

BYLAWS AND OPERATING PROCEDURES
REGIONAL TRANSPORTATION COUNCIL

December 2009

STATEMENT OF PRINCIPLES

1. The physical, economic, and social well-being of the region, its citizens, and business enterprises, now and in the future, is determined to a great extent by its transportation system. Therefore, decisions involving transportation systems and subsystems must consider the environmental, economic, and social impacts of the alternatives in the future development of the transportation system and must attain the principal objective of having an efficient, safe, and practical system for moving people, goods, and services in the region according to their needs.
2. A transportation system can best be planned on a large-area basis involving city, county, regional, and state jurisdictional responsibilities and a proper mix of various modes of travel.
3. Counties and cities have the local responsibility for anticipating and meeting the transportation needs for adequately moving people and goods within their jurisdictions. However, the Texas Department of Transportation is charged, by law, with the responsibility for planning, designing, constructing, and maintaining the State Highway System. In addition, duly authorized transportation authorities are responsible for planning, developing, and operating public transportation services in their respective service areas. Under federal legislation, the Metropolitan Planning Organization (MPO), through the NCTCOG Regional Transportation Council, has an expanded role in project selection, transportation project programming, and project funding.

4. Evaluation of transportation alternatives and the determination of the most desirable transportation system can best be accomplished through a Regional Transportation Council (RTC) of primarily elected officials from the counties and cities in the North Central Texas Region. The Regional Transportation Council will be the forum for cooperative decision making by primarily elected officials of general purpose local governments (i.e., cities and counties) and including representatives of entities responsible for highway, toll roads, and mass transit improvements. It is in the explicit interest of the Regional Transportation Council, that all elected officials be of general purpose local governments.
5. The Regional Transportation Council will make recommendations involving the regional transportation system to the counties and cities, the State, and the authorities for all modes of transportation. Final decisions for implementing the Metropolitan Transportation Plan will be a cooperative effort between the governing bodies of the counties and cities, the Texas Transportation Commission, the Regional Transportation Council, and the authorities.
6. The Regional Transportation Council will monitor the metropolitan transportation planning process to assure that it is conducted in a manner consistent with requirements of federal law and regulations.
7. In an attempt to fulfill the above concepts and to meet the requirements of the Federal Aid Highway Act of 1973, the Governor, on April 18, 1974, designated the North Central Texas Council of Governments as the Metropolitan Planning Organization for transportation planning with the proviso that the Regional Transportation Council be the decision-making group for regional transportation policy for the Dallas-Fort Worth urbanized area. Since that time, this designation has been modified to reflect the inclusion of both the Denton-Lewisville urbanized area and the McKinney urbanized area. The NCTCOG Executive Board serves as the fiscal

agent for the MPO. As the designated Metropolitan Planning Organization, the North Central Texas Council of Governments must assure that transportation planning in the urbanized area is satisfactorily coordinated and integrated with other comprehensive planning in the State Planning Region. These Bylaws and Operating Procedures spell out the manner in which the Regional Transportation Council shall fulfill its responsibilities as the cooperative transportation decision-making group of the Metropolitan Planning Organization for the Dallas-Fort Worth metropolitan area.

DEFINITIONS

Section 1. The following definitions shall apply to terms used in these Bylaws and Operating Procedures:

- A. Transportation Planning Process. The transportation planning process is the process of estimating future travel demand, identifying transportation improvement alternatives, and evaluating those alternatives and financial resources to determine the best combination of facilities and services for all modes of travel.

- B. Metropolitan Transportation Plan. The Metropolitan Transportation Plan is the delineation of the highway, transit, and airport facilities that would serve the projected travel demand for a forecast year. The Metropolitan Transportation Plan will include a listing of projects anticipated to be funded over the next approximately 20+ years and be developed consistent with federal guidelines.

- C. Transportation Improvement Program. The Transportation Improvement Program (TIP) is a multimodal listing of all transportation projects and programs expected to be implemented over an approximately four-year period as well as projects that are funded but not yet ready for

implementation. This includes all projects or programs which are expected to utilize federal funds and those projects or programs which will utilize other funds (state or local), including toll road projects. The TIP will be developed consistent with federal guidelines and Regional Transportation Council selection criteria.

- D. Unified Planning Work Program. The Unified Planning Work Program (UPWP) is a listing of planning projects to be performed by the MPO in support of a continuous, comprehensive, and coordinated transportation planning process. The UPWP also contains a listing of planning projects performed by other agencies which will have regional significance.

- E. Regional Transportation System. The Regional Transportation System is the continuous network of roadways and transit services that provides for movement and interchange of people and goods, primarily between local jurisdictions within the region. Included in the Regional Transportation System are highways and streets, parking and intermodal terminals, tollways, fixed-guideway transit lines, bus routes, taxi services, paratransit and ridesharing services, railroad facilities, and general aviation and air carrier airports.

- F. Regional Highway System. The regional highway system is those freeways, principal and minor arterials, tollways, truck terminals, parking facilities, and ridesharing services which make up the system for travel by automobile or truck.

- G. Regional Public Transportation System. The regional public transportation system includes all fixed-guideway facilities, bus routes, personal rapid transit, paratransit, and taxi services operated by public or private entities.

- H. Regional Airport System. The regional airport system is the collective airports and heliports in the urbanized area which provide terminals for commercial air travel, general aviation, and air cargo.

- I. Metropolitan Area. The Metropolitan Area is that portion of Dallas, Tarrant, Denton, Collin, Rockwall, and surrounding counties expected to be principally urbanized by the appropriate planning horizon (approximately 20 years).

- J. Texas Metropolitan Mobility Plan. The region will develop, and update regularly, a needs-based plan in order to quantify funding needs and develop candidate policy areas.

- K. Primary Member. A primary member is the principal individual appointed to represent an entity or group of entities on the Regional Transportation Council.

- L. Alternate Member. An alternate member is the individual appointed to represent an entity or group of entities on the Regional Transportation Council in the absence of the primary member. An alternate member will receive all materials provided to the primary member and is encouraged to attend Regional Transportation Council meetings on a regular basis in order to be knowledgeable on issues and prepared to vote should the primary member be unable to attend a particular meeting. In order to ensure coordination between primary and alternate members, all information requests by the alternate member should be coordinated through the primary member.

ORGANIZATION

Section 2. The organization for regional transportation planning shall consist of the Regional Transportation Council, RTC subcommittees determined by the RTC officers, the Surface

Transportation Technical Committee, and other technical committees determined by the NCTCOG Transportation Director, as described in subsequent paragraphs and sections of these Bylaws and Operating Procedures.

- A. Regional Transportation Council. The Regional Transportation Council shall be the forum for cooperative decision making by primarily elected officials of general purpose local governments in the Metropolitan Area.

- B. Standing and Ad Hoc Subcommittees. The Regional Transportation Council officers will determine necessary subcommittees for the conduct of RTC business.

- C. Technical Committees. The Surface Transportation Technical Committee shall provide technical review and advice to the Regional Transportation Council with regard to the surface transportation system. Other technical committees, determined by the NCTCOG Transportation Director, as needed, shall provide technical review and advice for the regional transportation planning process.

REGIONAL TRANSPORTATION COUNCIL

Section 3. The following rules shall govern the procedure, membership, and records of the Regional Transportation Council and its Subcommittees.

- A. Membership. Membership on the Regional Transportation Council shall be provided for local governments in the Metropolitan Area, either by direct membership or by representation. The maximum number of seats for individual and cluster cities shall be 26; the maximum for all other seats shall be 17, resulting in membership that shall not exceed 43 seats. The membership formula shall be based on the most recent NCTCOG demographic data, and the

allocation readjusted to maintain the membership limit of 43. Federally designated urbanized areas of 50,000 or greater, in which the Regional Transportation Council is serving as the Metropolitan Planning Organization, shall be provided direct membership. The following local governments and public agencies shall be represented as indicated:

Cities

City of Arlington	2
Cities of Carrollton and Farmers Branch	1
Cities of Dallas, Highland Park, and University Park	6
Cities of Denton, Sanger, Corinth, Little Elm, Highland Village, and Lake Dallas	1 (urbanized area)
Cities of Duncanville, DeSoto, Lancaster, Cedar Hill, and Glenn Heights	1
City of Fort Worth	3
Cities of Garland and Rowlett	1
City of Grand Prairie	1
Cities of Hurst, Euless, Bedford, Colleyville, Grapevine, and Southlake	1
Cities of Irving and Coppell	1
Cities of Lewisville, Flower Mound, The Colony, Trophy Club, and Roanoke	1 (urbanized area)
Cities of Mansfield, Benbrook, Forest Hill, White Settlement, Crowley, River Oaks, Everman, and Kennedale	1
Cities of Mesquite, Balch Springs, and Seagoville	1
Cities of North Richland Hills, Haltom City, Watauga, Keller, Saginaw, and Richland Hills	1
Cities of McKinney, Fairview, Anna, and Princeton	1 (urbanized area)
City of Plano	1
Cities of Richardson, Addison, Wylie, Sachse, and Murphy	1
Cities of Frisco, Allen, Prosper, and Lucas	<u>1</u>
Subtotal	26

Other

Collin County	1
Dallas County	2
Denton County	1
Ellis County and the Cities of Waxahachie, Midlothian, Ennis, and Red Oak and Kaufman County and the Cities of Forney, Terrell, and Kaufman	1
Johnson County and the Cities of Burleson, Cleburne, and Keene and Hood County and the City of Granbury	1
Rockwall County and the Cities of Rockwall, Heath, and Royse City and Hunt County and the Cities of Greenville and Commerce	1

Parker County and the Cities of Weatherford and Azle and Wise County and the Cities of Decatur and Bridgeport	1
Tarrant County	2
District Engineer, Dallas District, TxDOT	1
District Engineer, Fort Worth District, TxDOT	1
Board Member, Dallas Area Rapid Transit	1
Board Member, Fort Worth Transportation Authority	1
Board Member, Denton County Transportation Authority	1
Board Member, North Texas Tollway Authority	1
Board Member, Dallas/Fort Worth International Airport	<u>1</u>
Subtotal	<u>17</u>
TOTAL	43

The representatives of the Dallas/Fort Worth International Airport, North Texas Tollway Authority (NTTA) and the three transportation authorities shall be selected by the chairs of their respective entities. The Dallas/Fort Worth International Airport, NTTA and transportation authority representatives shall be Board members of their respective entities.

B. Appointees. All members of the RTC shall be local elected officials except:

- the three transportation authority representatives,
- the two TxDOT District Engineer,
- the representative of the North Texas Tollway Authority,
- the representative of the Dallas/Fort Worth International Airport (unless an elected official Board member is selected), and
- optional representatives of local governments where one-third of a public agency's representation may be by non-elected private sector officials who are residents of the appointing entity. (This would permit the City of Fort Worth to have one private sector representative and the City of Dallas to have two private sector representatives.)

Representatives of individual cities and counties shall be appointed by and serve at the pleasure of the city councils and commissioners' courts respectively, and shall be serving on

the governing body they represent (except as noted above). The person representing a group of several cities shall be selected by the mayors using a weighted vote of the maximum population or employment of the cities represented, and the person selected shall serve a two-year term beginning in June of even-numbered years and shall be serving on one of the governing bodies they represent (except as noted above or below). The person representing a group of several cities and counties shall be selected by the county judges using a weighted vote of the maximum population or employment of the counties represented, and the person selected shall serve a two-year term beginning in June of even-numbered years and shall be serving on one of the governing bodies they represent. The entity from which the representative is serving must be located within the Metropolitan Planning Area Boundary. When the Regional Transportation Council modifies the current boundary, membership eligibility will be reevaluated based on the new boundary area.

Each seat on the Regional Transportation Council will be provided a primary member and permitted an alternate member. Alternate members must be predetermined in advance of a meeting and will have voting rights in the absence of the primary member. An entity or group of entities may elect to appoint its alternate member(s) from a pool of eligible nominees. The same requirements apply to alternate members as to primary members. If a primary member is an elected official, then the alternate member must also be an elected official; if a primary member is a non-elected private sector official, then the alternate member must also be a non-elected private sector official or an elected official. Cities and/or counties within a cluster group are strongly encouraged to reflect diversity in their selections of primary and alternate members as well as membership rotation amongst the group depending on the qualifications of the appointees.

The appointing bodies are encouraged to select members in common for the RTC and the NCTCOG Executive Board.

C. Voting Structure. Each seat on the Regional Transportation Council will be provided one vote. As noted above, either the primary or alternate member in attendance will have the right to vote. An alternate member may represent only one primary member at any given meeting. Teleconferencing for member participation will not be permitted; members must be in attendance to vote. No proxy or absentee voting will be allowed.

D. Standards of Conduct (Ethics Policy). The Regional Transportation Council (RTC) establishes the following Ethics Policy in accordance with Section 472.034 of the Texas Transportation Code. This policy applies to both primary and alternate RTC members, whether elected or non-elected. An RTC member may not:

- accept or solicit any gift, favor, or service that might reasonably tend to influence the member in the discharge of official duties or that the member knows or should know is being offered with the intent to influence the member's official conduct;
- accept other employment or engage in a business or professional activity that the member might reasonably expect would require or induce the member to disclose confidential information acquired by reason of the official position;
- accept other employment or compensation that could reasonably be expected to impair the member's independence of judgment in the performance of the member's official duties;
- make personal investments that could reasonably be expected to create a substantial conflict between the member's private interest and the public interest; or

- intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the member's official powers or performed the member's official duties in favor of another.

A copy of the Ethics Policy will be provided to new RTC members, both primary and alternate, no later than the third business day after the date the person qualifies for membership and the North Central Texas Council of Governments receives notification.

All RTC members must also adhere to Chapter 171 of the Local Government Code and to the Code of Ethics from their respective local governments and public agencies.

The NCTCOG Executive Board has established an Ethics Policy and Standards of Conduct applicable to NCTCOG employees consistent with Section 472.034 of the Texas Transportation Code.

- E. Attendance. Records of attendance of RTC meetings shall be kept and presented monthly as part of the minutes. These records shall be sent to the represented local governments quarterly. Entities with RTC members that have missed at least three consecutive meetings or at least four meetings in the preceding 12 months will be notified and the appointing bodies shall be asked to review the continued service of their representatives. RTC members may record excused absences if it is made known to NCTCOG and it is related to the following: personal illness, family emergency, jury duty, business necessity, or fulfillment of obligation arising out of elected service. An excused absence will not be recorded as an absence. It is the responsibility of the primary members to notify NCTCOG staff and respective alternate members in advance when unable to attend a meeting. The names of the alternate members

should also be provided to NCTCOG. The quarterly attendance notice shall indicate that such notice is standard practice and not indicative of any particular problem.

F. Quorum. At least 50 percent of the appointed members identified in Section 3.A above must be present at meetings for the RTC to take action.

G. Officers. The Regional Transportation Council shall elect a Chair, Vice Chair, and Secretary for a term of one year. Elections shall be held in June of each year. The Chair shall appoint a nominating committee no later than the May meeting of each year for the purpose of bringing before the Council a slate of officers for consideration. The nominating committee, in its deliberations, shall address issues of diversity, including sensitivity to gender, ethnicity, and geography in making its recommendations. Officers shall be elected public officials appointed by and from the governing body of the member government. The Chair shall rotate annually between the Eastern and Western Subregions. In the event that the Chair of the Regional Transportation Council cannot continue to serve at any time during the term of election, the Vice Chair shall automatically become the Chair. If the fulfillment of this term is eight months or less, the Chair is eligible to be reelected. A vacancy in either the office of the Vice Chair or Secretary shall be filled by the Regional Transportation Council in the first meeting of the Council after the vacancy becomes known. In the event that the offices of Chair, Vice Chair, and Secretary all become vacant, new officers shall be elected at the next regularly scheduled meeting of the Regional Transportation Council, with nominations from the floor.

By resolution on August 23, 2007, the North Central Texas Council of Governments Executive Board created an Investment Advisory Committee to guide the development of an investment plan for Regional Toll Revenue funds, also referred to as Revenue Center 5 funds. The

Executive Board shall identify, at a minimum, one officer of the Regional Transportation Council to serve on the Investment Advisory Committee.

- H. Meetings. At least one meeting shall be held annually by the Regional Transportation Council, but the Council shall meet as often as necessary for the purpose of transacting the business at hand. The Chair shall call the meeting and shall designate in the written notice of the meeting the business to be transacted or considered. All members will be able to place items on the agenda.

Written notice of the meeting, accompanied by an Agenda, shall be transmitted to the members and major news media at least 72 hours prior to the meeting and confirmed with members by telephone. The place of meetings shall be designated by the Chair. All meetings shall be held as open meetings as defined in Chapter 551 of the Texas Government Code.

- I. Minutes. Minutes of the meetings shall be kept and shall be submitted to the members of the Council for approval. Meeting minutes from the Surface Transportation Technical Committee will be made available to the RTC for information.
- J. Staff Support. Staff support for the Regional Transportation Council shall be furnished by the staff of the North Central Texas Council of Governments.
- K. Council Functions. Functions of the Regional Transportation Council shall be as follows:
1. Provide direction to the regional transportation planning process.
 2. Certify the coordination, comprehensiveness, and continuity of the regional transportation planning process.
 3. Develop the Unified Planning Work Program, Metropolitan Transportation Plan and related items, and the Transportation Improvement Program in accordance with requirements of federal statutes and regulations.

4. Review the Transportation Improvement Program and Metropolitan Transportation Plan to assure that transportation projects do not reasonably exceed the funding that currently seems likely to be available for each metropolitan subarea.
5. Select and nominate projects for those funding programs authorized by federal law or requested by the State according to the following procedures:

- a. Applicable Program Areas

This policy applies to all of the program areas for which the Regional Transportation Council selects, nominates, or supports projects. These include:

- Transit Section 5307--Urbanized Area Formula Program: These funds are programmed in the Dallas-Fort Worth-Arlington, Denton-Lewisville, and McKinney urbanized areas.
- Surface Transportation Program--Metropolitan Mobility (STP-MM): These funds are programmed in the Dallas-Fort Worth Metropolitan Area Boundary approved by the RTC at the time of funding distribution.
- Congestion Mitigation and Air Quality Improvement Program (CMAQ): These funds are programmed in the Dallas-Fort Worth Nonattainment Area as defined prior to the time of funding distribution.
- Freeway/Toll Road Projects for the Unified Transportation Program (UTP): Projects selected with Metropolitan Corridor funding are programmed through a coordinated effort involving the MPO, and the TxDOT Dallas and Fort Worth Districts. The MPO shall consult with the North Texas Tollway Authority regarding all gas tax projects. Once projects are selected, they are provided to TxDOT Austin for inclusion in the UTP.
- Regional Toll Revenue (RTR) Funds: Toll revenues are funds awarded either up front or over time that result directly from the tolling of a transportation facility.
- Statewide Transportation Enhancement Program (STEP): Projects that are non-roadway in nature and comprise the entire region.

- b. Eastern/Western Subregion Funding Split

To ensure an equitable distribution of funding between the Eastern and Western portions of the Dallas-Fort Worth Area, the RTC applies a funding distribution that fairly credits each subregion within all applicable federal and State laws. In extreme circumstances, it may be necessary to modify the Eastern/Western funding split of one category in order to accommodate federal/State laws of another. When this situation arises, the variation from established policy will be clearly documented and tracked. This policy applies to all funding programs selected and funded by the RTC. The Eastern/Western funding split is calculated and implemented in multiple ways depending upon the funding source, as indicated below:

- (1) Traditional Gas Tax Supported Funding: Distributed based upon population, employment, activity (population and employment equalized), and vehicle miles of travel, for example. This funding split is determined at the beginning of each transportation funding bill cycle. This methodology applies to the following funding sources:

- STP-MM
 - CMAQ
 - Metro Corridor
 - STEP
- (2) Transit Section 5307 Urbanized Area Formula Program Funding: Distributed based on the same formula used by the Federal Transit Administration (FTA) to apportion the funds to the larger urbanized area. This funding split is determined on an annual basis when FTA apportionments are made available.
- (3) Toll Revenue Funding: Distributed based upon the factors enumerated in Texas State law and in accordance with the RTC Near Neighbor and Excess Revenue Policies. The funding split is determined at the time the revenues are received by the RTC directly or by the State on behalf of the RTC.
- c. RTC Procedures for Calls for Projects/Funding Initiatives
- (1) NCTCOG wishes to assist its member governments to the best extent possible assuring fair and equitable treatment for all. NCTCOG has historically provided technical assistance and will continue to do so under this policy. No supplemental information can be submitted or will be accepted after the application deadline. Applicants will be encouraged to submit their applications far enough in advance of the submission deadline to allow NCTCOG to review the material for completeness only. Applications submitted just prior to the deadline may not receive any advance review. NCTCOG staff will be able to provide more assistance to the applicant when the Regional Transportation Council's role is to simply nominate a project. NCTCOG staff must remain neutral when the Regional Transportation Council selects transportation projects.
- (2) When the Regional Transportation Council sends out a Call for Projects, the applicant will have an option to return an "Intent to Submit" response card to NCTCOG. This response card will entitle each applicant that returns this card to receive a reminder notice approximately two weeks in advance of the deadline. This reminder will include a summary of this policy statement reminding applicants that late or incomplete applications will not be accepted.
- (3) The Regional Transportation Council will communicate these policies when a Call for Projects is initiated.
- (4) The Regional Transportation Council will not accept any late applications.
- (5) The Regional Transportation Council will not accept any incomplete applications.
- (6) Consistent deadlines will be established with the standard deadline being on Friday at 5 p.m. NCTCOG must have the submitted application "in hand" at the NCTCOG offices. Postmarked by the published deadline does not constitute an on-time application. Deadlines other than the standard will be communicated in advance to the Regional Transportation Council.

- (7) Questions on project scores are required previous to Regional Transportation Council selection. No appeals on late or incomplete applications will be accepted.
 - (8) While all of the above rules apply to all RTC-sponsored Calls for Projects/Funding Initiatives, additional rules apply when projects are selected using toll revenues.
6. Prioritize corridors identified for improvements in the Metropolitan Transportation Plan for which Corridor Studies shall be performed in accordance with federal regulations.
 7. Review the limits of the Metropolitan Area and make revisions considered appropriate.
 8. Authorize transit planning technical assistance to transit operating agencies at their request.
 9. Encourage federal and state agencies to follow the plans and programs developed by the Regional Transportation Council.
 10. Identify the kinds of consultant projects eligible for federal transportation funding.
 11. County representatives are appointed to represent the transportation needs of the entire county, especially those areas of the county within unincorporated areas, and local governments within each county which are not directly represented on the RTC. It is the responsibility of the county representatives to inform and discuss policies and actions of the RTC with those impacted areas they represent and to communicate the transportation needs of these areas to the RTC.
 12. RTC members representing groups of entities are appointed to represent the transportation needs of all entities within the group. It is the responsibility of the RTC members representing groups to inform and discuss policies and actions of the RTC with elected officials in their impacted areas and to communicate the transportation needs of these areas to the RTC.
 13. Maintain a set of public involvement procedures to optimize public participation and periodically review these procedures for possible enhancements.

TECHNICAL COMMITTEES

Section 4. The following rules shall govern the procedures, membership, and records of the Technical Committees.

A. Technical Committees. The following technical committees shall be the minimum number of committees formed to provide technical advice and review for the transportation planning process.

1. Surface Transportation Technical Committee (STTC)
2. Other technical committees determined by NCTCOG Transportation Director.

B. Membership. Members of the Surface Transportation Technical Committee shall be staff personnel nominated by their respective governments or agencies and shall include at least one member from each jurisdiction and agency directly represented on the Regional Transportation Council. Local governments or agencies wishing to send a “consultant or designee” serving as staff is acceptable. Membership selected by formula will be based on the most recently approved population and employment data from NCTCOG with adjustments performed in June of even-numbered years. Membership and voting on the Surface Transportation Technical Committee shall be provided to local governments and public agencies and shall be represented by the following formulas:

- Dallas and Tarrant Counties shall each have two representatives.
- Each perimeter county in the Metropolitan Area with combined population and employment of 10,000 or more (in the portion of the county within the Metropolitan Area Boundary) shall have one representative.
- Each city within the Metropolitan Area with a combined population and employment greater than 1,500,000 shall have five representatives.
- Each city within the Metropolitan Area with a combined population and employment greater than 1,000,000 and less than or equal to 1,500,000 shall have four representatives.

- Each city within the Metropolitan Area with a combined population and employment greater than 500,000 and less than or equal to 1,000,000 shall have three representatives.
- Each city within the Metropolitan Area with a combined population and employment greater than 200,000 and less than or equal to 500,000 shall have two representatives.
- Each city within the Metropolitan Area with a combined population and employment greater than 40,000 and less than or equal to 200,000 shall have one representative.
- The following planning agencies will be represented as listed:

TxDOT Fort Worth District	2
TxDOT Dallas District	2
TxDOT Paris District	1
TxDOT Regional Planning Office	1
TxDOT TP&P (Austin)	1
Dallas Area Rapid Transit	2
Fort Worth Transportation Authority	2
Denton County Transportation Authority	1
North Texas Tollway Authority	2
Texas Commission on Environmental Quality ¹ (non-voting)	
Dallas/Fort Worth International Airport	1

Each city with an RTC primary member representing multiple local governments and not having a Surface Transportation Technical Committee member by the above representation will also be provided one member.

Representatives from other local governments, the Federal Highway Administration, Federal Transit Administration, and U.S. Environmental Protection Agency are welcome to attend the meetings.

Members of other Technical Committees are selected on an as-needed basis and shall be approved by the Executive Board of the North Central Texas Council of Governments.

C. Standards of Conduct (Ethics Policy).

The Regional Transportation Council (RTC) establishes the following Ethics Policy in accordance with Section 472.034 of the Texas Transportation Code. This policy applies to all Technical Committee members, whether local government representatives, consultants or designees. A Technical Committee member may not:

- accept or solicit a gift, favor, or service that might reasonably tend to influence the member in the discharge of official duties or that the member knows or should know is being offered with the intent to influence the member's official conduct;
- accept other employment or engage in a business or professional activity that the member might reasonably expect would require or induce the member to disclose confidential information acquired by reason of the official position;
- accept other employment or compensation that could reasonably be expected to impair the member's independence of judgment in the performance of the member's official duties;
- make personal investments that could reasonably be expected to create a substantial conflict between the member's private interest and the public interest; or

- intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the member's official powers or performed the member's official duties in favor of another.

A copy of the Ethics Policy will be provided to new Technical Committee members no later than the third business day after the date the person qualifies for membership and the North Central Texas Council of Governments receives notification.

Technical Committee members must also adhere to Chapter 171 of the Local Government Code and to the Code of Ethics from their respective local governments and public agencies.

D. Attendance. Records of attendance at Surface Transportation Technical Committee meetings shall be kept and presented monthly as part of the minutes. These records shall be sent to the represented local governments quarterly. Entities with STTC members that have missed at least three consecutive meetings or at least four meetings in the preceding 12 months will be notified and the appointing bodies shall be asked to review the continued service of their representatives. STTC members may record an excused absence if it is made known to NCTCOG and it is related to the following: personal illness, family emergency, jury duty, or business necessity. An excused absence will not be recorded as an absence. The quarterly attendance notice shall indicate that such notice is standard practice and not indicative of any particular problem.

E. Quorum. The Technical Committee approved membership in attendance at a meeting shall constitute a quorum for action to be taken.

- F. Officers. A Chair, Vice Chair, and a Secretary for the Surface Transportation Technical Committee shall be designated by the Executive Board of the North Central Texas Council of Governments for a term of one year, beginning in June of each year. Officers for other technical committees will be approved by the Executive Board as well.
- G. Meetings. Meetings of the Technical Committees shall be held as necessary to review and advise on matters referred to them. The Chair shall call such meetings as necessary and shall notify all Committee members.
- H. Minutes. Minutes of all meetings shall be kept and submitted to the membership of the Committee for approval. Minutes will also be made available to the RTC. The Regional Transportation Council will be kept apprised of Surface Transportation Technical Committee attendance by agency.
- I. Staff Support. Staff support for the Surface Transportation Technical Committee shall be furnished by the North Central Texas Council of Governments.
- J. Committee Functions. The functions of the Technical Committees shall be to review and comment on all matters referred to them by either the Regional Transportation Council, their respective Technical Committee Chairs, or the NCTCOG Transportation Director. The Surface Transportation Technical Committee shall advise the North Central Texas Council of Governments on projects submitted for review as part of the Texas Review and Comment System. Comments will be provided as information to the RTC.

INTENT

Section 5. These Bylaws and Operating Procedures are intended to provide rules and procedures to assure the orderly function of the regional transportation planning process in North Central Texas. The Bylaws and Operating Procedures should be reviewed for possible revisions following receipt of the Census and five years later, at a minimum.

ADOPTION

Section 6. These Bylaws and Operating Procedures shall be in full force and effect at such time as they have been approved by two-thirds vote of the Regional Transportation Council at a meeting at which a quorum, as defined herein, is present.

REVISION

Section 7. These Bylaws and Operating Procedures may be revised by approval of two-thirds of the members of the Regional Transportation Council at a meeting at which a quorum, as defined herein, is present. Changes in the Bylaws must be presented at one regularly scheduled meeting and voted on at a following regularly scheduled meeting. No Bylaw change shall be made that has not been presented at a previous meeting. The Chair shall vote on Bylaw changes.