

BY-LAWS

**TRANSPORTATION CITIZENS COMMITTEE
(Birmingham Metropolitan Planning Area)**

**Adopted January 1983
Amended June 1999
Amended January 2000
Amended May 2001
Amended August 2003
Amended March 2004
Amended December 2005
Amended February 2006
Amended October 2007
Amended March 2009
Amended May 2013
Amended January 2017**

Article 1 Name of Organization

Birmingham Metropolitan Planning Area Transportation Citizens Committee.

Article 2 Legal Authority

The Metropolitan Planning Organization (MPO) is the organization designated by the Governor as being responsible, together with the State, for carrying out the provisions of the Code of Federal Regulations as applicable to transportation planning in certain urban areas and apportionment of funds as well as being capable of meeting requirements of the United States Codes as applicable to federal financial assistance, long-range program, urban mass transit and air quality. These regulations also set forth requirements for establishing a proactive public involvement process.

Metropolitan Transportation Planning and Programming rules and regulations are defined under 23 CFR Part 450, 49 CFR Part 613, and 40 CFR Part 93.

Cooperative Agreements to implement these provisions have been executed among the major groups involved in transportation planning.

Included in the Agreement is the provision for a representative Transportation Citizens Committee.

Article 3 Membership

Section 1 Definition

- A. Committee membership shall be a maximum of 50 voting members.
- B. Membership shall be geographically representative of the urban area based upon the amount of population. Representation shall be apportioned by district according to the population of the decennial Census. The following are the designated districts according to the 2010 Census:

City of Birmingham	12 members
South/southeast Jeff. Co.	8 members
West/southwest Jeff. Co.	7 members
East/northeast Jeff. Co.	5 members
North/northwest Jeff. Co.	4 members
Shelby County	11 members
South Blount County	1 member
West St. Clair County	2 members

- C. Attachment one outlines the generalized boundaries for the districts.

Section 2 Qualifications

- A. Home address shall be used to determine membership representation.
- B. A member shall not be a publicly elected governing official.
- C. A Citizens Committee member shall not be a member of the Transportation Technical Committee or the Metropolitan Planning Organization.
- D. A potential member shall have attended a minimum of three of the past six consecutive meetings.
- E. An information questionnaire must be submitted to the Transportation Citizens Committee for membership consideration.

Section 3 Appointments and Changes

- A. Appointment and changes to the membership shall be by the Citizens Committee through nominating subcommittee recommendation.
- B. The term of membership shall be a four year term followed by one (1) year terms provided there is not a waiting list for the respective district. If there is a waiting list for the district, the longest serving member will vacate their seat. The determination for longest serving member is based on length of

membership at the time of the adoption of these bylaws. An ex-member shall be eligible for reappointment after a one year absence.

- C. Upon application of an interested party to become a voting member of a specific district that is currently at capacity, such citizens shall make application to the district voting members. Members will be required to meet and vote to vacate a seat in order for the interested party to be able to become a voting member upon full vote of the Citizens Committee.
- D. Membership shall be terminated upon absence from 50 percent or more of the regularly scheduled meetings during any, twelve (12) month period by resignation or by failure to meet the qualifying requirements. An absence shall be deemed excused if the Regional Planning Commission of Greater Birmingham staff receives prior notification. Requests for excused absences can be received by phone, fax or email and must be received no less than one hour prior to the scheduled meeting. There will be a limit of three (3) excused absences during any twelve (12) month period.

Section 4 Membership by Proxy

- A. A proxy cannot be a publicly elected official, member of the Transportation Technical Committee or the Metropolitan Planning Organization.
- B. Any member can designate any other member or non-member as a permanent proxy eligible to vote. The designation of a permanent proxy must be made by the member in writing. The term of a permanent proxy cannot exceed the term of the appointing member.
- C. In addition to a permanent proxy, a proxy for an individual meeting can be designated. A written request must be submitted in advance of the meeting. The TCC Chair may appoint a temporary proxy for an individual meeting pursuant to a voting member's verbal request followed by a confirmation in writing.
- D. A person can be designated as only one proxy per meeting.
- E. Any member can designate a proxy two (2) times in a calendar year.

Section 5 Responsibilities

- A. Make recommendations to the Metropolitan Planning Organization regarding the documents and materials necessary for the Metropolitan Planning Organization annual endorsements. These include, at a minimum, the Unified Planning Work Program, the Long-Range Transportation Plan, the Transportation Improvement Program, the Transportation Control Measures of the State Implementation Plan (Air Quality) and the Public Involvement

Summary Documentation reports required by the MPO Public Participation Plan.

- B. Make recommendations to the Metropolitan Planning Organization regarding the elements of the urban transportation planning process necessary to meet the requirements for certification. The State and the Metropolitan Planning Organization shall certify every four years to the Federal Highway Administration and Federal Transit Administration that the planning process is addressing the major issues and is being conducted in accordance with all applicable requirements outlined in the Metropolitan Transportation Planning and Programming rules and regulations defined under 23CFR Part 450, 49 CFR Part 613, and 40 CFR Part 93.
- C. Assist the Regional Planning Commission of Greater Birmingham in the development of specific program solutions to areawide needs as identified through community research and public meetings.
- D. Only Officers and RPCGB Director of Planning and Operations are authorized to use the Committee name within their discretion and to issue a position statement for and on behalf of the Committee not inconsistent with the established positions of the Committee.

Article 4 Officers and Staff

Section 1 Officers

- A. A chairman and vice-chairman, to be recommended by the nominating subcommittee and elected by the Citizens Committee members, shall serve for a term of two years.
- B. The Chairman shall have the responsibility to set the agenda included with the meeting announcement, preside over the business to come before the Committee, and appoint subcommittees. He or she shall also be an ex-officio member of all subcommittees.
- C. The Vice-Chairman shall preside in the absence of the Chairman and shall chair all subcommittees appointed by the Chairman.
- D. Term of office shall commence upon the first regularly scheduled meeting in January of even numbered years.

Section 2 Staff

The Regional Planning Commission of Greater Birmingham Board of Directors is responsible for appointing staff to assist the Citizens Committee in the performance of its responsibilities. The staff shall also act as Secretary.

Article 5 **Subcommittees**

Section 1 Subcommittees shall be utilized to research and make recommendations concerning major issues, and, with the exception of the Nominating/Membership Subcommittee, shall be appointed by the Chairman.

Section 2 Nominating/Membership Subcommittee

The Nominating/Membership Subcommittee shall consist of one member of each geographic district as appointed by the Chairman at the first regular meeting of the calendar year.

The Nominating/Membership Subcommittee shall recommend to the Transportation Citizens Committee candidates for membership, candidates for reappointment, and, biennially, candidates for the offices of chairman and vice-chairman. It shall also be responsible for monitoring compliance with membership requirements.

Article 6 **Meeting Schedule**

Regularly scheduled meetings are to be held monthly at such place and time as designated by the membership and the membership shall be notified by mail. Meeting notices, to include an agenda or nature and purpose of the meeting and minutes, shall be mailed at least seven days in advance. Meeting notices shall be posted at the offices of the Regional Planning Commission and may be posted by Transportation Citizen Committee members at additional locations.

Section 1 Special Called Meetings

A special meeting may be called by the chairman providing the membership receives a 24-hour notice. No business shall be transacted except that mentioned in the notice of the special meeting.

Article 7 **Quorum**

No transaction of business at a regularly scheduled meeting can take place unless a majority of the current members as defined in Article 3 Section B are present.

Article 8 **Conduct of Meeting**

Section 1 Rules

Roberts Rules of Order, Newly Revised Current Edition, shall be applicable concerning the conduct of scheduled business at meetings.

Section 2 Absence of Chairman and Vice-Chairman

In the absence of the chairman and vice-chairman, the Regional Planning Commission of Greater Birmingham staff shall chair the meeting and conduct the scheduled items of business.

Section 3 Agenda

The agenda provided with the written meeting notice must be approved by the members by a majority vote at the beginning of the meeting. Agenda items may be added or deleted by a two-thirds vote of the members present and voting.

Article 9 Amendments to By-Laws

- A. Amendments to by-laws can be made by a two-thirds vote of the membership present and voting at a regular meeting. Previous notice must be provided at the meeting in advance of the one at which the amendment(s) is to be considered.