

**Mankato/North Mankato Area Planning Organization
Technical Advisory Committee (TAC)**

September 17, 2020 – 1:30 p.m.

Remote Meeting available by internet link or telephone:

<https://us02web.zoom.us/j/83312853467?pwd=M3Q5eFYrTElVYjV4anhRZkxRVnNJUT09>

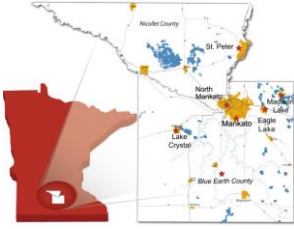
Meeting ID: 833 1285 3467

Passcode: 022442

+13126266799, 83312853467# US (Chicago)

- I. Call to Order
- II. Introductions
- III. Approval of Agenda
- IV. Approval of Minutes – August 20, 2020
- V. New Business
 - 1. Recommendation to enter operating agreement
 - 2. Recommendation to amend bylaws
- VI. Other Business, Discussion & Updates
 - 1. Informational: Administrative Modification to 2020-2023 Transportation Improvement Program (TIP)
- VII. Unapproved September 3, 2020 MAPO Policy Board meeting minutes (informational)
- VIII. TAC Comments
- IX. Adjournment

Next MAPO TAC meeting: October 15, 2020



Meeting Minutes of the Mankato/North Mankato Area Planning Organization (MAPO) Technical Advisory Committee (TAC)

August 20, 2020 | 1:30 p.m. | Remote meeting conducted via Zoom

TAC members present: Jennifer Bromeland – City of Eagle Lake, Paul Corcoran – Minnesota State University, Mankato, Michael Fischer - City of North Mankato, Seth Greenwood - Nicollet County, Joel Hanif – Region Nine Development Commission, Scott Hogen- ISD #77, Jeff Johnson - City of Mankato, Mark Konz – City of Mankato, Ed Pankratz – Mankato Township, Sam Parker – MnDOT District 7, Craig Rempp- Mankato Transit System, Dan Sarff – City of North Mankato, Ryan Thilges - Blue Earth County,

Others Present: Paul Vogel – MAPO Executive Director, Pat Hentges – City of Mankato, Scott Morgan – Mankato Township, Joe Kapper – SRF Consulting, Craig Vaughn – SRF Consulting, Michael Wills – City of Mankato Information Technology, Anna Pierce – MnDOT, Charles Androsky – MAPO staff

I. Call to Order

Mr. Thilges called the meeting to order at 1:30 p.m.

II. Introductions

Introductions were made.

III. Approval of Agenda

Mr. Fischer motioned and Mr. Pankratz seconded to approve the agenda. Motion carried.

IV. Approval of Minutes – May 21, 2020

Mr. Hogen motioned and Mr. Greenwood seconded to approve the minutes. Motion carried.

V. New Business

5.1 Election of Technical Advisory Committee Chair and Vice Chair

Mr. Friedrichs motioned and Mr. Hogen seconded to elect Mr. Johnson as TAC Chair.

Chair Thilges proposed a single motion to elect both the new TAC Chair and Vice Chair.

Mr. Konz motioned and Mr. Sarff seconded to elect Mr. Fischer as Vice Chair.

The motion to elect Mr. Johnson to the position of Chair and Mr. Fischer to Vice Chair carried.

5.2 Recommendation to adopt 2021-2024 Transportation Improvement Program (TIP)

Staff reported coordination efforts with agencies including MnDOT District 7, MnDOT Central Office, the

Federal Highway Administration (FHWA), and the Mankato Transit system to develop the draft 2021-2024 Transportation Improvement Program. The TIP 30-day public comment period had run June 15, 2020 to July 17, 2020. Public comments were answered and forwarded to respective agencies.

Staff recommended a motion to recommend adoption to the MAPO Policy Board.

Mr. Thilges motioned and Mr. Greenwood seconded to approve. Motion carried.

5.3 Recommendation to adopt 2021-2024 Transportation Improvement Program (TIP)

Staff reported that MAPO's 2021 UPWP provides a description of work products and staff activities to be undertaken over calendar year 2021 and illustrative activities for calendar year 2022. It also includes associated budget information –both expense and revenue- including local, state, and federal funding shares.

Staff recommended a motion to recommend adoption to the MAPO Policy Board.

Mr. Greenwood motioned and Mr. Fischer seconded to approve. Motion carried.

5.4 Recommendation to support MnDOT statewide performance measurement safety targets

Ms. Pierce reported that although MnDOT senior leadership had approved the statewide performance measurement safety targets, MAPO was advised at this time to table the item and bring back for approval at the next meeting.

Mr. Konz motioned to table the item to the next meeting. Mr. Thilges seconded. Motion carried.

VI. Other Business, Discussion & Updates

6.1 Update: RTCC (SRF)

Mr. Kapper delivered an informational presentation regarding MAPO's progress toward developing an Operational Implementation Plan (OIP) for Phase 1 Planning for a Regional Transportation Coordinating Council (RTCC) servicing the region.

6.2 Update: LRTP Update

Mr. Vaughn delivered an informational presentation regarding MAPO's progress toward developing the Long Range Transportation Plan Update.

6.3 Informational: host agency resolution

Staff reported that on 22, 2020 the MAPO host agency, the City of Mankato, passed Resolution R-2020-0622-115. The resolution intent was to accept amendments to the Mankato/North Mankato Area Planning Organization Policy Board Bylaws and further define relationship between MAPO and the host agency.

Mr. Hentges gave an overview of the content and intent of the resolution.

VII. Unapproved June 4, 2020 MAPO Policy Board meeting minutes

The draft minutes from the MAPO Policy Board meeting held June 4, 2020 were disbursed for TAC review.

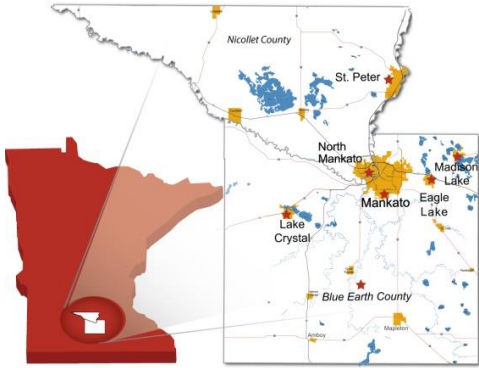
VIII. TAC Comments

Mr. Thilges inquired if there were TAC comments. There were none.

IX. Adjournment

At approximately 2:45p.m. Mr. Thilges moved and Mr. Konz seconded a motion to adjourn. With all voting in favor, the motion carried.

Chair, Mr. Johnson



AGENDA RECOMMENDATION

Agenda Heading: Recommendation to enter operating agreement No: 5.1

Agenda Item:

Recommendation to enter operating agreement

Recommendation Action(s):

Recommendation to MAPO Policy Board to enter operating agreement with MAPO host agency

Summary:

On August 24, 2020, the MAPO host agency, the City of Mankato, approved a draft operating agreement to provide consideration to the roles and duties of MAPO staff and the MAPO host agency to coordinate metropolitan planning for the region. The operating agreement was the result of discussion with governmental partners and intended to provide a common understanding of host agency responsibilities. The agreement provides detail with regard to support services to be furnished by the host agency, including services related to financials and bookkeeping, information technology, and human resources services.

The Mankato City Council agenda summary is linked below and includes the description:

"In an effort to recognize the new bylaw policies and to provide a template for agreement, should the Policy Board decide that one is actually needed, the resolution confirmed that as the host agency the City of the Mankato will conform to the bylaws of the Policy Board and also clarifies the voting rights of certain staff involved with MAPO in an effort to avoid any perception of irregularities. Note, to this point there has been no objection to voting rights. However, as the Director of Community Development is also the Executive Director, it is recommended that an alternative voting right be designated. In addition, as the transit representative is an employee of Mankato, and not a separate entity, it is recommended that they be considered an ex officio non-voting member of the TAC. Note, the JPA states that if the transit agency becomes a separate entity it would have a voting member on the Policy Board. Similarly, as transit is not a separate entity it should not have a voting right on the TAC and thus all of the partners on the TAC will have two votes whereby if transit had a vote, Mankato would essentially have three votes.

After the adoption of the resolution, discussion has continued with the various governmental partners and it is recommended that the terms of the resolution be included in a specific agreement with the Policy Board to ensure a common understanding of the host agency responsibilities. The attached agreement is consistent with the Council resolution of June 22nd and has also been reviewed by the attorney representing MAPO. It is recommended that the City Manager be authorized to enter into the agreement on behalf of the City of Mankato and forward the agreement to the Policy Board for approval."

After City approval, the MAPO Policy Board Chair and MAPO attorney reviewed and recommended MAPO approval of the operations agreement.

Staff recommendation is for the MAPO TAC to recommend to the MAPO Policy Board execution of the operating agreement.

It should be noted that substantive changes to the operating agreement as presented are not recommended. The Council of the host agency has already approved the agreement and it has been reviewed and recommended by the Policy Board Chair and MAPO attorney. Substantive changes would have to then be accepted by the host agency and they have indicated the agreement should be adopted as approved by their Council. Otherwise the matter will be referred back to their Council for review.

Attachments:

Operating agreement

Mankato City Council agenda item (hyperlink):

https://destinyhosted.com/agenda_publish.cfm?id=62652&mt=ALL&get_month=8&get_year=2020&dsp=agm&seq=3199&rev=0&ag=2442&ln=14914&nseq=&nrev=&pseq=3204&prev=0#ReturnTo14914

**Agreement Between the City of Mankato and the Policy Board of the Mankato/North
Mankato Area Planning Organization for Administrative Services**

This Agreement (this “Agreement”) is made effective as of _____, 2020 between the City of Mankato (the “City”) and Mankato/North Mankato Area Planning Organization (“MAPO”).

WHEREAS, the governing bodies comprising the urbanized area of Mankato/North Mankato as defined by the U.S. Census Bureau entered into that certain Joint Powers Agreement to establish MAPO, a joint body to carry out the functions of a metropolitan planning agency under 23USC 134 and 49 USC 5303; and

WHEREAS, the Policy Board (as defined in the Joint Powers Agreement) established as part of the Joint Powers Agreement has powers and duties established in order to carry out the functions of MAPO, including entering contracts/agreements with a governmental agency to function as a “host” and fiscal agent for the administration and operation of MAPO; and

WHEREAS, Article VIII, Section 1 of the Joint Powers Agreement further states that the Policy Board shall enter into an agreement with the City to coordinate the metropolitan planning of the MAPO. The administrative organization to coordinate the metropolitan planning (the “Administrative Organization”) will be within the City organization. The City will employ all necessary staff to carry out the duties of MAPO and will provide physical facilities to house MAPO. All such costs associated with the Administrative Organization shall be reimbursed to the City by the MAPO; and

WHEREAS, on June 22, 2020 the Mankato City Council adopted a resolution accepting amendments to the Policy Board Bylaws and relating to coordinated planning and administrative functions; and

NOW THEREFORE, the City and the Policy Board hereby agree on the following:

Section 1. Administrative Services. The City will provide administrative services to coordinate the functions of MAPO. The City agrees that its work and activities on behalf of MAPO will be limited to the “Administrative Services” defined in this Agreement. Staff employed by the City that have duties associated with the administration of MAPO shall adhere to all policy directives of the Policy Board and shall not undertake any work or activities on behalf of MAPO, unless specifically approved by the Policy Board.

“Administrative Services” shall mean the following services provided by the City:

1. The City shall keep and distribute minutes of all meetings of the MAPO, countersign all documents as necessary to be executed, publish open meeting requirements, keep and preserve all resolutions, transactions, findings and determinations of the MAPO.

2. The City agrees to conform to the procurement policy, public participation policy, and Title VI program as adopted by the Policy Board.
3. The City will provide public information services and technology related services on behalf of MAPO.
4. The City will provide offices and administrative support (including payroll and benefits administration) for MAPO functions, meetings, and staff within city offices.
5. The City will annually adopt the annual budget of MAPO contained in the Unified Planning Work Program. A separate fund or funds within the City budget will be created for all MAPO financial activity. The activity and balances of all MAPO funds will be reported to the MAPO Policy Board during the MAPO Policy Board's annual budgeting process and will be made available to the MAPO Policy Board upon request.
6. In conformance with the approved MAPO budget, the City shall accept and administer all the funds, deposits, records of all payments, transactions, disbursements, receipts of MAPO in a dedicated fund account, and follow all local, federal and state requirements for administering those funds.
7. In conformance with the approved MAPO budget, the City will record all revenue received for MAPO, including grant funds, membership dues, and other agency funds received in connection with the approved MAPO budget in a dedicated fund account. No other revenue or receipts not related to MAPO functions or activity shall be deposited into the accounts; and, no other expenses or withdrawals not related to MAPO functions or activities shall be removed from the accounts.
8. In conformance with the approved MAPO budget, the City will record all expenditures for MAPO, including staff costs and other costs in the dedicated MAPO account and shall monitor the expenses to ensure conformance with the approved MAPO budget. All expenses shall be direct expenses, including staff costs. Unless a cost allocation model is approved by the Policy Board, the city will not charge administrative or other "overhead" costs for hosting MAPO.
9. The City will annually audit the financial accounts of MAPO and supply the results of the audit to the MAPO Technical Advisory Committee and the Policy Board.
10. The City will provide a quarterly report to the Policy Board. The quarterly reports shall include staff activities, project status, and budget status in conformation with the Unified Planning Work Program.

11. The City may do, or cause to be done, any lawful acts or deeds ancillary to the above services.
12. Administration of the Unified Planning Work Program, Transportation Improvement Program, and Long Range as approved by the Policy Board.

Section 2. Staff Support Services. The City will employ all staff necessary to undertake the administration of the MAPO and in conformance with the budget approved by the Policy Board. Staff shall be employees of the City and shall adhere to the City of Mankato Employment Practices. Staff employed to administer the functions of MAPO may have other duties as employees of the City, but shall not undertake any activities on behalf of MAPO unless said activities are in conformance with the policy directives of the Policy Board and in conformance with the approved UPWP, Transportation Improvement, and Long Range Transportation Plan.

Specific staff support services provided by the City shall include:

1. The executive director shall be appointed by the City with the concurrence of the Policy Board by majority vote (the “Executive Director”). The current Executive Director was recommended by the City and approved by the Policy Board on March 7, 2013. The Executive Director shall be considered a City employee and shall be subject to City of Mankato Employment Practices; however, the Executive Director shall serve under the MAPO Policy Board when carrying out the duties of Executive Director as set forth herein.
2. The Executive Director shall be responsible for the following:
 - a. Supervise all employees dedicated to MAPO functions and review the work of other City employees providing services to MAPO, such as public information, information technology, and planning support.
 - b. Prepare the annual MAPO budget and UPWP and provide said budget and UPWP to the Chair of the MAPO Technical Advisory Committee for review and approval.
 - c. Serve as secretary to the Policy Board and provide staff support to the Chair of the MAPO Technical Advisory Committee.
 - d. Prepare quarterly reports and grant requests to the Federal Highway Administration and Minnesota Department of Transportation.
 - e. Sign all documents as approved by the Policy Board.

- f. Process transportation improvement plan amendments as approved by the Policy Board and in conformance with the public participation plan adopted by MAPO.
 - g. Administratively oversee contracts approved by the Policy Board to ensure conformance with the contract terms and Federal and State requirements.
 - h. Oversee the preparation of agenda materials for the MAPO Technical Advisory Committee and the Policy Board in accordance with Article VIII, Section 4 of the Policy Board Bylaws.
 - i. Serve on committees as approved by the Policy Board.
 - j. Provide transportation planning coordination as requested by member jurisdictions of MAPO in conformance with the adopted Transportation Improvement Program and Long Range Transportation Plan.
3. Hiring other staff as funded and contemplated in the approved MAPO budget to support the functions of MAPO. The position of Transportation Planner is a full-time equivalent dedicated position to MAPO and the position description is attached and filed with the Policy Board.
 4. Ensuring that the City employees that are performing work for MAPO code their time according to the timesheet policy adopted by the City in Chapter 26 of the City of Mankato Employee Handbook.
 5. If MAPO staff reassignments are requested by the Policy Board, the City will consider such changes provided the changes are in conformance with City of Mankato Employment Practices and State of Minnesota and Federal Law. If the Policy Board requests removal of a staff person, from performing work for MAPO, the request shall be based on a documented reason for “cause”, including a documented and confirmed case of misconduct and/or conflict of interest or other cause as contained in the Policy Board Bylaws and subject to City of Mankato Employment Practices. The request will be considered at a closed executive session of the Policy Board in conformance with the State of Minnesota Law.
 6. The Policy Board and MAPO Technical Advisory Committee Chairs shall be consulted in the hiring, annual evaluations, disciplinary action, and salary review of all MAPO staff.
 7. Updating the Policy Board and Technical Evaluation Panel of any staff reassignments.

Section 3. General Administrative Oversight. In order to ensure the integrity of a coordinated planning process for MAPO, the City Manager shall:

1. Participate in the annual agency review.
2. Ensure that all activities of the City staff performing work for, or on behalf of MAPO, comply with Minnesota State Statutes regarding conflict of interest and if a complaint is filed, the City Manager will cooperate with the Policy Board in the investigation.
3. Ensure that the Executive Director shall not represent the City on the MAPO Technical Advisory Committee and shall not have a vote. Because transit operations for the urbanized area are a service area within the City, the transit operator representative to the MAPO Technical Advisory Committee shall be a non-voting member and shall be directed to abstain from voting.
4. Ensure that staff comply with Policy Board Bylaws.
5. When Special Studies are undertaken by MAPO, ensure that the Transportation Planner serve as administrative and technical support staff for the study on a project management team established by the Policy Board, unless otherwise requested by the jurisdiction and approved by the Policy Board.

Section 4. Miscellaneous.

1. Governing Law. This Agreement has been entered into by the parties in the State of Minnesota and shall be construed according to and governed by the laws of the State of Minnesota, without giving effect to principles of conflicts of law.
2. Successors. This Agreement shall inure to the benefit of the successors and assigns of the parties, and shall be binding upon the parties, their heirs, representatives, successors and assigns.
3. Entire Agreement and Amendment. This Agreement represents the entire agreement between the parties with respect to the subject matter hereof. Any amendment or modification of any of the terms and conditions of this Agreement will be effective only if in a written instrument signed by all parties.
4. Counterparts. This Agreement may be executed in multiple counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Counterparts may be delivered via facsimile, electronic mail (including pdf or any electronic signature complying with the U.S. federal ESIGN Act of 2000, e.g., www.docusign.com) or other transmission method and any counterpart so delivered

shall be deemed to have been duly and validly delivered and be valid and effective for all purposes.

5. Further Assurances. Each party hereto agrees to provide such information, execute and deliver such instruments and documents and to take such other actions as may be necessary or reasonably requested by any other party that are not inconsistent with the provisions of this Agreement and that do not involve the assumption of obligations other than those provided for in this Agreement, in order to give full effect to this Agreement and to carry out the intent of the parties hereto.
6. Headings. Article and section headings and titles are for descriptive purposes and convenience of reference only and shall in no way define, limit, control or alter the scope or meaning of this Agreement as set forth in the text or the intent of any provision.
7. Incorporation of Recitals. The Recitals set forth at the beginning of this Agreement are incorporated in this Agreement by reference and made a part of this Agreement as if fully set forth in this Agreement and constitute an expression of the intent of the parties and an aid in the construction of this Agreement.
8. No Waiver. No delay or failure by either party to exercise any right under this Agreement, and no partial or single exercise of that right, shall constitute a waiver of that or any other right, unless expressly provided herein.

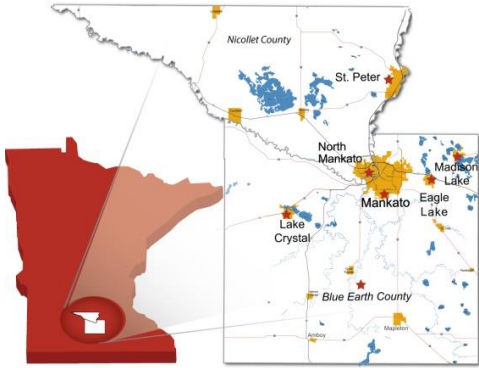
This Agreement shall commence upon approval of the Policy Board and Mankato City Council and signature of the officials authorized to execute the agreement.

Mankato/North Mankato Area
Planning Organization

City of Mankato

Mark Piepho
Chair, MAPO Policy Board

Patrick Hentges
City Manager



AGENDA RECOMMENDATION

Agenda Heading: Recommendation to amend bylaws No: 5.2

Agenda Item:

Recommendation to amend bylaws

Recommendation Action(s):

Recommendation to MAPO Policy Board to amend bylaws

Summary:

The MAPO Policy Board Chair and MAPO attorney have coordinated to develop recommended amendments to the MAPO Policy Board bylaws. The amendments provide recognition of the MAPO-host agency operating agreement and provide clarification of roles and duties of MAPO staff, the MAPO host agency, and MAPO Policy Board.

Changes to the Policy Board bylaws are summarized below:

Page 3. Article V. Administration: added language:

“...which shall provide services in accordance with the Agreement between the City of Mankato and the Policy Board of the Mankato/North Mankato Area Planning Organization for Administrative Services the Operating Agreement (the “Operating Agreement”).”

Page 3. Article VII Officers’ Duties, Inserted Section 3: added language:

“SECTION 3. Executive Director: The Executive Director shall perform duties in accordance with the Operating Agreement.”

Page 4. Article VII Officers’ Duties, Section 5 Complaints of Misconduct: deleted language:

“The MAPO Policy Board Chair shall deliver a copy of the complaint to the administrative chief officer ~~and the chief elected official~~ of the individual’s respective agency/jurisdiction.”

Page 5. Article VIII Meetings, Section 4 Agenda: added language:

“Items that have been reviewed by the TAC shall appear on Policy Board agendas, including presentations and updates. If Policy Board members raise an issue or item at the meeting to be discussed by the Policy Board that is not on the agenda, the issue or item shall be referred back to the TAC for review before the Policy Board considers any action. Any correspondence to the Policy Board from a member jurisdiction or any other party requesting Policy Board action or supplying information to the Policy Board shall be referred to the TAC for review.”

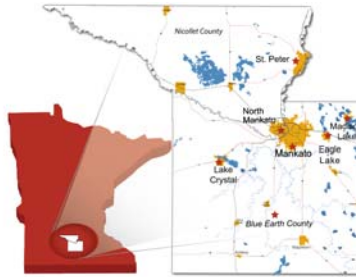
Staff recommendation is for the MAPO TAC to recommend to the MAPO Policy Board passage of the indicated bylaws amendments.

Attachments:

Recommended MAPO Policy Board bylaws amendments (redlined copy)

Mankato/North Mankato Area Planning Organization (MAPO)

Policy Board Bylaws



Originally Approved by the Policy Board
March 7, 2013

Reviewed and Updated by the Policy Board
July 2, 2015

Review by the Policy Board
May 4, 2017

Reviewed, Updated, & Adopted by the Policy Board
May 7, 2020

ARTICLE I. MISSION STATEMENT

The Mankato/North Mankato Area Planning Organization (MAPO) is committed to coordinated long-range planning, a Unified Planning Work Program (UPWP), and a Transportation Improvements Program (TIP), in a fair and mutually beneficial manner, on selected issues transcending jurisdictional boundaries, for the betterment of the entire Mankato/North Mankato Area. The Mankato/North Mankato Area Planning Organization will promote coordinate, implement and encourage the planning of infrastructure systems embracing all modes in a manner that efficiently maximizes the safety and mobility of people and goods through the urbanized area.

ARTICLE II. PURPOSE

The MAPO is responsible for preparing, updating and maintaining three primary transportation planning documents; a Long Range Transportation Plan (LRTP), a Transportation Improvement Program (TIP), and Unified Planning Work Program (UPWP). In addition, the MAPO is responsible for developing and maintaining a public involvement process. The MAPO is also responsible for a variety of supporting work products such as traffic/transportation data collection analysis, analysis of pertinent socioeconomic data, analysis to assure nondiscrimination in the delivery of transportation services, and other technical studies and needs analysis.

The Technical Advisory Committee (TAC), which was established under the Joint Powers Agreement shall review, evaluate, comment upon, and make recommendations to the Policy Board for the required plans and programs. The MAPO Policy Board shall also review evaluate, comment upon, make recommendations and ultimately endorse the required plans and programs such that federal and state funding eligibility is maintained.

Prior to adoption of the Long Range Transportation Plan (LRTP), a Transportation Improvement Program (TIP), and Unified Planning Work Program (UPWP), the local units of government represented on the Policy Board shall provide formal consent to the adoption of the plans.

Article III. MEMBERSHIP AND DUES

SECTION 1. Membership: The Mankato/North Mankato Area Planning Organization will consist of 6 Policy Board members. Each member (or their appointed alternate) will be entitled to one full vote. No eligible voting member will have more than one vote. All of the membership will be local elected officials or their alternates.

Membership will be as follows:

<u>City of Eagle Lake</u>	<u>1 Representative</u>
<u>City of Mankato</u>	<u>1 Representative</u>
<u>City of North Mankato</u>	<u>1 Representative</u>
<u>Blue Earth County</u>	<u>1 Representative</u>
<u>Nicollet County</u>	<u>1 Representative</u>
<u>Townships</u>	<u>1 Representative</u>

SECTION 2. Attendance: Two or more unexcused absences by a delegate during a period of twelve consecutive months shall constitute reason for MAPO to request a replacement for that delegate by the unit or units of government appointment said delegate.

ARTICLE IV. AUTHORITY

The MAPO is authorized under a Joint Powers Agreement and by Section 134, Title 23, United States Code (23 USC 134), as amended.

The Joint Powers Agreement authorizes the MAPO to appoint and maintain such technical advisory, citizen and/or other committees as deemed appropriate and effective to carry out a comprehensive, cooperative, and continuing urban transportation process in the planning area.

MAPO activities will be governed by a Policy Board and attendant bylaws. The Bylaws herein have been adopted by the MAPO Policy Board, and made effective on March 7, 2013 and updated July 2, 2015.

ARTICLE V. ADMINISTRATION

The administrative agency shall be the City of Mankato, [which shall provide services in accordance with the Agreement Between the City of Mankato and the Policy Board of the Mankato/North Mankato Area Planning Organization for Administrative Services the Operating Agreement \(the "Operating Agreement"\)](#).

ARTICLE VI. OFFICERS

SECTION 1. Officers: The officers of MAPO shall be a Chair, Vice Chair and Secretary. The Chair and Vice Chair, who shall be elected by the General Membership, shall take office upon election on a biennial basis during the fall Policy Board meeting in the appropriate year. The Secretary position shall be filled by the MAPO Executive Director.

SECTION 2. Terms: The Chair and Vice Chair shall serve for a two-year term. No officer's term can extend beyond his or her office terms. If for any reason the Policy Board Chair or Vice Chair resigns from their position, the Policy Board shall elect a new Chair or Vice Chair by majority vote of the members present.

ARTICLE VII. OFFICER'S DUTIES

SECTION 1. Chair: It shall be the duty of the Chair to preside at all meetings of the MAPO. The Chair shall have general responsibility for the affairs of the MAPO including signatory authority on all contracts, documents and other official instruments of the MAPO.

SECTION 2. Vice Chair: The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair. In case of the resignation or death of the Chair, the Vice Chair shall perform such duties as are imposed on the Chair until such time as the MAPO shall select a new Chair. The Vice Chair shall have signatory authority on all contracts, documents and other official instruments of the MAPO.

SECTION 3. Executive Director: [The Executive Director shall perform duties in accordance with the Operating Agreement.](#)

SECTION 34. Secretary: The Secretary shall record and keep minutes of all MAPO Policy Board minutes, provide notices of meetings and oversee the preparation and distribution of agendas and meeting materials.

SECTION 45. Complaints of Misconduct/Conflict of Interest

MAPO Policy Board members, Technical Advisory Committee members, and MAPO staff will avoid any action, whether or not specifically prohibited, which may result in, or create the appearance of:

1. Using public office for private gain.
2. Giving preferential treatment to any organization or person.
3. Impeding governmental efficiency or economy.
4. Making decisions outside official channels.
5. Losing independence or impartiality of action.
6. Denying any citizen or group access to the decision making process of the MAPO, and
7. Affecting adversely the confidence of the public in the integrity of the MAPO.

If it is believed a MAPO Policy Board member, MAPO Technical Advisory Board Member, or MAPO staff member has engaged in the prohibited activities described above, the person making the complaint shall deliver a written detailed description of the complaint to the MAPO Policy Board Chair. The MAPO Policy Board Chair shall deliver a copy of the complaint to the to the administrative chief officer ~~and the chief elected official~~ of the individual's respective agency/jurisdiction. The MAPO Policy Board Chair shall investigate the complaint, which may include formation of a sub-committee of Policy Board members, and make a recommendation to the Policy Board for further action. All written complaint's shall specifically identify:

1. The individual(s) accused of misconduct or conflict of interest.
2. The exact nature of misconduct or conflict of interest, including specific actions taken by the individual on specific dates/date ranges.
3. An explanation of how the actions taken by the accused individual constitute misconduct or conflict of interest.

No action taken by the MAPO Policy Board shall otherwise diminish or otherwise effect any action the individual's respective agency or jurisdiction may take, to include disciplinary action or removal from MAPO participation.

SECTION 4. Additional Personnel: The MAPO may employ such personnel, as it deems necessary to exercise its powers, duties and functions. The Policy Board shall be subject to the laws of the State of Minnesota shall determine the selection and compensation of such personnel.

ARTICLE VIII. MEETINGS

SECTION 1. Regular Meetings: Regular MAPO Policy Board meetings are scheduled on an as-needed basis and are open to the public with comments welcomed at all meetings. At a minimum, the MAPO Policy Board will meet quarterly to approve the Unified Planning Work Program and the Transportation Improvement Program (TIP). A Public Notice will be provided as defined in the Public Participation Plan. The MAPO TAC Chair or Vice Chair will be present and provide recommendations to the Policy Board at their meetings. In instances where neither the TAC Chair nor Vice Chair can attend, the MAPO Executive Director will fulfill this role. At the Policy Board meeting, the Executive Director shall only serve as secretary in that defined role i.e. overseeing taking of minutes and executing contracts as approved by the Board.

SECTION 2. Special Meetings: In consultation with the MAPO Policy Board Chair, the Executive Director shall call meetings of the Policy Board. All members of the Policy Board shall be notified 10 days prior to the date of the meeting. An exception to the 10 day notice may be granted by the chairs of the Policy Board. A Public Notice shall be printed in the officially designated local newspaper. The notice shall state the purpose, time, and location of the meeting as well as staff contact information. The public notice shall be printed in the local newspaper at least 5 days prior to the meeting.

SECTION 3. Rules of Order: All meetings shall operate under “Roberts Rules of Order” and any other special rules that are specifically adopted by the Policy Board. Such special rules for the MAPO shall govern and supersede “Roberts Rules of Order,” insofar as they do not conflict with or are inconsistent with the provisions of these Bylaws. All meetings of the MAPO shall be open to the public.

SECTION 4. Agenda: In consultation with the chair of the MAPO Policy Board, the MAPO administrative agency shall prepare an agenda for the Policy Board meetings. A copy of the proposed agenda, together with the copies of reports, recommendations, documents, and the like will be furnished to each Policy Board member one week prior to the regular Policy Board meetings. [Items that have been reviewed by the TAC shall appear on Policy Board agendas, including presentations and updates. If Policy Board members raise an issue or item at the meeting to be discussed by the Policy Board that is not on the agenda, the issue or item shall be referred back to the TAC for review before the Policy Board considers any action. Any correspondence to the Policy Board from a member jurisdiction or any other party requesting Policy Board action or supplying information to the Policy Board shall be referred to the TAC for review.](#)

The Policy Board shall have the option of deleting any item from the agenda or deferring an item on the agenda to a subsequent Policy Board meeting. Deleting or deferring agenda items is subject to a majority vote by the Policy Board members.

SECTION 5. Quorum: At all meetings of the Policy Board, four members who are present and eligible to vote shall constitute a quorum. A simple majority vote of a quorum present at any meeting shall suffice to adopt motions, adopt resolutions and other transactions of business.

SECTION 6. Voting: Any act or other business of the Council may be enacted, constituted or approved by a majority of the votes of this Council present at any duly called meeting.

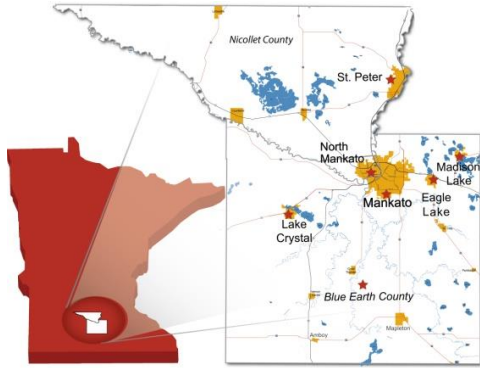
SECTION 7. Agency Review: On an annual basis the Policy Board Chair, with assistance of the TAC Chair, Vice Chair and the Executive Director will perform an agency review. This shall entail outreach to member jurisdictions to determine if there are any issues with MAPO, including administrative oversight. After review, the MAPO Policy Board Chair and Executive Director will report to the other member jurisdictions a summary of the review. A copy of the summary report prepared by the Executive Director shall be provided to each member jurisdiction.

SECTION 8. Special Studies: As part of the solicitation process for projects for the Unified Planning Work Program (UPWP), member jurisdictions may make requests for studies within their jurisdictions. Requests shall be made by the governing body of the jurisdiction members by resolution. Based on TAC recommendation, the Policy Board may approve the study for inclusion in the UPWP. Before commencing the study, MAPO will:

1. Review the RFP for any services with the jurisdiction.
2. Establish a project management team upon review and approval of the jurisdiction.
3. MAPO staff will only serve as administrative and technical support staff for the study. Unless otherwise requested by the jurisdiction, the Transportation Planner shall serve as the support staff on the PMT.
4. If the study impacts another jurisdiction, such as a corridor that has segments in more than one jurisdiction, the above applies for the other jurisdiction as well. Until formal concurrence is reached between the jurisdictions regarding the scope, RFP, and PMT for the study, MAPO shall not take any action on including the study in the UPWP or contracting for the work be completed.

SECTION 9. Amendments: These bylaws may be amended by majority vote of the Policy Board. The amended bylaws must note the version number and date of approval.

Summary report: Litera® Change-Pro for Word 10.7.0.7 Document comparison done on 9/4/2020 12:30:54 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original DMS: iw://WORKSITE/FB1/70545295/4	
Modified DMS: iw://WORKSITE/FB1/70545295/5	
Changes:	
Add	7
Delete	4
Move From	0
Move To	0
Table Insert	1
Table Delete	0
Table moves to	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	12



AGENDA RECOMMENDATION

Agenda Heading: Informational: Administrative Modification to 2020-2023 Transportation Improvement Program (TIP) No: 6.1

Agenda Item:

Informational: Administrative Modification to 2020-2023 Transportation Improvement Program (TIP)

Recommendation Action(s):

Informational

Summary:

MnDOT District 7 has informed MAPO of a necessary change to MAPO's 2020-2023 Transportation Improvement Program (TIP).

The change is addition of an emergency Erosion Repair project due to heavy rains along MN 22 approximately 1.2 miles north of CSAH 90. Per the MAPO Public Participation Plan, MAPO staff conferred with D7 staff to determine the TIP change constitutes a TIP Administrative Modification. This is due to the rationale that MAPO uses FHWA and MnDOT guidance to determine if a change constitutes an Administrative Modification or an Amendment. MnDOT guidance indicates the change would be an Administrative Modification because the new project is using 100% state funds (no federal) and the project is not regionally significant. Project details below:

ROUTE SYSTEM	PROJECT NUMBER	YEAR	AGENCY	PROJECT DESCRIPTION	MILES	PROGRAM	TYPE OF WORK	PROPOSED FUNDS	STIP TOTAL	FHWA	AC	FTA	TH	OTHER	PROJECT TOTAL
MN 22	0704-117	2021	MNDOT	MN 22, 1.2 MI N OF CSAH 90, REPAIR SHOULDER, GUARDRAIL AND CULVERT DUE TO HEAVY RAINS	0.2	RX	EROSION REPAIR	SF	660,000	-	-	-	660,000	0	660,000

Following the MAPO Public Participation Plan, staff protocol is to make the change to the online document and report the modification as Informational at TAC and PB meetings.

Attachments:

MnDOT correspondence informing MAPO of Administrative Modification

Androsky, Charles

From: Yates, Debra (DOT) <debra.yates@state.mn.us>
Sent: Thursday, September 10, 2020 9:16 AM
To: Androsky, Charles
Subject: Admin Mod SP 0704-117
Attachments: 0704-117 MPO Admin Mod.docx

Hi Charles,

I have an Admin Mod for a new state funded project in 2021. It is an emergency project. These emergency projects are always a bit challenging. They come in quickly and need turned around quickly. It will be 100% state funded.
I only have it started on my end and not complete because I am still lacking information. But you should have everything you need to do this on your end. See attached word document.

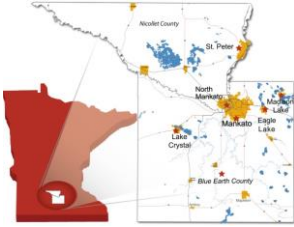
You will need to amend this into your 2020-2023 TIP unless you are now operating under your approved 2021-2024. I wasn't 100% sure so I showed it as the 2020-2023 TIP.

Let me know if you have any questions.
Thanks!

Debra Yates

District State Aid Assistant
Debra.yates@state.mn.us
Cell 507-327-0204
Fax 507-304-6119





Meeting Minutes of the Mankato/North Mankato Area Planning Organization (MAPO) Policy Board

September 3, 2020 | 6:00PM | Remote meeting held via Zoom

Policy Board members present: Tim Auringer – City of Eagle Lake, Jack Kolars – Nicollet County, Michael Laven – City of Mankato, Mark Piepho – Blue Earth County, Dan Rotchadl – MAPO Townships, James Whitlock – City of North Mankato

Others Present: Ronda Allis, Charles Androsky, Joseph Kapper, Mark Konz, Michael Fischer, Patrick Hentges, Jeff Johnson, Molly Stewart, Paul Vogel, Justin Weinberg, Mike Wills

I. Call to Order

Mr. Piepho called the meeting to order at 6:00p.m.

II. Introductions

Introductions were made.

III. Approval of Agenda

Mr. Rotchadl moved and Mr. Laven seconded to approve. With all voting in favor, motion carried.

IV. Approval of Minutes – June 4, 2020

Mr. Kolars moved and Mr. Rotchadl seconded to approve. With all voting in favor, motion carried.

V. New Business

5.1 Recommendation to adopt 2021-2024 Transportation Improvement Program (TIP)

Mr. Johnson reported the draft 2021-2024 Transportation Improvement Program (TIP) had been developed over late 2019 through 2020 and had been released for 30-day public comment. The final draft document did not differ significantly from previous drafts presented to the TAC and Policy Board. Changes included formatting, and adjusted and added language for clarity. Per D7, there was some adjustment of funding amounts and funding sources in the project list. Future funding adjustments were anticipated as projects near implementation.

Mr. Rotchadl moved and Mr. Kolars seconded to approve. With all voting in favor, the motion carried.

5.2 Recommendation to adopt 2021-2022 Unified Planning Work Program (UPWP)

Mr. Johnson reported the draft 2021-2022 UPWP provided a description of work products and staff activities to be undertaken over calendar year 2021 and illustrative activities for calendar year 2022. Mr. Johnson provided an overview of the primary work products included in the 2021 UPWP.

Mr. Kolars moved and Mr. Rotchadl seconded to approve.

Mr. Kolars inquired if progress on the 169 Corridor Study was proceeding at a cost higher than anticipated, and if the cost was due to unforeseen additional coordination with a partner member.

Mr. Vogel clarified that the project management team was working to resolve the issue. Any potential increase to the overall project budget would have to be approved by the Policy Board after review by the TAC.

Mr. Kolars inquired as to the expected cost of the corridor study.

Mr. Vogel clarified that the total contract amount was approximately a bit over \$200,000 and the project management team was working to resolve the overrun issue.

With all voting in favor, the motion carried.

VI. Other Business, Discussion & Updates

Mr. Whitlock moved that a subcommittee be created by the Policy Board to review the Policy Board bylaws.

Mr. Piepho inquired if there was a second. Motion failed.

6.1 Presentation: Regional Transportation Coordinating Council (RTCC) (SRF)

Mr. Kapper delivered an informational presentation on MAPO's ongoing work toward developing an Operational Implementation Plan for a Regional Transportation Coordinating Council.

Mr. Kolars stated there was agreement on the goals of the RTCC. Mr. Kolars inquired if the region was the only region in the state without an RTCC. Mr. Kapper clarified that there were several regions without an RTCC. The south-central region was the last in the state to undergo Phase 1 planning.

Mr. Kolars inquired as to the amount of grant funding provided by MnDOT, both for the current grant and future funding. Mr. Kapper clarified the Phase 1 grant was approximately \$75,000. The application for Phase 2 would be funded at a 100% share by MnDOT. Beyond Phase 2, MnDOT would be seeking a local share of 10%.

6.2 Presentation: Long Range Transportation Update (SRF)

Ms. Stewart presented an informational presentation regarding MAPO's progress toward developing a Long Range Transportation Plan Update.

Mr. Laven thanked Ms. Stewart and noted the LRTP Update was anticipated to benefit the region.

6.3 Informational: Host Agency Resolution

Mr. Johnson reported that on June 22, 2020 the MAPO host agency, the City of Mankato, passed Resolution R-2020-0622-115. The actions of the resolution were the Council of the City of Mankato acknowledging the bylaws adopted by the MAPO Policy Board on May 7, 2020 and directing the City Manager to undertake several actions relating to City representation to the MAPO TAC. Mark Konz is now the City's planning representative and the Transit Operator is now an ex officio TAC member. The City of Mankato requested the resolution be filed with the MAPO TAC at previous meeting August 20. No action was recommended as the item was informational.

Mr. Kolars stated the advisory-action relationship between the MAPO TAC and MAPO Policy Board has historically functioned well. The MAPO bodies and MAPO staff have done an excellent job keeping MAPO on track toward a safer future.

The Policy Board discussed the procedural requirements to allow Policy Board members to delegate speaking time to outside counsel.

VII. TAC Minutes (August 20, 2020 meeting minutes)

The unapproved minutes from the August 20, 2020 MAPO Technical Advisory Committee meeting were distributed.

VIII. Public Comments

Mr. Weinberg provided an overview of concerns of the City of North Mankato related to the bylaws of the MAPO TAC and MAPO Policy Board. Proposed revisions had been provided to the Policy Board. Mr. Weinberg stated the City of North Mankato had not retained his outside counsel due to any alleged ethical concerns. Mr. Weinberg requested a Policy Board subcommittee be formed to assess the bylaws.

Mr. Hentges reported the City of Mankato's resolution was a precursor to an operating administrative agreement between MAPO and the MAPO host agency. The agreement was anticipated to provide clarity and serve as a legacy document for future staff and Policy Board members.

IX. Policy Board Comments

Mr. Laven stated the typical MAPO process of having the TAC review items before items are brought to the Policy Board was worked well historically and this process was preferred in the future.

X. Adjournment

At approximately 7:00 p.m. Mr. Rotchadl moved and Mr. Kolars seconded to adjourn. Motion carried.

Chair, Mr. Piepho