

Bylaws of the Missouri Transportation Enhancements Committee of the Mid-America Regional Council  
Amended November 3, 2010

Article I: Name

- Section 1. Name. The name of this committee shall be the Missouri Transportation Enhancements Committee, hereinafter referred to as the TE Committee.
- Section 2. Office and Records. The TE Committee shall use the offices and staff of the Mid-America Regional Council (MARC) and shall record and maintain records of proceedings of all meetings of the TE Committee and of its advisory subcommittees.
- Section 3. Sunshine Law. The TE Committee and its advisory subcommittees shall comply with Chapter 610 of the Revised Statutes of Missouri, as amended, known as the Sunshine Law as it pertains to open records and open meetings.

Article II: Purpose

The TE Committee has been created to serve as the Mid-America Regional Council’s (MARC) designated committee to review and make recommendations pertaining to Missouri Transportation Enhancement (TE) project eligibility and fund allocation. This committee is a programming subcommittee of the Total Transportation Policy Committee.

Article III: Membership and Voting Rights

- Section 1. Number of Members. The TE Committee shall consist of 18 voting members.
- Section 2. Membership Jurisdiction/Organization. The following jurisdictions and organizations shall be represented on the TE Committee:

Description	Members	Qualifying Jurisdictions
Cities of over 200,000 persons assigned 2 members *	2	Kansas City
Cities of more than 20,000 but less than 200,000 assigned 1 member.*	9	Independence
		Lee’s Summit
		Blue Springs
		Belton
		Gladstone
		Grandview
		Liberty
		North Kansas City
Each county within Metro Planning Boundary assigned 1 member	4	Raytown
		Cass
		Clay
		Jackson
MARC Bike/Ped Advisory Committee assigned 1 member	1	Platte
		Bike/Ped Advisory Committee
MARC Transit Committee assigned 1 member	1	Transit Committee
Missouri Department of Transportation	1	MoDOT
<b>TOTAL</b>	<b>18</b>	

\* Based on residential population unless the estimated daytime population of a jurisdiction increases to where it meets the population threshold for membership.

- Section 3. Representation by Discipline. In addition to jurisdictional representation, committee membership shall also be determined by discipline, with each of the following disciplines having at least two representatives:
- Public Works officials/engineers
  - Parks and Recreation
  - Historic Preservation
  - Planners
- The following disciplines or interests shall have at least one representative:
- Bicycle/pedestrian
  - Transit
- Section 4. Selection of Members. MARC staff shall contact each member jurisdiction to request a recommendation for committee membership. This recommendation shall be forwarded to the Total Transportation Policy Committee (TTPC) co-chairs based upon the above characteristics.
- Section 5. Review of Members. MARC staff shall review membership every two years beginning January 2007. In the initial review, the jurisdiction of any member who has served six or more years will be contacted to determine if it wishes to retain its current representative. If the jurisdiction wishes to replace its representative, the procedure for selection of membership shall be followed. After the initial review, jurisdictions will be contacted every four years to determine if they wish to retain or replace their representative.
- Section 6. Chairperson. One person recommended by the TE Committee and endorsed by the TTPC co-chairs shall chair the TE Committee. The Chairperson shall have been a member of the TE Committee for at least four years prior to recommendation. The Chairperson shall serve for a period of two years and shall vote along with the rest of the TE Committee members. If the Chairperson resigns before his or her term is complete, the Vice-Chairperson shall assume the title of Chairperson, assuming he or she has served on the TE Committee for a period of four years. If the Vice-Chairperson has not served on the committee for at least four years, another Chairperson shall be elected.
- Section 7. Vice-Chairperson. A Vice-Chairperson shall also be recommended by the TE Committee and endorsed by the TTPC co-chairs with the expectation that that person shall take over the position of Chairperson when that person's term expires. The Vice-Chairperson shall have been a member of the TE Committee for at least two years prior to recommendation. The Vice-Chairperson will also serve as Chairperson in the event that the Chairperson cannot attend a committee meeting.
- Section 8. Alternate Members. Each of the voting members of the TE Committee may designate in writing an alternate member to attend and vote in the place of the actual member at meetings of the TE Committee. The written designation of the alternate member is to be made a part of TE Committee records kept at the offices of MARC, before an alternate member is allowed to cast a vote.
- Section 9. Suspension of Membership. Failure to attend four (4) consecutive regularly scheduled TE Committee meetings may result in suspension of a designated representative's membership on the TE Committee. In the event of a suspension a notice shall be sent to the jurisdiction or organization represented by the suspended member, requesting designation of another representative for TE Committee membership. Any suspended member may request reinstatement to the TE Committee in writing, and such reinstatement may be granted upon a two-thirds majority vote.
- Section 10. Vacancies. Vacancies shall be filled in the same manner as original appointments.
- Section 11. Attendance by Non-Members. Any other interested person including representatives of other governmental units, the media, other industries, and individual citizens may attend TE Committee meetings.

Section 12. MARC staff will keep a current list of voting members of the Committee, which shall be the official list for required notifications to members.

Article IV: Quorum and Voting Procedures

Section 1. Quorum for the TE Committee. A quorum of a simple majority of the voting members of the TE Committee or their alternates shall be present to adopt or reject any matter.

Section 2. Quorum Determination. Each meeting of the TE Committee shall include a determination as to whether or not a quorum is present prior to any voting. The record of any TE Committee meeting at which a vote is taken shall include a report of the presence or absence of a quorum. In the absence of a quorum, voting must be postponed until such time as a quorum is present.

Section 3. Voting Procedures. When a quorum is present, a simple majority may adopt or reject any matter brought for a vote before the TE Committee.

Section 4. Tie-breaking. In the event of a tied vote at a TE Committee meeting, the deciding votes shall be cast by the co-chairs of the TTPC, excluding those persons who have already voted as members of the TE Committee. If the vote remains tied, the Chairperson of the MARC Board of Directors shall cast the deciding vote, unless this person is also a member of the TE Committee. In the event the Chairperson of the Board is also a TE Committee member, the First Vice Chairman of the Board shall cast the deciding vote. In the event both the Chairperson and the First Vice Chairperson of the Board are TE Committee members, the Second Vice Chairperson of the Board shall cast the deciding vote.

Section 5. Voting By Email. At the discretion of the TE Committee chair, action items may be decided by an email vote in the event that:

1. Time constraints are such that convening a full meeting of the TE Committee would result in undue delay at the potential expense of projects receiving TE funds.
2. The number and scope of items to be considered does not warrant convening a full meeting of the TE Committee.

If an email vote is called, the following steps must be followed:

1. Adequate notice of the item being voted on must be provided to all TE Committee members.
2. TE Committee members must be given a reasonable time to cast their vote, seven (7) working days minimum.
3. Email votes conducted under these conditions are assumed to have quorum if at least twelve (12) TE Committee members cast ballots.
4. Email votes must receive twelve (12) votes in favor in order to pass.
5. Results of any email vote will be emailed to TE Committee members and posted on the MARC TE website.
6. Any vote conducted by email must be acknowledged at the next meeting and entered into the official committee minutes.

Article V: Meetings

Section 1. Date. TE Committee meetings will be convened as needed.

Section 2. Location. The regular meeting location for TE Committee meetings shall be at the MARC offices.

Section 3. Meeting Notice. At least seven (7) days prior to any scheduled TE Committee meeting, a meeting notice including the agenda shall be emailed to all members. Meeting notices may also be faxed or mailed at the request of the member. In addition, a meeting notice will be posted at the MARC offices in compliance with Chapter 610 of the Revised Statutes of Missouri (Sunshine Law). Any nonmember may ask to be placed on the TE mailing list and will subsequently receive meeting notices by email or mail as requested. Notice shall also be sent in the event of an email vote.

Section 4. Meeting Procedures. The most recent revised version of Robert's Rules of Order shall govern all meetings of the TE Committee, except where these Bylaws require a different procedure.

#### Article VI. Programming of Funds

Section 1. Project Eligibility. Federal TE Guidelines (23 USC 133(b)(8)) identify the types of programs and projects eligible for TE funds. In instances where there is a question regarding project eligibility, MARC staff may request a US DOT TE Program eligibility determination. A positive eligibility determination will then be required for TE funding to be authorized. The TE Committee will follow all applicable rules, guidelines and procedures when determining recommendations for project funding allocation.

Section 2. Eligible Uses of Funds. Because generally followed policies of the TE Committee regarding eligible uses of federal funds are more restrictive than federal guidance, a separate document outlining these policies, approved by TTPC, shall be maintained by MARC staff and made available to project applicants and sponsors.

Section 3. Recommendation Process. Applications received for TE funding will initially undergo a technical review by MARC staff to determine scores based on the Committee's criteria. Once this process has been completed, staff will present initial scores to the TE Committee. Project sponsors will be allowed to give a brief presentation of their projects to the TE Committee, after which the TE Committee may adjust scores provided by MARC staff. The end result of this process will be to obtain a ranking of proposed projects within each category, which will then be used to make a recommendation to the TTPC and MARC Board.

Section 4. Once the TTPC and MARC Board have approved projects, they are subject to final approval by MoDOT.

#### Article VII. Reasonable Progress

Projects receiving funding shall make reasonable progress towards completion as set forth in the most recently approved MARC Reasonable Progress Policy for Enhancement Funds.

#### Article VIII. Amendments

These Bylaws may be amended at any meeting by a three-step process. The first step is a vote on a specific amendment of at least two-thirds of the TE Committee voting members present if a quorum as established in these bylaws is established. The second step is that the specific amendment is brought before the TTPC for approval and recommendation to the MARC Board of Directors. The final step is approval of the specific amendment by a vote of the MARC Board of Directors. Members with voting rights will receive notification of any proposed amendment at least fourteen (14) days prior to any meeting at which the proposed amendment is to be discussed or voted upon.

#### Article IX. Liability

None of the members of the TE Committee shall be personally liable in connection with any undertaking of the TE Committee unless it is expressly unauthorized, according to meeting records, at the time of the act or omission, or unless it is a criminal offense under state or federal law at the time of the act or omission.