

# **RAWLINS URBAN SYSTEMS ADVISORY COMMITTEE**

## **BYLAWS**

### **1.0 Name of Committee**

The committee shall be known as the Rawlins 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 Rawlins, and Carbon County dated May 16, 2000 as amended, and the Wyoming Department of Transportation Operating Policy 2-4, Urban Systems Program as amended, both of which are attached as Exhibit A.

### **3.0 Membership**

The membership of the Urban Systems Advisory Committee shall consist of a fifteen (15) member voting body as follows:

- The Mayor of Rawlins or a representative of the Rawlins City Council appointed by the Mayor.
- The Rawlins City Manager
- The Rawlins Fire Chief
- The Rawlins Director of Public Works
- The Rawlins Community Development Director
- The Rawlins City Engineer
- The Rawlins Police Chief
- Four (4) representatives of the public appointed by the Mayor with the consent and concurrence of the Rawlins City Council
- Two (2) members selected by the Board of Carbon County Commissioners, which may include an elected County Official appointed by the County Commission, or the Carbon County Planning & Development Director, or the Road & Bridge Superintendent.
- One (1) member of the public (citizen) appointed by the Board of Commissioners

- One (1) representative appointed by WYDOT from the District or designee

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

Rawlins City employees shall serve pursuant to the City Manager's appointment. Carbon County and WYDOT representatives shall serve under the terms designated by each respective entity as follows:

- The term of membership of the Mayor or member of the City Council appointed by the Mayor shall be coterminous with the Mayor's term of office. Such term shall be two (2) years, commencing on January 1 of each odd numbered year.
- The term of the County Commissioner or elected County official appointed by the Board of County Commissioners shall be two (2) years, commencing on January 1 of each even numbered year.
- The terms of the City staff shall be coterminous with their terms of office.
- The term of each citizen member appointed by the Mayor with consent and approval of the City Council shall be four (4) years. These terms shall be staggered so that two terms begin on January 1 of each even numbered year.
- The term of each citizen appointed by the Board of County Commissioners shall be four (4) years. These terms shall be staggered so that one term begins on January 1 of each odd numbered year.

Members 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, and other such officers as the Committee may wish to appoint. The officers shall be elected by a majority vote of the Committee membership at its first meeting of the calendar year for a term of one (1) year 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.

A Rawlins City staff person shall be designated by the City Manager to serve as the Recording Secretary. The Recording Secretary shall be responsible for keeping the meeting minutes, recording the votes of all members, 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 within fourteen (14) days following each meeting, and will be considered for approval at the following regularly scheduled meeting.

## **5.0 Meetings Rules and Procedures**

The Committee shall meet at least twice a year on a schedule determined by the Committee. Arrangements will be 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) members of voting membership of the Committee shall constitute a quorum for the conduct of business. Members must be physically or virtually present 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. Votes by electronic or virtual means will be considered legitimate only if the vote was rendered after attending the entirety of the discussions of the voting matter. Action may be taken by a majority of the voting members present. The Committee may follow the basic principles of parliamentary procedures when the Chair concludes that doing so is necessary for the orderly conduct of the Committee's business. At all times, the Chair (or the Vice

Chair in the absence of the Chair) has the authority to direct the order of business and procedural steps necessary to accomplish the Committee's business.

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 proxy appointment from the appropriate entity shall be provided to the recording secretary forty-eight (48) hours prior to the meeting.

When a member absents 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 abstained.

A member may not vote on approval of minutes for a meeting they did not attend. A member may not vote on a project, which has been heard at more than one meeting unless the member was present at all meetings in which the project was considered or a member has reviewed the relevant information and minutes.

## **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, conducted pursuant to the Wyoming Open Meetings Act, and announced at least forty-eight (48) hours in advance except as provided by law. Any information presented to the Urban Systems Advisory Committee in carrying out its responsibilities, records and recordings of meetings 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 to Bylaws**

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 ten (10) 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 as amended pertaining to the Urban Systems Program.

### **10.0 Duration**

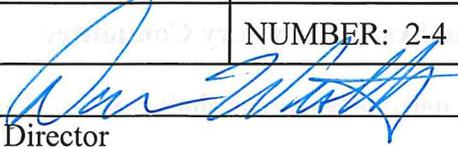
This agreement shall be renegotiated on a periodic basis in conjunction with the time frame established by the Urban System Program and the duration of the Cooperative Agreement among the Wyoming Department of Transportation, The City of Rawlins, and Carbon County.



Rawlins Urban Systems Committee Chair

Adopted: October 28, 2024

Previous Bylaws Repealed (Ordinance 4 - 1995 and Chapter 2.56) by Council March 18, 2025

<b>WYOMING DEPARTMENT OF TRANSPORTATION</b>	<b>OPERATING POLICY</b>
ISSUED: October 8, 2024	NUMBER: 2-4
AUTHORITY:  Director	

**SUBJECT: Urban System Program**

**Purpose:** To establish procedures for administering the Wyoming Department of Transportation (WYDOT) Urban System Program.

**I. Authorization**

The Urban System Program is authorized by the Transportation Commission of Wyoming (Commission). The Surface Transportation Program Urban (STP-U) Fund is a transportation planning and project development cooperative program that uses federal funds administered and held in trust by WYDOT. The program is funded at the Commission's discretion. WYDOT distributes program funds for preliminary engineering as well as for construction of urban system projects.

**II. Eligibility**

The following are general eligibility requirements for participating in the Urban System Program:

- A. Population Size. Only incorporated areas with a population of 5,000 or more according to the latest federal decennial census are eligible. If a participating community population falls below 5,000 at a decennial census, the following applies:
  - 1. The community is permitted to retain the accumulated funding for an eligible project but will be ineligible to receive additional funding allotments until the population returns to the 5,000 threshold at the next decennial census; and
  - 2. Funding is calculated from the year of re-admittance.
- B. Commission Approval. The community must receive approval from the Commission that it qualifies for inclusion in the Urban System Program.
- C. Cooperative Agreement. The urban area must negotiate a cooperative agreement with WYDOT to establish planning procedures for urban planning and project selection. Representatives from the urban community must draft bylaws for adoption by WYDOT, the city, and the county for operating the urban system advisory committee (USAC).
- D. Maintenance Agreement. All communities participating in the Urban System Program must negotiate a maintenance agreement for state highways within the urban area with the district engineer.

### **III. Urban System Advisory Committee**

Designated urban areas shall have an USAC.

- A. **Committee Makeup.** At a minimum, these committees should include city and county officials or their designees, a citizens' representative, a WYDOT district engineer or designee, and a representative from WYDOT's Planning Program. For metropolitan planning organizations (MPOs), the technical and policy committees shall function as the USAC.
- B. **Meeting Schedule.** USACs shall meet at least once annually at their own discretion.
- C. **Core Responsibilities.** USACs must initiate, review, and coordinate Urban System Program projects, including any change in project scope.
- D. **Urban Boundary Determination.** The USAC shall determine the urban boundary and seek WYDOT and Federal Highway Administration (FHWA) approval.
  - 1. The boundary shall encompass at least the entire urban place designated by the Bureau of Census and estimated five-year urban growth.
  - 2. The boundary is developed and agreed upon during USAC or MPO meetings. If a local government's adoption process includes a resolution, a copy shall be given to WYDOT Planning.

### **IV. System Designation**

The urban system in designated urban areas consists of a state system and a local system.

- A. **State System.** The state system includes routes for which WYDOT provides matching funds and maintenance in accordance with Operating Policy 40-2, Construction Agreements and Maintenance Responsibilities with Cities and Towns for Streets on the State Highway System.
- B. **Local System.** The local system consists of routes for which local governments provide matching funds and maintenance. Urban System Program funds are primarily used on the local system and may be used only on roads functionally classified as minor collectors or higher. Only roadway portions within the urban limits are eligible for Urban System Program funds.
- C. **Urban System Map.** The USAC, in coordination with WYDOT and FHWA, shall develop an official urban system map produced by the Planning Program. The USAC must initiate, review, and coordinate any changes, including functional classification. All changes must receive approval from WYDOT and FHWA.

The Planning Program's Inventory Section records all changes and updates the official urban system map. Minor changes may not necessitate a re-drafting and may be documented by WYDOT in a letter to FHWA stating the proposed changes.

## V. Programming of Projects

The USAC shall develop a prioritized list of projects (project sequence list) certified by local city and county governments and agreed to by WYDOT. These projects are programmed against the respective urban fund balance and allocation. The appropriate local governing agency shall pay the local match for all project activities charged to the Urban System Program.

A. Standard Programming Protocol. Upon project selection, the following standard protocol shall be used:

1. The USAC sends a request to the district engineer to include a project in the State Transportation Improvement Program (STIP).
2. If approved for inclusion in the STIP, a cooperative agreement between the city or county and WYDOT is executed to authorize conducting a reconnaissance report to determine the scope and estimated cost of the proposed project.
3. A subsequent cooperative agreement between WYDOT and the city or county responsible for the funding match is executed for project design and construction.
4. Projects using WYDOT pass-through federal funding may be assessed the current Indirect Cost Allocation Plan (ICAP) percentage as directed by the assistant chief engineer of engineering and planning. The project's cooperative agreement will specify if ICAP is used and, if so, the ICAP rate.

B. Reimbursement for Delayed Projects. The city or county shall reimburse WYDOT for the federal-aid portion of any work completed if any of the following occurs:

1. The project is abandoned or indefinitely postponed;
2. The project is not designed within three years of completing the reconnaissance report; or
3. The project is not constructed within four years of completing design.

C. Exceptions to Standard Protocol. With prior WYDOT approval, USACs may elect to use STP-U funding to design and construct projects outside of the standard protocol. Such projects must conform to all applicable federal standards.

## VI. Funding Distribution

A. Distribution Ratio. Urban System Program funds are distributed by formula and allocated to urban areas participating in the program using 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. Borrowing Against Future Allocations. A maximum of two years of Urban System

Program funding may be borrowed against future allocations to complete an active Urban System Program project. Borrowing against future allocations is at the discretion of WYDOT's chief engineer. Factors to be considered may include:

1. Relative need for the project in the urban area;
2. Whether the funds need to be borrowed beyond the horizon of the current highway bill;
3. The combined status of funds in the Urban Program;
4. Whether other applicable sources of funding are available to complete the Urban Program project;
5. Anticipated impact of decennial census; and
6. Inflation's affect on construction costs.

## **VII. Right-of-Way**

WYDOT acquires right-of-way (ROW) and provides relocation assistance on Urban System Program projects. All ROW that WYDOT acquires for Urban System Program projects is held in the city or county's name. Detailed procedures are contained in the Operating Policy 34-1, Relocation Assistance.

- A. Eminent Domain. The city or county must perform all eminent domain proceedings with preparatory assistance from the Right-of-Way Program.
- B. Acquisition Procedures. 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 ROW required for Urban System Program projects.

## **VIII. Utilities**

WYDOT resolves and/or mitigates all utility adjustments and conflicts for all Urban System Program projects.

- A. Utility Procedures. Procedures consistent with other federal-aid type projects must be followed and are contained in Wyoming Department of Transportation Rules and Regulations, Utility Accommodations Section, and Title 23 Code of Federal Regulations Part 645, Subpart A, Utility Relocations, Adjustments, and Reimbursement (23 CFR 645).
- B. Permitting. On urban routes on the state system, WYDOT fully controls the permitting process for licensing utility crossings and parallel encroachments. The local government controls licensing of utility lines on urban routes not on the state system.
- C. Adjustments and Relocations. WYDOT's Utilities 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. Railroad Adjustments. WYDOT'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.

## **IX. Maintenance Responsibility**

The local government must agree to properly maintain and operate facilities constructed with Urban System Program funds off the state highway system. Failure of an urban area to fulfill its maintenance responsibilities disqualifies that urban community from participating in future urban projects.

- References:** Operating Policy 34-1, Relocation Assistance.  
Operating Policy 40-2, Construction Agreements and Maintenance Responsibilities with Cities and Towns for Streets on the State Highway System.  
*Wyoming Department of Transportation Right-of-Way Manual.*  
Wyoming Department of Transportation Rules and Regulations, Utility Accommodations Section.  
W.S. 16-7-101 *et seq.*, Wyoming Uniform Relocation Assistance Act of 1973.  
23 CFR 645, Subpart A, Utility Relocations, Adjustments, and Reimbursement.  
42 USC 4601 *et seq.*, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.