



Permian Basin
MPO Metropolitan
Planning
Organization

Bylaws

Adopted May 20, 2019

Permian Basin Metropolitan Planning Organization

9601 Wright Drive Suite 1 Midland, TX 79706

Permian Basin Metropolitan Planning Organization Schedule of Bylaw Amendments

Initiated: April 1965

Policy Advisory Board Revisions Adopted:

1973

April 2005

February 3, 2006

July 31, 2006

November 15, 2006

October 19, 2009

January 18, 2010

November 21, 2011

June 16, 2014

December 15, 2014

May 20, 2019

POLICY BOARD

PURPOSE

The Permian Basin MPO Policy Board provides regional transportation policy guidance for those participating government entities and agencies within the Permian Basin MPO Metropolitan Area Boundary.

MEMBERSHIP

VOTING MEMBERS

The voting membership of the Policy Board will consist of one representative for each participating agency, city and county. The Policy Board shall only consider voting members when seeking a quorum to conduct official Permian Basin MPO business.

Membership of the Permian Basin MPO Policy Board

Entity	Number of Members	Number of Votes	Official
Ector County	1	1	County Judge or County Commissioner
Midland County	1	1	County Judge or County Commissioner
Martin County	1	1	County Judge or County Commissioner
City of Midland	1	1	Mayor or Council Member
City of Odessa	1	1	Mayor or Council Member
TxDOT, Odessa District	1	1	District Engineer
Midland Odessa Urban Transit District (MOUSD)	1	1	General Manager

Officials serving on the Policy Board shall be designated by a vote of the appointing governing body. A written letter and a supporting resolution of the appointment shall be delivered and on file at the PERMIAN BASIN MPO administrative offices before the member's attendance at a Policy Board meeting may be considered for quorum.

Serving members will be designated in the following way:

- County Members – Resolution from Commissioners Court and letter from County Judge
- City Members – Resolution from City Council and letter from Mayor or City Manager
- TxDOT District – Letter from TxDOT Odessa District Engineer
- MOUTD – Resolution from MOUTD and letter from MOUTD Chairperson

ALTERNATES

There are no proxy's available or other means available to meet a quorum other than physical presence at the official meeting site.

EX-OFFICIO MEMBERS of the POLICY BOARD

The following offices or agencies shall be represented by one (1) non-voting member each and shall be referred to as Ex-Officio members. Ex-Officio members shall not be considered in determining a quorum to conduct Policy Board official business or have any voting power in official Policy Board business. Ex-Officio members serve in an advisory role only and are granted oratory rights in the public session portion of the Policy Board agenda and during the discussion and question portion of individual items for consideration.

The Policy Board values those persons representing major stakeholders in the Midland Odessa community. Membership is considered a high honor to Policy Board members. The Policy Board must vote and approve Ex-Officio members before they can act in that capacity at any Policy Board meeting. The agency or office must have on file at the Permian Basin MPO administrative offices a letter documenting them as the official representative of the approved agency or office before they can be recognized as the designated Ex-Officio member representing that agency or entity. The Policy Board must agree by majority vote to revise the Bylaws to add any Ex-Officio members.

Ex-Officio Membership of the PERMIAN BASIN MPO Policy Board

Federal Elected Officials Serving In The MOTOR Metropolitan Area Boundary	US Representatives or Designee US Senators or Designee	Represented by (1) Member
State Elected Officials Serving the Permian Basin Metropolitan Area Boundary	Texas State Representatives or Designee Texas State Senators or Designee	Represented by (1) Member
Federal Highway Administration	Field Representative	Represented by (1) Member
Federal Transit Administration	Field Representative	Represented by (1) Member
TxDOT Division Office TPP	Field Representative	Represented by (1) Member
Texas Air Control Board Texas Commission on Environmental Quality	Field Representative	Represented by (1) Member
Federal Aviation Administration	Field Representative	Represented by (1) Member
Midland - Odessa Transportation Alliance	Chairperson	Represented by (1) Member

QUORUM

Fifty-one percent (51%) of the membership will constitute a quorum.

STANDARDS OF CONDUCT/ETHICS POLICY

The Permian Basin MPO Policy Board will strictly comply with all terms/provisions of Senate Bill 585, and hereby officially adopts the terms and provisions of Senate Bill 585 as the ethics policy of the Permian Basin MPO. Ethical Standards Affidavits have been signed and notarized by each Permian Basin MPO Staff member and are attached hereto as Attachment "A". Ethical Standards. Affidavits have been signed by the Permian Basin MPO Policy Board Member and are on file with the entity they represent.

OFFICERS

There shall be a Chairperson and Vice Chairperson who serve as Officers of the Policy Board and lead the policy making body of the Permian Basin MPO.

Elections for Officers will be held at the February Policy Board meeting **in even numbered years**. A quorum must be present before any elections can be called and executed. The officers shall be chosen by a simple majority vote of the membership present.

The Chairperson/Vice Chairperson may serve with no limitation to a number of terms, except that such term will not continue in the event an officer becomes ineligible for membership on the Policy Board.

The TxDOT District Engineer is not eligible to seek or serve in the capacity of Chairperson or Vice Chairperson.

In the event the Chairperson/Vice Chairperson is unable to complete their term, discharges their duties, resigns or is no longer eligible to serve as a member of the Policy Board, the Vice Chairperson shall assume the duties of Chairperson until an election can be held at the next regularly scheduled Policy Board meeting.

MEETINGS

The Chairperson and a majority of the voting members of the Policy Board shall establish the dates and times of the Board's official meetings. The Policy Board discharges the duties of notifying the public of such meetings through the Permian Basin MPO Executive Director. The Permian Basin MPO Executive Director will ensure that written notices of the meetings are distributed and contain the time and location.

MEETINGS

The Policy Board will set its own meeting schedule. Except where the Chairperson and any three other voting members of the Policy Board determine that an emergency exists that necessitates the calling of a meeting, the Chairperson acting alone, or any grouping of any three board members alone may not call such a meeting.

Any voting Policy Board member may submit an Information Item that shall be included as an Add-On to the scheduled agenda with no action taking place on said item. If said item requires action it will appear on the following Policy Board agenda for consideration.

A voting Policy Board member may submit an Action Item for consideration to the Policy Board Agenda if it is received in the Permian Basin MPO Office 10 days prior to the next scheduled Policy Board meeting.

Written notice of the meeting, the agenda, and all supporting documents shall be delivered to Policy Board members 5 days prior to the scheduled meeting.

MINUTES

The Permian Basin MPO staff will keep a written record of the proceedings of the Board meetings and may distribute the minutes to all members and any interested individuals.

PUBLIC COMMENT PERIOD

Policy Board Members, Ex-Officio Members appointed by the Policy Board and persons having official business on the Permian Basin MPO Policy Board Agenda (Limited to their official business with the Board) may comment and participate in discussions of the Permian Basin MPO Policy Board. It is mandatory at regular scheduled meetings of the Permian Basin MPO Policy Board to include at the beginning of the agenda an item that affords citizens an opportunity to voice concerns or ask questions regarding transportation planning items within the Permian Basin MPO Metropolitan Area Boundary.

Any citizen within the Metropolitan Area Boundary who does not have official business listed on the Policy Board Agenda may have up to three minutes to address the Permian Basin MPO Policy Board during this Public Comment Period of the Agenda. The Policy Board Chairperson reserves the privilege to rule any dialog out of order. Each individual participating in the public comment period must state their name, address and any type of business that is relevant to the topic of conversation.

TECHNICAL ADVISORY COMMITTEE (TAC)

PURPOSE

There shall be a TAC formed, whose purpose shall be to review technical issues and develop preferred technical alternatives for Policy Board Action. The TAC may take action on items delegated by the Policy Board. The TAC has no distinctive powers unless explicitly granted by the Policy Board.

MEMBERSHIP

VOTING MEMBERSHIP

The voting membership of the TAC will consist of representative or representatives, technical in nature, for each participating agency, city and county that encompasses elements of the transportation planning process. The TAC shall only consider voting members when seeking a quorum to conduct official TAC business.

ALTERNATES

Participating entities or agencies may appoint an alternate to its representative provided the alternate is designated in writing prior to the start of any TAC Meeting. The alternate member may serve as a full voting member during any meeting where that agency's representative is not in attendance. ~~Proxy and~~ Absentee voting ~~are is~~ not permitted.

Voting Membership of the Permian Basin MPO TAC

Entity	Number of Members
Ector County	1
Midland County	1
Martin County	1
City of Midland	2
City of Odessa	2
TxDOT	2
MOUTD	1
PBMPO	1

Officials serving on the TAC shall be designated by a written letter from the City Manager, County Judge, TxDOT Odessa District Engineer, or MOUTD Chair, delivered and on file at the Permian Basin MPO administrative offices before the member's attendance at a TAC meeting may be considered for quorum.

Serving members will be designated in the following way:

- County Members – Letter from the County Judge
- City Members – Letter from City Manager
- TxDOT District – Letter from TxDOT Odessa District Engineer
- MOUTD – Letter from the MOUTD Chairperson

NON-VOTING MEMBERSHIP

Non-voting Membership of the Permian Basin MPO TAC

Entity	Number of Members
Federal Highway Administration	1
Texas Department of Transportation	2
TxDOT Division Office TPP(S)	1

QUORUM

Fifty-one percent (51%) of the membership will constitute a quorum.

OFFICERS

The Executive Director of the Permian Basin MPO will serve as the Chairperson of the TAC. The Executive Director only has the power to vote in the TAC proceedings when there is a deadlock between members, or in the case of meeting a quorum. Otherwise, in the spirit of the cooperative nature of the Permian Basin MPO’s mission it is the aim of the Executive Director to exhaust all diplomatic options before casting a tiebreaking vote.

The membership of the TAC shall elect one member to serve the committee as Vice Chairperson. A quorum must be present before any subcommittees can be created, action can be taken, or election can be called by the TAC. The TxDOT Representatives are not eligible to serve as Vice Chairperson of the TAC.

A Vice Chairperson will serve the TAC and may serve with no limitation to a number of terms, except that such term will not continue in the event an officer becomes ineligible for membership on the TAC.

Elections are to be held at the February TAC meeting **in even numbered years**. In the event the Vice Chairperson is unable to complete their term, resigns, or is no longer eligible to serve as a member of the TAC, a special election will be called by the Executive Director. The Vice Chairperson will assume the duties of Chairperson in the event the Executive Director is absent.

MEETINGS

The TAC reviews technical manuals and reports and recommends actions to the Policy Board in the form of a vote cast by the voting membership. The Policy Board agenda may partially consist of action items recommended by the TAC regarding technical matters.

The Policy Board Chairperson/TAC Chairperson may call an emergency meeting of the TAC to act on items up for amendment or consideration as an add-on to a Policy Board agenda.

Any voting TAC member may submit an Information Item that shall be included as an Add-On to the scheduled TAC agenda with no action taking place on said item. If said item requires action it will appear on the following TAC agenda for consideration.

A voting TAC member may submit an Action Item for consideration to the TAC Chairman if it is received with all supporting documents in the Permian Basin MPO Office 10 days prior to the next scheduled TAC meeting. The Chairperson reserves the explicit privilege to deny additions (Action or Informational) to TAC agendas if not received 10 days prior to a TAC meeting.

Written notice of the meeting, the agenda, and all supporting documents shall be delivered to TAC members 5 business days prior to the scheduled meeting.

MINUTES

The Permian Basin MPO staff will keep a written record of the proceedings of the TAC meetings and may distribute the minutes to all members and any interested individuals.

BYLAW AMENDMENTS

These bylaws may be amended by a two-thirds affirmative vote of the Policy Board membership present, provided that official notice of the proposed amendment is included in the public notice of said meeting.

Appendix A