

# Bend Metropolitan Planning Organization Policy Board Bylaws

## Article I Name

The governing body of the Bend Metropolitan Planning Organization ([“BMPO”](#)), established pursuant to the Governor’s Metropolitan Planning Organization designation letter, dated December 11, 2002, shall be referred to herein as the [“BMPO Policy Board”](#) and the [“Policy Board.”](#)

## Article II Purpose

The purpose of the BMPO Policy Board is as follows:

- a. To carry out planning, coordination and integration of activities necessary to maintain a comprehensive, cooperative, and continuing multi-agency transportation planning program; and further, as specified by the BMPO Policy Board, carry out other related specific tasks including implementation thereof.
- b. Establish a setting in which to undertake effective decision-making processes regarding transportation in the BMPO metropolitan area; evaluate transportation alternatives that address the needs of the metropolitan area; develop and maintain a long-range transportation plan for the metropolitan area which covers a 20-year planning horizon; and develop a Transportation Improvement Program (“TIP”) to establish how transportation funding will be used for regional transportation purposes to address the modernization, operation and maintenance of transportation facilities and services needs within the BMPO.
- c. Promote public participation in the decision-making process through public meetings. The BMPO shall exercise leadership and initiative in planning and assisting development of efficient, integrated transportation system facilities and services in the BMPO metropolitan area.
- d. The area within the BMPO includes the urban area as defined by the 2000 U.S. census plus all area within the City of Bend Urban Growth Boundary ([“UGB”](#)) and other additional areas that may be annexed to accommodate expected growth and anticipated development for the next 20 years. The areas included outside of the UGB can be described as Deschutes River Woods area to the South, the Woodside Ranch area, and areas to the East and North as indicated in the BMPO Boundary Map (Attachment A). Based upon the 2000 census count, this area qualifies as a U.S. Census designated Urban Area.

**Article III**  
**Membership, Terms of Office, Officers and Voting**

a. The BMPO Policy Board shall consist of representatives appointed by the governing body of each party to- Intergovernmental Agreement [No. 20395 dated 12/2/2009 between the City of Bend, Deschutes County, and the Oregon Department of Transportation, as amended \(as amended, the “IGA”\)](#).

b. The Policy Board shall consist of the following members:

	Members	Votes
City of Bend	3	1
Deschutes County	1	1
Oregon Department of Transportation	1	1
Total	5	3

c. Approval by a simple majority of the voting members will constitute passage of any action; except for amendment of the Bylaws, which is governed by the process in Article VIII.

d. The City of Bend representatives shall be members of the City Council.

e. The Deschutes County representative shall be a member of the County Commission.

f. The Oregon Department of Transportation Region 4 Manager or designee shall serve as the ODOT representative.

g. The BMPO Policy Board may appoint nonvoting members that represent alternate travel modes, the business community, freight community, or other interests deemed appropriate. Nonvoting members can participate in all discussions and deliberations of the Policy Board. Nonvoting members shall have no vote and shall not make or second motions.

h. As future major transportation providers form, such as a transportation or transit district, they shall be added to the Policy Board by way of amendment to [the](#) IGA and these bylaws, and become a party hereto.

i. Member entities may appoint alternates to serve in the absence of the appointed Policy Board members. Alternate members will have the voting privileges of members when serving in the absence of the appointed Policy Board member. City and County alternates will be appointed by their governing bodies. The alternates may be an elected official or a staff person. ODOT alternates will be appointed by the ODOT Region 4 Manager.

- j. A vacancy on the BMPO Policy Board shall be filled by the party that appointed the member who created the vacancy.
- k. Terms for all members and alternates listed above commence on January 1 of each year.
- l. Each voting member of the Policy Board shall hold office until the party he or she represents appoints a successor.
- m. Officers.
  - 1. The Policy Board shall elect the following officers at its second meeting of the calendar year to serve for that year: Chair and Vice Chair.
  - 2. The Chair shall preside at all meetings, public forums, and public hearings of the Policy Board.
  - 3. Except as otherwise provided herein, tThe Chair shall sign, on behalf of the BMPO, contracts and other legal instruments
  - 4. In the absence of the Chair, or upon her/his inability to act or serve, the Vice Chair shall have the powers of the Chair.
  - 5. The Chair and Vice Chair will serve without compensation and shall serve for a period of one year, renewable.
  - 6. In the absence of the Chair and Vice-Chair, an acting Chair shall be selected by the Policy Board members present for the meeting.
  - 7. - The BMPO Manager shall report directly to, and take direction from, the Policy Board, and will have the responsibilities set forth in these Bylaws, as well as other responsibilities delegated by the Policy Board. The BMPO Manager will oversee the day-to-day operations of the BMPO, and is hereby authorized to sign, on behalf of the Chair, contracts and agreements under \$100,000 subject to the City of Bend's contract procurement requirements.
- n. The Policy Board shall be responsible for the management, supervision, policy and direction of all programs, functions and activities established and operated by the BMPO.
- o. Any conflict of interest of a Policy Board member must be stated prior to discussion of that particular agenda item.

**Article IV**  
**Meetings, Conduct of Meetings, Quorum**

- a. Regular meetings of the BMPO Policy Board will be held monthly at a time and place established by the Chair.
- b. Special or emergency meetings may be called by the Chair or a majority of the members. In the absence of a quorum at a regular monthly meeting or a special meeting, the Chair may call a special or emergency meeting, including member participation and vote by telephone, for deliberation and action on any matters requiring consideration prior to the next meeting. The minutes shall describe the circumstances justifying member participation by telephone and the actual emergency for any meeting called on less than 24 hours' notice.

- ~~e.~~ BMPO business may not be conducted without a quorum of the voting members. A quorum consists of the representatives from the Oregon Department of Transportation, and Deschutes County, and two of the three City of Bend representatives. Informational items may be shared to the group when a quorum is not obtained.
- ~~d.c.~~ All meetings shall be conducted in accordance with the most current version of Robert's Rules of Order and the Public Meeting Laws of Oregon.
- ~~e.d.~~ Any of the committees described below may establish other rules of procedure as deemed necessary for the conduct of business.
- ~~f.e.~~ The BMPO Manager shall account for the financial matters of the BMPO and handle other necessary administrative functions, unless otherwise designated by the BMPO Policy Board. The BMPO Manager shall provide regular financial updates to the Policy Board and provide an annual financial report for the previous fiscal year. The financial update shall include a list of expenditures, and the balance of all depository accounts.
- ~~g.f.~~ **Joint Meetings.** Joint meetings may be held with other agencies, committees, or commissions on items of mutual interest.
- ~~h.g.~~ **Meeting Agendas.** Meeting agendas shall be prepared by the Manager in consultation with the Chair and Vice Chair. Items for the agenda, accompanying information, and written communications intended for consideration as part of an agenda item should be received by the MPO Manager no later than five (5) calendar days prior to the scheduled meeting. Written communications received after this deadline will be reported and provided to the Policy Board at the meeting. Agendas and accompanying information packets will be provided to Policy Board members and posted on the BMPO website no later than five (5) days in advance of regularly scheduled meetings.
- ~~i.h.~~ **Minutes.** Minutes will be prepared for each Policy Board meeting. Minutes will be submitted to the Policy Board for approval.
- ~~j.i.~~ **Reports.** The Policy Board may ask for reports and recommendations, if any, from staff and the Technical Advisory Committee on any matters before it.
- ~~k.j.~~ **Public participation.** Opportunity for public comment will be provided during all regular or special meetings and such opportunity will be marked on each meeting agenda as "Public Comment".

## Article V Public Hearings

The Policy Board shall schedule and hold public hearings on all items required by law (e.g., annual budget) and may hold public hearings on any other matters.

- a. **Public Notice.** Public notice shall be provided as required by applicable laws. Reasonable effort will be made to notify affected local units of government and the general public of hearings through posting of notices, through the news media, and other means.
- b. **Conduct and Record of Hearing.** At the beginning of the hearing, the Chair shall briefly identify the subject(s) under consideration and instruct the public on how the hearing will proceed. Staff may give a presentation on the subject, if deemed appropriate. Policy Board members may then ask questions or pose questions during the presentation. Public comments will then be allowed. A record of the names of those appearing will be made. Members of the Policy Board may question a speaker on her/his statements. These rules may be suspended or modified, or a speaker allowed more time, with approval by a majority vote of the Policy Board.

## **Article VI Technical Advisory Committee**

- a. The BMPO identifies the need to create a standing committee to be known as the BMPO Technical Advisory Committee (“TAC”). Membership of the TAC includes governmental entities within the BMPO that are impacted by the decisions and that have significant contributions to the BMPO. The TAC is composed of technical and/or managerial staff representatives employed by each of the participating governmental entities. In addition, there may be one or more ex officio nonvoting representatives from the Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and other agencies. Each ex officio nonvoting member must be approved by the agency he/she represents.
- b. As future major transportation providers form, such as a transportation or transit district, they shall be added to the TAC. In addition, a representative from any technical subcommittee or advisory group that is formed shall have a seat on the TAC. Policy Board directive may also add additional positions (as members or as nonvoting members) to the TAC, such as a business representative, or a freight stakeholder.
- c. The TAC has authority and primary responsibility to conduct technical reviews and analyses regarding all work activities of the Unified Planning Work Program (“UPWP”) and any related issues as specified by the BMPO Policy Board and to so advise the BMPO Policy Board on appropriate actions to be taken. The TAC works closely with the BMPO staff, providing guidance and direction for development of the annual UPWP and work activities defined therein.
- d. TAC Membership shall be as listed in the TAC Bylaws.

- e. Organization and management of the TAC shall be according to bylaws adopted by the TAC and approved by the BMPO Policy Board.
- f. The BMPO Policy Board will take into consideration the alternatives and recommendations of the TAC in the conduct of its business.
- g. The meetings of the TAC shall be open to the public and shall comply with the Public Meeting Laws of Oregon.

## **Article VII Budget Committee**

- a. The BMPO is required to form a Budget Committee. Membership of the Budget Committee shall include the voting members of the Policy Board plus an equal number of appointed residents.
- b. Appointed residents.
  - 1. The Bend MPO Policy Board shall seek resident members through an application process.
  - 2. A subcommittee of the Policy Board shall review the applications and make a recommendation to the full Policy Board for consideration and approval.
  - 3. Resident members shall serve staggered 3-year terms and may serve more than 1 term.
  - 4. Resident members shall reside within the BMPO [metropolitan area](#) boundary.
- c. The Budget Committee shall meet at least once each year to review the proposed budget and make a recommendation to the Policy Board to adopt the budget as is or with modifications.
- d. The meetings of the Budget Committee shall be open to the public and shall comply with the Public Meetings Laws of Oregon.
- e. [The Budget Committee shall comply with](#) all applicable Oregon state statutes regarding public financial administration ([including](#) ORS 290.900 thru 290.930).

## **Article VIII Formation of Special Committees**

- a. The BMPO Policy Board, as deemed necessary, may create special committees. 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. Subcommittee members can include BMPO Policy Board members, BMPO Policy Board alternates and/or outside experts. Any such special committee will be responsible to the BMPO Policy Board.

- b. At the direction of the Manager and the Chair, subcommittees may be formed to investigate a particular work task or issues relevant to the BMPO.
- c. The BMPO Policy Board shall define the duties, and authorize the power of all special committees. Special committees shall comply with the Public Meeting Laws of Oregon.
- d. The BMPO Policy Board shall determine membership on a special committee appointed by the BMPO Policy Board.
- e. The TAC shall determine membership on a special committee appointed by the TAC.

### **Article IX Amendments**

- a. These Bylaws may be amended or repealed only upon 30-day notice to all parties of the IGA and;
- b. Prior to any amendment or repeal of these Bylaws, the Policy Board shall give a 30-day written notice to all parties to the IGA with a copy of the draft amendments.
- c. If any party to the IGA objects in writing to the proposed amendments within the 30-day notice period, the amendments will not become effective. Rather, the Policy Board will consider the objections and propose revised Bylaw amendments utilizing the procedure outlined above in Paragraph a.
- d. If no party to the IGA objects to the proposed Bylaw amendments pursuant to Paragraph b above, the Policy Board may adopt the amended Bylaws by a unanimous vote. A copy of the amended Bylaws will be provided to the parties to the IGA and will be attached to the IGA for reference.

These Bylaws have been reviewed and approved by the BMPO Policy Board members on December \_\_, 2022.

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Chair  
Date

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BMPO Manager  
Date