

**INTERCITY TRANSIT
RESOLUTION 03-2023
AMENDING THE INTERCITY TRANSIT AUTHORITY BYLAWS
UPDATING CITIZEN REPRESENTATIVE TO COMMUNITY REPRESENTATIVE
AND ATTENDING MEETINGS REMOTELY**

A **RESOLUTION** of the Intercity Transit Authority (ITA) amending the Bylaws of Intercity Transit to change the name of Citizen Representative to Community Representative and Attending Meetings Remotely.

WHEREAS, Intercity Transit is a public transportation benefit area created under Chap. 36.57A RCW; and

WHEREAS, Intercity Transit is governed by a Board of Directors, the Intercity Transit Authority; and

WHEREAS, the Authority shall be responsible for establishing and monitoring the policies of Intercity Transit; and

WHEREAS, Per ITA Bylaws Section 10, ITA Bylaws may be amended by a majority vote of the voting members at any regular or special meeting of the Authority, provided that copies of the proposed revisions or amendments shall have been made available to each Authority member as part of the agenda of the meeting at which proposed revisions or amendments are to be acted upon. These bylaws are adopted by Authority resolution; therefore, any amendments hereto shall be by that same instrument. (Res. 2-06; Res. 5-2010); and

WHEREAS, copies of proposed revisions or amendments have been made available to each Authority member as part of the August 16, 2023, meeting agenda at which proposed revisions or amendments are to be acted upon; and

WHEREAS, the Authority deems it reasonable and appropriate to amend the Bylaws as set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE INTERCITY TRANSIT AUTHORITY AS FOLLOWS:

Section 1. Section II of the ITA bylaws shall be amended as follows:

II. NAME/OFFICES

The name of the public transportation area, duly established pursuant to the laws of the State of Washington, shall be Intercity Transit, the governing Board of Directors of which shall be called the Intercity Transit Authority, and shall be located at 510 Pattison SE, Olympia, Washington. The Intercity Transit Authority may establish such other offices, within Thurston County, as the Authority may determine necessary from time to time. (Res. 29-82; Res. 2-93; Res. 2-06)

Section 2. Sections 4.1 and 4.3 of the ITA Bylaws shall be amended as follows:

4.1 Composition. The Authority will consist of a governing board of eight (8) voting members and one (1) nonvoting member set forth as follows: (Res. 5-2010)

Five (5) elected members. A member of the county legislative authority, one elected official each from the Cities of Olympia, Lacey, Tumwater and Yelm.

Three (3) community representatives. Three community members selected by the full Authority from members of the community of recognized fitness for such positions, who reside within the boundaries of the Thurston County Public Transportation Benefit Area. (Res. 2-93; Res. 6-02; Res. 03-2023).

One (1) nonvoting member recommended or selected in accordance with RCW 36.57A.050. (Res. 5-2010)

4.3 Selection - Community Representatives. The three voting Community Representatives shall each be appointed by a majority vote of the Authority for a term of three calendar years (the original members having been appointed, so that one term expired at the end of each succeeding calendar year for three years, subsequent to the initial appointments) and an appointment for a three-year term shall be made annually to fill an expiring term. Community Representatives shall have full voting membership on the Authority. (Res. 5-2010)

Any Community Representative may be removed for cause upon a majority vote of the Authority. Upon a vacancy in a position by death, resignation or other cause, a new member will be appointed for the unexpired portion of the term, upon a majority vote of the Authority. Upon the expiration of either a partial term or the first full term of a Community Representative position, the Authority may, by a majority vote, reappoint the Community Representative for a full three-year term, provided that a Community Representative shall not be appointed to more than three consecutive full three-year terms.

No later than its regular September meeting, the Authority will review the status of the expiring Community Representative position. The Authority may, by a majority vote, either: (Res. 2-06)

- 1) reappoint the incumbent for an additional three-year term,
- 2) open the position for the purpose of soliciting and receiving applications from interested members of the Community or appoint an interested member of the Community from a list maintained for that purpose.

Should the Authority decide to open the position, the position opening will be advertised through the community with applications accepted until two weeks prior to the regular November meeting. At its November meeting, the Authority will choose an appropriate number of applicants as finalists to be interviewed by the Authority for the purpose of making a final selection which will be made before the end of the year. In the event a selection is not made by December 31, the incumbent shall serve until a replacement is named. (Res. 49-83, 79-86, 94-89, 4-91).

Section 3. Section 5.14 of the ITA bylaws shall be amended as follows:

5.14 Attending Meetings Remotely. While adhering to the Open Public Meetings Act, RCW 42.30, Authority members may attend regular, special meetings and executive sessions via teleconference if they are unable to attend in person. This requires that all those attending the meeting in person must be able to clearly hear the members who are attending remotely.

Members attending remotely or in person needing reasonable accommodation to participate shall provide staff with 3 days' notice, unless otherwise approved by the Authority.

In the event that the Authority meets with some members attending remotely by telephone, teleconference or other remote means, the public shall be provided an opportunity to attend by telephonic, teleconference or other electronic means, in addition to any other opportunity to attend required by law. If the Authority holds a public hearing where some members attend remotely, the public shall also be provided an opportunity to be heard by remote means (telephone, teleconference, or other electronic means), in addition to any other opportunity to be heard as may be required by law.

Remote attendance shall constitute attendance for quorum purposes and voting. Prior to the start of any meeting in which a member is attending remotely, the presiding Member will announce the guidelines for how members attending remotely will be included in making motions, amendments, etc. (Res. 01-2015; 03-2020).

ADOPTED this 16th day of August 2023.

INTERCITY TRANSIT AUTHORITY

Clark Gilman

Clark Gilman, Chair

ATTEST:

Patricia Messmer

Pat Messmer
Executive Assistant/Clerk of the Board

APPROVED AS TO FORM:

Jeff Myers

Jeffrey S. Myers
Legal Counsel