

Cal Sheehy - Chair
Buster Johnson – Vice Chairman
Donna McCoy – Secretary/Treasurer
David Lane – Board Member
Alvin Stump – Board Member



Lake Havasu City Transit Building
Meeting Room
900 London Bridge Road
Building B
Lake Havasu City, AZ 86404

**LAKE HAVASU METROPOLITAN
PLANNING ORGANIZATION (LHMPO)
EXECUTIVE BOARD
SPECIAL MEETING AGENDA**

Wednesday August 21, 2019, 11:45 A.M.

**THIS MEETING WILL BE HELD TELEPHONICALLY. Call in information:
1-888-240-2560 Meeting ID: 353 975 737**

The Lake Havasu MPO Executive Board may vote to hold an Executive Session for the purposes of obtaining legal advice from the Attorney on any matter listed on the agenda under A.R.S §38-431.03(A)(3)

1. Call to Order

2. Roll Call

3. CALL TO THE PUBLIC:

This item is to provide an opportunity for citizens wishing to address the Executive Board on issues within the jurisdiction of the LHMPO planning area that are not on the Agenda. Comments SHALL be limited to five (5) minutes or less.

4. PUBLIC HEARINGS

4.1 Discussion and possible action, to Approve the Lake Havasu MPO By Laws
Vinny Gallegos, LHMPO Director

5. ADJOURNMENT

Pursuant to the Americans with Disabilities Act (ADA), the Lake Havasu Metropolitan Planning Organization endeavors to ensure the accessibility of all of its programs, projects and services to all persons with disabilities. If you need an accommodation for this meeting, please contact the Lake Havasu MPO office at (928) 453-2823 at least 48 hours prior to the meeting so that accommodations may be arranged.

**LAKE HAVASU MPO
REQUEST FOR ACTION
August 21, 2019**

SUBJECT: Lake Havasu MPO By-Laws
SUBMITTED BY: Vinny Gallegos, LHMPPO Director
AGENDA TYPE: Discussion Only

ATTACHMENTS:

Letter from the City Manager proposing new TAC positions for the city

Lake Havasu MPO Amended By-Laws

SUMMARY/BACKGROUND:

July 1, 2019 Lake Havasu City reorganized and re-titled several employee positions. These city changes directly impacted the MPO by-laws, as they also described TAC positions and titles to represent the city that now no longer exist. The by-laws allow for recommended changes to be received from the MPO administrator (Director) or in this case the city administrator (City Manager). The MPO Director has requested of the City Manager provide the titles of the positions that will best represent the city on the MPO TAC. The proposed new positions on the TAC will be the Public Works Director, Community Development Director, and the City Manager. The by-laws require that the Executive Board has be notified at least 15 days prior to their action in amending the by-laws.

ACTION OPTION:

Motion to approve the Amended By-Laws

OR

Motion to be determined from discussion

RECOMMENDATION:

Motion to approve the Amended By-Laws



LAKE HAVASU CITY Office of City Manager Jess Knudson

July 26, 2019

LHMPO Executive Board
c/o Vinny Gallegos, Lake Havasu MPO

VIA EMAIL: gallegosv@lhcaz.gov

RE: MPO TAC Bylaws and Update to City Representation


Dear Chairman Sheehy and Executive Board Members,

Due to the recent reorganization of several City departments, please consider updating the MPO TAC bylaws to reflect the following City representation:

Operations Director to *Public Works Director or designee*
Zoning Administrator/Planner to *Development Services Director or designee*
Assistant City Engineer to *City Manager or designee*

Please do not hesitate to reach out to me with any questions or concerns.

Sincerely,


Jess Knudson
City Manager, Lake Havasu City

LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION

BYLAWS

Adopted September 10, 2013

Amended July 8, 2014

Amended February 10, 2015

Amended March 14, 2017

Amended August 21, 2019

SECTION I - OBJECTIVES:

The objective of the Lake Havasu Metropolitan Planning Organization (“LHMPO”) is to plan, coordinate, and integrate activities necessary to meet the transportation needs of Lake Havasu City and certain adjoining areas of Mohave County. This will be accomplished through a coordinated effort by Lake Havasu City, Mohave County, and the Arizona Department of Transportation (“ADOT”).

LHMPO is not, nor is it intended to be a substitute for local government. It is; however, an entity through which participating agencies may work on local transportation issues and coordinate efforts.

SECTION II – PLANNING AREA:

The area that permitted LHMPO to be designated as a Metropolitan Planning Organization (“MPO”) under federal and state law is the Lake Havasu City Urbanized Area, as shown on Exhibit “A” of Lake Havasu City Resolution 13-2698 forming LHMPO (the defined terms of which are included in these Bylaws). The Planning Area Boundary of LHMPO, as may be amended from time to time, includes the areas of Lake Havasu City and unincorporated areas of Mohave County known as Horizon Six and Desert Hills as shown on Exhibit “A” of these Bylaws.

SECTION III - ORGANIZATION:

The LHMPO is organized as shown on Exhibit “B” of these Bylaws. Jurisdictions that make up the LHMPO include Lake Havasu City, Mohave County, and ADOT. Elected officials (except for ADOT's representative, who is appointed by the Governor of the State of Arizona) from each of those agencies make up the Executive Board; and technical staff make up a Technical Advisory Committee (“TAC”). In addition, there may be other special committees such as technical subcommittees and/or citizen tasks forces. Each group is defined below:

- A. ***Executive Board.*** The LHMPO Executive Board consists of elected officials from Lake Havasu City and Mohave County, and one member from ADOT’s State Transportation Board who is appointed to the State Transportation Board by the Governor or designee, who must be an employee of ADOT. It is the function of the Executive Board to act as a policy body, coordinating and directing transportation planning, implementation thereof (as authorized by the Executive Board), and related activities within the overall MPO area planning process.

1. Executive Board Membership

- (a) To be an eligible member of the Executive Board, that person must be a duly elected member of a governing body of a unit of local government located in the LHMPO area, except the ADOT member. Each unit of local government and the State Transportation Board shall designate the person or persons among its duly elected governing body or, appointed to the State Transportation Board by the Governor that shall serve as primary member(s) of the LHMPO Executive Board. At its discretion, each government entity may select alternates who are duly elected members of the governing body or a duly qualified employee designated by the State Transportation Board's LHMPO representative, when the primary member(s) is not available. The alternate(s) will have the same voting power and duties of the primary member(s). Where an agency has multiple representatives, Primary members may also be designated as Alternates.
- (b) Designation of Primary and Alternate members (as well as the priority of qualification for service among Alternates) shall be in accordance with statute, ordinance, or regulation governing each agency, and written verification shall be provided in a timely manner at least annually to the LHMPO Manager.
- (c) The Executive Board shall be comprised of the following members:

Jurisdiction	Number of Members
Lake Havasu City	Three (3)
Mohave County	One (1)
Arizona State Transportation Board	<u>One (1)</u>
Total	Five (5)

- (d) Any member, who for any reason shall no longer be in the service of the governmental unit jurisdiction, shall have his/her position vacated automatically and another member shall be appointed by the appropriate governmental unit.

2. Voting

- (a) Executive Board Members representing the following units of government are voting members of the LHMPO: Lake Havasu City, Mohave County and the Arizona State Transportation Board or ADOT designee.
- (b) Each represented jurisdiction/entity of the LHMPO shall have the following assigned number of votes:

Jurisdiction	Number of Votes
Lake Havasu City	Three (3)
Mohave County	One (1)
Arizona State Transportation Board	<u>One (1)</u>
Total	Five (5)

- (c) The number of votes a voting member carries from his/her jurisdiction must be declared at the first meeting when officers are elected. The number of votes for each member will remain the same unless changed by written notice to LHMPO. Upon the absence of a primary member at any particular meeting, his/her votes may be cast by an alternate member from the same jurisdiction, declared at the beginning of the meeting.
- (d) Any declaration of abstention or conflict of interest must be stated prior to discussion of that particular agenda item.

3. Officers

- (a) The members of the LHMPO shall elect the following officers: Chair, Vice Chair, and Secretary-Treasurer. In the absence of the Chair, or upon his/her inability to act or serve, the Vice Chair shall have the powers of the Chair. The Chair, Vice Chair, and Secretary-Treasurer will serve without compensation and, shall serve for a period of one year. The members of the Executive Board may hold more than one office (except those of Chair and Vice Chair), at the same time, as the Executive Board may consider necessary and appropriate.
- (b) The Chair shall be able to vote on all matters before the LHMPO Executive Board. He/she shall sign on behalf of the LHMPO all documents requiring signatures and shall perform all other duties required of the Chair. The LHMPO Executive Board may delegate to the LHMPO Manager such signatures it deems appropriate and/or necessary.
- (c) The LHMPO Secretary-Treasurer shall have the custody and control of the funds, and shall report the state of the finances of the LHMPO at the close out of the fiscal year. He/she shall have the responsibility for keeping the minutes and such books, resolutions, or other services that may be required by the LHMPO. He/she shall perform other such services as required by the LHMPO and shall serve without compensation. The LHMPO Executive Board may delegate to an employee, or employees, of the LHMPO any or all of the duties and powers of the Secretary-Treasurer, with the exception of the Audit Committee.
- (d) If required by the LHMPO, the Secretary-Treasurer, and/or any employee, or retained consultant so delegated any or all of his/her functions, shall give the LHMPO a bond in such, and with such surety or sureties as shall be satisfactory to the LHMPO, for the faithful performance of the duties of this office.

4. Responsibilities

- (a) The LHMPO Executive Board is responsible for all actions, agreements, and functions to be carried out by the LHMPO.
- (b) The LHMPO is responsible for development of the following essential products:
 - 1. Regional Transportation Plan;
 - 2. Transportation Improvement Program with its Annual Element (TIP/AE);
 - 3. Title VI Civil Rights Review;
 - 4. Planning Work Program and Budget;
 - 5. Audit of LHMPO; and
 - 6. Air Quality Conformity Analyses.
- (c) Other products deemed essential, may be authorized by the Executive Board, and specified in the Planning Work Program.

5. Meetings.

- (a) The Executive Board of the LHMPO shall follow the Open Meeting Laws of Arizona.
- (b) Parliamentary procedure at all meetings shall be governed by Chapter 2.04 of the Lake Havasu City Code, except as otherwise modified herein or unless the Rules are suspended by a majority vote of all voting members.
- (c) A quorum shall be required for the conduct of any business. The attendance of two of the governmental units and no less than three Executive Board Members of the LHMPO shall constitute a quorum for the transaction of business.

- (d) The LHMPO Executive Board shall meet once each month or as deemed necessary by majority vote of the Executive Board. The Executive Board will hold a meeting at a minimum, once per calendar quarter (three months). The time, date, and location of all Executive Board meetings will be determined by the Chair of the Executive Board, or by majority vote of the Executive Board. The time, date, and location of regular meetings will be posted at least twenty-four (24) hours in advance. The notices of the meetings shall conform to the Open Meeting Laws of Arizona. Members will be notified of all meetings.

B. **Technical Advisory Committee (TAC).** The LHMPO's Technical Advisory Committee (TAC) is composed of technical and/or managerial staff representatives from each of the participating agencies. In addition, there may be one or more ex-officio, non-voting representatives from each agency of the Federal Highway Administration, Federal Transit Administration, Environmental Protection Agency, and Havasu Mobility.

The TAC has authority and primary responsibility to conduct technical reviews and analyses regarding all work activities of the Planning Work Program, and any related issues specified by the LHMPO's Executive Board, and to so advise the Executive Board on appropriate actions to be taken. The TAC works closely with the LHMPO staff, providing guidance and direction for development of the annual Planning Work Program and Budget and work activities defined therein.

1. Membership.

A. Voting membership on the TAC shall have knowledge in any of the following transportation, or comparable, disciplines:

- (a) Highways
- (b) Public Works
- (c) Engineering
- (d) Aeronautics
- (e) Transit Systems
- (f) Planning

B. Membership should be represented as follows:

Lake Havasu City – Three (3) positions:

- Public Works Director or designee
- City Manager or designee
- Development Service Director or designee

Mohave County - Two (2) positions:

- County Engineer or designee
- Public Works Director or designee

Western Arizona Council of Governments (WACOG) – One (1) Position:

- Transportation Program Manager

Arizona Department of Transportation- Two (2) positions:

- Assistant Director or designee for Transportation Policy, Planning, and Programming (MPD)
- Northwest District Engineer or designee

C. Membership shall be recommended to the TAC, as necessary, in any of the following ways:

- (a) Request for nomination by any member of the TAC
- (b) Request for nomination by staff

(c) Request for nomination by any member entity of the LHMPO

Nominations originating from a local jurisdiction shall be accompanied by a letter from the appropriate City/County administrator approving membership to the TAC. Nominations shall be referred by the TAC to the LHMPO Executive Board for approval.

The person in each of the above named positions may, by a written statement to the Chair of the Executive Board and the Technical Advisory Committee, designate a regular alternate. Non-regular alternates (i.e., for a particular meeting) must be declared at the beginning of the meeting.

In addition to the voting members listed above, one or more ex-officio non-voting representatives from the staffs of the member jurisdictions; the Federal Highway Administration, Federal Transit Administration, the Environmental Protection Agency, and Havasu Mobility may participate on issues of concern and/or subjects of particular technical expertise.

2. Voting.

(a) Each represented jurisdiction/ entity of the TAC shall have the following assigned number of votes:

Jurisdiction	Number of Votes
Lake Havasu City	Three (3)
Mohave County	Two (2)
ADOT	Two (2)
WACOG	One (1)
Total	Eight (8)

(b) The number of votes for each member will remain the same unless changed by written notice to the LHMPO. Upon absence of a primary member at any particular meeting, his/her votes may be cast by an alternate member from the same jurisdiction, declared at the beginning of the meeting.

(c) The members of the LHMPO TAC will elect at an annual meeting the following officers: Chair and Vice Chair. In the absence of the Chair, or upon his/her ability to act or serve, the Vice Chair shall have the powers of the Chair. The Chair and Vice Chair shall serve without compensation and for a period of one year.

3. Responsibilities.

The LHMPO TAC shall be responsible for reviewing, studying, analyzing, and as appropriate, making recommendations to the LHMPO Executive Board on issues germane to the LHMPO.

4. Meetings.

(a) Parliamentary procedure at all meetings shall be governed by Chapter 2.04 of the Lake Havasu City Code, except as otherwise modified herein or unless the Rules are suspended by a majority vote of all voting members.

(b) A quorum shall be required for the conduct of any business. A majority of no

less than Five (5) voting members of the LHMPO TAC shall constitute a quorum for the transaction of business.

(c) The LHMPO TAC shall meet regularly once each month, unless determined otherwise by the Chair of the TAC or by a majority vote of the TAC, but not less than quarterly. Members will be notified of all meetings.

- C. ***Special Committees.*** Special LHMPO committees may be created by the LHMPO Executive Board as deemed necessary. A special committee may be either an ad hoc committee for a specific work task, or a standing committee for one or more work tasks. Any such special committee will be responsible to the LHMPO Executive Board.

At the direction of the Executive Board, subcommittees may be formed to investigate some particular work task/issue germane to the LHMPO.

1. Powers and Duties

The LHMPO Executive Board shall define the duties, and authorize the powers of all special committees. Special committees shall follow parliamentary procedures as defined in these Bylaws for the Executive Board and Technical Advisory Committee. Special committees, shall observe the Open Meeting Laws of Arizona.

2. Membership

Membership on a special committee shall be determined by the LHMPO Executive Board. The LHMPO Executive Board may appoint, at its discretion, any individual it deems qualified to serve on a special committee.

Section IV - Finances:

Financial services will be provided by the Lake Havasu City Administrative Services Department as specified in the Intergovernmental Agreement established between LHMPO and Lake Havasu City. In addition to adhering to laws and regulations governing federal and state grants, LHMPO will adhere to Lake Havasu City codes and polices relating to budget and procurement.

- A. ***Fiscal Year.*** The LHMPO fiscal year shall commence on July 1 of each year.
- B. ***Funding.*** The LHMPO shall have the power to receive funds from any public source including, but not limited to, federal, state and local governments. Funds received from other sources must meet the guidelines set forth by Federal Highway Administration and the Arizona Department of Transportation.
- C. ***Audit.*** The Secretary-Treasurer shall call for an annual audit of the financial affairs of the LHMPO to be made by a certified public accountant (CPA) selected by the voting members of the LHMPO if the following condition is applicable. Pursuant to U.S. Office of Management and Budget (OMB) Circular A-133, any MPO that expends \$750,000 or more of federal assistance in a fiscal year is required to have a single audit conducted by an independent CPA for that year. Any audit requested outside of this guideline shall be the financial responsibility of the party requesting.

Section V – Amendment of Bylaws:

These Bylaws may be amended by a majority vote of the LHMPO Executive Board at any scheduled meeting, provided written notice of proposed amendment were provided not less than fifteen (15) days prior to the meeting at which they are to be voted upon.

AMENDED AND READOPTED, at a meeting of the Executive Board of the Lake Havasu Metropolitan Planning Organization held September 10, 2019.

Lake Havasu Metropolitan Planning Organization

Cal Sheehy
Chair

Attest:

Vinny Gallegos, LHMPO Director

Approved as to Form:

Attorney for LHMPO