage.

ADOPTED this 11 day of September, 1986, A.D.

ATTEST:

Patricia Patta  
City Secretary

David Stubbeman  
Mayor

APPROVED:

Jonathan Graham  
City Attorney

AGREEMENT

RESOLUTION NO. 46-1986

EXHIBIT "A"

STATE OF TEXAS

COUNTY OF TRAVIS

THIS AGREEMENT made this 11 day of ~~September~~ A.D., 1986, by and between the Office of the Governor, State of Texas, acting by and through the Office of Budget and Planning, Party of the First Part, and the City of Abilene

\_\_\_\_\_, Party of the Second Part:

WITNESSETH

WHEREAS, the Federal-Aid Highway Act of 1973 in Section 112 allocates planning funds to Metropolitan Planning Organizations to support the urban transportation planning process; and

WHEREAS, the Federal Highway Administration (in accordance with Section 112 of the Federal-Aid Highway Act of 1973) and the Urban Mass Transportation Administration (in accordance with Section 8 of the Urban Mass Transportation Administration Act of 1964, as amended) intend to fund the same designated metropolitan planning organization in each metropolitan area; and

WHEREAS, The Federal Aviation Administration intends to consider this agency for the receipt of airport system planning funds under Section 13 of the Airport and Airway Development Act of 1970 as amended; and

WHEREAS it is the desire of the parties that urban transportation planning be integrated to the maximum extent possible with other areawide planning in the metropolitan area; and

WHEREAS, the successful implementation of urban transportation planning requires the assistance and concurrence of all local governments in the metropolitan area.

NOW THEREFORE, it is hereby agreed that the use of funds made available under Section 112 of the Federal-Aid Highway Act of 1973 shall be governed by the organization and responsibilities as set out in the following paragraphs:

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I. Organization

The CITY OF ABILENE  
shall be the Metropolitan Planning Organization for transportation  
planning in the Abilene  
urbanized area.

The Metropolitan Planning Organization shall:

- A. Develop or assist in the development of a multi-modal transportation planning process. Prepare a Unified Work Program which would specify the use of Section 112 funds or in those regions where a Unified Work Program is not required, prepare a plan for the use of these monies, and submit the Unified Work Program or plan for approval to the Committee established pursuant to Section 134 of Chapter 1 of Title 23 United States Code.
- B. Insure that transportation planning in the urbanized area is successful, coordinated, and integrated with other comprehensive planning in the State Planning Region.
- C. Use the Committee structure established pursuant to Section 134 of Chapter 1 of title 23 U. S. C. as the group responsible for giving the Metropolitan Planning Organization overall transportation policy guidance.

II. Section 112 of the 1973 Federal-Aid Highway Act authorizes additional funds for the purpose of carrying out the provisions of Section 134 of Chapter 1, of title 23 U. S. C. Therefore, first consideration for the distribution of Section 112 funds will be given to planning efforts being conducted by cities, counties, and regional councils of governments who are assigned responsibility for basic elements of the urban Transportation Study Agreements established by the State Department of Highways and Public Transportation pursuant to Section 134 of Chapter 1 of title 23 U. S. C.

III. This agreement shall in no way establish any activity or process that would infringe upon or interfere with the statutory obligation of the State Department of Highways and Public Transportation.

- IV. The Metropolitan Planning Organization will contract with the State Department of Highways and Public Transportation for Section 112 Planning Funds. The expense involved in urban transportation planning will be assumed by the Metropolitan Planning Organization or agencies with which the Metropolitan Planning Organization has subcontracted to accomplish work identified in the approved Unified Work Program or plan for the use of Section 112 funds. Vouchers for completed work under the annual Unified Work Program or plan utilizing Section 112 funds will be audited and approved by the State Department of Highways and Public Transportation according to federal and State requirements. Reimbursement will be made on a periodic basis.
- V. This agreement may be renegotiated as necessary to meet changing conditions or terminated by either party.
- VI. This agreement will terminate on August 31, 1988. Renegotiation for renewal of the designation may begin after May 31, 1988. Then by mutual agreement this agreement may be renewed for a two-year period.

IN WITNESS WHEREOF, the Parties have hereunto affixed their signatures on the dates indicated.

Party of the First Part  
OFFICE OF THE GOVERNOR  
STATE OF TEXAS

Party of the Second Part  
CITY OF ABILENE

BY: \_\_\_\_\_

By David Stulbeman

Date: \_\_\_\_\_

Date: 9-11-86

RECOMMENDATION FOR EXECUTION:

Title MAYOR