

**SOUTHWEST REGIONAL PLANNING ORGANIZATION  
BYLAWS  
(Amended/Approved \_August 25, 2011)**

**I. NAME AND STATUS**

- A. The Southwest Regional Planning Organization (SWRPO) is the designated name of the association. The SWRPO has been established by the New Mexico Department of Transportation (NMDOT) to develop an on-going consultation planning process for statewide and multi-modal transportation projects programming. The SWRPO shall have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs that consider all transportation modes and supports community development and social goals. These plans and programs shall lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods.

**II. OBJECTIVES**

A. Purpose:

1. To serve as a regional forum that elicits informed recommendations for multimodal transportation and enhanced projects.
2. To submit the recommended projects to the NMDOT after rating and ranking them through the SWRPO process.
3. To promote the implementation of an efficient, safe, functional and accessible transportation network in Catron (NMDOT District 6) and Grant, Hidalgo and Luna counties (NMDOT District 1).
4. To follow the federal laws, rules and regulations stipulated in the Safe, Accountable, Flexible, Efficient, Transportation, Equity Act: A Legacy for Users (SAFETEA-LU) or forthcoming federal transportation acts.

B. Function:

1. Establish and administer policy for the initial submission of proposed federally funded Surface Transportation (STP) projects.
2. Establish a continuous, multi-year, prioritization process for the review, rating and ranking of proposed transportation projects for the Statewide Transportation Improvement Program (STIP),

Federal Transit Grants, Scenic Byways, Highway Safety Improvement Program (HSIP) and Safe Routes to School (SRTS) Programs or other future designated funding programs.

3. Establish an annual review of existing programmed projects for reprioritizing based on regional, state and federal transportation priorities and an agreed upon process and criteria.
4. Determine the viability of and prioritize transportation projects from a regional perspective.
5. Provide a framework for the coordinated development of multi-modal transportation among local governments in the SWRPO planning area.
6. Establish the membership and voting criteria of the SWRPO.
7. Act as the regional focal point for public involvement in the statewide planning process.
8. Provide periodic review and updating of the Southwest Regional Planning Organization Long Range Transportation Plan which is used as a guide for informing regional transportation priorities and goals.
9. Facilitate transportation related training and information sharing among SWRPO members.

### III. MEMBERSHIP

#### A. Boundaries:

1. The Southwest Regional Planning Organization includes the counties of Catron, Grant, Hidalgo and Luna as political subdivisions within the SWRPO boundaries.

#### B. Local Governments:

##### 1. Policy Committee

- a) Each municipal, county and land grant government within the boundaries of the Southwest New Mexico Council of Governments shall elect or appoint a member and an alternate to serve on the Policy Committee of the SWRPO. The Southwest New Mexico Council of Governments board will

function dually as the Policy Committee of the SWRPO. Southwest New Mexico Council of Governments Bylaws will govern the SWRPO Policy Committee.

2. Technical Advisory Committee

- a) Each municipal, county, and land grant government within the boundaries of the SWRPO shall elect or appoint a member and an alternate to serve on the Technical Advisory Committee of the organization.
- b) Members' and alternates' names and addresses must be submitted each year in writing to the SWRPO Transportation Planner.
- c) Voting privileges shall be restricted to the voting members or alternates of the Technical Advisory Committee. All RPO members have only one vote per entity.

C. Membership Term:

- 1. Members and alternates shall serve at the discretion of their local governing body. Upon annual elections of officers, each SWRPO entity shall appoint in writing one voting member and an alternate.

IV. OFFICERS

A. Officers shall consist of a Chairperson and Vice-Chairperson elected by the voting members of the Technical Advisory Committee and serve for one year from January to December. Elections shall take place during the meeting prior to the start of the new term.

B. Removal

- 1. The officers may be removed by annual election, resignation, or by member governments (i.e., when the officer no longer represents his or her member government). In the event an officer resigns or is removed the Vice-Chair shall assume the role of Chairperson and a new Vice-Chair shall be appointed.

V. DUTIES OF THE OFFICERS

A. Chairperson

1. The Chairperson presides at all committee meetings. The Chairperson directs the business of the committee and establishes standing and ad hoc sub-committees to focus upon specific areas of concern.
2. The Chairperson is an ex-officio member of all standing sub-committees.
3. The Technical Advisory Committee Chairperson submits a written oral summary of sub-committee reports to the membership at Technical Advisory Committee meetings.

B. Vice Chairperson (of the respective committee)

1. Presides at all meetings at which the Chairperson is absent and performs all duties for which the Chairperson is responsible. If neither is present a member will be selected as temporary leader for the floor.
2. It is the preference that the Vice Chair succeeds to the Chair position. However, the Technical Advisory Committee shall reserve the right to recommend that the Vice Chair not succeed to the Chair's position at the end of the term.
3. If the Chairperson resigns or is no longer eligible to be a member of the Technical Advisory Committee, the Vice Chairperson will serve as Chairperson until an election is held.

VI. DUTIES OF STANDING COMMITTEES

A. Standing committees include, but are not limited to, the Policy Committee and the Technical Advisory Committee.

B. Policy Committee

1. Membership represents all local governments within the planning area defined by the Southwest New Mexico Council of Governments and New Mexico Department of Transportation boundaries.
2. The Policy Committee receives and approves recommendations from the Technical Advisory Committee on all funding projects listed on the Regional Transportation Improvement Program Recommendation (RTIPR) and submits it to the New Mexico Department of Transportation.

3. The Policy Committee receives and approves recommendations from the Technical Advisory Committee on all funding programs as agreed to by the New Mexico Department of Transportation, i.e., Federal Transit Grants, Scenic Byways, and Safe Routes to School Grants.
4. The Policy Committee receives and approves the Annual Work Plan for the SWRPO Transportation Planner no later than the 2<sup>nd</sup> quarter of the calendar year in order to make recommendations to the New Mexico Department of Transportation.

C. Technical Advisory Committee

1. Membership represents elected officials or appointed/designated staff persons from all local and tribal governments within the planning areas.
2. The Technical Advisory Committee provides professional technical advice to the Policy Committee.
3. The Technical Advisory Committee receives initial transportation project applications, reviews and rates the projects, and develops Regional Transportation Improvement Program Recommendations (RTIPR) and submits it to the Policy Committee.
4. The Technical Advisory Committee reviews, rates, and ranks all funding programs as agreed to by NMDOT, i.e., Federal Transit Administration Grants, Scenic Byways, and Safe Routes to School Grants. The rankings will be submitted to the Policy Committee.
5. Each Technical Advisory Committee representative's responsibilities include the following:
  - a) Identify potential transportation projects within his/her jurisdiction that may apply to funding programs and discuss those projects with the SWRPO Planner and NMDOT District applicable to the project area
  - b) Regularly communicate on transportation projects and transportation needs with SWRPO Planner and represent the interests of his/her local government
  - c) Regularly attend Technical Advisory Committee meetings

## VII. STAFF SUPPORT

- A. Under contract with the New Mexico Department of Transportation (NMDOT), the Southwest New Mexico Council of Governments (SWNMCOG) will hire and supervise a SWRPO transportation planner position which serves the member entities of the SWRPO. The contract serves as the official document for defining the relationship between the NMDOT and the SWNMCOG. The transportation planner hired by the SWNMCOG and funded by NMDOT will work jointly to assist SWRPO members in both an administrative and technical capacity. The planner's duties include but are not limited to the following:
1. Fulfill the duties and responsibilities outlined by the NMDOT and the local government member representatives in the Annual Work Program.
  2. Facilitate and assist with the RTIPR process including: development of Project Identification Form (PIF) submittals, facilitation of the rating and ranking process, creation and distribution of the RTIPR to NMDOT and SWRPO members.
  3. SWRPO meeting preparation including meeting arrangements, agenda, public notices, informing members and affiliate members of meetings, and the development and distribution of meeting minutes and materials.
  4. SWRPO shall provide SWRPO members, the District Engineer, and the Government to Government Unit with meeting agendas and information no later than the notice recommended in the Open Meetings Act (NMSA 10-15-1 – 10- 15-4) in advance of SWRPO meetings.
  5. At least once in the fiscal year, make a presentation on the RPO planning process and the status of local projects programmed in the STIP to SWRPO members' governing bodies.

## VIII. ETHICS POLICY:

- A. A member of the SWRPO Policy or Technical Advisory Committee or the SWRPO Planner shall 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.

#### IX. MEETINGS:

- A. All Policy Committee and Technical Advisory Committee meetings shall be conducted according to the Open Meetings Act (NMSA 10-15-1 – 10-15-4) and according to the procedure it adopts. The Policy Committee and Technical Advisory Committee will adopt their open meetings procedure by resolution annually.
- B. The Technical Advisory Committee meets every odd-numbered month on the third Tuesday of the month. The Policy Committee meets every even-numbered month on the third Thursday of the month.
- C. A quorum consists of 20% (3) of the voting members.
- D. Members submitting a project to be recommended for inclusion into the STIP must attend the mandatory meeting each year for project presentation.
- E. The SWRPO transportation planner shall notify the public by newspaper advertisement of the time and place of regular meetings, at least 10 days in advance (special meetings 3 days in advance, and emergency meetings as much time in advance as possible). Local government entities shall post Public Notices within their communities at their respective City Hall and County Office.

- F. Any Board member may submit a matter for consideration on a future agenda.
- G. In the absence of the Chairperson and Vice Chairperson from a meeting of the Transportation Policy Board at which a quorum is present, the SWRPO planner will convene the meeting and the remaining members of the board present shall elect a presiding officer who shall serve until the conclusion of that meeting or until the arrival of the Chairperson or Vice Chairperson.
- H. Public participation in meetings shall be as follows. Persons wishing to comment on a specific agenda item must first get permission from the chairperson. Speakers are limited to three minutes and a speaker's time may not be assigned to another speaker.
- I. Persons wishing to address the board about issues not on the agenda should offer their comments during the "Public Comment" agenda item. Speakers are limited to three minutes and a speaker's time may not be assigned to another speaker. Speakers are requested to not directly address individual members of the board or the SWRPO staff. The Chairperson will enforce decorum.

## X. RECORDS

- A. All records generated by the Policy Committee and Technical Policy Committee, and any subcommittees in conducting Southwest Regional Planning Organization business are to be maintained by the Transportation Planner of the SWNMCOG. All records generated by the SWRPO and any of its subcommittees are joint property of the NMDOT and SWNMCOG.
  - 1. Upon member-officer termination, records accumulated during that tenure must be passed on to the respective Committee Chairperson.

## XI. AMENDMENT OF BYLAWS

- A. The bylaws may be amended by a majority vote of all voting members present.
- B. Any voting member may propose amendments to the bylaws.
  - 1. Amendments must be submitted in writing to the Chairpersons of the Technical Advisory Committee and Policy Committee and the



SWRPO Transportation Planner at least 30 days prior to the next scheduled meeting in order to provide adequate time for the proposed amendment to be added to the meeting agenda and for distribution to voting members for review. Any bylaw amendment that affects the relationship of the SWRPO to the NMDOT must be submitted to the NMDOT for consideration.

XII. TITLE OF RECORDS

- A. If the Southwest Regional Planning Organization terminates or ceases to exist and function, the title to all its assets and records will remain with the New Mexico Department of Transportation and the Southwest New Mexico Council of Governments.

XIII. ADOPTION OF BYLAWS

- A. These bylaws and operating procedures shall be in full force and effect at such time as they have been approved by a majority vote of the Policy Committee at a meeting at which a quorum, as defined herein, is present.

The Southwest Regional Planning Organization Bylaws were AMENDED, PASSED, APPROVED AND ADOPTED by the Southwest Regional Planning Organization on \_\_\_August 25, 2011.

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Jovita Gonzales, SWRPO Policy Board Chairwoman

ATTEST:

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SWRPO Transportation Planner