

AGENDA ITEM NO. **43**

**CITY OF SAN ANTONIO  
INTERDEPARTMENTAL MEMORANDUM  
PUBLIC WORKS DEPARTMENT**

**TO:** Mayor and City Council

**FROM:** Thomas G. Wendorf, P.E., Director of Public Works

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES:** Melissa Byrne Vossmer; Emil Moncivais; Andrew Martin; File

**SUBJECT:** Metropolitan Planning Organization (MPO) Continuing Phase Agreement

**DATE:** March 27, 2003

**SUMMARY AND RECOMMENDATIONS**

This ordinance authorizes the execution of an agreement, a copy of which is attached, which makes certain changes to the San Antonio-Bexar County Metropolitan Planning Organization (MPO) Continuing Phase Agreement. On February 24, 2003, the Transportation Steering Committee of the MPO approved new Continuing Phase Agreement language as follows:

1. Adding the Executive Director of the San Antonio Mobility Coalition to the Transportation Steering Committee as an ex-officio member;
2. Permitting the Greater Bexar County Council of Cities the flexibility to appoint a representative in lieu of a mayor to the Transportation Steering Committee
3. And updated personal titles and organization names.

The changes made do not change the voting membership of the organization, nor do these changes substantially impact the operations and ability of the MPO.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

The governing document that establishes the membership and responsibilities of the Metropolitan Planning Organization's Transportation Steering Committee is the Continuing Phase Agreement. This agreement originally executed in November 1974, was revised in January 1978 to include the then newly created Transit Authority. The executors, or signatory parties, to this agreement are the City of San Antonio, VIA Metropolitan Transit, Texas Department of Transportation, and Bexar County. Amendments to this agreement require the concurrence of all the aforementioned parties.

The advent of the San Antonio Mobility Coalition has created an opportunity to enhance the composition of the MPO's Transportation Steering Committee through the designation of the SAMCo Executive Director as an ex-officio member. The recommended change to allow the Greater Bexar County Council of Cities to appoint a representative apart from an elected mayor

facilitates flexibility among the suburban cities. The updating of personal titles and organization names accomplishes the change in title of the VIA Metropolitan Transit Authority's executive director from "General Manager" to "President and Chief Executive Officer."

### **POLICY ANALYSIS**

The proposed language changes were presented to the City Council Governance Committee on Wednesday, March 19, 2003. The committee recommended that these changes be adopted by the City Council at their meeting on March 27, 2003.

### **FISCAL IMPACT**

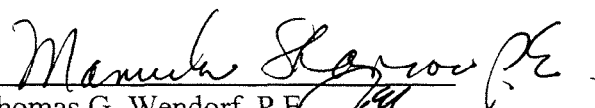
This item will have no financial impact.


### **COORDINATION**

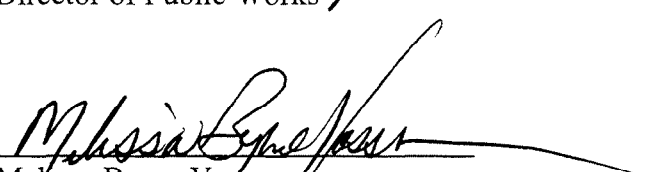
This request for ordinance has been coordinated with the City Attorney's Office, Planning Department, and the San Antonio-Bexar County Metropolitan Planning Organization.

### **ATTACHMENTS**


1. Memo, Councilwoman Bonnie Conner
2. Memo, Metropolitan Planning Organization
3. Agreement

*for*  
  
Thomas G. Wendorf, P.E.  
Director of Public Works

  
Emil Moncivais, AICP, AIA  
Director of Planning

  
Melissa Byrne Vossmer  
Assistant City Manager

Approved:

  
Terry M. Brechtel  
City Manager

**CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
INTERDEPARTMENTAL CORRESPONDENCE SHEET**

**TO:** Mayor and Council

**FROM:** Councilwoman Bonnie Conner, District 8  
Vice-Chair, San Antonio-Bexar County Metropolitan Planning  
Organization Transportation Steering Committee

**COPIES TO:** Terry Brechtel, City Manager; Andrew Martin, City Attorney; Jim  
Campbell, Director External Relations; Yolanda Ledesma, Acting City  
Clerk; Thomas Wendorf, Director of Public Works; Emil Moncivais,  
Director of Planning; Gayle McDaniel, Assistant to the City Council;  
File

**SUBJECT:** Metropolitan Planning Organization Continuing Phase Agreement

**DATE:** March 4, 2003

At the February 24, 2003 meeting of the Transportation Steering Committee of the San Antonio-Bexar County Metropolitan Planning Organization (MPO), changes were approved to the language of the continuing phase agreement of the MPO. The changes made were as follows:

- 1) Adding the Executive Director of the San Antonio Mobility Coalition to the Transportation Steering Committee as an ex-officio member
- 2) Permitting the Greater Bexar County Council of Cities the flexibility to appoint a representative in lieu of a mayor to the Transportation Steering Committee
- 3) Updated personal titles and organization names

The changes made do not change the voting membership of the organization, nor do these changes substantially impact the operations and ability of the MPO. In order for these changes to the phase agreement to become official, City Council must approve these modifications, along with the VIA Metropolitan Transit Authority, Bexar County Commissioners Court, and the Texas Department of Transportation.

Please join with me in directing staff to bring this issue to an "A" session agenda, as soon as possible, but no later than March 20, 2003, to affirm the recommended changes and implement the aforementioned into the continuing phase agreement.

  
Bonnie J. Conner, District 8

\_\_\_\_\_  
Ed Garza, Mayor

\_\_\_\_\_  
Bobby Perez, District 1

\_\_\_\_\_  
Nora A. Herrera, District 5

  
Enrique M. Barrera, District 6

RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK

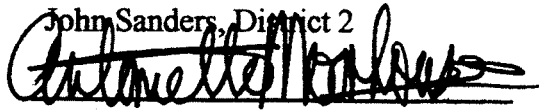
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March 4, 2003

MPO Continuing Phase Agreement

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John Sanders, District 2



Antoniette Moorhouse, District 3

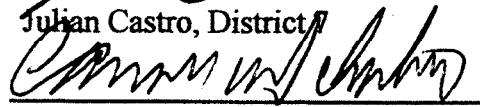
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Enrique "Kike" Martin, District 4

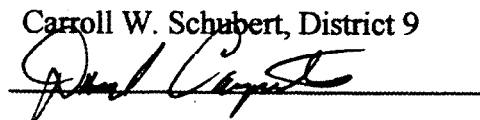


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Julian Castro, District 7



Carroll W. Schubert, District 9



David Carpenter, District 10



# metropolitan planning organization

Commissioner Lyle Larson, Chair  
Councilwoman Bonnie J. Conner, Vice Chair  
Joanne Walsh, Administrator

## MEMORANDUM

February 25, 2003

*[Handwritten signature]*  
FEB - 2003

TO: Commissioner Lyle Larson, Bexar County  
Councilwoman Bonnie Conner, City of San Antonio  
Mr. John Milam, VIA Metropolitan Transit  
Mr. John Kelly, San Antonio District, Texas Department of Transportation

FROM: Joanne Walsh, MPO Administrator

SUBJECT: Continuing Phase Agreement

As you may recall, the San Antonio – Bexar County Metropolitan Planning Organization (MPO) Transportation Steering Committee (TSC) approved some changes to the Continuing Phase Agreement at our monthly meeting February 24<sup>th</sup>. This Agreement establishes 1) the structure and functions of the Transportation Steering Committee, 2) duties of the Administrator, 3) role of Study Directors, 4) financing of the planning process through the Unified Planning Work Program (UPWP), and 5) Agreement modification or termination. Chairman Larson had appointed a subcommittee to consider adding the Executive Director of the San Antonio Mobility Coalition (SAMCo) as a new ex-officio member to the TSC and otherwise updating the Agreement.

The TSC approved new Continuing Phase Agreement language adding the Executive Director of the San Antonio Mobility Coalition to the Transportation Steering Committee (TSC) as an ex-officio member; permitting the Greater Bexar County Council of Cities the flexibility to appoint a representative in lieu of a mayor to the TSC; and updated personal titles and organization names. The new document is enclosed and will need to be approved by the policy bodies of the Texas Department of Transportation, Bexar County, City of San Antonio, and VIA Metropolitan Transit.

I would appreciate your assistance in getting this Agreement approved by your respective policy bodies. Please call me at 227-8651 if you have any questions.

*[Handwritten signature: Joanne Walsh]*

## AGREEMENT

THE STATE OF TEXAS

COUNTY OF TRAVIS

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2003, by and between the State of Texas, acting by and through its Executive Director of the Texas Department of Transportation, Party of the First Part, hereinafter referred to as the State, and the City of San Antonio, a municipal corporation, hereinafter referred to as the City, and the County of Bexar, hereinafter referred to as the County, and the Metropolitan Transit Authority, hereinafter referred to as the MTA, Parties of the Second Part:

### WITNESSETH

**WHEREAS**, the City, the County, and the State on November 8, 1974, did agree to participate in a continuing, comprehensive, cooperative transportation planning process for the San Antonio-Bexar County Urban Transportation Study area as provided in the Federal-Aid Highway Act of 1962; and,

**WHEREAS**, the City, the County, the MTA, and the State on January 12, 1978, January 15, 1992, and June 18, 1996 did agree to revise the Study organization; and,

**WHEREAS**, the San Antonio-Bexar County Urban Transportation Study area is defined as encompassing all of Bexar County; and,

**WHEREAS**, the City, the County, and the MTA have expressed a desire to provide an opportunity for the surrounding counties to participate if they desire; and,

**WHEREAS**, the San Antonio-Bexar County Urban Transportation Study Steering Committee, hereinafter referred to as the Steering Committee, has been designated by the Governor as the Metropolitan Planning Organization (MPO) for the San Antonio-Bexar County Study area; and,

**WHEREAS**, it is the desire of the parties hereto that the Study organization be a one-committee structure composed principally of elected officials of general purpose local government which have responsibility for project implementation within the Study area;

NOW THEREFORE, it is hereby agreed that the aforementioned agreements of November 8, 1974, January 12, 1978, January 15, 1992, and June 18, 1996 shall be considered null and void and said documents shall be replaced in their entirety by this agreement with the organization and responsibilities as set out in the following paragraphs:

I. ORGANIZATION

A Transportation Steering Committee will furnish policy guidance and direction for the continuing transportation study. This committee will consist of six (6) representatives from the City of San Antonio, four (4) of which shall be members of the San Antonio City Council and two (2) shall be City staff; four (4) representatives from Bexar County, three (3) of which shall be members of Bexar County Commissioners Court and one (1) shall be Bexar County staff; two (2) members of the Board of Trustees for the Metropolitan Transit Authority; two (2) appointed officials from the Texas Department of Transportation; two (2) members of the Texas Legislature who represent constituency residing within the San Antonio-Bexar County Metropolitan Area Boundary, one (1) representative from the Greater Bexar County Council of Cities, one (1) appointed official from the Northeast Partnership, and one (1) representative of the Alamo Area Council of Governments. The voting membership shall be as follows:

VOTING MEMBERSHIP

City of San Antonio	6
County of Bexar	4
Metropolitan Transit Authority	2
Texas Department of Transportation	2
Texas Legislature	2
Greater Bexar County Council of Cities	1
Northeast Partnership	1
Alamo Area Council of Governments	1

The Federal Highway Administration and the Austin office of the Texas Department of Transportation shall be represented by a non-voting member. In addition, the President/CEO of the Metropolitan Transit Authority, Executive Director of the San Antonio Mobility Coalition, and a non-governmental member, as determined by the Steering Committee, shall be non-voting members. Other governmental agencies, as determined by the Steering Committee, may also be represented by a non-voting member.

Each agency shall designate its representative to the Steering Committee and when necessary fill vacancies among its members on the Committee with the exception of the members of the Texas Legislature and the representative of the Alamo Area Council of Governments. Representatives of the Texas Legislature and the representative of the Alamo Area Council of Governments shall be selected by the Steering Committee.

Terms for the representatives of the Texas Legislature, the representative of the Alamo Area Council of Governments and the non-governmental member shall commence January 1 and run for one (1) year through December 31. Members of the Texas Legislature shall be limited to two (2) terms.

The functions of the Steering Committee shall be as follows:

1. Provide policy guidance for the transportation planning process
2. Carry out in cooperation with the State and local governments and annually certify a transportation planning process that is in full compliance with Federal requirements outlined in 23 USC 134, 49 USC 1607, 42 LSC 7504, 7506, (c) and (d), The Clean Air Act, as amended, Section 174 and 176 (c), as well as other applicable requirements as specified in 23 CFR Part 450.114.
3. Set goals and cooperatively determine the responsibilities of the participating agencies for planning tasks and an annual budget in the annual Unified Planning Work Program.
4. Adopt and review annually the Metropolitan Transportation Plan (revised as necessary) which provides for both the near-term and long-term needs of the Study area.
5. Develop in cooperation with the State and local governments and annually endorse a staged multi-year Transportation Improvement Program which includes projects in or serving the metropolitan area, initiated by the implementing agencies, and consistent with the Metropolitan Transportation Plan.



- 6 Review and revise the limits of the Study area as necessary.
- 7 Designate a Technical Advisory Committee (TAC) and any other such offices, technical committees, or task forces as found necessary to carry out the transportation planning process.
- 8 Meet at intervals as necessary to perform its function.
- 9 Hold a public meeting to discuss the status of the transportation planning process at least once a year.
10. Appoint an Administrator.

## II ADMINISTRATOR

An Administrator acceptable to the Steering Committee will be appointed by the Committee to work in close cooperation with representatives of various governments and agencies within the Study area. The Administrator's principal duties will be as follows:

1. Arrange for meetings of the Steering Committee and any other subcommittee or task force created by the Committee.
2. Maintain the records, meeting minutes, library, and other documents or correspondence associated with the functions of the Steering Committee.
3. Maintain liaison and act in an advisory capacity to the Steering Committee.
4. Coordinate and maintain liaison between the City, the County, the State, the MTA, and other governmental agencies in the continuing transportation planning process.
5. Coordinate the development of the Unified Planning Work Program, the Metropolitan Transportation Plan, and the Transportation Improvement Program in cooperation with participating agencies.
6. Report to the Steering Committee on the status of the transportation planning process and recommend special studies, revisions to the Metropolitan Transportation Plan, the Transportation Improvement Program, or the Unified Planning Work Program.

7. Prepare quarterly progress reports to reflect general development and plan implementation within the Study area.
8. Assemble and maintain an adequate, competent staff to perform all appropriate MPO activities as required by law.

### III STUDY DIRECTORS

Study Directors for individual modal studies may be appointed by the agency that is principally responsible for the funds to be expended on the study, subject to the approval of the Steering Committee. The Study Director shall be responsible for the conduct of the specific study, for the carrying out of the study design, and for the accounting of all funds spent on the study.

### IV. STUDY FINANCING

The expense involved in the continuing transportation planning process, data gathering, review and updating the various study elements will be included in an approved annual Unified Planning Work Program.

### V. AGREEMENT MODIFICATION OR TERMINATION

This agreement may be supplemented or renegotiated as necessary to meet changing conditions at the request of one or more of the signatory parties and as recommended by the Steering Committee. In any event, this agreement shall be reviewed at least every five (5) years and supplemented or renegotiated as deemed necessary. By mutual agreement, the parties hereto may terminate this agreement.

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

Party of the First Part  
STATE OF TEXAS

Certified as being executed for the purpose and effect of activating and/or carrying out the orders, established policies, or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: \_\_\_\_\_  
Deputy Executive Director for  
Transportation Planning and  
Development

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

RECOMMENDED FOR EXECUTION:

District Engineer,  
San Antonio District

\_\_\_\_\_  
Director,  
Transportation Planning and  
Programming Division

Parties of the Second Part  
CITY OF SAN ANTONIO

BY: \_\_\_\_\_  
City Manager

DATE: \_\_\_\_\_

ATTEST \_\_\_\_\_  
CITY CLERK  
APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

COUNTY OF BEXAR

BY: \_\_\_\_\_  
County Judge

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

ATTEST:  
\_\_\_\_\_  
County Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant Criminal  
District Attorney

METROPOLITAN TRANSIT AUTHORITY

By: \_\_\_\_\_  
Chairman, MTA Board

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

APPROVED AS TO FORM:

\_\_\_\_\_  
MTA ATTORNEY