

# **Farmington MPO**

## **Committee Bylaws and Operating Procedures**

**Farmington Metropolitan Planning Organization**  
Aztec \* Bloomfield \* Farmington \* Kirtland \* San Juan County

**Approved by the Policy Committee**  
June 25, 2020

## Farmington Metropolitan Planning Organization Committee Bylaws and Operating Procedures

Purpose.....	3
POLICY COMMITTEE.....	4
I. Authority .....	4
II. Membership.....	4
A. Voting Members.....	4
B. Ex-Officio Members .....	5
C. Officers .....	5
D. Removal Procedure .....	5-6
E. Committees.....	6
III. Meetings.....	7
A. Regular Meetings.....	7-8
B. Special Meetings .....	8
C. Emergency Meetings .....	8
D. Quorum.....	8
E. Voting Procedure .....	8-9
IV. Staff.....	9
A. MPO Officer Designated .....	9
B. MPO Staff Responsibilities .....	9-10
TECHNICAL COMMITTEE .....	10
I. Name.....	10
II. Responsibilities.....	10
III. Membership.....	10
A. Members.....	11
B. Alternate Members .....	11
C. Membership Appointment.....	11
D. Officers .....	11-12
E. Removal Procedure .....	12-13
F. Replacement Procedure .....	13
IV. Meetings.....	13-14
A. Quorum.....	14
B. Voting Procedure .....	14-15
AMENDMENT PROCESS AND RENEWAL .....	15
I. Amending the Bylaws .....	15
II. Renewal of the Bylaws .....	15

# **Farmington Metropolitan Planning Organization**

## **Committee Bylaws and Operating Procedures**

### **Purpose**

The Farmington Metropolitan Planning Organization (FMPO), as designated by the Governor of the State of New Mexico, is established by a Joint Powers Agreement between the participating members consisting of the Cities of Aztec, Bloomfield, Farmington, the Town of Kirtland, and San Juan County. FMPO contracts with the New Mexico State Department of Transportation to carry out the Metropolitan Transportation Planning Process as defined within the provisions of 23 CFR Section 450.

The contracts and Joint Powers Agreement (JPA) establish a number of operational and procedural requirements for the MPO. The purpose of these Bylaws and Operating Procedures is to establish guidance on issues not formally covered in the JPA or contracts.

The MPO Committee Bylaws and Operating Procedures were originally adopted by the Farmington MPO Policy Committee on January 15, 2004. This document was previously renewed by the Policy Committee on September 14, 2006, on September 17, 2009, on September 20, 2012, on May 28, 2015, and on June 28, 2018.

For the next three-year period, the Committee Bylaws and Operating Procedures were approved for renewal by the Farmington MPO Policy Committee on June 25, 2020. The document will be in effect from October 1, 2020 through September 30, 2023.

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Councilor Sean Sharer, Policy Committee Chair

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Nick Porell, Technical Committee Chair

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Peter Koeppel, MPO Officer

# 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

### A. Voting Members

The Policy Committee is made up of nine (9) voting members; eight (8) who are appointed by the governing bodies of the participating local governments and one (1) designated by NMDOT. Either an elected official (preferable) or an appointed government official of the governing body may serve as a member or designated alternate. The governing body of each participating member is responsible for appointing an official to the Policy Committee as follows:

- One (1) from the City of Aztec;
- One (1) from City of Bloomfield;
- Three (3) from the City of Farmington;
- Two (2) from San Juan County;
- One (1) from the Town of Kirtland; and
- One (1) from the New Mexico Department of Transportation

Alternates may be designated by the participating member's governing body or NMDOT for their voting member; the alternates must also be either an elected official (preferable) or an appointed government official of the governing body, except for the NMDOT member. For members and alternates, the governing body and NMDOT shall submit a letter to the MPO Officer and to the MPO Planner designating the member and the alternate member. The member's and the alternate's designation shall remain in effect until they can no longer serve in that capacity. A new letter designating a new member or alternate will then need to be submitted by that entity. Each Policy Committee member or their designated alternate has one vote. If a Policy Committee member is absent for more than two (2) consecutive meetings in a calendar year, the Policy Committee may petition the absent member's governing body for a new appointment.

## **B. Ex-Officio Members**

The Policy Committee may establish ex-officio members from the Federal Highway Administration (FHWA), the New Mexico Department of Transportation (NMDOT) or other appropriate agency.

## **C. Officers**

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

1. The Policy Committee will hold their Annual Election of Officers during their January meeting. The Chair and Vice Chair shall be chosen from among the members of the Policy Committee. The duties of the Chair shall be to preside at all meetings of the Policy Committee. The Vice Chair shall be responsible for presiding at the meetings in the absence of the Chair. The Chair and Vice-Chair shall serve for a 12-month period.
2. The MPO Officer or designee shall be a non-voting member, act as the Secretary and shall have the responsibility for maintaining accurate records of all Policy Committee meetings. The MPO Officer, MPO Associate Planner and MPO Administrative Assistant shall prepare agendas and such other duties as may be designated from time to time by the MPO Policy Committee.
3. If the Chair or Vice Chair position becomes vacant, the remaining Policy Committee members shall elect a replacement officer at the next regularly scheduled meeting.
4. If neither the Chair nor Vice-Chair can attend a regular Policy Committee meeting, the remaining members will select among themselves a member to serve as Chair for that meeting.

## **D. Removal Procedure**

1. Attendance by members is required at all Policy Committee meetings. Policy Committee membership may be terminated if a Technical Committee member fails to attend seventy-five (75) percent of the Policy Committee meetings in a twelve-month calendar period. Committee attendance is recorded and archived by the MPO Officer or designee.

2. Attendance requirements and removal procedures do not apply to Policy Committee alternates. Their attendance is only subject to filling in for their respective Policy Committee member.
3. The Chair shall speak with a Policy Committee member who is subject to removal through non-attendance to determine if that member will make a commitment to attend Policy Committee meetings. If the member cannot make the commitment, the Chair will send a recommendation to the City of Town Manager, County CEO, or appropriate manager with NMDOT that a new member from that entity be designated to serve on the MPO Policy Committee.
4. In the event that it is the MPO Policy Committee Chair that is subject to removal through non-attendance, the Vice Chair shall conduct the process as described above. If the Vice Chair is unable to participate, the remaining Policy Committee members shall choose someone amongst themselves to conduct this process.
5. 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 or she should not be removed from office.
6. The MPO Policy Committee may remove any Policy Committee member upon the grounds of malfeasance or nonfeasance of office through an affirmative vote of a majority of the voting members.

#### **E. Replacement Procedure**

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

#### **F. Committees**

The MPO Policy Committee reserves the right to create committees or sub-committees, as needed, to assist with achieving goals outlined in the Metropolitan Transportation Plan. These committees may include ad hoc groups, more temporary in nature, or longer standing, perhaps permanent advisory committees.

The Policy Committee reserves the right to issue a proclamation upon a majority vote of that committee and after the proposal has been placed on the agenda as an action item in accordance with the New Mexico Open Meetings Act.

### **III. Meetings**

All meetings held shall be in compliance with the New Mexico Open Meetings Act and the Open Meetings Resolution adopted annually by the Farmington MPO Policy Committee.

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

Robert's Rules of Order shall be followed, except that the Chair may make motions, participate in discussion and vote on any motion.

To afford Policy Committee members an opportunity to add items to the agenda, a draft agenda will be sent out approximately one week prior to the final agenda being distributed (approximately two weeks before the upcoming Policy Committee meeting). Committee members proposing additional agenda items will need to work with MPO Staff on the scope of the final report. Staff and the MPO Officer (or designee) will review and approve all final agendas before they are distributed to the Policy Committee.

#### **A. Regular Meetings**

1. Regular Meetings shall be held at least six (6) times per year as adopted by an annual resolution which establishes the meeting times, dates, and locations for the Policy Committee. The Committee Meeting Schedule will be determined for the upcoming calendar year by the Policy Committee at its last meeting of the previous calendar year by resolution. Locations for the Policy Committee meetings will be held on a rotating basis among the entities. Any item of business may be acted on at these meetings.
2. Upon declaration of a public emergency by a government entity, a virtual or telephonic meeting may be called for the regularly scheduled meetings of the Policy Committee. This meeting would allow participation by Policy Committee members and maintain any required/mandated social distance.

Voting during a virtual or telephone meeting shall not 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).

Policy Committee Members may vote on action items remotely either by voice, email or through a digital platform chat feature.

Members of the public would be invited to attend the meeting virtually through a digital platform and/or over the telephone allowing comments and questions at a time designated on the agenda.

## **B. Special Meetings**

Special Meetings shall be held as needed. Special Meetings may be scheduled by the MPO Officer, the Chair or a majority of the members of the Policy Committee. Special meetings may be held when unexpected deadlines come up that require action by the MPO.

## **C. Emergency Meetings**

Emergency Meetings shall be held only when time constraints prohibit consideration of an issue at a Special Meeting or when postponement of any action would have adverse financial or other consequences for the Farmington MPO. Concurrence of a majority of the members of the Policy Committee is necessary to hold an Emergency Meeting.

## **D. Quorum**

A quorum of the Policy Committee is defined in the Joint Powers Agreement as consisting of a majority of the voting members. No action shall be taken without a quorum of the Policy Committee in attendance at that meeting. Any action taken by the Policy Committee shall require a majority vote of all members of the Policy Committee.

## **E. Voting Procedure**

1. The method of taking a vote is by voice vote (“yeas or nays”).
2. The responsibility of announcing the vote rests upon the Chair who has the right to have the vote taken again, by a “show of hands”, by “raising the right hand”, by ballot, by roll call, or by rising and having the vote counted, if necessary.
3. Telephonic vote may be allowed when the quorum is not present at any Policy Committee meeting. Telephonic vote shall be enacted to approve

actions and to hear reports. Telephonic vote shall only be allowed when the conference call device being used allows each member participating by phone to be identified when speaking and allows all participants, whether on the telephone or at the meeting, to hear each other at the same time.

Telephonic vote shall be enacted on the request of any Policy Committee Member when he/she cannot attend the meeting due to reasons beyond his/her control. The members who cannot attend the meeting in person shall inform MPO staff of their need to participate by telephone.

Telephonic vote shall not 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. Staff**

##### **A. MPO Officer Designated**

The fiscal agent of the MPO, or its subcontractor retained to manage the MPO, shall designate, with the concurrence of the FMPO Policy Committee, the MPO Officer.

##### **B. MPO Staff Responsibilities**

The MPO Officer shall be the primary staff person for the Policy and Technical Committees, responsible for directing all operational functions of the MPO, including, but not limited to:

Maintaining official plans and records of the MPO;

Managing the daily operations of the MPO;

Preparing necessary reports as required by federal regulations and NMDOT;

Managing the budget and expenditures for the MPO in accordance with all applicable State and Federal Laws, as well as the Unified Planning Work Program (UPWP) as approved by the MPO Policy Committee, NMDOT, FHWA and FTA;

Maintaining a current record of expenditures by the State and FHWA for transportation projects and facilities within the MPO's planning area;

Developing and updating the Unified Planning Work Program (UPWP), the Public Participation Plan (PPP), the Transportation Improvement Program (TIP), the List of Obligated Projects, and the Metropolitan Transportation Plan (MTP) for review by the MPO Technical Committee, and for approval by the MPO Policy Committee;

Developing and implementing the committee member training program, in accordance with the MPO's adopted UPWP and these Bylaws, which shall include, at a minimum, orientation training for new members, provision of MPO reference materials, a minimum of quarterly trainings for each Committee, and training required by the adoption of new state and federal regulations, policies, and procedures;

Ensuring compliance with the State of New Mexico Open Meetings Act, and other applicable State laws; and,

Supervising the other MPO staff, which may include the following:

- MPO Senior Transportation Planner
- MPO Associate Transportation Planner; and,
- MPO Administrative Assistant.

## Technical Committee

### **I. Name**

The committee acting as technical advisors to the Policy Committee shall be named the Technical Committee of the Farmington Metropolitan Planning Organization (FMPO).

### **II. Responsibilities**

As noted in the Joint Powers Agreement, the Technical Committee is established by the Farmington Metropolitan Planning Organization and shall be responsible for providing technical review of all transportation plans within the MPO's planning area and providing input and recommendations to the MPO Policy Committee on issues and proposals directed to it by its membership, the MPO Policy Committee, or the MPO Officer. Other responsibilities shall include those as may be designated from time to time by the MPO Policy Committee.

### **III. Membership**

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

#### **A. Members**

Voting Members of the Technical Committee shall include:

One (1) representative from the City of Aztec;  
One (1) representative from the City of Bloomfield;  
Three (3) representatives from the City of Farmington: one (1) of these members shall be appointed by Red Apple Transit;  
Two (2) representatives from San Juan County;  
One (1) representative from the Town of Kirtland; and  
One (1) representative from the New Mexico Department of Transportation.

Members of the Technical Committee are selected by their governing body, NMDOT, or Red Apple Transit. The entity shall submit a letter to the MPO Officer designating the member and the member's designation will remain in effect until the member can no longer serve in that capacity. A new letter designating a new member will then need to be submitted by the appropriate entity.

The MPO Officer may be designated as an ex-officio member of the Technical Committee by the Policy Committee.

#### **B. Alternate Member**

Each representative from an agency may appoint an alternate to the Technical Committee to serve when the appointed member cannot attend. The agency shall submit a letter to the MPO Officer designating the alternate. The alternate's designation shall remain in effect until the alternative can no longer serve in that capacity. A new letter designating a new alternate will then need to be submitted by that entity. The designated alternate shall have all of the voting privileges of the regular member when attending a meeting in the place of the regular member.

#### **C. Membership Appointment**

The MPO Policy Committee may appoint new voting or ex-officio members to the Technical Committee as it deems necessary.

## **D. Officers**

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

1. The Chair and Vice Chair shall be chosen annually from among the voting members of the Technical Committee at its first meeting of the calendar year.
2. The succeeding Chairman shall officiate at the first meeting of the calendar year and shall serve for twelve (12) months.
3. The Chair shall preside at the meetings, call the meetings, and may choose to present a progress report covering the Technical Committee's recommendations to the Policy Committee.
4. The Vice Chair shall preside at meetings in the absence of the Chair. If neither the Chair nor Vice-Chair can attend a regular Technical Committee meeting, the remaining members will select among themselves a member to serve as Chair for that meeting.
5. If the Chair or Vice Chair resigns, the remaining Technical Committee members shall elect a replacement officer at the next regularly scheduled meeting.
6. The MPO Officer or designee shall be a non-voting member, act as the Secretary and shall have the responsibility for maintaining accurate records of all Technical Committee meetings. The MPO Officer and MPO Associate Planner shall prepare agendas and such other duties as may be designated from time to time by the Technical Committee with consent from the MPO Policy Committee.

## **E. Removal Procedure**

1. Attendance is required at all Technical Committee meetings. Technical Committee membership may be terminated if a Technical Committee member fails to attend seventy-five (75) percent of the Technical Committee meetings in a twelve-month calendar period, either in person or remotely. Committee attendance is recorded and archived by the MPO Officer or designee.
2. Attendance requirements and removal procedures do not apply to Technical Committee alternates. Their attendance is only subject to filling in for their respective Technical Committee member.

3. The Chair of the Technical Committee shall speak with a Technical Committee member who is subject to removal through non-attendance to determine if that member will make a commitment to attend Technical Committee meetings. If the member cannot make the commitment, the Chair will send a recommendation to the corresponding City or Town Manager, County CEO, or appropriate manager with NMDOT or Red Apple Transit, that a new member from that entity be designated to serve on the Technical Committee.
4. In the event that the Technical Committee member subject to removal through non-attendance is the Chair, the Vice Chair shall conduct the process described above. If the Vice Chair is unable to participate, another Technical Committee member shall be chosen to conduct the process.
5. In the event of a dispute concerning the proposed removal of a Technical Committee member, the affected Technical Committee member may petition the MPO Policy Committee to be allowed an opportunity to show cause why he/she should not be removed from office.
6. The MPO Policy Committee may remove any Technical Committee member by the affirmative vote of a majority of the voting three (3) 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 Technical Committee. All replacement appointments made shall be provided in writing to the MPO Officer in a timely manner.

### **IV. Meetings**

All meetings held shall be in compliance with the New Mexico Open Meetings Act and the Open Meetings Resolution adopted annually by the Farmington MPO Technical Committee. The Technical Committee shall meet on a monthly basis, as adopted by an annual resolution which establishes the meeting times, dates, and locations for the Technical Committee. The Chair or the MPO Officer may call for meetings from time to time as needed.

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

Regular Meetings – one (1) week notice

## Special Meetings – four (4) day notice

To afford Technical Committee members an opportunity to add items to the agenda, a draft agenda will be sent out approximately one week prior to the final agenda being distributed (approximately two weeks before the upcoming Technical Committee meeting). Committee members proposing additional agenda items will need to work with MPO Staff on the scope of the final report. Staff and the MPO Officer (or designee) will review and approve all final agendas before they are distributed to the Technical Committee.

Upon declaration of a public emergency by a government entity, a virtual or telephonic meeting may be called for the regularly scheduled meetings of the Technical Committee. This meeting would allow participation by Technical Committee members and maintain any required/mandated social distance.

Voting during a virtual or telephone meeting shall not conflict with the codes and regulations of the entity that is represented by the Technical Committee Member. The telephonic action shall be in accordance with the New Mexico Open Meeting Act (5661 NMSA 10-15-1).

Technical Committee Members may vote on action items remotely either by voice, email or through a digital platform chat feature.

Members of the public would be invited to attend the meeting virtually through a digital platform and/or over the telephone allowing comments and questions at a time designated on the agenda.

Special Meetings shall be held as needed. Special Meetings may be scheduled by the MPO Officer, the Chair or a majority of the members of the Technical Committee. Special meetings may be held when unexpected deadlines come up that require action by the MPO.

Robert's Rules of Order shall be followed, except that the Chair may make motions, participate in discussion and vote on any motion.

### **A. Quorum**

A quorum of the Technical Committee shall consist of a majority of the voting members. No action shall be taken without a quorum of the Technical Committee in attendance at that meeting. Any action taken by the Technical Committee shall require a majority vote of all members of the Technical Committee.

## **B. Voting Procedure**

1. The method of taking a vote is by voice vote (“yeas or nays”).
2. Responsibility for announcing the vote rests upon the Chair who has the right to have the vote taken again, by a “show of hands”, by “raising the right hand”, by rising, by ballot, by roll call, or by rising and having the vote counted, if necessary.
3. Telephonic vote shall be allowed when the quorum is not present at any Technical Committee meeting. Telephonic vote shall be enacted to approve actions and to hear reports. Telephonic vote shall only be allowed when the conference call device being used allows each member participating by phone to be identified when speaking and allows all participants, whether on the telephone or at the meeting, to hear each other at the same time.

Telephonic vote shall be enacted on the request of any Technical Committee Member when he/she cannot attend the meeting due to reasons beyond his/her control. The members who cannot attend the meeting in person shall inform MPO staff of their need to participate by telephone.

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

## **Amendment Process & Renewal**

### **I. Amending the Bylaws**

If the Bylaws require an amendment, the formal procedures are described as follows:

1. The MPO Officer will bring the proposed amendment to the attention of the Technical Committee.
2. After reviewing the amendment, the MPO officer or designee will recommend that the Technical Committee forward a recommendation of approval of the amendment to the Policy Committee.
3. The Policy Committee will be asked to review the amendment and approve the change to the Bylaws document.

## **II. Renewal of the Bylaws**

The Committee Bylaws and Operating Procedures document will guide MPO committee meetings for a three year period. The document will be formally reviewed in conjunction with the MPO Joint Powers Agreement near the end of the three year period to make necessary changes and updates. The renewal of the Bylaws, approved by the Policy Committee on June 25, 2020, will be in effect from October 1, 2020 until September 30, 2023. In the months prior to renewal, the MPO will review the document with the Technical and Policy Committees. A 30-day public comment period will be opened prior to approval by the Policy Committee. The Bylaws document will be made available on the MPO website ([www.farmingtonmpo.org](http://www.farmingtonmpo.org)) and at the MPO Office (100 W. Broadway, Farmington).