

# BYLAWS AND PROCEDURES OF THE WHATCOM METROPOLITAN PLANNING AREA TRANSPORTATION PLANNING PROCESS

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## **PREAMBLE**

The following constitutes the bylaws, procedures and responsibilities which shall serve to establish, organize and guide the proper functioning of the Whatcom Metropolitan Planning Area Transportation Planning Process. The intent is to provide for a combined metropolitan planning organization and regional transportation planning organization which will be responsible for fulfilling the applicable requirements of the Federal Aid Highway Act of 1962, as amended; the Urban Mass Transportation Act of 1964, as amended; the Washington State Growth Management Act of 1990, as amended; the Intermodal Surface Transportation Efficiency Act of 1991, and; subsequent state and federal laws setting forth requirements for transportation planning for all modes of travel. This planning task will be accomplished within a cooperative framework properly related to comprehensive planning on a continual basis. This cooperative, comprehensive and continuing approach is commonly known as the “3-C Planning Process.” Furthermore, this organization shall carry out any other transportation planning and programming functions as set forth in any agreements entered into between the Whatcom Council of Governments and the Washington State Department of Transportation, the United States Department of Transportation, other pertinent agencies, or in such manner as events shall dictate.

### **Section 1.0: Process Name and Organization Name**

- A.** The name for the ongoing transportation planning process shall be the Whatcom Metropolitan Planning Area Transportation Planning Process (“the Planning Process”).
- B.** The name of the organization conducting the Planning Process is the Whatcom Council of Governments.

### **Section 2.0: Organizational Structure**

- A.** The Whatcom Transportation Policy Board (“the Board”), a committee of the Whatcom Council of Governments, shall oversee and guide the Planning Process. The Board shall be assisted in conducting the Planning Process by two (2) standing advisory groups, those being the Transportation Technical Advisory Group and the Citizens’ Transportation Advisory Group (together, “the advisory groups”). Additional advisory groups may be established by the Board as deemed necessary and appropriate.

### **Section 3.0: General Policies**

- A.** These general policies shall apply to the Board and the advisory groups in the conduct of the Planning Process.
- B.** All reports, programs and plans shall be reviewed by the Transportation Technical Advisory Group and the Citizens’ Transportation Advisory Group. The Transportation Technical Advisory Group and Citizens’ Transportation Advisory Group shall be afforded

sufficient time to comment on drafts prior to action by the Whatcom Transportation Policy Board. Reports, programs and plans become official documents following adoption by resolution of the Whatcom Transportation Policy Board.

C. The Board and the advisory groups shall proceed with their respective responsibilities and duties with proper consideration at all times for all modes of transportation and associated facilities.

D. All studies undertaken in the Planning Process shall be coordinated with individual modal planning programs and with comprehensive planning efforts in the Metropolitan Planning Area.

E. Transportation planning activities shall be used to promote efficient urban development. Reasonable forecasts of land use and economic conditions shall guide these activities.

F. All published data and/or reports shall be made available to the general public and other agencies in a digital format. Fulfillment of requests for paper copies of documents shall be subject to duplication costs.

#### **Section 4.0: Amendment of Bylaws**

A. Any section contained herein may be amended at any meeting of the Whatcom Council of Governments provided such proposed amendment is delivered to the voting members of the Board at least seven (7) days prior to the meeting at which the amendment is to be considered. Such notice shall set out the exact form of the proposed amendment(s). A proposed amendment shall be adopted if it receives the affirmative vote of a majority of at least a quorum of the voting members present. *(Amended January 21, 2015)*

B. These rules may be revised, updated or amended as circumstances dictate.

### **WHATCOM TRANSPORTATION POLICY BOARD BYLAWS**

#### **Section 5.0: Purpose**

A. The Whatcom Transportation Policy Board is the federally-recognized metropolitan planning organization for the Whatcom Metropolitan Planning Area and the state-designated regional transportation planning organization for Whatcom County. As such it serves as the decision-making body for the Whatcom Metropolitan Planning Area Transportation Planning Process.

#### **Section 5.1: Responsibilities**

A. To provide policy guidance for, and oversight of, the Planning Process.

**B.** To review and approve all plans and programs developed as part of the Planning Process, including the combined metropolitan and regional transportation plan (“Whatcom Transportation Plan”).

**C.** To take official action on recommendations from the subcommittees and other matters pertaining to furthering the Planning Process.

**D.** To adopt transportation strategies, goals and objectives to guide the Planning Process.

**E.** To adopt and maintain a Transportation Improvement Program in accordance with Washington State and Federal guidelines.

**F.** To establish the boundary of the Metropolitan Planning Area in consultation with the Governor of Washington.

**G.** To modify the membership of the Board and the advisory groups as deemed necessary.

**H.** To ensure that citizen participation is achieved in the Planning Process.

**I.** Other responsibilities as required by State or Federal law.

## **Section 5.2: Membership**

### **A. Whatcom Transportation Policy Board – Voting Members**

1. County Executive, Whatcom County
2. Council Member, Whatcom County Council
3. Mayor, City of Bellingham
4. Council Member, Bellingham City Council
5. Mayor or Council Member, City of Blaine
6. Mayor or Council Member, City of Everson
7. Mayor or Council Member, City of Ferndale
8. Mayor or Council Member, City of Lynden
9. Mayor or Council Member, City of Nooksack
10. Mayor or Council Member, City of Sumas
11. Chairperson or Official appointed by the Lummi Indian Business Council
12. Chairperson or Official appointed by the Nooksack Tribal Council
13. Commissioner, Port of Bellingham
14. Board Member, Whatcom Transportation Authority
15. Washington State Secretary of Transportation, or his/her designee.

**B. Whatcom Transportation Policy Board – Non-Voting Members**

1. State Senators representing any portion of Whatcom County
2. State Representatives representing any portion of Whatcom County
3. Executive Director, Whatcom Council of Governments
4. President or his/her designee, Bellingham Technical College
5. President or his/her designee, Western Washington University
6. President or his/her designee, Whatcom Community College
7. Representative, Transportation Technical Advisory Group
8. Chairperson, Citizens' Transportation Advisory Group
9. Chairperson, Northwest Economic Council
10. Other non-voting members as deemed appropriate by the Board.

**C.** Voting and non-voting members of the Board shall serve terms of not less than one (1) calendar year unless the appointing entity is replacing its voting member, in which case the appointing entity may designate a replacement to serve the remainder of the former voting member's term, even if there is less than one (1) year remaining on it.

**D.** The appointing entity shall notify the Secretary of the Board, in writing, of the persons appointed to serve as that entity's voting and non-voting members of the Board. Said notification shall be made in January of each calendar year.

**E.** No voting member shall simultaneously represent more than one (1) member entity on the Board.

**F.** Each appointing entity may also appoint one (1) alternate voting member to the Board to represent that entity in the absence of the regular voting member. With the exception of the alternates for the Washington State Secretary of Transportation, the Lummi Indian Business Council and the Nooksack Tribal Council, alternate voting members shall be elected officials from the same appointing entity as the regular voting member. The chief elected or administrative official of the appointing entity shall notify the Secretary of the Board, in writing, not less than one (1) hour before the scheduled call to order of the Board meeting in question to inform him/her that the alternate member will attend in place of the regular voting member. Electronic mail may be used for said notification.

**Section 5.3: Officers**

**A.** The officers of the Whatcom Transportation Policy Board except the Secretary shall be appointed by the Board of the Whatcom Council of Governments and shall be elected public officials.

**B.** The First Vice-Chairperson shall act as chair in the Chairperson's absence or in case of the Chairperson's vacating his/her elected office.

**C.** The Second Vice-Chairperson shall act as chair in the absence of the Chairperson and First Vice-Chairperson.

**D.** The Executive Director of the Whatcom Council of Governments shall serve as Secretary of the Board. He/she shall ensure that legally-sufficient public notice is provided for all meetings of the Whatcom Transportation Policy Board and that minutes of the proceedings are taken and maintained in accordance with all applicable laws of the State of Washington and the United States of America. The Secretary shall not be entitled to vote on any matter before the Board, nor may he/she act as chair at any meeting of the Board.

**E.** In the absence of the Chairperson, First Vice-Chairperson and Second Vice-Chairperson at a regularly-scheduled or special meeting, the voting members present shall designate by consensus a voting member to act as chair for the duration of that meeting.

*(Amended January 18, 2017)*

#### **Section 5.4: Meetings**

**A.** The rules of order contained herein shall govern deliberations and meetings of the Whatcom Transportation Policy Board. Any point of order applicable to the deliberations of the Board and not contained herein shall be governed by Roberts Rules of Order.

**B.** The Whatcom Transportation Policy Board shall meet at least two (2) times per calendar year, on a schedule determined and adopted no later than December of the prior calendar year.

**C.** Special meetings may be called when deemed necessary by the Chairperson or by a majority of the voting members of the Board. When providing notification for a special meeting, at least five (5) days' written notice shall be provided describing the time, location and subject of the meeting. The five (5) days' notice may be waived if the Chairperson and one other voting member concurs, but shall be in accordance with the provisions of the Revised Code of Washington (RCW) 42.30.080, as amended.

**D.** A quorum shall consist of seven (7) voting members present, including duly-appointed alternates. No action shall be taken by the Whatcom Transportation Policy Board without a quorum. If a quorum is not present at a regular or special meeting, the Chairperson or acting chairperson may call for the meeting to be postponed, which shall occur if there is consensus to do so among the voting members present.

**E.** Voting shall be by voice vote. When requested by any voting member, voting shall be by roll call. In the event of a tie vote, the motion before the Whatcom Transportation Policy Board shall fail.

**F.** All meetings of the Whatcom Transportation Policy Board shall be open to the general public per the RCW 42.30 *et seq.*

**G.** At the discretion of the Chairperson, in consultation with the Secretary, a regularly scheduled meeting may be canceled. Notification of the cancellation shall be made at least five (5) days prior to the date of the scheduled meeting. The five (5) days' notice may be waived if two (2) additional voting members concur.

**H.** The Chairperson or acting chairperson shall not be deprived of any of the rights and privileges of a voting member by reason of his/her acting as the presiding officer.

### **Section 5.5: Business**

**A.** Meeting agendas shall contain, but not be limited to, the following items of business, in an order determined by the Secretary.

1. Call to order by Chairperson
2. Public comment
3. Approval of the agenda
4. Approval of minutes of previous meeting
5. Old business
6. New business
7. Good of the order
8. Adjournment.

## **TRANSPORTATION TECHNICAL ADVISORY GROUP BYLAWS**

### **Section 6.0: Purpose**

**A.** The purpose of the Transportation Technical Advisory Group is to provide the Whatcom Transportation Policy Board with technical support and to inform the Board about the linkage between planning and implementation.

### **Section 6.1: Responsibilities**

**A.** To recommend technical methods, procedures and standards to the Board to further the Planning Process.

**B.** To help coordinate the work of operating departments and agencies participating in the Planning Process.

**C.** To advise the Board on best practices in transportation planning.

**D.** To provide comments and make recommendations on draft reports, including but not limited to the Whatcom Transportation Plan, the Unified Planning Work Program, the Transportation Improvement Program, and other plans and reports.

### **Section 6.2: Membership**

**A.** The following entities shall be represented on the Transportation Technical Advisory Group:

1. City of Bellingham
2. City of Blaine
3. City of Everson
4. City of Ferndale
5. Lummi Nation
6. City of Lynden
7. City of Nooksack
8. Nooksack Indian Tribe
9. Port of Bellingham
10. City of Sumas
11. Washington State Department of Transportation
12. Whatcom County
13. Whatcom Transportation Authority.

**B.** The chief elected or administrative official of each of the eight (8) local governments, the two (2) tribal governments and the three (3) other entities represented on the Whatcom Transportation Policy Board shall designate in writing to the Secretary of the Board one (1) person to serve as that entity's voting representative in meetings of the Transportation Technical Advisory Group. One (1) or more alternates may also be designated. In such case where the designated voting representative is absent and more than one (1) designated alternate is in attendance at a meeting, the alternate named first in the aforementioned written communication from the member entity shall be recognized as the sole voting representative for that entity at that meeting.

### **Section 6.3: Meetings**

**A.** The rules of order contained herein shall govern deliberations of the Transportation Technical Advisory Group.

**B.** Meetings of the Transportation Technical Advisory Group shall be held monthly or on a schedule approved by the Board.

**C.** The Secretary of the Board may call a special meeting of the Transportation Technical Advisory Group if he/she determines that such a meeting is necessary.



**D.** A quorum shall consist of five (5) voting representatives of the Transportation Technical Advisory Group, including duly-appointed alternates.

**E.** The Secretary of the Board or his/her designee shall record in the summary of that meeting the voting representatives or their alternates present and voting.

**F.** At the discretion of the Secretary of the Board, a regularly-scheduled meeting of the Transportation Technical Advisory Group may be canceled. Notification of the cancellation shall be made no less than one (1) day prior to the originally-scheduled meeting date.

*(Amended January 18, 2017)*

## **CITIZENS' TRANSPORTATION ADVISORY GROUP BYLAWS**

### **Section 7.0: Purpose**

The Citizens' Transportation Advisory Group facilitates ongoing citizen participation in support of the Whatcom Metropolitan Planning Area Transportation Planning Process. It also serves as the Citizens' Advisory Panel for the Whatcom Transportation Authority. Elected officials representing any portion of Whatcom County, or their staff members, as well as employees of any entity with membership in the Whatcom Transportation Policy Board, may not serve on the Citizens' Transportation Advisory Group.

### **Section 7.1: Responsibilities**

The Citizens' Transportation Advisory Group shall have the following responsibilities:

**A.** To review and respond to plans prepared as part of the Planning Process, including the Whatcom Transportation Plan.

**B.** To relay to the Whatcom Transportation Policy Board perspectives on local and regional transportation issues by residents of the Whatcom Metropolitan Planning Area.

**C.** To offer ideas, identify needs and otherwise contribute to the Planning Process.

**D.** Other duties as assigned by the Whatcom Transportation Policy Board.

### **Section 7.2: Membership**

**A.** Members of the Citizens' Transportation Advisory Group shall be appointed as follows:

1. Three (3) members from unincorporated areas of Whatcom County, appointed by Whatcom County
2. Three (3) members from the City of Bellingham

3. One (1) member from each of Whatcom County's six (6) other incorporated cities
4. One (1) member each from the Lummi Nation and Nooksack Tribe
5. One (1) member from the staff of a college or university located in Whatcom County, recommended by the President of the respective institution and appointed by the Whatcom Transportation Policy Board
6. One (1) member from the student body of a college or university located in Whatcom County and who lives in Whatcom County during the academic year, recommended by the student government organization of the respective institution and appointed by the Whatcom Transportation Policy Board
7. One (1) member with a disability that impedes his/her ability to operate a motor vehicle and who resides in Whatcom County, appointed by the Whatcom Transportation Policy Board
8. One (1) member who is no less than seventy (70) years of age and who resides in Whatcom County, appointed by the Whatcom Transportation Policy Board
9. One (1) member from the student body of a high school located in Whatcom County who is at least seventeen (17) years of age, recommended by the Principal of the respective school and appointed by the Whatcom Transportation Policy Board
10. Additional members appointed by the Whatcom Transportation Policy Board.

*(Amended January 21, 2015)*

**B.** All voting members shall reside within the respective jurisdictions for which they were appointed to represent.

**C.** The duration of the terms of the members shall be at the pleasure of the appointing official or entity, but shall not be less than one (1) year unless the appointment is to replace that entity's voting member, in which case the appointing official or entity may designate a replacement to serve the remainder of the former voting member's term, even if there is less than one (1) year remaining on it.

**D.** Professional staff of the member entities of the Board may attend meetings of the Citizens' Transportation Advisory Group as technical advisors.

### **Section 7.3: Officers**

**A.** A Chairperson and Vice-Chairperson shall be elected by a majority of the Citizens' Transportation Advisory Group's voting members at the first regularly-scheduled meeting of each year at which there is a quorum.

**B.** The Executive Director of the Whatcom Council of Governments or his/her designee shall serve as Secretary of the Citizens' Transportation Advisory Group.

#### **Section 7.4: Meetings**

**A.** Meetings of the Citizens' Transportation Advisory Group shall be scheduled approximately one (1) week prior to all regularly-scheduled meetings of the Whatcom Transportation Policy Board.

**B.** Meetings shall follow a printed agenda.

**C.** A quorum shall consist of five (5) voting members.

**D.** At the discretion of the Secretary of the Citizens' Transportation Advisory Group, a regularly scheduled meeting may be canceled. Notification of the cancellation shall be made no less than two (2) hours prior to the announced start time of the scheduled meeting.

#### **Section 7.5: Special Events**

**A.** In consultation with the Secretary, the Citizens' Transportation Advisory Group may hold special events to engage the public in the Planning Process.

**B.** The Citizens' Transportation Advisory Group may seek outside funding to implement a special event. The Secretary of the Citizens' Transportation Advisory Group shall determine if funds received are appropriate for use by the committee in conducting the special event. If it is determined that said funds are not appropriate, they shall be returned to the donor.