

Bend Metropolitan Planning Organization Policy Board Bylaws

Article I Name

The governing body of the Bend Metropolitan Planning Organization, established pursuant to the Governor's Metropolitan Planning Organization designation letter, dated December 11, 2002, shall be known as the BMPO 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 City of Bend metropolitan area; evaluate transportation alternatives that are realistic and scaled to 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 Bend 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 twenty years. The areas included outside of the Urban Growth Boundary can be described as Deschutes River Woods area to the

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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 and Voting**

- a. The BMPO Policy Board shall consist of representatives appointed by the governing body of each party to this Intergovernmental Agreement.
- b. The Policy Board shall consist of the following members:

Members	Votes
City of Bend	3
Deschutes County	1
Oregon Department of Transportation	1
Total	5
	1
	1
	1
	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. The City of Bend representatives shall vote among themselves. The majority vote shall determine the City's vote.
- 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 non-voting members that represent alternate travel modes, the business community, freight community, or other interests deemed appropriate.
- h. As future major transportation providers form, such as a Transit District, they shall be added to the Policy Board by way of amendment to IGA No. 20395 and these bylaws, and become a party hereto.

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- i. Alternates may be appointed to serve in the absence of the voting members.
- j. Alternates will be individuals in a position to represent the policy interests of their jurisdiction.
- 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.

Article IV

Policy Board Members, Terms of Office, Officers and Meetings

- a. The BMPO Policy Board shall elect the following officers at its first meeting of the calendar year to serve for that year: Chair and Vice Chair. 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. The Chair and Vice Chair will serve without compensation and shall serve for a period of one year, renewable.
- b. The BMPO Policy Board shall be responsible for the management, supervision, policy and direction of all programs, functions and activities established and operated under BMPO. At the first meeting of each calendar year, the BMPO Policy Board shall designate an Administrative Officer who shall account for the financial matters of BMPO and handle other necessary administrative functions.
- c. A vacancy on the BMPO Policy Board shall be filled by the party that appointed the member who created the vacancy.
- d. Any conflict of interest of a BMPO Policy board member must be stated prior to discussion of that particular agenda item.

Article V

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 membership. 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

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membership 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 membership participation by telephone and the actual emergency for any meeting called on less than 24 hours' notice.

- c. 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.
- d. All meetings shall be conducted in accordance with Robert's Rules of Order and the Public Meeting Laws of Oregon.
- e. Any of the Committees described below may establish other rules of procedure as deemed necessary for the conduct of business.
- f. The Administrative Officer shall provide regular financial updates to the BMPO Policy Board and provide an annual financial report for the previous fiscal year at the August or September BMPO Policy Board meeting. The financial update shall include a list of expenditures, and the balance of all depository accounts.

Article VI **Committees**

Section 1. Technical Advisory Committee (TAC)

- 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 non-voting representative each from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). Each ex-officio non-voting 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

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members or as ex-officio members) to the TAC, such as a citizen representative, 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 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
 - a. Voting membership on the BMPO TAC shall be as follows:
 - i. City of Bend - Two (2) positions: (to be named by City Manager)
 - ii. Deschutes County - One (1) position (to be named by County Administrator)
 - iii. ODOT - One (1) position: Region 4 Planning Manager or designee
 - iv. Cascades East Transit - One (1) position: (Executive Director or designee)
 - v. Central Oregon Intergovernmental Council (COIC) - One (1) position: (Executive Director or designee)
 - vi. Central Oregon Community College (COCC) - One (1) position: (President or designee)
 - vii. Commute Options - One (1) position: (Executive Director or designee)
 - viii. Deschutes County Bike/Pedestrian Advisory Committee - One (1) position: (to be named by governing body)
 - ix. Bend-La Pine School District - One (1) position: (to be named by governing body) to attend as needed
 - x. Oregon Department of Land Conservation and Development (to be named by DLCD Director)
 - b. Ex-Officio Members on the BMPO TAC shall be as follows:
 - i. Federal Highway Administration
 - ii. Federal Transit Administration
- e. Organization and management of the TAC shall be according to bylaws adopted by the TAC and approved by the BMPO Policy Board.

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- 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 the TAC shall comply with the Public Meetings Law.

Section 2. Citizens Advisory Committee (CAC)

- a. The BMPO identifies the need to create a standing committee to be known as the BMPO Citizens Advisory Committee (CAC). The CAC will consist of 7-9 members appointed by the BMPO Policy Board. Members of the CAC should reside in the Bend MPO boundary area. The CAC may include members from areas outside the existing BMPO boundary. These representatives should be from areas that could become part of the BMPO or be directly impacted by projects or plans of the BMPO. The Policy Board may add members within its discretion as the needs of the BMPO planning process dictate.
- b. The term of office of CAC members shall begin on January 1 of the year following appointment and expire in three years on December 31. Members will serve no more than two consecutive terms, unless so requested by the Policy Board.
- c. The CAC will meet at least annually. The meetings of the Citizen Advisory Committee shall be open to the public, with participation by interested persons or groups allowed at the discretion of the chair and vice-chair.
- d. The CAC shall use a consensus process to make recommendations to the BMPO Policy Board. In situations where the CAC cannot reach consensus, two or more recommendations may be forwarded to the BMPO Policy Board.
- e. The CAC may make proposals to the BMPO Policy Board which the CAC deems appropriate for the BMPO Policy Board's consideration. The CAC provides recommendations to the BMPO Policy Board for adopting, modifying or rejecting policies, programs, and project priorities under BMPO consideration for inclusion in the Metropolitan Transportation Plan and other BMPO planning documents. The CAC also serves as a conduit to the general public regarding the plans that are adopted and followed by the BMPO Policy Board. Meetings and recommendations of the CAC will not supersede the public participation processes embodied in the Oregon planning goals and the applicable federal regulations.

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- f. Organization and management of the CAC shall be according to bylaws adopted by the CAC and approved by the BMPO Policy Board.
- g. The Policy Board will take into consideration the recommendations of the CAC in the conduct of its business.
- h. The meetings of the CAC shall be open to the public and shall comply with the Public Meetings Law.

Article VII

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 Chairs of the BMPO Policy Board and the TAC, respectively, 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. Special committees consisting entirely and exclusively of staff and employees of a Party or Parties are considered not to be subject to public meetings requirements
- 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 VIII

Amendments

- a. These bylaws may be amended or repealed only upon 30 day notice to all parties of IGA No. 20395 ("IGA") and;

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1. 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.
2. 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 1.
3. If no party to the IGA objects to the proposed bylaw amendments pursuant to Paragraph 2 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.

Article IX

Voting Process Reversion Clause

The BMPO Policy Board voting process may be reviewed annually and will revert to the original voting process unless a consensus of all voting members agrees to abide by the simple majority process. The original voting process is as follows: A consensus of all three Parties will constitute passage. Consensus in the original voting process means that a majority of the three City representatives must support any given decision item, as well as each of the other voting agencies.

These Bylaws have been reviewed and approved by the Bend Metropolitan Planning Organization Policy Board Members dated 21st of November, 2013.

Chair
Date

BMPO Manager
Date

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