

AGENDA ITEM #6: CTAC BYLAWS: AMENDMENT

SUBJECT:

Amendment to Article V Section 5.01 Regular Meetings of the HRTPO CTAC Bylaws regarding the frequency, location, and time of the HRTPO CTAC meetings.

BACKGROUND:

A series of proposed amendments to the HRTPO Citizen Transportation Advisory Committee (CTAC) Bylaws regarding the frequency, location, and time of the meetings have been placed in writing and presented to the CTAC. At the September 13, 2012 CTAC meeting, Mr. Will Christopher, CTAC member, requested in writing that the HRTPO CTAC change its meeting frequency from bi-monthly to quarterly and that all meetings be held at the Regional Building in Chesapeake. The proposed amendment was made available for public review from September 27, 2012 to October 11, 2012. No public comments were received.

At the November 8, 2012 CTAC meeting, the amendment was not able to be approved as the two-thirds quorum required by the HRTPO CTAC Bylaws to approve subsequent amendments was not present. Also at the November 8, 2012 meeting, Ms. Sharyn Fox, CTAC member, requested in writing that the HRTPO CTAC change its meeting time from 5:00 p.m. to 12:00 p.m. The proposed amendment was made available for public review from November 13, 2012 to November 27, 2012. No public comments were received. Ms. Kirsten Tynch, CTAC Member, initiated a motion to move the January 10, 2013 CTAC meeting from 5:00 p.m. to 12:00 p.m. and hold the meeting in the Regional Building Board Room versus the HRT Boardroom in the City of Hampton, as CTAC attendance is statistically higher when meetings are held in the Regional Building Board Room. A vote was taken and the Motion carried.

Ms. Camelia Ravanbakht, Deputy Executive Director, will brief the CTAC on this item.

Attachment 6

RECOMMENDED ACTION:

Approve the following amendment to the HRTPO CTAC Bylaws:

***5.01 Regular Meetings.** Regular meetings of the CTAC shall be held **quarterly**, at **12:00 p.m.** on the second Thursday of **January, April, July, and October** of each year. Meetings shall be held in the **Regional Building in Chesapeake**. The CTAC may change the date, time, or location of any regular meeting at any prior meeting and may adjourn any meeting from time-to-time.*

Bylaws of the HRTPO

Citizen Transportation Advisory Committee

ARTICLE I. PREAMBLE

The Citizen Transportation Advisory Committee (CTAC) serves as an advisory committee to the Hampton Roads Transportation Planning Organization (TPO). *The mission of the Hampton Roads Citizen Transportation Advisory Committee (CTAC) is to provide the Hampton Roads Transportation Planning Organization (HRTPO) with a citizen's viewpoint on regional transportation issues, strategies, funding, priorities, and the decision-making process of the HRTPO. The CTAC will serve as a strong advocate on behalf of citizens by listening to their viewpoints and helping to have their voices heard by the HRTPO leadership and decision makers. The CTAC Chair, as a nonvoting member of the HRTPO Board, will have the responsibility of communicating the work of the CTAC back to the HRTPO Board.*

In the event of any conflict between these bylaws and those of the TPO, the TPO bylaws shall prevail.

ARTICLE II. DEFINITIONS

Citizen Transportation Advisory Committee (CTAC) – The advisory committee appointed by the Hampton Roads Transportation Planning Organization (TPO) to serve in an advisory capacity to the TPO. The CTAC's purpose is to provide public input to the TPO Board on transportation issues.

Hampton Roads Transportation Planning Organization (TPO) – The MPO for the Hampton Roads MPA.

Metropolitan Planning Area (MPA) – The geographical area determined by agreement between the MPO for the area and the Governor and in which the metropolitan transportation planning and programming process is carried out.

Metropolitan Planning Organization (MPO) – The policy board of an organization created and designated to carry out the metropolitan transportation planning and programming process. The Hampton Roads TPO is the MPO for the Hampton Roads MPA.

Metropolitan Planning Agreement – A written agreement among the MPO, State, and public transportation operators serving the MPA that identifies the mutual responsibilities of those entities in carrying out the metropolitan transportation planning and programming process.

Metropolitan Transportation Planning and Programming Process – The federally-mandated continuing, cooperative, and comprehensive transportation planning and programming process that results in plans and programs that consider all surface transportation modes and supports metropolitan community goals.

Planning District Commission (PDC) – A political subdivision of the Commonwealth of Virginia chartered under the Regional Cooperation Act by the local governments of each planning district. The purpose of PDCs is to encourage and facilitate local government cooperation and state-local cooperation in addressing regional problems of greater than local significance.

Transportation Management Area (TMA) – An urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the U.S. Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the MPO and designated by the U.S. Secretary of Transportation.

Urbanized Area (UZA) – A geographical area with a population of 50,000 or more, as designated by the Bureau of the Census.

Unified Planning Work Program (UPWP) – A statement of work identifying the planning priorities and activities to be carried out within the metropolitan planning area. A UPWP includes a description of the planning work and resulting products, and specifies who will perform the work, time frames for completing the work, and the source(s) of funds.

ARTICLE III. MEMBERSHIP

3.01 General. The CTAC shall consist of up to thirty (30) members, each of whom shall be a resident of a TPO-member locality. The TPO member localities are: the Cities of Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg, as well as the Counties of Gloucester, Isle of Wight, James City, and York. Members shall be appointed by the TPO Board based on recommendations from the TPO Nominating Committee.

3.02. Terms. Initial terms shall be staggered: one-third of the members shall be appointed for one-year terms; one-third of the members shall be appointed for two-year terms; and one-third shall be appointed for three-year terms. In the event that an appointed member does not complete his or her term, then the TPO Nominating Committee shall recommend a replacement for appointment by the TPO Board to serve the unexpired portion of the term. No member shall serve more than two successive terms (even if one of the terms was for less than three years).

ARTICLE IV. VOTING

4.01 General. A motion that has been made and seconded may be approved by a majority vote of the members present, provided, however, that a quorum of a majority of the appointed members is present for the vote. If a quorum is not present, then the vote must be delayed until such time as a quorum is present, or the vote may be held at a subsequent meeting at which a quorum is present.

4.02 Reconsideration. Any member who voted on the prevailing side may make a motion for reconsideration at the meeting during which the vote was taken. Alternatively, such a member may make a motion to reconsider at the next regularly scheduled meeting, but only if the member informed the Chair and the Executive Director, in writing, within three business days of the publication of the minutes, of the member's intention to make the motion to reconsider. The Executive Director shall provide a copy of any such written notice to all CTAC members. A motion to reconsider cannot be renewed if it has been voted on and defeated, except by unanimous consent of those present at the meeting.

ARTICLE V. MEETINGS

5.01 Regular Meetings. Regular meetings of the CTAC shall be held quarterly, at 12:00 p.m. on the second Thursday of January, April, July and October of each year. Meetings shall be held in the Regional Building in Chesapeake. The CTAC may change the date, time or location of any regular meeting at any prior meeting and may adjourn any meeting from time-to-time.

5.02 Special Meetings. Special meetings of the CTAC may be called by the Chair at the Chair's discretion upon five (5) business days notice to all members, of the time, place and purpose of the special meeting. In accordance with the provisions of the Virginia Freedom of Information Act, public notice of special meetings shall be given contemporaneously with the notice provided to CTAC members (ref.: Va. Code § 2.2-3707). The contents of the notice and the locations for notice placement shall be as set forth below in subsection 5.04.

5.03 Quorum. A majority of the appointed members of the CTAC shall constitute a quorum for the transaction of business.

5.04 Notices. Public notice of each regular CTAC or subcommittee meeting shall be given not less than three (3) business days prior to the date of such meeting, in accordance with the provisions of the Virginia Freedom of Information Act (ref.: Va. Code § 2.2-3707). Such notice shall provide the date, time, and location of the meeting and shall be posted in both the reception area of the Regional Building in Chesapeake and the administrative offices of the Hampton Roads Planning District Commission. Notice also shall be posted on the TPO Web site and, if feasible, in TPO newsletters. Staff is also charged on an on-going basis with improving and further disseminating notice of meetings in order to encourage and facilitate public participation.

5.05 Meetings Open to the Public. In accordance with the provisions of the Virginia Freedom of Information Act (the "Act"), all meetings of the CTAC or any subcommittees established by the CTAC shall be open to the public unless lawfully convened into a closed session in accordance with the Act (ref.: Va. Code §§ 2.2-3707 and 2.2-3712). No meeting during which CTAC or TPO business is discussed shall be conducted through telephonic or electronic means where the members are not physically assembled. In accordance with the Act, a "meeting" is any gathering of three or more members of the CTAC or any CTAC-appointed subcommittee (unless the subcommittee has only three members, in which case the gathering of two members shall constitute a "meeting") (ref.: Va. Code § 2.2-3701).

5.06 Public Comment. Time shall be allotted for public comment regarding transportation issues at CTAC meetings. Any person desiring to address the CTAC shall register with the staff of the TPO Executive Director prior to the opening of the meeting. The time limit for speakers is five (5) minutes per person. The Executive Director of the TPO shall assign a staff member to keep time for each speaker. Time cannot be pooled or assigned to any person other than the person who registered to speak. A member of the public may submit written comments or other materials to the Executive Director for distribution to the CTAC.

5.07 Minutes and Materials Furnished to Members. Minutes shall be recorded at all open meetings, and at least one copy of all agenda packets and all materials furnished to members of the CTAC shall be made available for public inspection at the same time such documents are furnished to members of the CTAC, and, when feasible, shall be posted on the TPO Web site prior to the meeting (ref.: Va. Code § 2.2-3707). Minutes shall include a record of any votes taken.

ARTICLE VI. OFFICERS AND DUTIES

6.01 Officers. The officers of the CTAC shall consist of a Chair and Vice-Chair.

6.02 Chair. The TPO Chair shall appoint one of the members of the CTAC as Chair of the CTAC for a three-year term. The Chair shall preside at all meetings of the CTAC at which the Chair is present, and shall vote as any other CTAC member. The Chair shall have all of the powers and duties customarily pertaining to the office of Chair and shall sign official documents of the CTAC and perform such further duties as may be assigned to the Chair by the TPO Board.

6.03 Vice-Chair. The Vice-Chair shall be a CTAC member and, in the event of the absence of the Chair, or of the Chair's inability to perform any of the duties of the office of the Chair or to exercise any of the Chair's powers, shall perform such duties and possess such powers as are conferred upon the Chair until such time as the Chair's inability to perform has ceased or a new Chair is appointed by the TPO Chair. The Vice-Chair shall perform such other duties as may from time-to-time be assigned to the Vice-Chair by the CTAC Chair, the TPO Chair, or the TPO Board. The Vice-Chair shall be elected by the CTAC members, and the Vice-Chair's term of office shall coincide with that of the current Chair, provided the Vice-Chair's term shall end notwithstanding the foregoing on the expiration of the Vice-Chair's term as a member of the CTAC.

ARTICLE VII. SUBCOMMITTEES

7.01 Subcommittees. The CTAC Chair may create standing or ad hoc subcommittees from time to time as circumstances warrant. Only CTAC members may serve on subcommittees, and the CTAC Chair shall appoint the members who serve on the subcommittees.

7.02 Subcommittee Meetings. The meetings of any standing or ad hoc subcommittee shall be open to the public as described in subsection 5.05, and public notice of such meetings shall be provided as described in subsection 5.04.

ARTICLE VIII. STAFF

8.01 Executive Director/Secretary. The Executive Director of the TPO shall provide staff support to the CTAC and shall plan, organize and direct the activities of the staff in support of the mission and the directions of the TPO Board. As needed, the Executive Director/Secretary shall work in coordination with the CTAC Chair to prepare the agendas for CTAC meetings.

ARTICLE IX. PROCEDURES

9.01 Parliamentary Procedure. Except as otherwise provided in these rules, the most recent edition of *Roberts – Rules of Order*, shall be used to conduct all meetings of the TPO and its subcommittees.

9.02 Governmental Agency and Public Body. The CTAC is an “advisory agency,” as that term is used in the State and Local Government Conflict of Interests Act, and it is a “public body,” as that term is used in both the Virginia Freedom of Information Act and the Virginia Public Procurement Act (ref.: Va. Code §§ 2.2-3101, -3701, and -4301). Accordingly, CTAC members shall be subject to the state laws and regulations that govern governmental advisory agencies and public bodies in Virginia, including the Virginia Freedom of Information Act, the State and Local Government Conflict of Interests Act, and the Virginia Public Procurement Act, except where specifically exempted by act of the General Assembly.

ARTICLE X. SUBSEQUENT AMENDMENTS

Any CTAC member may propose amendments to these bylaws by placing such proposed amendments in writing before the CTAC at a CTAC meeting. No vote shall be taken on the proposed amendments until the meeting that follows the meeting at which the written amendments were provided to the CTAC. The public shall be provided access to inspect the proposed amendments. Approval of amendments shall require an affirmative vote of 2/3 of the members appointed to the CTAC, as well approval by the TPO Board prior to effective date thereof.

ARTICLE XI. EFFECTIVE DATE

The foregoing bylaws of the HRTPO Citizen Transportation Advisory Committee were adopted by a duly constituted meeting of the HRTPO Board on June 16, 2010, and amended by the HRTPO Citizen Transportation Advisory Committee at its duly constituted meeting on _____, 2012, following approval by the HRTPO Board at a duly constituted meeting on _____, 2012.