

Bylaws for the Metropolitan Topeka Planning Organization (MTPO) Policy Board

Section 1. Name

The name of this organization, established by the Designation Agreement executed on March 3, 2004, between the City of Topeka, the Kansas Department of Transportation (KDOT) and the Topeka Metropolitan Transit Authority (TMTA), shall be the Metropolitan Topeka Planning Organization (MTPO).

Section 2. Purpose

In accordance with 23 USC 134 and 49 USC 5303-5306, the MTPO is charged with conducting regional transportation planning on a continual basis, in conjunction with other comprehensive planning efforts impacting the transportation system, most notably land use planning, and to do planning work in a cooperative manner with KDOT and TMTA as partners in the process.

Section 3. Membership

3.1 Board Composition

The membership of the MTPO Policy Board is as follows:

Voting Members

- a. Mayor of Topeka, or designee appointed by the Mayor from the City Council
- b. Two members of the Topeka City Council, selected by the City Council
- c. One member of the Shawnee County Commission, selected by the County Commission
- d. The Chair of the Topeka Planning Commission, or designee from the Topeka Planning Commission
- e. The KDOT Director of Planning and Development, or designee
- f. The Chair of the Board of the Directors for TMTA, or designee from the Board of Directors.

Ex Officio Members

- a. The Chair of the Shawnee County Planning Commission or designee from the Shawnee County Planning Commission
- b. The FHWA Kansas Division Administrator or designee
- c. The FTA Region VII Administrator or designee

- d. Other members as approved by majority vote of the Policy Board.

Ex Officio members shall sit with the same rights and privileges as MTPO voting members (request agenda items, participate in discussions, advise the MTPO, receive meeting packets, etc.) except that non-voting members shall not have the right to present resolutions, motions or second same, or to vote upon any motions or resolutions of the MTPO Policy Board.

3.2 Member Selections and Termination

Person's holding the above mentioned positions that choose to assign a designee are charged with selecting their representatives to sit on the Board according to their represented agency's own practices. The original appointing body or person shall fill MTPO Policy Board membership vacancies.

A person's membership on the MTPO Policy Board shall be terminated upon the member leaving his or her position named for membership on the MTPO Policy Board, or by the group represented by the person choosing a replacement representative.

3.3 Alternates

Each Policy Board member may provide the name of an alternate that can represent the Board member if he or she cannot attend a meeting. The alternate must be a member of the same body that the policy board member represents. Elected officials named to the Board cannot send staff as an alternate. The Board member shall notify the Chairperson with this information before a meeting is called to order, and the Chair shall announce the presence of the alternate to the Board. The alternate for voting members will retain the voting privilege.

Policy Board members shall not send an alternate to more than 50% of regular meetings in each calendar year. If this occurs then the seat of that member shall be considered vacant for the meetings after this limit is reached, and after that point the alternate can attend the meetings as an observer only.

Section 4. Officers

The officers of the MTPO Policy Board shall be a Chairperson and a Vice-Chairperson.

4.1 Election of Chair and Vice-Chair

The first elected Chair and Vice-Chair shall be elected by the MTPO voting membership at a regular meeting. Terms for Chair and Vice-Chair shall begin immediately upon their election. Their term of office shall be one (1) year. The Chair and Vice-Chair positions are to be filled by voting members of the MTPO Policy Board.

4.2 Chairperson

The Chairperson shall preside at MTPO Policy Board meetings; appoint subcommittees as needed; sign all resolutions approving required MPO documents, and sign the self-certification agreement stating that the MTPO's planning process complies with federal regulations after the Policy Board approves it.

4.3 Vice-Chairperson

The Vice-Chairperson shall serve as Chairperson in the absence of the Chairperson.

Section 5. Quorum

A quorum of the MTPO Policy Board shall consist of a majority of the voting members. The Board shall conduct no official business in the absence of a quorum. A quorum is not lost when a member or members abstain from voting.

Should a quorum not be obtained within fifteen (15) minutes after the hour appointed for the meeting of the MTPO Policy Board, the Chairperson may adjourn the meeting. In that event, those members present may, by unanimous agreement, select another hour or day to meet.

If a quorum is not reached within fifteen minutes of the scheduled meeting time, those members present may, by unanimous agreement, select to continue the meeting as a public information meeting or workshop to discuss items on the agenda that do not require approval or action by the MTPO Policy Board. In this event, the names of the members present at such public information meeting or workshop and brief minutes of items discussed shall be recorded.

In the absence of the MTPO Chairperson and Vice-Chairperson, the MTPO Secretary or staff representative shall determine whether a quorum is present and in that event shall call for election of a temporary Chairperson. Upon the arrival of the Chairperson, or Vice Chairperson, the temporary Chairperson shall relinquish the Chair upon conclusion of the business immediately before the MTPO.

Section 6. Meetings

6.1 Regular Meetings

The MTPO Policy Board shall meet in regular meetings not less than four (4) times per year. The location and time for regular meetings shall be as agreed to by a majority of the voting members. Locations for regular MTPO meetings shall be held at locations accessible by persons with disabilities. The MTPO Secretary shall give public notice of regular meetings not less than seven (7) calendar days prior to the meeting. Changes to meeting time, place or date and any cancellations of regular meetings shall be made as soon as practicable or at least twenty-four (24) hours prior to when such meeting was to have taken place.

6.2 Special Meetings

Either the Chairperson or a majority of the voting members may call special MTPO Policy Board Meetings. The MTPO Secretary shall give public notice of special meetings not less than seven (7) calendar days prior to the meeting. In the event that the MTPO Chairman or other caller of the meeting wishes to cancel or change the meeting time of a Special MTPO Policy Board meeting, advance notice of such cancellation or change shall be made as soon as practicable and at least twenty-four (24) hours prior to when such meeting was to have taken place. Locations for special MTPO meetings must be accessible.

6.3 Board Actions

All official actions of the MTPO Policy Board shall be by adoption of resolutions or motions. Action by adoption of a resolution shall occur for all matters required by federal or state regulations for approval of agreements, contracts, budgets; organizational structure, planning documents, etc, and any other matters deemed by the MTPO Chairperson to be of sufficient importance to warrant adoption by a formal resolution. All other actions of the MTPO Policy Board shall be by adoption of a motion. All official actions of the MTPO Policy Board shall be recorded in the minutes and kept in the MTPO's permanent files. Verbatim minutes are not required, but minutes shall include an accurate summary of discussions and actions taken.

6.4 Voting Requirements

Each Policy Board voting member shall have one vote. In the absence of a regular Policy Board voting member, the designated alternate shall have the voting power.

6.5 Agendas

Regular MTPO Policy Board Meetings

There shall be an official agenda for every regular meeting of the MTPO Policy Board, which shall determine the order of business conducted at the meeting. The Secretary in consultation with Policy Board Members shall draft a meeting agenda. The draft agenda will be presented to the Chairperson for approval and upon that approval will be distributed to the Board members. Meeting agendas sent to Board Members shall be accompanied by appropriate materials (e.g., staff reports, draft documents, etc.). Regular meeting agendas shall be distributed to Board members at least seven (7) calendar days in advance of the meeting. Upon delivery of the agenda to Board members the agenda shall be available for public inspection at the MTPO staff offices. Public notice of regular MTPO Policy Board meetings shall be made at least seven (7) days in advance.

Special Meetings

Special Meeting agendas are restricted to the business designated in the call for the meeting. The MTPO Staff will deliver agendas for those meetings to the MTPO members as quickly as possible once the Chairperson approves it.

6.6 Record of Proceedings

At all meetings of the MTPO Policy Board, the Secretary shall record a roll of members, minutes of proceedings, a record of votes, and shall keep a record of proceedings of the MTPO Policy Board. The Secretary shall record the minutes of each meeting as a matter of public record and should present such minutes to the MTPO Policy Board for approval at the Board's next meeting. Approved Minutes of the MTPO Policy Board Meetings shall be available for public inspection at the MTPO staff office within the next business day after approval and posted on the MTPO staff web site within a week after their approval.

6.7 Parliamentary Authority

The Policy board shall establish parliamentary rules for the MTPO Policy Board by a two-thirds vote of the voting members.

6.8 Appearance Before the Commission

Petitioners or their representatives, members of the community at large or individuals or their representatives who feel they will be affected by any MTPO action may appear before the MTPO Policy Board to present views and statements either for or against agenda items. Persons addressing the Board must limit their comments to items on the agenda. The Board may impose time limits on comments from one person or one organization. The public may address their comments or concerns to the Board in person or in writing.

6.9 Open Meetings

All meetings of the MTPO Policy Board shall be open to the public.

6.10 Conflict of Interest

No member of the MTPO Board shall participate in, discuss or vote on a matter in which he or she has a substantial interest as defined by K.S.A. 74-4301 et seq. Should any member have such a substantial interest on a matter coming before the Board or its committees, the Chairperson shall declare an abstention for each affected Board member for that item on the agenda.

Section 7. Staff Support

As described in the Designation Agreement the Topeka Planning Department shall provide staff to the MTPO for the completion of work task as outlined in the annual Unified Planning Work Program. MTPO staff will also keep the MTPO Policy Board informed on all

communications. The Topeka Planning Director or staff representative shall serve as the Secretary to the MTPO Policy Board.

Section 8. MTPO Sub-Committees

MTPO Subcommittees may be designated by the MTPO as necessary to investigate and report on specific subject areas of interest to the MTPO.

8.1 Technical Advisory Committee

The MTPO, as stated in the Designation Agreement, shall include a Technical Advisory Committee (TAC) to assist the MTPO with collecting information, performing technical reviews, formulating recommendations, setting priorities, and other matters as directed by the Policy Board.

8.2 Additional Committees

Other sub-committees to advise the MTPO on metropolitan transportation planning related issues and processes might be appointed by the MTPO Policy Board.

Section 9. Amendments to Bylaws

These bylaws may be amended by a two-thirds vote of the MTPO Board voting membership at any regular meeting, provided that the members have been notified in writing of the proposed change at least seven (7) calendar days in advance and the proposed amendment has been placed on the agenda. The MTPO Chairperson shall propose amendments to these bylaws whenever changes are made to the MTPO Designation Agreement that make a Bylaws change necessary to avoid conflicts and/or confusion between the MTPO Bylaws and MTPO Designation Agreement. All amendments to these Bylaws shall be recorded by date and incorporated into these Bylaws. New revised Bylaws shall be delivered to MTPO Policy Board members (both voting and non-voting) at the next regular MTPO Policy Board meeting following the Bylaws amendments.