



METROPOLITAN **P**LANNING **O**RGANIZATION

LAS CRUCES DOÑA ANA COUNTY MESILLA

**Committee Bylaws and
Operating Procedures**

Table of Contents

<i>Introduction</i> _____	3
<i>Policy Committee</i> _____	3
Authority _____	3
Membership _____	3
Meetings _____	4
Staffing _____	5
<i>Technical Advisory Committee</i> _____	6
Committee _____	6
Responsibilities _____	6
Membership _____	6
Meetings _____	7
<i>Bicycle and Pedestrian Facilities Advisory Committee</i> _____	8
Organization _____	8
Responsibilities _____	8
Membership _____	8
Meetings _____	9

Introduction

The Las Cruces Metropolitan Planning Organization (MPO) is established by a Joint Powers Agreement between the participating members and by designation of the Governor of the State of New Mexico and contracts between the City of Las Cruces and New Mexico Department of Transportation. The MPO's purpose is to carry out the Urban Transportation Planning Process as defined within the provisions of U.S.C. 23 Section 450.

The contracts and Joint Powers Agreement establish a number of operational and procedural requirements for the MPO, however other issues are not formally addressed. The purpose of these Bylaws and Operating Procedures is to establish guidance on those other issues.

Policy Committee

I. Authority:

The Policy Committee has authority granted under the current Joint Powers Agreement, applicable to contracts and State and Federal laws and regulations, including but not limited to 23 CFR Section 450.

II. Membership (amended by Res. 92-011):

The Policy Committee is made up of nine (9) voting members. Doña Ana County, Town of Mesilla and City of Las Cruces are all responsible for appointing three (3) of their elected governing officials to the Policy Committee. Each Policy Committee member or their designated representative has one vote. Any member of the Policy Committee may only be represented by another member of their governing body. If a Policy Committee member is to be absent, a member of their governing body may substitute that particular meeting. If a Policy Committee member is absent for more than two consecutive meetings, then the MPO Officer may petition the absent member's governing

body chair for a new appointment to the Policy Committee of the MPO.

A. Officers

The officers of the Policy Committee shall consist of a Chair, Vice Chair and a Secretary.

1. Chair

The Chair shall be chosen from among the members of the Policy Committee at its first meeting in January of each year. The duties of the Chair shall be to preside at all meetings of the Policy Committee and to attend the Technical Advisory Committee (TAC) Meetings as an Ex-Officio Member of the TAC.

2. Vice Chair

The Vice Chair shall be chosen from among the members of the Policy Committee at its first meeting in January and shall be responsible for presiding at the meetings in the absence of the Chair.

3. Secretary

The MPO Officer or designee shall be the secretary and shall have the responsibility for maintaining accurate records of all Policy Committee meetings, preparing agendas and such other duties as may be designated from time to time by the MPO Policy Committee.

4. Vacancy of Office

If an officer described in paragraphs one and two of this section resigns, the remaining Policy Committee members shall elect a replacement officer at the next regularly scheduled meeting.

B. Removal Procedure

1. Attendance is required at all Policy Committee meetings. If a Policy Committee member fails to attend seventy-five (75) percent of the Policy Committee meetings in a twelve-month calendar period, his membership may be terminated.
2. If a Policy Committee member shall vacate the office by nonattendance, the Chair of the Policy Committee shall notify the MPO Policy Committee in writing of the same. A replacement member shall then be appointed. In the event that the Policy Committee member who has been absent from official meetings, sufficient to qualify for removal, is the Chair of the Policy Committee, the Vice Chair shall conduct the removal process. If the Vice Chair is unable to participate, another Policy Committee member shall conduct the removal process. In the event of a dispute concerning the abandonment or vacation of a Policy Committee member, the Policy Committee member affected may petition the MPO Policy Committee to be allowed an opportunity to show cause why he should not be removed from office.
3. The MPO Policy Committee may remove any Policy Committee member by the affirmative vote of five (5) members upon the grounds of malfeasance or nonfeasance of office.

C. Replacement Procedure

The designated appointing entities shall make any and all replacement appointments to the Policy Committee. All replacement

appointments made shall be provided to the MPO Officer in a timely manner.

III. Meetings:

All meetings held shall be in compliance with the Open Meetings Act (NMSA 10-15-1 - 10-15-4) and the yearly MPO's Open Meeting Resolution.

Written notice of meetings (agendas) and supporting documentation shall be provided to the Policy Committee members on the following schedule:

Regular Meetings - one (1) week notice

Special Meetings - four (4) day notice

Emergency Meetings - four (4) hours prior to the meeting

- A. Regular Meetings shall be held at least every other month: January, March, May, July, September and November in any year. The meetings will be scheduled each year by the Policy Committee at its January meeting. Any item of business may be acted on at these meetings.
- B. Special Meetings shall be held on an as needed basis. Special Meetings may be scheduled by the Chair or a majority of the members of the Policy Committee.
- C. Emergency Meetings shall only be held when there is an issue that cannot be considered at a Special Meeting due to time constraints. Concurrence of a majority of the members of the Policy Committee is necessary to hold an Emergency Meeting.
- D. At the January meeting, the Policy Committee shall consider the following items in addition to any other business:
 1. Election of Officers
 2. Adoption of Open Meeting

Resolution

E. Quorum (amended by Res. 91-002 and 98-002):

A quorum of the Policy Committee shall consist of a majority of the members and shall consist of at least one member from each governing entity. No action shall be taken without a quorum of the Policy Committee in attendance at that meeting. Any actions of the Policy Committee require a majority of those members in attendance to be approved.

F. Voting Procedure

1. The methods of taking a vote are by a "show of hands", by "raising the right hand", by rising, by ballot, or by roll call ("yeas or nays").
2. The responsibility of announcing the vote rests upon the Chair, and therefore has the right to have the vote taken again, by rising and having the vote counted, if necessary.
3. Telephonic vote shall be allowed when the quorum is not present at any Policy Committee meeting. Telephonic vote shall be enacted only to approve actions that have a deadline prior to the next regular meeting and, postponement of actions will have adverse financial or other consequences for the Las Cruces Metropolitan Planning Organization.

Telephonic vote shall be enacted on the request of any present Policy Committee Member with the approval of the majority of the present members. Only one Policy Committee Member shall vote telephonically at any

allowable meeting. A Policy Committee Member shall be eligible to vote telephonically in a meeting, only when he/she had indicated that he/she would be present at that meeting, prior to the meeting, and could not do so for reasons beyond his/her control.

Telephonic vote shall not be conflict with the codes and regulations of the entity that is represented by the Policy Committee Member. The telephonic action shall be in accordance with the New Mexico Open Meeting Act (5661 NMSA 10-15-1).

IV. Staffing (amended by Resolution 95-004):

The MPO Officer shall be the primary staff person for the Policy Committee, and be responsible for direction of all administrative and operational functions of the MPO, including supervision of other MPO staff members.

The City of Las Cruces as the administrative agent of the MPO shall designate the MPO Officer.

The MPO Officer shall be responsible for transmitting notice of all official actions taken by the MPO to its constituent members and the New Mexico State Highway and Transportation Department.

The MPO Officer shall be responsible for reporting (in written form) the activities of the MPO to the Policy Committee and the New Mexico State Highway and Transportation Department on a quarterly basis.

Technical Advisory Committee

I. Committee:

The name of this committee shall be the Technical Advisory Committee (TAC) of the Las Cruces Metropolitan Planning Organization.

II. Responsibilities (amended by Res. 91-005):

The Technical Advisory Committee is established by the Las Cruces Metropolitan Planning Organization and shall be responsible for providing technical review of all transportation plans within the urban area and input to the MPO Policy Committee on issues directed to it by its membership, the Policy Committee or the MPO Officer. Other responsibilities shall include those as may be designated from time to time by the MPO Policy Committee.

The MPO Officer shall present the proposed Transportation Improvement Program (TIP) projects to the Technical Advisory Committee for review and evaluation. The MPO Staff will rate the projects and make a recommendation to the TAC. The MPO Officer, at the direction of the TAC, will submit the projects to the appropriate governing body for their review concurrence/recommendation. A negative response from the governing body will be a veto with the proviso that if the veto process is contrary to any State or Federal statutory requirement, the process will be preempted by said State or Federal requirement and the project will continue to be considered for implementation.

The governing body will return the project or list of projects to the MPO Officer. The MPO Officer will submit the projects to the TAC. The TAC will make a final recommendation and direct the MPO to submit the projects to the Policy Committee. The MPO Officer will then submit the final list of projects to the

Policy Committee for final approval.

III. Membership:

Membership in the Technical Advisory Committee shall be governed by the Policy Committee of the Metropolitan Planning Organization.

A. Voting Members

Members of the TAC shall include:

two (2) representatives appointed by the City of Las Cruces,

two (2) representatives appointed by the Town of Mesilla,

two (2) representatives appointed by Doña Ana County,

one (1) representative designated by New Mexico State University,

one (1) representative designated by Bureau of Land Management,

one (1) representative designated by RoadRunner Transit,

one (1) representative designated by Dona Ana County Flood Commission,

one (1) representative designated by Elephant Butte Irrigation District, and

one (1) representative designated by the New Mexico Department of Transportation.

B. Alternate Member

Each representative from an agency or board may appoint an alternate to the TAC to serve when the appointed member cannot attend. The agency or board shall submit a letter to the MPO Officer designating the alternate member.

C. Membership Appointment

The MPO Policy Committee, at any time it deems necessary, may appoint a new voting member to the TAC.

D. Officers

The officers of the Technical Advisory Committee shall consist of a Chair, Vice Chair and a Secretary.

1. Chair

The Chair shall be chosen from among the members of the Technical Advisory Committee at its first meeting in January of each year. The Chair shall be responsible for presiding at all meetings.

2. Vice Chair

The Vice Chair shall be chosen from among the members of the Technical Advisory Committee at its first meeting in January and shall be responsible for presiding at the meetings in the absence of the Chair.

3. Secretary

The MPO Officer or designee shall be the secretary and shall have the responsibility for maintaining accurate records of all Technical Advisory Committee meetings, preparing agendas and such other duties as may be designated from time to time by the Technical Advisory Committee with consent from the MPO Policy Committee.

4. Vacancy of Office

If an officer described in paragraphs one and two of this section resigns, the remaining TAC members shall elect a replacement officer at the next regularly scheduled meeting.

E. Removal Procedure

1. Attendance is required at all TAC meetings. If a TAC member fails to attend seventy-five (75) percent of the TAC meetings in a twelve-month calendar period, his membership may be

terminated.

2. If a TAC member shall vacate the office by nonattendance, the Chair of the TAC shall notify the MPO Policy Committee in writing of the same. A replacement member shall then be appointed. In the event that the TAC member who has been absent from official meetings, sufficient to qualify for removal, is the Chair of the TAC, the Vice Chair shall conduct the removal process. If the Vice Chair is unable to participate, another TAC member shall conduct the removal process. In the event of a dispute concerning the abandonment or vacation of a TAC member, the TAC member affected may petition the MPO Policy Committee to be allowed an opportunity to show cause why he/she should not be removed from office.
3. The MPO Policy Committee may remove any TAC member by the affirmative vote of five (5) members upon the grounds of malfeasance or nonfeasance of office.

F. Replacement Procedure

The designated appointing entities shall make any and all replacement appointments to the TAC. All replacement appointments made shall be provided to the MPO Officer in a timely manner.

IV. Meetings:

Meetings shall be pursuant to due notice as established by and required under the New Mexico Open Meetings Act and the Open Meetings Resolution adopted annually by the Las Cruces Metropolitan Planning Organization. Meetings shall be held from time to time on an as needed basis and may be called by the Chair or

the MPO Officer.

A. Quorum

A quorum of the Technical Advisory Committee shall consist of a majority (seven) of the voting members. No action shall be taken without a quorum of the TAC in attendance at that meeting. Any actions of the TAC require a majority of voting members in attendance to be approved.

B. Voting Procedure

1. The methods of taking a vote are by a "show of hands", by "raising the right hand", by rising, by ballot, or by roll call ("yeas or nays").
2. The responsibility of announcing the vote rests upon the Chair, and therefore has the right to have the vote taken again, by rising and having the vote counted, if necessary.
3. Any vote that results in a tie shall be considered a failed action item.

Bicycle and Pedestrian Facilities Advisory Committee

I. Organization:

The name of the organization shall be the Bicycle and Pedestrian Facilities Advisory Committee (Committee) of the Las Cruces Metropolitan Planning Organization (MPO).

II. Responsibilities

The Committee is established by the MPO Policy Committee and shall be responsible for providing technical review and policy recommendations for the planning, design, and implementation of bicycle and pedestrian facilities for the purposes of transportation. The Committee shall also provide recommendations for the encouragement and education of the public regarding bicycle and pedestrian routes, safety, and other issues.

III. Membership

Membership shall be governed by the MPO Policy Committee.

A. Voting Members

Members of the Committee number eleven (11) and include:

two (2) Bicycling Community representatives,

one (1) Pedestrian Community representative,

one (1) City of Las Cruces citizen representative,

one (1) Doña Ana County citizen representative,

one (1) Town of Mesilla citizen representative,

one (1) City of Las Cruces staff representative,

one (1) Doña Ana County staff representative,

one (1) Town of Mesilla staff

representative,

one (1) New Mexico State University staff representative,

one (1) New Mexico Department of Transportation staff representative.

1. Alternate Member

Each representative from a represented entity may appoint an alternate to the Committee to serve when the appointed member cannot attend. The representative of the entity shall submit a letter to the MPO Officer designating the alternate member.

B. Membership Appointments

All non-staff appointments shall be citizens residing within each respective jurisdiction. The MPO Policy Committee shall make all citizen appointments. All staff appointments shall be made by the respective department heads of Community Development (Planning) or Public Works within each jurisdiction.

C. Officers

The officers of the Committee shall consist of a Chair, Vice Chair and a Secretary. The Committee officers will serve one year in that capacity and can be re-elected by Committee members. Elections will be held at the first meeting of each new calendar year.

1. Chair

The Chair shall be chosen from among the members of the Committee at its first meeting of each new calendar year of each year. The Chair shall be responsible for presiding at all meetings.

2. Vice Chair

The Vice Chair shall also be selected from among the members of the Committee at the first meeting of each new calendar year and shall be responsible for presiding at the meetings in the absence of the Chair.

3. Secretary

The MPO Officer, or the MPO Officer's designated staff person, shall be the secretary and have the responsibility for maintaining accurate records of all Committee meetings, preparing agendas and such other duties as may be directed by and needed for the Committee, with consent of the MPO Policy Committee.

4. Vacancy of Office

If an officer described in paragraphs one and two of this section resigns, the remaining Committee members shall elect a replacement officer at the next regularly scheduled meeting.

IV. Meetings

Regular meetings shall be held at least every other month: February, April, June, August, October, and December in any given year. Notice of time, date, location of each regular or special meeting will be accordance with the New Mexico Open Meetings Act and the Open Meetings Resolution adopted annually by the MPO. A special meeting may be determined and called for by the MPO Officer.

A. Quorum

A quorum of the committee shall consist of a majority six (6) of the eleven (11) voting members. No action shall be taken without a quorum of the Committee in attendance at any meeting. Any and all actions of the Committee require

a majority of voting members in attendance to be approved.

B. Removal Procedure

1. Attendance is required at all Committee meetings. If a Committee member fails to attend seventy-five (75) percent of the regularly scheduled Committee meetings in a twelve-month period, his or her membership may be terminated.
2. If a Committee member shall vacate the office by nonattendance, the Chair of the Committee shall notify the MPO Policy Committee in writing of the same. If the Committee Chair is the member who has been absent from the official meetings, the Vice Chair shall conduct the removal process. If the Vice Chair is unable to participate, then any other Committee member, including the MPO Officer or designee, shall conduct it.
3. In the event of a dispute concerning the abandonment of vacation of a Committee office by a member, the Committee member affected may petition the MPO Policy Committee to be allowed an opportunity to show cause why he or she should not be removed from office.
4. The MPO Policy Committee may remove any Committee member by the affirmative vote of five (5) members upon the grounds of malfeasance or nonfeasance of office, or for any reason whatsoever upon the affirmative vote of all of the members.

C. Replacement Procedure

The MPO and designated appointing entities shall make any and all

replacement appointments to the Committee. All replacement appointments made shall be announced to the MPO Officer within a timely manner.

D. Voting Procedure

The method of voting is by voice or hand signal. The Chair has the right to have any vote taken again and recounted.