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BYLAWS

BIRMINGHAM METROPOLITAN PLANNING ORGANIZATION Adopted in Association with Companion Bylaws of the Regional Planning Commission of Greater Birmingham (RPCGB)

Article 1 - Name of Organization

Birmingham Metropolitan Planning Organization (MPO)

Article 2 - Purpose

2.1 Purpose

- A. To provide a continuing, cooperative and comprehensive transportation planning process, in conjunction with the RPCGB, that results in plans and programs consistent with the comprehensively planned development of the Birmingham Metropolitan Planning Area of Jefferson, and Shelby, Blount and St. Clair Counties.
- B. To provide transportation planning input into a regional development plan that includes transportation planning projects and strategies that will support economic vitality, increase the safety and security of the transportation system for motorized and nonmotorized users, increase the accessibility and mobility options available to people and freight, protect and enhance the environment, enhance the integration connectivity of the transportation system, promote efficient system management and operation, and emphasize the preservation of the existing transportation system.

2.2 Powers

The Birmingham Metropolitan Planning Organization (MPO) is the organization designated by the Governor as being responsible, together with the State, for carrying out the provisions of the Code of Federal Regulations as applicable to

transportation planning in certain urban areas and apportionment of funds as well as being capable of meeting requirements of the United States Codes as applicable to federal financial assistance, long-range program, urban mass transit and air quality.

Cooperative Agreements to implement these provisions have been executed among the major groups involved in transportation planning.

Metropolitan Transportation Planning and Programming rules and regulations are defined under 23 CFR Part 450, 49 CFR Part 613, and 40 CFR Part 93.

BIRMINGHAM MPO POLICY AND ADVISORY COMMITTEE

Article 3 - Membership

3.1 Geographic Boundaries

Membership shall be geographically representative of the metropolitan planning area based upon the final decennial Census.

3.2 Qualifications

A person must reside, hold elected office or work in the district in which he is appointed to represent. District 2 would be an exception in that representatives of unincorporated Jefferson County could reside or hold office in any district in Jefferson County incorporated or unincorporated area.

3.3 Representation

There will be no more than 40 voting members of the MPO Policy Committee from District 1-7.

- A. District 1 is composed of the City of Birmingham, with nine (9) voting members of which at least four (4) representatives shall be elected officials with representatives to be selected by the Mayor.
- B. District 2 is composed of Unincorporated Jefferson County with five (5) voting members of which at least two (2) shall be elected officials and one shall be the Director of Roads and Transportation with representatives to be selected by the Jefferson County Commissioner of Roads and Transportation.
- C. District 3 is composed of all other municipalities within Jefferson County with thirteen (13) voting members of which at least nine (9) shall be elected officials, with representatives to be selected by the Jefferson County Mayor's Association
- D. District 4 is composed of the City of Hoover within Jefferson County with two (2) voting members to be selected by the Mayor.
- E. District 5 is composed of incorporated and unincorporated areas in Shelby County with eight (8) voting members. Six (6) representatives to be selected by the Shelby County Commission, one of which must be the county engineer, and one (1) each from the two most populous municipalities selected by their respective Mayors.

- F. District 6 is composed of two (2) representatives from St. Clair County to be selected by the St. Clair County Commission.
- G. District 7 is composed of one (1) representative from Blount County to be selected by the Blount County Commission.
- H. One representative from the East Central Region, State of Alabama, Department of Transportation to be selected by the Region Engineer.
- I. One representative from the Birmingham Jefferson County Transit Authority to be selected by the Board Chairman.
- J. One representative from Blount County Public Transportation, to be selected by the Blount County Commission.
- K. One representative from St. Clair County Public Transportation, to be selected by the St. Clair County Commission.

3.4 Nonvoting Members

Representatives from the Permanent Joint Legislative Committee, the Alabama Department of Transportation Bureau of Transportation Planning and Modal Programs, and the Federal Highway Administration will be deemed permanent and ongoing nonvoting members. The MPO Policy Committee may add nonvoting members as it deems appropriate.

3.5 Membership by Proxy

- A. A person can be designated as only one proxy vote per meeting.
- B. Any member can designate any other member or non-member as a permanent proxy eligible to vote. The designation of a permanent proxy must be made by the member in writing. The term of a permanent proxy cannot exceed the term of the appointing member.
- C. In addition to a permanent proxy, a proxy for an individual meeting can be designated. A written request may be submitted in advance of the meeting. The MPO Policy Committee Chair may appoint a temporary proxy for an individual meeting pursuant to a voting member's verbal request followed by a confirmation in writing.

3.6 Appointments

Appointments shall be confirmed in writing to the MPO Policy Committee chair at the January meeting of each year by the appointing authority for each district. Failure to appoint by this date means that a person is ineligible to vote until such confirmation is provided.

3.7 Membership Changes

Additional changes to the membership composition shall be by Nominating Committee recommendation. The Nominating Committee shall be appointed by the MPO Policy Committee Chairman. A request shall then be sent to the Director of

the Alabama Department of Transportation whose written approval constitutes designation of MPO Policy Committee membership by the Governor of Alabama as required under federal regulations.

Article 4 - Responsibilities and Powers

The responsibilities of the MPO Policy Committee are generally to provide a continuing, cooperative and comprehensive (3C) transportation planning process that results in plans and programs consistent with the comprehensively planned development of the metropolitan planning area. This organization is the forum for cooperative decision-making by principal elected officials of general-purpose local governments. The specific duties to meet the requirements of the law include:

- A. Organize and elect a Chairman, Vice-Chairman, and Secretary and establish its rules of procedure and bylaws.
- B. Annually review and concur with the geographic composition of the Transportation Technical and Citizens' Advisory Committees, independent standing committees established under written agreement between the Birmingham Metropolitan Planning Organization, the Alabama Department of Transportation, and other major groups involved in transportation planning.
- C. To duly consider the recommendations of the Transportation Technical and Citizens' Advisory Committees on issues relative to Regional Plan the Transportation Improvement Program (TIP) and other matters pertaining to furthering the transportation planning process.
- D. Set the transportation study area and federal-aid planning area boundaries.
- E. Adopt transportation goals and objectives to guide the Birmingham metropolitan planning area planning process.
- F. Annually endorse the Unified Planning Work Program which documents the transportation related planning activities to be performed with planning assistance provided under FTA and FHWA Planning funds of the current federal transportation funding bill and other funding sources.
- G. Review and endorse the Regional Plan to confirm its validity and its consistency with current transportation and land use conditions as required by the State and federal regulations.
- H. Adopt a Transportation Improvement Program that is updated as required by the State and federal regulations.
- I. Adopt and submit plans and recommendations to participating agencies and local governments.

- J. Outline and recommend specific responsibilities and services of each participating city, county commission and department and, further, to develop procedures to be used in carrying out the Transportation Control Measures of the State Implementation Plan.
- K. Annually review the Transportation Control Measures of the State Implementation Plan to determine progress toward attainment of or continued compliance with the National Ambient Air Quality Standards (NAAQS).
- L. Work in conjunction with the RPCGB to provide transportation planning input into regional development plans.

Article 5 - Officers and Staff

5.1 Officers

Officers must be voting members of the MPO Policy Committee and shall include a Chairman, Vice-Chairman, and Secretary, to be recommended by the Nominating Committee and elected by the voting MPO Policy Committee membership. Officers shall serve for a term of two years. Term of office shall convene upon the first regular scheduled meeting in February of even-numbered years.

The Chairman shall have the responsibility to: ensure that agenda items have followed the procedures for setting agendas as stipulated under Article 7.2 preside over the business to come before the MPO Policy Committee and appoint subcommittees. He or she shall also be an ex-officio member of all subcommittees.

The Vice-Chairman shall preside in the absence of the Chairman and shall chair the MPO Advisory Committee and all subcommittees appointed by the Chairman.

The Secretary shall certify the proceedings of the MPO Policy Committee, keep on file all Advisory Committee and subcommittee reports and the MPO Policy Committee membership roll, and preside at meetings in the absence of the Chairman and Vice-Chairman.

The MPO Policy Committee officers and the Chairman of the Transportation Citizens and Technical Committees shall constitute an MPO Leadership Committee that will advise the RPCGB Executive Director, RPCGB Director of Planning and Operations and MPO Policy Committee Chairman as needed.

5.2 Staff

The Board of Directors of the Regional Planning Commission of Greater Birmingham is responsible for appointing staff to assist the Metropolitan Planning Organization in the performance of its responsibilities.

Article 6 - Quorum

No transaction of business at a regularly scheduled meeting can take place unless a majority of the voting members as defined in Section 3.1 are present or represented.

Article 7 - Conduct of Meeting

7.1 Rules

Roberts Rules of Order, Newly Revised Current Edition, shall be applicable concerning the conduct of scheduled business at meetings.

7.2 Agenda

The Agenda must be set and approved by the MPO Advisory Committee, provided with the written meeting notice, and approved by the MPO Policy Committee membership by a majority vote at the beginning of each meeting. Agenda items may have been a previous agenda item in a meeting of the Transportation Technical and Citizens' Advisory Committees. The MPO Advisory Committee shall review all agenda items before being placed on the Agenda of a regular meeting of the MPO Policy Committee. Agenda items may be added or deleted by a two-thirds vote of the voting membership present or represented.

7.3 Voting

A vote by voice shall be the regular method of voting. Any member may also request a roll call vote.

Article 8 – Meeting Schedule

Regularly scheduled meetings are to be held on the second Wednesday of each month, at 1:30 p.m., at such place as designated, and may be held in conjunction with general membership meetings of the Regional Planning Commission of Greater Birmingham. The membership is to be notified by mail postmarked 10 calendar days in advance. Meeting notices shall include an agenda, or nature and purpose of the meeting, minutes and be posted at the offices of the Regional Planning Commission of Greater Birmingham and may be posted at the official offices of MPO Policy Committee Member Governments. The Chairman may call a special meeting providing the membership receives written notice postmarked 10 calendar days in advance.

Article 9 – MPO Advisory Committee

9.1 Purpose and Responsibilities

The purpose of the MPO Advisory Committee is to provide recommendations to the MPO Policy Committee related to the MPO Policy Committee responsibilities identified in Article 4. These responsibilities are those identified in the Agreement Concerning a Transportation Planning Process for the Birmingham Urbanized Area, of which the Birmingham MPO and the Alabama Department of Transportation are signatories. The MPO Advisory Committee shall conduct activities that result in an

action by the MPO Policy Committee concerning any of these legal responsibilities. It may also at times confer with the RPCGB Board of Directors.

9.2 Membership

All members of the MPO Advisory Committee must be voting members of the MPO Policy Committee. The following are voting members of the MPO Advisory Committee:

- A. Three (3) representatives from District number 1, City of Birmingham, to be selected by the Mayor.
- B. Three (3) representatives from District number 2, unincorporated Jefferson County, to be selected by the Jefferson County Commissioner of Roads and Transportation, one of which must be the Director of Roads and Transportation.
- C. Three (3) representatives from District number 3, Jefferson County Municipalities, to be selected by the Jefferson County Mayor's Association.
- D. One (1) representative from District number 4, City of Hoover to be selected by the Mayor.
- E. Three (3) representatives from District number 5, Shelby County municipalities and unincorporated area, to be selected by the Shelby County Commission, one of which must be the county engineer.
- F. One (1) representative from District number 6, St. Clair County, to be selected by the St. Clair County Commission.
- G. One (1) representative from District number 7, Blount County, to be selected by the Blount County Commission.
- H. One (1) representative from East Central Region, State of Alabama Department of Transportation to be selected by the Region Engineer.
- I. One representative from the Birmingham-Jefferson County Transit Authority, to be selected by the Board Chairman.
- J. One representative from St. Clair County Public Transportation, to be selected by the St. Clair County Commission.
- K. One representative from Blount County Public Transportation, to be selected by the Blount County Commission.

9.3 Appointments

Appointments shall be confirmed in writing to the chair of the MPO Policy Committee at the January meeting of each year by the appointing authority for each district. Failure to appoint by this date means that a person is ineligible to vote until such confirmation is provided.

9.4 Meetings

Regularly scheduled meetings are to be held on the fourth Thursday of each month, at 1:30 p.m., at such place as designated.

9.5 Notice and Agenda

Meetings notices, to include an agenda or nature and purpose of the meeting and minutes, shall be mailed at least seven days in advance.

9.6 Quorum

No transaction of business at a regularly scheduled meeting can take place unless a majority of the voting members as defined in Section 9.2 are present or represented.

Article 10 –Amendments to Bylaws

Amendments to bylaws can be made by a two-thirds vote of the membership present and voting at a regular meeting. Previous notice must be provided at the meeting in advance of the one at which the amendment(s) is to be considered.

Article 11 - Amendments to Programs

The MPO powers identified under Article 2, Section 2.2, include the development of a Regional Plan and Transportation Improvement Program. Amendments to these programs shall meet the Metropolitan Transportation Planning Requirements of 23 CFR Part 450 and the Air Quality Conformity Requirements of 40 CFR Part 93.