

**MOUNTAINLAND  
METROPOLITAN PLANNING ORGANIZATION  
BYLAWS**

**2007**

**ADOPTED NOVEMBER 1, 2007**

**AMENDED JUNE 5, 2008**

**AMENDED OCTOBER 2, 2014**

**MOUNTAINLAND ASSOCIATION OF GOVERNMENTS**



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# MOUNTAINLAND METROPOLITAN PLANNING ORGANIZATION BYLAWS

## **PURPOSE**

These Bylaws define the membership, officers, functions, duties and responsibilities of the Mountainland Metropolitan Planning Organization.

## **ARTICLE I**

### **ESTABLISHMENT, PURPOSES, AND SERVICE AREA**

#### SECTION 1 - NAME

There is established an organization to be known as Mountainland Metropolitan Planning Organization (MPO).

#### SECTION 2 - ORIGIN

This organization is established under provisions of the Bylaws of the Mountainland Association of Governments (MAG), a voluntary association established and authorized under provision of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, (1953) as amended.

#### SECTION 3 - PURPOSES AND GENERAL RESPONSIBILITIES

1. To complete the activities necessary to maintain a comprehensive, cooperative and continuing multi-agency transportation planning program, including the development of the Regional Transportation Plan, Transportation Improvement Program and Unified Planning Work Program.
2. To promote public participation in the transportation decision-making process through public outreach held pursuant to state and federal guidelines.
3. To exercise leadership and initiative in planning and assisting in the development of an efficient, cost-effective, integrated transportation system in the Utah County urban area.
4. To provide transportation air quality analysis for the Regional Transportation Plan and prepare conformity determination reports in keeping with the provisions of the Clean Air Act, 40 CFR 93, the Conformity Rule and the State Implementation Plan (SIP).

#### SECTION 4 - SERVICE AREA

The service area encompasses all municipalities in Utah County and the contiguous unincorporated areas between municipalities. Transportation air quality analyses will include all of the Utah County area for regionally significant projects.

## **ARTICLE II**

### **MOUNTAINLAND REGIONAL PLANNING COMMITTEE**

#### SECTION 1 - ESTABLISHMENT

There is established within the Mountainland Metropolitan Planning Organization the Mountainland Regional Planning Committee (RPC).

#### SECTION 2 - RESPONSIBILITIES

The RPC is responsible for all action agreements and functions to be carried out by the MPO. These responsibilities include:

- a. Serve in a policy review capacity to insure that all federal and state assisted projects are consistent with integrated regional transportation plans and program.
- b. Reviews and approves policies and actions related to air quality. Comments on and/or approves State Implementation Plan development.
- c. Give final approval for the Unified Planning Work Program and Budget, Regional Transportation Plan, Transportation Improvement Program, and Conformity Determination Report.
- d. Accept contributions and grants in aid.
- e. Contract with the Federal Government for planning assistance and other transportation related planning projects, products, and services.
- f. Contract with other state and local entities and consultants for the provision and receipt of planning or associated products or services.
- g. Approve related third party contracts, work scopes and the planning process.
- h. Give final approval for all official MPO documents.

#### SECTION 3 – MEMBERSHIP AND REPRESENTATION

1. Each unit of local government shall be represented by its mayor or commissioners.
2. The Utah Transportation Commission, Utah Transit Authority Board, and the Utah Air Quality Board are invited to each designate one person from among its appointed board members to serve as a voting member of the RPC.
3. One member of each of the State House of Representatives and the State Senate may be appointed by the MAG MPO Regional Planning Committee. These members must reside within the MPO boundaries. ~~and shall be appointed by the leadership of the respective chambers.~~
4. Ex-officio non-voting members to the committee represent the following organizations: Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), Environmental Protection Agency (EPA), Federal Rail

- Administration (FRA), and the Federal Aviation Administration (FAA). Additional ex-officio members may be added from time to time with the approval of the voting membership. Ex-officio members may fully participate in each meeting's discussion.
5. Alternates: Alternate members representing each member entity may be appointed to serve on the RPC in the absence of the primary member. Each mayor may select an elected official of his or her city as an alternate. Alternates for the Transportation Commission shall be the UDOT Director or his/her designee, and for the UTA Board the UTA Director or his/her designee, and may include senior staff members. Alternates will have the voting power and duties of the primary members. Alternates must present to the Chair a written letter of appointment to the RPC from the member entity prior to being seated as a voting member. Alternates serve at the will of the appointing mayor, commissioner, or board.
  6. Any member who for any reason shall no longer be in the service of the voting entity shall have her or his position vacated automatically and another member shall be appointed by the appropriate voting entity.

#### SECTION 4 - OFFICERS

1. The Mountainland Regional Planning Committee, in consultation with MPO staff, shall nominate from its membership for the positions of Chair and Vice Chair. Both Chair and Vice Chair shall be elected officials from jurisdictions within the MPO. Ratification of nomination shall require a simple majority vote. The position of Chair and Vice Chair shall be for one-year terms. Successive terms are not limited. Individuals may request to be replaced at any time
2. If the Chair should relinquish his or her elected position, he or she shall be replaced by the Vice Chair and a new Vice Chair will be elected.
3. In the absence of the Chair the Vice Chair shall have the powers of Chair. If both are absent the quorum may elect a temporary Chair.
4. The Chair and Vice Chair will serve without compensation and shall serve while they are in their current term of public office.
5. The Chair and Vice Chair shall be able to vote on all matters before the committee. He or she shall sign on behalf of the MPO all documents requiring signatures and shall perform all other duties required of the Chair or Vice Chair.

#### SECTION 5 - VOTING AND MEETINGS

1. Each represented jurisdiction / agency and each Utah County Commissioner shall have one vote. Ex-officio members do not vote. When a legitimate need arises, as determined by the Chair, a voting member may designate a temporary proxy to vote in his or her place. The Chair or MAG Staff shall be notified of the proxy by the member prior to the meeting. Proxies may be appointed from elected officials ~~or senior staff members~~, city/county: administrator, manager, chief of staff, deputy mayor, or equivalent of each entity.

2. The number of voting members will be established during the Call to Order to determine the presence of a quorum. Duly appointed alternates and proxies shall be counted as quorum members.
3. A quorum for the RPC consists of twelve (12) voting members. Members attending through electronic means shall be included in the quorum count, and have all privileges and responsibilities normally accruing. Meetings may be conducted without a quorum present.
4. If a quorum is not present, the Chair may seek consensus from those voting members present to conduct a conference call during the meeting. Voting members will be contacted until a quorum is reached. If a quorum cannot be assembled, no binding actions may be taken, except as provided for below.
  - a. From time to time, and with the advice and consent of those members present, the Chair may determine that action on an item cannot wait until the next regular meeting. If a quorum cannot be assembled in person or by phone, the Chair may call for passage of the item by vote of those present. Upon passage, a poll of the entire committee following the meeting shall be used to ratify such an action. Polling methods shall be approved by those members present.
5. A simple majority of the voting quorum present at the meeting will constitute passage. A tie vote is a failure to pass.
6. Each member may cast a vote on behalf of only one entity to the RPC. If a member is in a position to act for more than one body, he or she must declare which one they are acting for. The member may still represent both entities in terms of the discussion. An alternate or alternates may be appointed to represent the other entity if desired by the member.
7. Conflict of Interest: A potential conflict of interest may arise if, on any matter before the RPC, a voting member or a member of his or her immediate family has material economic involvement regarding the matter being discussed. When such a situation presents itself, the member must declare the potential conflict. If such conflict appears to exist and the member has not made it known, the Chair shall make inquiry.
8. The RPC shall follow the Open Meetings Laws of the state of Utah.
9. Parliamentary procedure at all meetings shall be governed by Robert's Rules of Order, except as otherwise modified herein or unless the rules are suspended by a majority of the voting quorum.
10. The RPC will meet monthly unless the chair cancels the meeting, and the regular attendees are notified.

#### SECTION 6 - SUBCOMMITTEES AND ADVISORY COMMITTEES

1. The Chair may set up standing sub-committees, ad-hoc committees, and public advisory committees for the RPC as deemed necessary. Such shall report progress,

- findings, and make recommendations to the RPC, and shall receive staff support from the MPO.
2. All subcommittee and advisory committee meetings shall be open to the public.

### **ARTICLE III**

#### **MOUNTAINLAND TECHNICAL ADVISORY COMMITTEE**

##### SECTION 1 - ESTABLISHMENT

There is established within the Mountainland Metropolitan Planning Organization the Mountainland Technical Advisory Committee (TAC).

##### SECTION 2 - RESPONSIBILITIES

The TAC has the primary responsibility to conduct technical reviews and analyses regarding all work activities of the Unified Planning Work Program, any related issues as specified by the RPC, and to so advise the RPC on appropriate actions to be taken. The TAC works closely with the MPO staff providing support and advice for development of plans, projects, programs and documents.

##### SECTION 3 - MEMBERSHIP

1. Mountainland Technical Advisory Committee is composed of planning and engineering staff representatives from each of the RPC member entities. In addition the Utah Department of Transportation, Utah Transit Authority, and Utah Division of Air Quality are also represented. Additional organizations, citizens or agencies may be added with approval of the RPC.
2. Consulting Firms: Consultants to RPC member jurisdictions may be appointed as their representative to the TAC, subject to the following:
  - a. A written letter of designation from the jurisdiction must be submitted to the TAC Chair before the consultant may vote.
  - b. If a third party contract with the MPO is to be discussed during regular TAC meetings or any subcommittee meetings, any consultant that anticipates bidding on the contract must leave the meeting during the discussion and vote. Failure to do so will result in forfeiture of eligibility to bid on the contract.

##### SECTION 4 - OFFICERS

1. The members of the TAC shall nominate and elect a Chair and a Vice Chair. Each shall serve without compensation, for a period of 2 years.
2. In the absence of the Chair or upon his or her inability to act or serve, the Vice Chair shall assume the duties of the Chair. If the Chair and Vice Chair are absent then a temporary chair may be selected by the quorum.

3. Elected officers of the TAC shall serve on a rotation basis, whereby when the Chair's position is vacated; the Vice Chair assumes the position of Chair. The TAC shall then elect another member to serve as Vice Chair.
4. If the Chair no longer represents a member jurisdiction, he or she shall be replaced by the Vice Chair and a new Vice Chair will be elected.
5. The Chair and Vice Chair shall be able to vote on all matters before the committee.
6. He or she shall sign on behalf of the TAC all documents requiring signatures and shall perform all other duties required of the Chair or Vice Chair.
7. Any officer may request to be replaced at any time.

#### SECTION 5 - VOTING AND MEETINGS

1. Each member jurisdiction and agency shall have one vote, regardless of the number of representatives attending. Each entity shall decide how to cast its vote.
2. Ex-officio members shall not have a vote nor make motions.
3. Ex-officio members include MPO staff, representatives of public agencies not included in the regular membership, and members of public advisory committees to the TAC.
4. The number of voting members will be established during the Call to Order to determine the presence of a quorum.
5. A quorum of the TAC shall consist of seven (7) entities represented by voting members.
6. If a quorum is not present, the Chair may instruct that a conference call be conducted during the meeting. Voting members will be contacted until a quorum is reached. If a quorum cannot be assembled, no binding actions may be taken.
7. A simple majority of the voting quorum present at the meeting will constitute passage. A tie vote is a failure to pass.
8. The Chair or Vice Chair of the TAC shall attend the RPC meetings as an ex-officio member presenting views and formal motions of the technical committee.
9. The TAC shall follow the federal and state guidelines for public involvement and open meetings.
10. Robert's Rules of order shall govern the parliamentary proceedings for meetings, unless they are suspended by a majority of the voting quorum.
11. The TAC shall meet regularly, once each month, unless canceled by the Chair and notification is given to all regular attendees.
12. Members will be notified of all meetings and a printed agenda will be available at Mountainland AOG office one week prior to meeting.



13. All TAC meetings will be open to the public and agendas posted at least one week prior to the meeting. Each jurisdiction will be responsible for public input at the project level and will participate on a regional level with MPO staff to meet Unified Planning Work Program objectives.

#### SECTION 6 - SUBCOMMITTEES AND ADVISORY COMMITTEES

1. The Chair may set up standing sub-committees, ad-hoc committees, and public advisory committees for the TAC as deemed necessary. Such shall report progress, findings, and make recommendations to the TAC, and shall receive staff support from the MPO.
2. All subcommittee and advisory committee meetings shall be open to the public.

### **ARTICLE IV**

#### **MOUNTAINLAND METROPOLITAN PLANNING ORGANIZATION STAFF**

##### SECTION 1 - RELATIONSHIP TO MOUNTAINLAND ASSOCIATION OF GOVERNMENTS

Mountainland Association of Governments Executive Council is the final policy body regarding the MPO staff. It approves all administrative documents and policies relating to the operation of the MPO, staffing and staff assignments.

##### SECTION 2 - RESPONSIBILITIES

The MPO staff provides support to the RPC and TAC as needed, and is responsible for development of the following essential products:

- a. Unified Planning Work Program and Budget
- b. The Mountainland MPO Regional Transportation Plan
- c. The Mountainland MPO Transportation Improvement Program
- d. Conformity Determination Reports
- e. Title VI Civil Rights Review
- f. Third party contracts and work scopes as applicable
- g. Other projects deemed essential may be authorized by the Regional Planning Committee and specified in the Unified Planning Work Program.

##### SECTION 3 - FINANCES

1. Fiscal Year: The MPO fiscal year shall commence on July 1 of each year.
2. Funding: MAG receives and distributes funds for and in behalf of the MPO. While the MAG Executive Council approves the staffing plan and budget of the MPO, the RPC has final approval of the Unified Planning Work Program and Budget.
3. Audit: The annual audit of the financial affairs of the Mountainland Association of Governments includes the Mountainland Metropolitan Planning Organization. The audit is made by a certified public accountant selected by the voting members of the

Association at the end of each fiscal year. The audit report is made available to all Association members.

**ARTICLE VI**  
**ADOPTION AND AMENDMENT OF THESE BYLAWS**

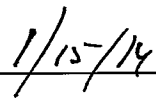
SECTION 1 - MAJORITY VOTE FOR ADOPTION

These Bylaws may be adopted by a majority of the voting quorum of the RPC at a scheduled meeting.

SECTION 2 - MAJORITY VOTE FOR AMENDMENT

These Bylaws may be amended by a majority of the voting quorum of the RPC at a scheduled meeting.

  
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Chair, Mountainland Regional Planning Committee

  
\_\_\_\_\_  
Date