

ITEM #: 7  
DATE: 01-23-24  
DEPT: AAMPO

**TRANSPORTATION POLICY COMMITTEE ACTION FORM**

**SUBJECT:** **AAMPO ARTICLES OF AGREEMENT (28E)**

**BACKGROUND:**

The Ames Area Metropolitan Planning Organization (AAMPO) was officially designated as the MPO of the Ames urbanized area by the Governor of Iowa in March 2003. An "Articles of Agreement" document (28E) was established at that time between the AAMPO's member agencies to: 1) establish the MPO, 2) designate its powers and purposes, 3) establish its member agencies and membership procedures, 4) provide a framework of organization for the MPO, and 5) establish how the MPO would be financially supported by its member agencies.

These original Articles of Agreement were filed with the Secretary of State as a 28E Agreement on April 4, 2011 (see Attachment A). The City of Ames, Story County, Boone County, Ames Transit Agency (CyRide), Iowa Department of Transportation (Iowa DOT), Federal Highway Administration (FHWA), and Federal Transit Administration (FTA) were listed as participants in the 28E Agreement.

Since the original Articles of Agreement were established with the formation of the MPO, the MPO has undergone several changes regarding how it operates, as well as changes to its membership with the addition of the City of Gilbert as a voting member and Iowa State University as a non-voting member in March 2013. The addition of the City of Gilbert was a result of the previous expansion of the AAMPO Metropolitan Planning Area (MPA) Boundary in November 2012. However, the 28E was not revised at that time to reflect these changes.

**To better define and reflect how the MPO currently operates as well as to account for the addition of the City of Gilbert and Iowa State University as member agencies of the MPO, a new Articles of Agreement 28E has been drafted by staff, in consultation with the City of Ames Legal Department (see Attachment B). This new version of the Articles of Agreement would replace the existing Articles of Agreement. The following are the primary changes from the original Articles of Agreement:**

**1. Membership & Representation:**

- Clearly defining that membership to the AAMPO shall be contingent upon: 1) acceptance of the Articles of Agreement by the governing body or administration of the agency seeking membership, and 2) the inclusion of at least one representative on the Transportation Policy Committee (which would be done through the amendment of the Transportation Policy Committee's Bylaws).
- The composition of the Transportation Policy Committee, which was previously stated directly in Article VI of the existing Articles of Agreement, would now only need to be specified in the Bylaws of the Transportation Policy Committee. This change simplifies the process for a new member agency to formally join the AAMPO, as the Articles of Agreement would not need to be amended to reflect changes in Transportation Policy Committee composition.

- A proposed change includes a requirement that member agencies enact a measure of approval for any amendments to the Articles of Agreement within 60 calendar days of the approval of the amendments by the Transportation Policy Committee. This change is reflected in Article VIII.

#### **1. Finances & Staffing:**

- Under the current Articles of Agreement, the AAMPO is supposed to require payment of an annual assessment of each member agency to fund the local share of the MPO planning activities. If member agencies do not pay this assessment, the agreement states that they would be ineligible to receive MPO project funding. Because the proportionate share of each member is a de minimis amount and all the projects awarded have been within the jurisdiction of the City of Ames, the AAMPO has been financially supported totally by the City of Ames. The proposed updated Articles of Agreement would directly designate the City of Ames as the primary fiscal sponsor of the MPO, which reflects the current practice. This responsibility would include providing administrative, planning, and accounting services to the MPO, as is current practice.
- A section is proposed to be added to detail which member agencies are responsible for staffing the MPO. The City of Ames would provide the MPO with the services typically performed by an Executive Director and Transportation Planner. The Ames Transit Agency would provide the MPO with the services typically performed by a Transit Planner. These staffing requirements reflect how the MPO is currently staffed.

**To amend the existing Articles of Agreement, an affirmative vote by the Transportation Policy Committee is required. Once amended by the Transportation Policy Committee, all member agencies would need to approve the amended Articles of Agreement (28E agreement) within 60 calendar days. Once all measures of approval are received, the amended Articles of Agreement would be submitted to the Secretary of State as an amendment to the existing 28E Agreement.**

#### **ALTERNATIVES:**

1. Approve the amendment to the AAMPO's Articles of Agreement and request for all AAMPO member agencies to formally adopt the amendment within 60 calendar days.
2. Direct staff to make further modifications to the Articles of Agreement to be considered for future approval.
3. Do not approve an amendment to the AAMPO's Articles of Agreement and continue operating under the existing agreement.

#### **MPO DIRECTOR'S RECOMMENDED ACTION:**

The proposed amendment to the AAMPO's Articles of Agreement will improve overall clarity, better define the roles and responsibilities of the AAMPO and its member agencies, simplify the membership process for the AAMPO, and modify the financial support and staffing responsibilities to better match how the AAMPO operates today. Therefore, it is the recommendation of the MPO Director that the Transportation Policy Committee adopt Alternative No. 1, as noted above.

**ATTACHMENT(S):**

[Attachment A - Existing Articles of Agreement.pdf](#)

[Attachment B - Proposed Amended Articles of Agreement.pdf](#)