



Adopted: September 6, 2000

Amended: April 2, 2003

Bylaws

POLICY COMMITTEE

ARTICLE I

Mission Statement: The Bryan/College Station Metropolitan Planning Organization (BCSMPO) Policy Committee is a body comprised of elected and non-elected officials who establish transportation policy for the Metropolitan Planning Organization. It is the Committee's duty to fulfill state and federal mandates, which include, but are not limited to, the development and implementation of the Metropolitan Transportation Plan, development of the Unified Planning Work Program and the Transportation Improvement Program. The Committee also examines the planning process and reviews the adequacy of current and future Transportation Plans. It examines the needs and desires of the citizens it serves in the Bryan/College Station Metropolitan Planning Area and develops projects and plans based upon those needs and desires.

ARTICLES OF ORGANIZATION

WHEREAS, 23 U.S.C. Section 134 and 49 U.S.C. Section 5301 et seq. require that Metropolitan Planning Organizations, in cooperation with the department and transit agencies, develop transportation plans and programs for urbanized areas of the State; and

WHEREAS, the MPO Policy Committee, the policy body that is the forum established pursuant to

23 U.S.C. Section 134 with the responsibility for establishing overall transportation for, and taking the required approval actions as the Metropolitan Planning Organization, is comprised of those governmental agencies identified in the original designation agreement and those agencies or organizations subsequently added to the membership of the board; and

WHEREAS, the main function of this Policy Committee shall be to adopt policies relating to the transportation planning process, to review and adopt a metropolitan transportation plan and promote its implementation, and to develop the annual Unified Planning Work Program and the Transportation Improvement Program;

NOW, THEREFORE, the members of this committee do hereby agree and so hereby associate themselves together for the purpose aforesaid, and in consideration of the mutual promises hereby made, do agree as follows:

NAME

The name of this committee shall, from this day forward be the Policy Committee.

ARTICLE II

Members and Meetings

II-1. MEMBERSHIP

VOTING MEMBERS:

As established by the Interagency Agreement dated September 21, 1979, the Policy Committee shall be composed of 5 voting members as follows:

The Chief elected official from each of the following agencies:

City of Bryan
City of College Station
Brazos County

And one member from each of the following agencies:

Texas A & M University
Texas Department of Transportation (TxDOT), Bryan District

NON-VOTING MEMBERS:

The following agencies shall be represented by a nonvoting member, and the group will be referred to as the Ex Officio Committee of the Policy Committee:

Brazos Transit District

Brazos Valley Council of Governments
Federal Highway Administration
Federal Transit Administration
TxDOT Transportation Planning and Programming Division

A. APPOINTMENT. Voting Members shall be appointed by the governing body of the entity, which they represent. The Director of the MPO shall request such appointment from each agency in the event of an opening. In the event that any voting member is unable to complete the term of the appointment, the Director shall contact the appropriate agency/governmental body within 30 days of the date of the vacancy and request that a replacement be appointed not later than 30 days from such notification.

B. VOTE OF THE MEMBERSHIP. Each voting member shall have one (1) vote. A majority vote of the quorum at any regular, special or annual meeting shall be sufficient to authorize any action to be taken on behalf of the committee.

C. FREQUENCY OF MEETINGS. This committee shall meet as necessary to perform its functions and shall hold a public meeting to discuss the status of planning at least once a year and will be in conformance with the *Texas Open Meetings Act*.

D. METHODS OF CALLING MEETINGS. Meetings of the Policy Committee may be called in any of the following ways:

- (1) Chairperson may call meeting
- (2) MPO Director may call meeting
- (3) Any member may call a meeting by written request to either the Chairperson or MPO Director

E. RESPONSIBILITY OF MEETING NOTICES. It will be the responsibility of the MPO Director to send out written notices of the date, time, place and nature of the meeting to every member of the committee and to provide adequate publicity in advance of each meeting. Such meetings will be in conformance with the Public Involvement Procedures.

F. MEETING FACILITIES. It will be the responsibility of the MPO Director to make arrangements for a meeting place.

G. SELECTING DATE AND TIME OF MEETING. It will be the responsibility of the MPO Director to establish a regular meeting schedule that would be convenient for the majority, at least fifty-one percent (51%) of the voting members.

H. METHOD OF VOTING. Voting on all issues shall be open, and no secret ballots shall be made.

I. QUORUM. A simple majority (51%) of the voting Policy Committee shall constitute a quorum of the committee.

J. MINUTES. The MPO staff shall keep a record of the proceedings of the committee meeting.

K. ACTION OF COMMITTEE. When reviewing items of a technical nature, this committee will receive recommendations from the Technical Advisory Committee (TAC). The TAC may be proactive by bringing issues to the Policy Committee that the TAC feels is necessary for the Policy Committee to consider.

L. RULES OF ORDER. All meetings shall be governed by *Robert's Rules of Order*.

M. FUNCTIONS OF COMMITTEE. The functions of the Policy Committee shall be as follows:

- (1) Provide policy for the Metropolitan Planning Organization and transportation planning process.
- (2) Examine the adequacy of the continuing planning process at appropriate intervals and review annually the Unified Planning Work Program (UPWP), Transportation Improvement Program (TIP, every two years) and Metropolitan Transportation Plan (MTP, revised as necessary); adopt them; and, recommend their adoption and implementation to local governments and agencies.
- (3) Act on recommendations of the Technical Advisory Committee.
- (4) Meet at intervals necessary to perform its function and hold a public meeting to discuss the status of planning a least one time each year.
- (5) Determine if the current transportation data are in accord with previous projections and recommendations or if there are discrepancies of a nature that would require significant changes in the plan. A complete review and, if necessary, revision of all elements of the plan shall be made at approximately five year intervals.

- (6) Review the limits of the MPO Planning Area and make minor revisions if necessary.
- (7) Designate such Technical Advisory Committee or task forces necessary to carry out the planning process.
- (8) Hire and supervise a competent Transportation Planning Director.
- (9) Develop and adopt the Unified Planning Work Program and the Transportation Improvement Program.

ARTICLE III

Officers - Policy Committee

III-1. CHAIRPERSON

The Chairperson position shall be elected from a majority vote of the voting members. Immediately upon adoption of these bylaws, an election of the Chairperson shall be held. The Chairperson shall perform the duties usually assigned to that office, such as preside at all meetings of this committee and be an Ex Officio member of any subcommittees formed within this body.

III-2. VICE CHAIRPERSON

The Vice-Chairperson shall be chosen by a majority vote of the membership every two years. In the absence of, or in case of the inability of the Chairperson to act, it shall be the duty of the Vice-Chairperson to perform all duties of the Chairperson.

III-3. SECRETARY

No secretary shall be elected from the membership of this committee. The MPO staff shall furnish the secretarial duties necessary to conduct meetings.

III-4. TERM OF OFFICE

Both the Chairperson and Vice Chairperson shall serve two (2) year terms.

III-5. CHANGE OF OFFICERS

The changing and election of officers will be done during a December or January meeting every two (2) years.

III-6. SPECIAL CIRCUMSTANCES

In the event that the member serving as Chairperson is unable to serve, the Vice-Chairperson shall assume the office of the Chairperson. Elections of vice chairman will then be held. The new Chairperson will then complete the remainder of the two (2) year term until the December or January meeting when regular elections are held.

ARTICLE IV

Subcommittees

The Policy Committee may establish subcommittees as necessary to carry out the mission of the MPO. Subcommittees shall serve at the pleasure of the Policy Committee in an advisory capacity.

IV-1. TECHNICAL ADVISORY COMMITTEE

A. **PURPOSE AND FUNCTION.** The Technical Advisory Committee's purpose is to advise the Policy Committee on the development of the Unified Planning Work Program (UPWP), the Metropolitan Transportation Plan (MTP), and the Transportation Improvement Program (TIP). The Technical Committee will assist the MPO Director in ensuring that these plans and programs are developed and conducted in accordance with applicable federal, state, and local rules and regulations. The Committee will also assist with technical tasks associated with the development of the MTP and the TIP and will review projects and proactively make recommendations regarding the UPWP, MTP and the TIP to the Policy Committee.

The Technical Advisory Committee will merely advise the Policy Committee on local, state, and federal technical matters. All official action of adopting policies, endorsing the UPWP, approving the MTP, and adopting the TIP resides with the Policy Committee. The Policy Committee may direct the Technical Advisory Committee to present alternatives for its consideration, with accompanying recommendations and supporting rationale.

B. **VOTING AND NON-VOTING MEMBERSHIP.** Voting Members of the Technical Advisory Committee shall be staff personnel nominated by their respective governments or agencies and shall include one member and an alternate from each jurisdiction or agency represented on the Policy Committee. When voting, each entity shall be afforded only one vote. Voting membership shall include a representative from the following entities:

The City of College Station
 The City of Bryan
 Texas A & M University
 Brazos County
 Brazos Transit District
 The Texas Department of Transportation, Bryan District

Non-voting membership on the Technical Advisory Committee may include a representative from other area jurisdictions, agencies and organizations that have expertise or an interest in area transportation policy, projects or planning. Non-voting membership shall include other transportation modes and interest affected by transportation policy decisions to assure transportation planning decisions are considered in their broadest context. Non-voting Membership may include a representative from the following jurisdictions, agencies, and organizations:

The Texas Transportation Institute
 The Brazos Valley Council of Governments
 The Bryan / College Station Chamber of Commerce
 TxDOT Transportation Planning and Programming Division

The Policy Committee may elect to expand the non-voting membership when such action is in the best interest of the project or projects under consideration and such appointments shall serve at the leisure of the Policy Committee for a period designated by the Policy Committee. Non-voting membership may also include a person or organization representing environmental interests, the private business sector and local neighborhood groups, or any others deemed appropriate.

C. APPOINTMENT/REAPPOINTMENT. In the event that a voting or non-voting member becomes ineligible or unable to serve, a new member must be nominated in the same manner as the previous voting member. The MPO Director shall notify the appropriate agency/organization in the event of a vacancy at which time said agency/organization should nominate a replacement within 30 days.

D. ALTERNATE VOTING MEMBERS. Each voting member shall have a designated alternate member who may serve at any Technical Advisory Committee meeting in the voting member's absence. Alternate members will have the voting rights and privileges of members when serving in the absence of the Technical Advisory Committee voting member.

E. FACILITATOR. The MPO Transportation Planning Director shall serve as the facilitator of the Technical Advisory Committee.

F. MEETINGS. The Facilitator shall, in a written notice of the meeting, designate the time and place and indicate in an official agenda the business to be

considered. The written notice of each meeting shall be mailed to each member of the committee at least one week prior to the meeting or established via phone or fax at least three days prior to the meeting.

G. QUORUM. A simple majority (51%) of the voting Technical Advisory committee shall constitute a quorum of the committee.

H. OFFICERS. A Chairperson will be elected from a majority vote of the voting members. Immediately upon the amendment of these bylaws, an election of the Chairperson shall be held. The Chairperson shall perform the duties usually assigned to that office, such as preside at all meetings.

A Vice-Chairperson shall be elected by a majority vote of the membership every two years. In the absence of, or in case of the inability of the Chairperson to act, it shall be the duty of the Vice-Chairperson to perform all duties of the Chairperson.

I. TERM OF OFFICE. Both the Chairperson and Vice-Chairperson shall serve two (2) year terms.

J. SPECIAL CIRCUMSTANCES. In the event that the member serving as Chairperson is unable to serve, the Vice-Chairperson shall assume the office of the Chairperson. Elections of vice-chairperson will then be held. The new Chairperson will then complete the remainder of the two (2) year term.

ARTICLE V

Code of Ethics

Section IV-I Standards of Conduct

The following ethics policy is adopted for Policy Board members and employees of the metropolitan planning organization in accordance with Section 472.034 of the Transportation Code.

- A. A Policy Board member or employee of the metropolitan planning organization may not:
- (1) accept or solicit any gift, favor, or service that might reasonably tend to influence the member or employee in the discharge of official duties or that the member or employee knows or should know is being offered with the intent to influence the member's or employee's official conduct;
 - (2) accept other employment or engage in a business or professional activity that the member or employee might reasonably expect would require or induce the member or employee to disclose confidential information acquired by reason of the official position;
 - (3) accept other employment or compensation that could reasonably be expected to impair the member's or employee's independence of judgment in the performance of the member's or employee's official duties;

(4) make personal investments that could reasonably be expected to create a substantial conflict between the member's or employee's private interest and the public interest; or
(5) intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the member's or employee's official powers or performed the member's or employee's official duties in favor of another.

- B. A copy of the ethics policy must be distributed to:
 - (1) each new employee not later than the third business day after the date the person begins employment with the agency; and
 - (2) each new policy board member not later than the third business day after the date the person qualifies for office.
- C. To the extent an employee of the metropolitan planning organization is subject to the ethics policy of another government entity and to the extent that policy conflicts with this section, the ethics policy of the other governmental entity prevails.
- D. An employee of the metropolitan planning organization who violates Subsection (A) is subject to termination of the employee's employment or another employment-related sanction. Notwithstanding this subsection, a Policy Board member or employee of the metropolitan planning organization who violates Subsection (A) is subject to any applicable civil or criminal penalty if the violation also constitutes a violation of another statute or rule.
- E. A Policy Board member may not have a conflict of interest in business before the metropolitan planning organization. For purposes of determining if a Policy Board member must abstain from participation in a vote or decision due to conflict of interest, Chapter 171 of the Local Government Code controls.

ARTICLE VI

Amendments

METHODS OF AMENDMENT

These Bylaws are adopted and may be amended by a four-fifths affirmative vote of the voting membership, provided that official notice of the proposed amendment is included in the notice of the meeting.