

CORRIDOR METROPOLITAN PLANNING ORGANIZATION BYLAWS

Adopted: ~~January 31, 2001~~ **January 15, 2015**

~~Amended: October 20, 2011~~

~~Revised: May 15, 2014~~

ARTICLE I: ESTABLISHMENT

The Corridor Metropolitan Planning Organization, hereinafter referred to as the Corridor MPO, has been established pursuant to Chapter 28I, State Code of Iowa.

ARTICLE II: MEMBERSHIP

Membership in the Corridor MPO, shall be limited to Linn and Johnson Counties and each city within the ~~metropolitan~~ **Corridor MPO Planning Area** ~~area~~ of said counties. Any eligible governing body may become a member upon an affirmative vote of 3/4~~ths~~ of the members of the Policy Board and the payment of dues, if any, established by the Policy Board. ~~The rights, duties, and obligations of membership will be as determined by the Policy Board upon admission.~~ **Only a jurisdiction with a population of 1,000 as determined by the last official Federal Census may have voting rights. Regardless of voting rights, all member jurisdictions are subject to the costs of membership detailed in Article VII.**

ARTICLE III: POWERS AND DUTIES

Powers and Duties of the Corridor MPO

- A. The Corridor MPO shall have the powers and duties as set forth ~~the~~ in the attached Schedule B, as may be amended from time to time by the Policy Board.
- B. The Corridor MPO may assign certain of the preceding responsibilities to various committees and the **Corridor** MPO staff as stipulated in Article V, Section 2 and Section 3 of the Bylaws.

ARTICLE IV: REPRESENTATION ON THE POLICY BOARD AND VOTING

SECTION 1: Governance. The governing body of the Corridor MPO shall be the Policy Board of Directors (the "Policy Board").

SECTION 2. Representation. Each member of the Corridor MPO may designate representatives on the Policy Board. The maximum number of representatives a member may appoint shall be determined according to the following formula:

~~One representative per each 10,000 persons or fraction thereof. If the number of Cedar Rapids representatives do not constitute a majority of the Policy Board, Cedar Rapids will be allocated an additional representative or representatives so that its representatives constitute no less than a majority of representatives on the Policy Board.~~

One representative per each 10% of the total Corridor MPO Planning Area population, or fraction thereof, as shown in Schedule A. Any jurisdiction with over 50% of the Schedule A total Corridor MPO Planning Area population shall have 50% of the total Policy Board eligible voting representation.

For cities, representation on the Policy Board shall be based on the number of persons residing within their incorporated areas **located within the Corridor MPO Planning Area**. For counties, representation on the Policy Board shall be based on the number of persons residing outside the incorporated areas **within the Corridor MPO Planning Area**. In establishing representation, the latest official Federal ~~Decennial~~ Census shall be used to determine the number of residents.

As of the date of these amended Bylaws, the number of representatives for each member is as set forth on the attached Schedule A, entitled "Corridor Metropolitan Planning Organization Membership and

Representation.”

The members of the Policy Board shall ~~will~~ be comprised of the chief elected official from each member’s governing body or their duly authorized representative who may be an elected **official** or ~~appointed public official~~ **jurisdiction staff**. Those members entitled to more than one representative on the Policy Board may, in addition to their chief elected official, appoint for the remainder of the representatives to which they are entitled other elected **officials**, or ~~appointed public officials~~ **jurisdiction staff**, ~~property owners~~, or citizens.

Citizen representatives on the Policy Board shall be appointed for overlapping terms of not less than three and no more than five years. Any vacancy in the representation of the Corridor MPO shall be filled for the unexpired term in the same manner as the initial appointment. The governing bodies shall have authority to remove any representative for cause stated in writing to the Corridor MPO.

All member governing bodies ~~may~~ **shall** designate, in writing, alternate representatives and said alternates shall be recognized at each meeting and shall be authorized to participate and vote on all matters before the Corridor MPO in the absence of the regular member representative. **Alternates shall be designated annually at the beginning of the calendar year.** One designated individual may serve as the alternate for more than one Corridor MPO representative, but in no event shall such designated alternate vote for more than one Corridor MPO representative at one meeting.

SECTION 3: Voting. Each representative may cast one vote on any question at any meeting of the Corridor MPO, except as otherwise expressly provided in these Bylaws. **All matters voted upon by the Policy Board require affirmative votes from two jurisdictions for passage.**

SECTION 4. Meetings

- A. Regular Meetings shall be on the third Thursday of January, March, May, June, and October. Special meetings may be scheduled by the Corridor MPO Staff or Chair at other times with seven day notice.
- B. An agenda shall be prepared for each meeting by the Corridor MPO Staff. At the conclusion of each meeting, the Chair shall entertain suggestions from the membership for the next meeting’s agenda.
- C. Any member may initiate items for Corridor MPO meetings by way of the Chair or Corridor MPO Staff for inclusion in the formal agenda.
- D. A majority of the Corridor MPO members shall constitute a quorum for the transaction of business. Vacant positions shall not be counted in determining the quorum requirement. Affirmative votes by a majority of the members present and voting at any meeting at which a quorum exists shall be necessary to adopt any measure.
- E. Minutes shall be kept of all meetings, and summaries shall be made of all oral comments received from the public. Secretarial, duplication, and mailing services shall be provided by Corridor MPO Staff.
- F. The public attending the Corridor MPO meetings shall have the opportunity to address the Policy Board limiting their comments to three minutes each, unless this is extended by the Chair. If the speaker is reading from a prepared text, a copy should be provided to Corridor MPO Staff. The speaker should state their name and address and should direct questions to the Chair only.
- G. The Policy Board may permit and establish reasonable rules for participation by any means of communication through which the participants may simultaneously hear each other during the conference. Participation by approved electronic means constitutes attendance at the meeting in person or by proxy if all the other requirements for a meeting are met.

ARTICLE V: COMMITTEES; OFFICERS; STAFF

SECTION 1. Committees. The following committees are established by these Bylaws:

- A. Executive Committee. The Executive Committee shall consist of one representative from each member jurisdiction. The Chair and Vice Chair shall serve as the representatives for their respective member

jurisdictions. No member jurisdiction may have more than one representative on the Executive Committee. Corridor MPO Executive Committee decisions are subject to review and approval by the Policy Board. The Corridor MPO Chair shall preside at the Executive Committee meetings and in absence of the Chair, the Vice Chair shall preside. The Executive Committee meetings are held on an as needed basis to provide supervision and exercise such additional powers as may be delegated by the Corridor MPO from time to time. The Executive Committee shall have the power to approve amendments to the Transportation Improvement Program (TIP) that do not involve Corridor MPO funding such as adding a project, deleting a project, or changing the amount of funding for a project. Amendments for projects that receive non-Corridor MPO funding such as a grant or Iowa DOT funded project may be approved by the Executive Committee. The Executive Committee shall meet when time sensitive issues arise and a full quorum of the Policy Board cannot be reached. Quorum shall be met by majority of Executive Committee members present. Minutes of the meetings of the Executive Committee shall be prepared and delivered to the Corridor MPO Policy Board.

- B. Subcommittees. The Policy Board may establish subcommittees, to assist the Policy Board in carrying out its responsibilities. These subcommittees may include but shall not be limited to the following: policy group, land use, open space, housing and community development, transit, major streets, economic and other similar functional committees. Membership of these committees shall include representatives of the Policy Board or their designated alternate.
- C. Advisory Committees. Advisory Committees serve either the subcommittees or the Corridor MPO, as necessary, and may include but shall not be limited to the following: Transportation Technical Advisory Committee, Population & Employment Forecast Technical Advisory Committee, Park and Outdoor Recreation Committee, and other technical and non-technical advisory committees as may be determined necessary by the Corridor MPO. Membership of the Advisory Committees shall be as provided for in Article V, Section 2, Paragraph E of these Bylaws; except that membership of the Transportation Technical Advisory Committee shall be in accord with current agreements between the Corridor MPO and the Iowa Department of Transportation. Advisory committees shall have established bylaws identifying operating procedures and responsibilities. The Chair and Vice Chair are selected by a vote of the Advisory Committee members.
- D. Task Forces. The Corridor MPO may create taskforces to perform specific tasks in furtherance of its purpose and objectives and may include but shall not be limited to the following: Tower Terrace Road Advisory Committee and the Ordinance Review Committee. Members of the taskforces shall be appointed by the Corridor MPO Policy Board Chair in accord with provisions of Article V, Section 2, and Paragraph E of these bylaws. At the request of the Corridor MPO, the Chair shall also appoint members to serve on joint task forces with representatives of other organizations. Taskforces shall have established bylaws identifying operating procedures and responsibilities. The Chair and Vice Chair are selected by a vote of the Task Force members.

SECTION 2. Officers/Duties

- A. The first regularly scheduled Corridor MPO meeting each calendar year shall be an organizational meeting to review the Corridor MPO goals and provide operational information to members. The Corridor MPO Policy Board shall nominate a Chair and Vice Chair representing different jurisdictions and nominate the Executive Committee.
 - a. Chair
 - b. Vice Chair
 - c. Executive Committee (appointed)
- B. Officers shall be elected by a majority of the Corridor MPO present and voting at the annual organizational meeting, providing a quorum is present.
- C. The Chair or Vice Chair so elected shall serve for one year, or until he or she is reelected or a successor elected. No individual shall serve for more than two consecutive terms. The Policy Board may request a reappointment of the Chair or Vice Chair, after two consecutive terms have been served by an affirmative vote of three-fourths of the current Corridor MPO members.
- D. Newly elected Corridor MPO officers shall be declared installed immediately upon receipt of a majority vote.

- E. The Chair shall preside at all meetings, call meetings, assign duties to members, appoint subcommittees, Advisory Committees and Taskforces, establish the agenda for meetings in consultation with Corridor MPO Staff, and act as a liaison with the Corridor MPO, its staff, government bodies, and other related committees. The Chair of Corridor MPO shall be empowered to vote on all matters acted on by the Corridor MPO.
- F. The Vice-Chair shall, during the absence of the Chair, have and exercise all of the duties and powers of the Chair.
- G. In the event of a vacancy in the office of Chair, the Vice-Chair shall automatically assume the office of Chair for the remainder of the unexpired term. In the event of a vacancy of the office of Vice Chair, a new Vice Chair shall be elected at the next meeting of the Corridor MPO to serve the remainder of the unexpired term.
- H. In the event that all officers expect to be absent from a meeting, the Chair shall appoint another member to serve as Chair Pro-tem. In the event no Chair Pro tem was appointed, the members present shall elect one of their attending members to chair the meeting.

SECTION 3. Role of Corridor MPO Staff

The Corridor MPO Staff, comprised of various levels of planners, under the general policy direction of the Policy Board, has the authority to perform the highest level of managerial and administrative functions related to the Corridor MPO including, but not limited to, the following:

- Implementing the mission of the Corridor MPO
- Provide technical assistance and planning services to member jurisdictions.
- Providing leadership in planning and promoting an integrated, multimodal transportation system
- Working with the Policy Board and its committees to develop strategies, goals, objectives and plans related to transportation and related land use issues
- Developing positive working relationships with member jurisdictions and building consensus among stake holders
- Procuring funding and developing funding sources
- Evaluating plans and strategies to promote the goals and objectives of the Corridor MPO
- Overseeing the general administrative functions of the Corridor MPO
- Executing and overseeing the contracts with consultants, as approved by the Policy Board

ARTICLE VI: FINANCING

In the performance of its duties, the Corridor MPO may cooperate with, contract with, and accept and expend funds from federal, state, or local agencies, public or semi-public agencies, or private individuals or corporations, and may carry out such cooperative undertakings and contracts. It may enter into other contracts and make expenditures for the purchase of required equipment and supplies, and exercise all other powers necessary to carry out the purposes of the Corridor MPO activities as outlined in these Bylaws. The expenditures of the Corridor MPO, exclusive of gifts or grants to the Corridor MPO or its contract receipts, shall be within the amounts appropriated or provided to the Corridor MPO, which is empowered to determine, agree upon, and appropriate funds for the payment of the expenses of the Corridor MPO or its respective shares thereof. The governing bodies of the area served by the Corridor MPO shall cooperate with the Corridor MPO and may aid the Corridor MPO by furnishing staff, services, and property. Corridor MPO staff shall execute contracts necessary to carry out the purpose of the Corridor MPO activities as outlined in these Bylaws.

ARTICLE VII: BUDGET AND APPORTIONMENT OF COSTS

The Corridor MPO budget shall be based on the annual work program for a fiscal year beginning July 1 and ending June 30. The costs of the membership for the Corridor MPO shall be shared by each member agency in accord with its percentage share of total **Corridor MPO Planning Area** population for each member jurisdiction of the Corridor MPO as based on the latest Federal ~~Decennial~~ Census.

The Corridor MPO shall by January 31 of each year determine a preliminary work program and budget for the Corridor MPO's next fiscal year, together with member assessments, and submit this information to all member agencies. The final work program and budget shall be approved no later than June 1 by the Corridor MPO and member dues assessments determined and requests for funds submitted to member agencies within 30 days following Corridor MPO approval unless otherwise provided for by the Corridor MPO. Member dues shall be paid within 60 days of notification unless otherwise determined by the Corridor MPO. Miscellaneous operational expenditures shall be managed by Corridor MPO staff under the amount of \$5000.00 per expenditure throughout the fiscal year. Expenditures shall be reported to the Policy Board at the next Corridor MPO Policy Board meeting.

ARTICLE VIII: ADDITIONS TO AND WITHDRAWALS FROM THE CORRIDOR MPO

SECTION 1. Additions

A political subdivision, which is eligible under Article II of these Bylaws, may make application to the Corridor MPO Staff for membership and may become a member by executing the Resolution of Participation upon an affirmative vote of 3/4~~ths~~ of the members of the Policy Board, upon the terms and conditions approved by the Policy Board.

SECTION 2. Withdrawals

Any member of the Corridor MPO may withdraw its membership at any time by resolution and delivery of a certified copy thereof to Corridor MPO Staff. Such withdrawal shall be effective upon delivery, but shall not relieve the withdrawing party of its obligation to contribute its full share of the cost for the year in which said withdrawal occurs. Any legislative authority not contributing its apportionment of costs in accord with Article VII may, by a determination of the Corridor MPO, be deemed to have withdrawn as a member.

ARTICLE IX: LAWSUITS

All expenses incurred by the Corridor MPO for attorneys fees and other costs caused by and related to any lawsuit brought forth by a member agency of the Corridor MPO against said Corridor MPO shall be the responsibility of the plaintiff when either (1) the suit is terminated by the plaintiff, or (2) the ruling is in favor of the Corridor MPO; and it shall be the obligation of said member agency to pay and save the Corridor MPO harmless from such expenses.

ARTICLE X: MEMBERS, OFFICERS, & EMPLOYEES DEFENDED & INDEMNIFICATION

The Corridor MPO shall defend any of its members, officers, employees and agents, whether elected or appointed and, except in cases of malfeasance in office, willful and unauthorized injury to persons or property, or willful or wanton neglect of duty, shall save harmless and indemnify such members, officers, employees and agents against any tort claim or demand, whether groundless or otherwise, arising out of an alleged act or omission occurring within the scope of their employment or duties. The duty to defend, save harmless, and indemnify shall apply whether or not the Corridor MPO is a party to the action and shall include but not be limited to cases arising under Title 42 United States Code #1983.

The word "tort" means every civil wrong which results in wrongful death or injury to person or injury to property or injury to personal or property rights and includes but is not restricted to actions based upon negligence; error or omission; nuisance; breach of duty, whether statutory or other duty or denial or impairment of any right under any constitutional provision, statute, or rule of law.

A tort shall be deemed to be within the scope of employment or duties if the act or omission is reasonably related to the business or affairs of the Corridor MPO and the member, officer, employee, or agent acted in good faith and in a manner a reasonable person would have believed to be in and not opposed to the best interest of the Corridor MPO. For the purposes of this Article, "employee" includes a person who performs services for the Corridor MPO whether or not the person is

compensated for the services.

ARTICLE XI: AMENDMENTS

The terms of these Bylaws may, from time to time, be changed or amended by an affirmative vote of 3/4 of the members of the Policy Board, at any regular or special meeting, provided that at least ten days prior to said meeting a written notice has been sent to the Policy Board containing a copy of the proposed amendment or change and also identifying the location, time and place of such meeting.

NEW

SCHEDULE A CORRIDOR METROPOLITAN PLANNING ORGANIZATION (MPO) MEMBERSHIP AND REPRESENTATION					
Jurisdiction	2010 Corridor MPO Planning Area Population	Percentage of Total Corridor MPO Planning Area Population	Maximum Number of Representatives (1 per 10% of Corridor MPO Planning Area population or fraction thereof)	Percentage of Policy Board Representation	Voting Member
Cedar Rapids	126,323	68.22%	7	50.00%	Yes
Ely	1,776	.96%	1	7.14%	Yes
Fairfax	2,123	1.15%	1	7.14%	Yes
Hiawatha	7,024	3.79%	1	7.14%	Yes
Linn County	10,024	5.41%	1	7.14%	Yes
Marion	34,768	18.78%	2	14.29%	Yes
Robins	3,142	1.70%	1	7.14%	Yes
TOTAL	185,180	100.00%	14	100.00%	14

OLD

SCHEDULE A CORRIDOR METROPOLITAN PLANNING ORGANIZATION (MPO) MEMBERSHIP AND REPRESENTATION				
Jurisdiction	2010 Population	Percentage of Total Population	Maximum Number of Representatives	
Cedar Rapids	126,326	64.87%	13	
Marion	34,768	17.85%	4	
Linn County	19,574	10.05%	2	
Hiawatha	7,024	3.61%	1	
Robins	3,142	1.61%	1	
Ely	1,776	0.91%	1	
Fairfax	2,123	1.09%	1	
TOTAL	194,733	100.00%	23	
Note: Percentage of Total Population and Membership total are subject to change as eligible jurisdictions choose to become members.				

Schedule B

Powers and Duties of the Corridor MPO

- A. The Corridor MPO shall have the power and duty to prepare appropriate studies necessary to determine various public services and facilities required to meet current and long-term community needs and to prepare area wide development plans designed to meet these needs. Said plans shall serve to guide unified development of the area and to promote economy and efficiency in the execution of these plans for the general welfare, convenience, safety and prosperity of its citizens.
- B. The plans for the development of the area may include transportation plans, including major streets, transit, railroads, airports; open space plans; land use plans including areas for schools and other public institutions, public open space, areas for residence, business, industry, recreation, and agriculture; utility plans including water supply systems, sewage systems, sanitation, drainage, protection against floods and other disasters; plans for housing and community development; and such other plans covering current and impending problems as may affect the area served by the Corridor MPO.
 - i. The plans shall be based upon appropriate study and evaluation of various characteristics and trends in population, traffic, land use, economic and other factors, as necessary, to support resulting plans and recommendations. The Corridor MPO shall be authorized to make such surveys and investigations as required to carry out these and other basic studies.
 - ii. Time, priority schedules and cost estimates for the accomplishment of the recommendations included in the plans may also be prepared but said documents shall not be considered plans.
- C. Upon recommendation by the Corridor MPO, the plan or plans, in whole or in part, or amendments thereto, may be adopted by the governing bodies of the members of the Corridor MPO.
- D. Copies of the plan, or plans, and amendments or revisions of a plan, or plans, prepared by the Corridor MPO, may be transmitted by the Corridor MPO to the chief administrative officers, the legislative bodies, city planning commissions, the county zoning commission, boards or agencies of the county and cities within its area, and to regional or metropolitan planning agencies established for adjoining areas. The Corridor MPO may make copies of its plan, or plans, or parts of plans available for general distribution or sale, and may advise and supply information, as far as available, to persons and organizations requesting such advice and information and who are concerned with the area's development issues. It may also provide information to state and local agencies and to the public at large in order to foster public awareness and understanding of the objectives of regional or metropolitan planning and in order to stimulate public interest and participation in the orderly, integrated development of the area served by the Corridor MPO.
- E. The Corridor MPO may also assist the governing bodies and other public authorities or agencies within the area it serves in carrying out any regional plan or plans, and assist any planning commission, board or agency of the cities and county and political subdivisions in the preparation or effectuation of local plans and planning activities consistent with the program of the Corridor MPO. The Corridor MPO is further authorized to provide technical and other planning services for the area it serves and for cities and the county.
- F. To facilitate effective and harmonious planning of the region, or metropolitan area, all governing bodies in the area served by the Corridor MPO, zoning commissions and city planning commissions, boards or agencies in the area, may file with the Corridor MPO, for its information, all county or city plans, zoning ordinances, official maps, building codes, subdivision regulations, or amendments or revisions of them, as well as copies of their regular and special reports dealing in whole, or in part, with planning matters. County or city governing bodies, or zoning commissions or city planning commissions, boards or agencies, may also submit proposals to the Corridor MPO for such plans, ordinances, maps, codes, regulations, amendments, or revisions prior to their adoption, in order to afford an opportunity to the Corridor MPO to study such proposals and to render advice thereon.
- G. In addition to the specific powers and duties herein specified, the Corridor MPO shall further have the responsibility for preparing an annual work program including an annual budget, and in addition, shall have

responsibilities for various administrative actions necessary to comply with federal and state agency requirements and other similar administrative actions.