

**Agenda**  
**Hampton Roads**  
**Citizen Transportation Advisory Committee (CTAC)**  
**Bylaws Subcommittee**  
**April 8, 2010**

**Call to Order: 3:30 p.m.**

The Regional Board Room, 723 Woodlake Drive, Chesapeake, Virginia

- 3:30 p.m.    **CALL TO ORDER**
- PUBLIC COMMENT PERIOD**
- APPROVAL OF AGENDA**
- AGENDA**
- 3:40 p.m.    1. Draft CTAC Bylaws
- 4:45 p.m.    **ADJOURN**

## **AGENDA ITEM #1: DRAFT CTAC BYLAWS**

### **SUBJECT:**

As prescribed by the HRTPO Board Bylaws, the CTAC is tasked to develop its bylaws.

### **BACKGROUND:**

Article VII of the HRTPO Board Bylaws states that “*each standing committee shall establish bylaws to guide its function and the functions of its subcommittees.*” As such, during the March 11, 2010 CTAC meeting, the CTAC Chair formed the CTAC Bylaws Subcommittee to develop the bylaws. Ms. Sharyn Fox, Ms. Randy Lougee, Mr. Albert Stetz, and Ms. Shepelle Watkins-White agreed to serve on the Subcommittee along with Chairman Harrison. Mr. Rod Ingram, Virginia Beach City Attorney, agreed to assist the group with this task.

Once the final draft of the CTAC Bylaws are established, they will be available for a 14-day public review and comment period prior to anticipated approval during a future CTAC meeting. Upon approval by the CTAC, the final CTAC Bylaws will be recommended to the HRTPO Board for approval.

Mr. William Harrison, CTAC Chair, will lead the discussion.

Attachment 1 – Draft CTAC Bylaws

### **RECOMMENDED ACTION:**

Finalize draft CTAC Bylaws for review and comment by CTAC members.

# Bylaws of the Hampton Roads Citizen Transportation Advisory Committee

## ARTICLE I

### Preamble

1.01 The Citizen Transportation Advisory Committee (CTAC) serves as an advisory committee to the Hampton Roads Transportation Planning Organization (TPO). Its purpose is to provide public input to the TPO Board on transportation issues. These bylaws have been adopted in accordance with the bylaws of the TPO (see TPO Bylaws Section 7.01). Section 7.06 of the TPO bylaws defines the role of the CTAC and sets forth its composition. 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.** In accordance with Section 7.06 of the TPO Bylaws, the CTAC shall consist of up to thirty 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.** In accordance with Section 7.06 of the TPO Bylaws, 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. 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 five business days of the original vote, 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 at [REDACTED] on the [REDACTED] of each month at a place to be determined by the CTAC Chair. The CTAC may change the date and fix the time and place of any regular meeting at any prior meeting and may adjourn any meeting from time-to-time or to another place.

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. In accordance with Section 5.04 of the TPO Bylaws, public notice of each regular CTAC or subcommittee meeting shall be given not less than three working 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 Section 5.05 of the TPO Bylaws and the provisions of the Virginia Freedom of Information 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 -

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). In accordance with the Act, any person may photograph, film, record or otherwise reproduce any portion of an open meeting (ref.: Va. Code § 2.2-3707(H)).

5.06 Public Comment. Time shall be allotted for public comment 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 three 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. In accordance with the provisions of the Virginia Freedom of Information Act, minutes shall be recorded at all open meetings, and at least one copy of all agenda packets and, unless exempt under the Act, 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 and shall be in conformance with the requirements of the Freedom of Information Act (ref.: Va. Code § 2.2-3707(I)).

## ARTICLE VI

### Officers and Duties

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

6.02 Chair. In accordance with Section 7.06 of the TPO Bylaws, 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 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. If, at the time of the election of the Vice-Chair, the

current Chair represents a Southside locality, then the Vice-Chair shall be a CTAC member who represents a Peninsula locality. Conversely, if the current Chair represents a Peninsula locality, then the Vice-Chair shall be a CTAC member who represents a Southside locality.

## **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. In accordance with Section 8.01 of the TPO Bylaws, the Executive Director of the TPO shall be the Executive Director of the Hampton Roads Planning District Commission. The Executive Director 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 committees.

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**

### **Adoption of Bylaws and Subsequent Amendments**

10.1 **Initial Adoption.** In accordance with Section 7.01 of the TPO Bylaws, the CTAC shall establish bylaws to guide its function and the functions of its subcommittees. The public shall be provided access to inspect the proposed bylaws. The bylaws must be submitted to the TPO Board and approved prior to the effective date thereof.

10.2 **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.

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