

DRAFT AMENDED Bylaws of the HPRDC/HRTPO Community Advisory Committee

Approved: June 16, 2010

Amended _____, 2020

ARTICLE I. PREAMBLE

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

In the event of any conflict between these bylaws and those of the HRTPO AND HRPDC, the HRTPO and HRPDC bylaws shall prevail.

ARTICLE II. DEFINITIONS

Community Advisory Committee (CAC) – The advisory committee appointed by the HRTPO and HRPDC to serve in an advisory capacity to the HRTPO and HRPDC. The CAC's purpose is to provide public input to the HRPTO and HRPDC Boards on regional issues.

Hampton Roads Transportation Planning Organization (HRTPO) – 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.

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.

Hampton Roads Planning District Commission (HRPDC) – the planning district commission for Hampton Roads

Planning District Commission (PDC) – A political subdivision of the Commonwealth of Virginia chartered under the Regional Cooperation Act by the local governments in the Hampton Roads Region. 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.

ARTICLE III. MEMBERSHIP

3.01 General. The CAC shall consist of up to thirty (30) members, each of whom shall be a resident of a HRTPO/HRPDC-member locality. Member localities are the Cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach and Williamsburg, the Town of Smithfield and the Counties of Gloucester, Isle of Wight, James City, Southampton, Surry and York.

3.02. Terms. CAC members shall serve three-year terms In the event that an appointed member does not complete his or her term, a new CAC member will be appointed the fill that members seat, for a term of three years. No member shall serve more than two successive terms. Should a CAC member miss three consecutive meetings, they will be asked to relinquish their membership and a new representative will be appointed for a term of three years.

No member shall serve more than two consecutive terms with the exception of those members who were serving as of January 10, 2019; those members shall serve no more than three successive terms to provide institutional knowledge and continuity.

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 CAC 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 CAC shall be held at minimum six times a year, at 12:00 p.m. on the second Thursday of the month the meeting will be occurring. Meetings shall be held in the Regional Building in Chesapeake. The CAC 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 CAC 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 CAC 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 CAC shall constitute a quorum for the transaction of business.

5.04 Notices. Public notice of each regular CAC 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 HRTPO and HRPDC web sites and, if feasible, in the HRPDC/HRTPO newsletter. 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 CAC or any subcommittees established by the CAC 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 CAC or HRTPO/HRPDC 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 CAC or any CAC-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 at CAC meetings. Any person desiring to address the CAC shall register prior to the opening of the meeting. The time limit for speakers is five (5) minutes per person. The Executive Director of the HRTPO/HRPDC 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 HRTPO/HRPDC for distribution to the CAC.

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 CAC shall be made available for public inspection at the same time such documents are furnished to members of the CAC, and, when feasible, shall be posted on the HRTPO and HRPDC websites 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 CAC shall consist of a Chair and Vice-Chair.

6.02 Chair. HRTPO / HRPDC staff will recommend a member of CAC to the HRTPO and HRPDC Boards to be appointed as CAC Chair for the duration of their term. The Chair shall preside at all meetings of the CAC at which the Chair is present, and shall vote as any other CAC 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 CAC and perform such further duties as may be assigned to the Chair by the HRTPO and HRPDC Boards.

6.03 Vice-Chair. The Vice-Chair shall be a CAC 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 HRTPO and HRPDC Chairs. The Vice-Chair shall perform such other duties as may from time-to-time be assigned to the Vice-Chair by the CAC Chair, the HRTPO/HRPDC Chairs, or the HRTPO and HRPDC Boards. The Vice-Chair shall be elected by the CAC 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 CAC.

ARTICLE VII. SUBCOMMITTEES

7.01 Subcommittees. The CAC Chair may create standing or ad hoc subcommittees from time to time as circumstances warrant. Only CAC members may serve on subcommittees, and the CAC 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 HRTPO/HRPDC shall provide staff support to the CAC and will plan, organize and direct the activities of the staff in support of the mission and the directions of the HRTPO and HRPDC Boards.

The Office of Community Affairs and Civil Rights (OCACR). The OCACR shall provide administrative and staff support to the CAC and will prepare agendas, minutes and presentations and other related materials.

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 HRTPO/HRPDC and its subcommittees.

9.02 Governmental Agency and Public Body. The CAC 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, CAC 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 CAC member may propose amendments to these bylaws by placing such proposed amendments in writing before the CAC at a CAC 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 CAC. 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 CAC, as well approval by the HRTPO and HRPDC Boards prior to effective date thereof.

ARTICLE XI. EFFECTIVE DATE

The foregoing bylaws of the HRTPO/HRPDC Citizen Advisory Committee were adopted by a duly constituted meeting of the HRTPO Board on June 16, 2010, and amended by the HRTPO/HRPDC Citizen Advisory Committee at its duly constituted meeting on January 9, 2020 followed by approval by the HRTPO and HRPDC Boards at a duly constituted meeting on March 19, 2020.