

Bylaws for the Metropolitan Topeka Planning Organization (MTPO) Technical Advisory Committee (TAC)

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) Technical Advisory Committee (TAC).

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.

The purpose of the TAC is to: provide analysis; foster discussions of transportation planning issues; guide and assist the MTPO staff with drafting MTPO documents; formulate and offer recommendations concerning transportation policies to the MTPO Policy Board; offer recommendations concerning project selections to the MTPO Policy Board; and, perform other transportation planning related duties as assigned by the MTPO Policy Board.

The TAC is to lead the technical process of transportation planning for the region, and the MTPO staff is to work toward completing work tasks directed by the TAC and approved in the Unified Planning Work Program (UPWP).

Section 3. Membership

3.1 TAC Composition

The membership of the TAC is as follows:

Voting Members

- a. Topeka Planning Director
- b. Topeka Public Works Director
- c. Shawnee County Planning Director
- d. Shawnee County Public Works Director
- e. One representative from KDOT as designated by the Director of Planning and Development
- f. The General Manager of the TMTA or designee
- g. Topeka Transportation Planner
- h. The KDOT Metro Engineer for Topeka
- i. Other individuals designated by the MTPO Policy Board

Ex-Officio (non-voting) Members

- a. The cities of Auburn, Rossville, Silver Lake, and Willard each may appoint one representative
- b. One representative from the FHWA as designated by the Kansas Division Administrator

- c. One representative from the FTA as designated by the Region 7 Administrator
- d. One representative from the KDOT Bureau of Local Projects as designated by the Director of Engineering and Design
- e. Other individuals selected by the voting membership of the TAC and approved by the MTPO Policy Board

Ex Officio members shall sit with the same rights and privileges as TAC voting members (request agenda items, participate in discussions, advise the TAC, 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 TAC.

3.2 Member Termination

A person's membership on the TAC shall be terminated upon the member leaving his or her position named for membership on the TAC. The "position" however will remain a viable one on the TAC and will be filled by the appointed replacement of the exiting member or as otherwise agreed upon by the TAC membership.

3.3 Alternates

Each TAC member will provide the names of their alternates to the Chair and Secretary. The alternate must be a member of the same body that the TAC member represents. The alternate for voting members will retain the voting privilege.

The alternate does not assume the power of position for the person they are representing (e.g., if the Chair sends an alternate to a meeting then that alternate does not act as Chair).

Section 4. Officers

4.1 Election of Chair and Vice-Chair

The officers of the TAC shall be a Chair, Vice-Chair and Secretary.

The Chair and Vice-Chair shall be elected by the TAC voting membership at a regular meeting during the fourth quarter of each year. Terms for Chair and Vice-Chair shall begin January 1st. Their term of office shall be one (1) year. The Chair and Vice-Chair positions are to be filled by voting members of the TAC.

The Chair and Vice-Chair cannot represent the same government.

The same government cannot hold the Chair in consecutive years.

In the absence of the Chair and Vice-Chair, the TAC Secretary shall call for the election of a temporary Chair. This temporary Chair shall run the meeting until either the elected Chair or Vice-Chair arrives. Upon the arrival of the Chair, or Vice Chair, the temporary Chair shall relinquish the Chair duties upon conclusion of the business item immediately before the TAC.

4.2 Chair

The Chair shall preside at TAC meetings, approve TAC meeting agendas, schedule TAC meetings, appoint sub-committees, and recommend work assignments of TAC members, and present draft documents to the MTPO Policy Board for approval.

4.3 Vice-Chair

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

4.4 Secretary

The MTPO Policy Board Secretary (which according to the MTPO Designation Agreement is the Topeka Planning Director) shall either serve as the TAC Secretary or appoint a MTPO staff member to that position.

Section 5. Quorum

A quorum of the TAC shall consist of a majority of the voting members (initially 4 of 6). The TAC 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 time appointed for the TAC meeting, the TAC has the following two options:

1. The Chair may adjourn the meeting. In that event, those members present may, by unanimous agreement, select another hour and/or day to meet
2. Those members present may, by unanimous agreement, select to continue the meeting as an information meeting to discuss items on the agenda, but no Official actions will be taken.

Section 6. Meetings

6.1 Regular Meetings

The TAC shall meet in regular meetings not less than four (4) times per year. Regular meeting dates will be held not more than once monthly unless otherwise indicated as a "Special Meeting". Changes to this date must be approved by a majority of the TAC voting members. The location for regular meetings shall be as agreed to by a majority of the voting members.

Members shall be allowed to teleconference, video conference or other means of electronic conferencing, hereinafter known as "electronic conferencing", into any meeting should the meeting location allow for such activities and all regulations in the Kansas Open Meeting Act (KOMA), KSA 75-4317 et seq., regarding electronic conferencing are followed.

Regular TAC meetings must be held at least ten (10) calendar days before the MTPO Policy Board meets in order to provide ample time to have the Policy Board consider items from the latest TAC meeting. The Chair shall request that the TAC Secretary give members notice of regular meetings not less than seven (7) calendar days prior to the meeting.

6.2 Special Meetings

Either the TAC Chair or a majority of the voting members may call Special TAC meetings. The TAC Chair shall give members notice of special meetings not less than seven (7) calendar days prior to the meeting. In the event that the caller of the special meeting wishes to cancel or change the meeting time, notice of such cancellation or change shall be made as soon as practical.

6.3 Meeting Locations

All TAC meetings will be held at accessible locations.

6.4 Voting Requirements

Each TAC voting member shall have one vote. In the absence of a regular TAC voting member, the designated alternate shall have the voting power. Members or their alternates must be physically present at the meeting to vote unless the Chair allows a phone/computer connection to stand in place of their physical attendance. Proxy voting is not allowed at TAC meetings.

6.5 Agendas

Regular TAC Meetings

There shall be an official agenda for every regular meeting of the TAC, which shall determine the order of business conducted at the meeting. The MTPO staff shall draft a meeting agenda. The draft agenda will be presented to the Chair for review, possible revision and approval. Upon TAC Chair approval the agenda will be distributed to TAC members. Meeting agendas sent to TAC members will be accompanied by appropriate materials (e.g., staff reports, draft documents, etc.). Regular meeting agendas shall be distributed to TAC members at least seven (7) calendar days in advance of the meeting. Upon delivery of the agenda to TAC members the agenda shall be available for public inspection at the MTPO office and posted on the web site as soon as possible.

Special Meetings

Special TAC Meeting agendas are restricted to the business designated in the call for the meeting.

6.6 Record of Proceedings

All actions of the TAC shall be by approval of draft resolutions, draft documents, or motions. Since the TAC is an advisory committee of the MTPO Policy Board, which is the MPO for the Topeka Area, actions by the TAC to approve items will constitute official technical committee recommendations to the MPO. The TAC is charged with providing the best possible professional recommendations on MPO matters to the MTPO Policy Board. All approvals of items by the TAC shall be noted by the TAC Secretary and placed in the meeting minutes kept in the MTPO files.

At all TAC meetings the Secretary shall record a roll of members present, take brief summary notes of the proceedings, and create a record of votes taken to approve items. After the TAC meetings the Secretary shall draft meeting minutes. Once drafted by the Secretary the draft minutes shall be reviewed by the Chair and placed on the agenda for approval at an upcoming meeting. Minutes shall be reviewed by all TAC members and approved by a 2/3 vote of the voting members. Once approved the minutes are to be distributed to TAC members and posted on the MTPO's web site by the Secretary.

The Secretary will prepare TAC approved items for submission to the MTPO Policy Board and deliver those items to the TAC Chair for presentation to the MTPO Policy Board.

6.7 Parliamentary Authority

The TAC shall establish parliamentary rules for the conduct of TAC meetings by a two-thirds vote of the voting members.

6.8 Open Meetings

All meetings of the TAC shall be open to the public.

All MTPO PB, TAC, and approved sub-committee meetings shall be open to the public, and shall be conducted in compliance with the Kansas Open Meeting Act (KOMA), KSA 75-4317 et seq., All meetings must be held at a public location, which conforms to the accesses regulations in the US Americans with Disabilities Act.

All MTPO PB, TAC, and approved sub-committee meetings shall conform to the Requirements set forth in the MTPO Public Participation Plan hereinafter known as The "PPP", which has been developed to conform to the regulations set forth in the 2015 Fixing Americas Surface Transportation (FAST) Act legislation and all subsequent federal transportation acts.

6.9 Conflict of Interest

No member of the TAC 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 TAC, the Chair shall declare an abstention for each affected 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 (UPWP). MTPO staff will also work with the TAC members to complete the work tasks described in the UPWP.

Section 8. Sub-Committees

The TAC Chair, with the confirmation of the majority of the voting TAC jurisdictions, may establish temporary ad-hoc subcommittees from within and outside its membership to consider such matters and perform such tasks that are within the TAC's current responsibilities, or as are referred to them by the Policy Board.

Such sub-committees may include Policy Board members, TAC members, local officials, public citizens, and others as recommended by the TAC or approved by The Policy Board. All TAC authorized ad-hoc committee meetings shall be open to the public unless the meeting is authorized to meeting privately by the Policy Board with a three-fourths (3/4) majority of the Policy Board voting membership. Should a closed session be held, all rules and regulations regarding closed session meeting procedures and documentation as outlined in the Kansas Open Meeting Act (KOMA), KSA 75-4317 et seq., will be strictly adhered to

The TAC Chair may set a sunset date for the sub-committee, at which time the Committee would be dissolved unless otherwise extended by the Chair or the majority of the voting TAC Committee members.

Sub Committees shall choose from among their members authorized representatives a Chair and a Vice-Chair.

Periodic presentations to the TAC by representatives of approved subcommittees will be accommodated when needed throughout the year. These meetings can be at the request of either party.

Section 9. Amendments to the TAC Bylaws

These bylaws may be amended by a two-thirds vote of the TAC 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 TAC Chair 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 TAC Bylaws and MTPO Designation Agreement. All amendments to these Bylaws shall be recorded by date and incorporated into the official master copy of these Bylaws filed at the MTPO office. Copies of new revised Bylaws shall be delivered to TAC members (both voting and non-voting) at the next regular TAC meeting following the approval of amendments.