

BYLAWS

SOUTH EAST TEXAS REGIONAL PLANNING COMMISSION

ARTICLE I ORGANIZATION

There is hereby organized a Regional Planning Commission, (hereinafter referred to as the Commission), which shall be a voluntary association of the local governmental units located within the Counties of Hardin, Jefferson, and Orange.

ARTICLE II GENERAL PURPOSE, OBJECTIVES, AND DECLARATION OF POLICY

1. The Signatories of the Agreement establishing this Commission hereby declare that the objectives of this Commission shall be to encourage and permit local units of government to join and cooperate with one another to improve the health, safety, and quality of life of their citizens and to plan for the future development of the region and the communities within the region. In achieving this purpose, the Commission may exercise any powers conferred upon it by law.

2. The physical, economic, and social well-being of the region, its citizens, and business enterprises are dependent upon an orderly development of the entire region. This will be possible only with the successful coordination of governmental services and policies.

3. Constructive and workable policies and programs for meeting and solving the region-wide challenges of local government shall be effectively and expeditiously developed by regular meetings of governmental unit members in a regional voluntary association.

4. The Commission is a non-taxing political subdivision of the State of Texas through which individual governmental units can coordinate their efforts. It is not a government, nor does it seek to become one.

5. The Commission shall consider matters that are region-wide in nature and/or overlapping between two or more member governmental entities. The Commission may make plans for the development of the area which may include recommendations on various matters affecting the region.

ARTICLE III MEMBERSHIP

1. Eligible governmental units established within the designated boundaries of the Commission may become members of the South East Texas Regional Planning Commission by the passage of an ordinance, minute order, resolution, or other appropriate and legal action by the governing body adopting the Agreement creating this Commission and these Bylaws.

2. Governmental units eligible to become voting members of the Commission shall be:

- a. Counties and incorporated cities
- b. Independent school districts
- c. Water, sewer, hospital, and other special districts

3. Associate memberships available as non-voting members of the Commission shall be:

- a. Enterprise Zones
- b. Special Project Commissions
- c. Community/Economic Development Organizations
- d. Engineering Firms, Accounting Firms, etc.

4. Members of the State Delegation, serving wholly or partly in Hardin, Jefferson or Orange Counties, shall be designated to serve as “ex-officio”, non-voting members of the Executive Committee.

5. To be eligible for membership, a governmental unit shall be geographically situated in whole or in part within the area described in Article I of these Bylaws.

6. A member of the Commission may withdraw by vote of a simple majority of the membership of its governing body. Governmental units which withdraw from the Commission, may subsequently apply for readmission as new members.

7. Member dues, as set forth in Article IX of these Bylaws, are billed October 1 of each fiscal year and are past due after March 31 of the same fiscal year. A member of the Commission that is in arrears will be denied voting privileges by the Executive Committee until dues are brought current.

ARTICLE IV REPRESENTATION

1. The governmental units affiliating with the Commission shall be represented by the

elected officials or their designee from each member's county, city, school district, water and sewer district and/or other special districts.

2. As used in these bylaws, the term "elected official" means a mayor or member of the governing body of a municipality, a county judge, a county commissioner, or a duly elected member from any special district.

3. A Representative shall serve during the term of office to which they have been elected unless sooner replaced by the appointing authority.

ARTICLE V MEETINGS

1. The representatives of the member governing bodies shall meet at least once a year, and upon the call of the President.

2. Meetings called by the President shall be announced by written notice at least seventy-two (72) hours prior to the meeting unless emergency or catastrophe related circumstances apply as called for in the *Texas Administrative Code* (TAC) Subchapter C., Sec. 551.0411 and Sec. 551.045. The written notice shall specify the date, hour, place, and subject of the called meeting. Business transacted at called meetings shall be items identified in the notice.

3. A quorum for a meeting is established when at least ten (10) qualified member agencies are present, provided all members have been notified in accordance with Article V, Section 2 of the Bylaws. When a quorum is present at any meeting, the vote of the majority of the qualified voting representatives present shall decide any questions brought before the group.

ARTICLE VI EXECUTIVE COMMITTEE

1. There shall be an Executive Committee consisting of the following:

- a. Each county shall have five (5) representatives who shall be the elected officials of the counties as set forth in Article IV.
- b. Each member city shall have two (2) representatives, the mayor or their alternate and one (1) councilmember or their alternate, who shall be appointed by the respective city governing body.
- c. School districts shall have one (1) representative from each member school district.
- d. All water and sewer districts shall have one (1) representative from each

- member water and/or sewer district.
- e. All other special districts (including port authorities, river authorities, soil and water conservation districts and drainage districts) shall have one (1) representative from each member district.

2. The Executive Committee shall be the governing body of the Commission and shall be responsible for the general policies, programs and control of Commission funds. The President of the Commission, or in their absence the next Officer in succession in attendance, shall preside at all meetings of the Executive Committee.

3. The Executive Committee shall meet at a date, hour and place, which it shall designate.

4. A quorum for a meeting of the Executive Committee is established when at least ten (10) qualified member agencies are present, provided all members have been notified in accordance with Article V, Section 2 of the Bylaws. When a quorum is present at any meeting, the vote of the majority of the qualified voting representatives present shall decide any questions brought before the group.

ARTICLE VII OFFICERS

1. At the October meeting of the Executive Committee, the President shall appoint a Nominating Committee to present a slate of officers to the Executive Committee at their November meeting. At the November meeting, the Executive Committee shall elect a President, 1st Vice-President, 2nd Vice-President, 3rd Vice-President, Treasurer, and a Secretary. ~~These~~ Terms of office shall begin with the "Oath of Office" administered at the Annual Meeting held in January of the following year. Any approved officer not in attendance will be sworn in at the next meeting of the Executive Committee. Officers should be made up of one (1) county elected official and one (1) city elected official from each of Hardin, Jefferson, and Orange Counties.

2. The three (3) Vice-Presidents shall be representative from within Hardin, Jefferson, and Orange Counties.

3. If for any reason an officer vacates a position on the Executive Committee during an elected year of office, a replacement may be selected by the Executive Committee at a meeting of the Executive Committee following the vacancy.

4. The President, three (3) Vice-Presidents, Treasurer and Secretary shall be included in the authorized number of representatives from the governmental jurisdictions as provided for in Article VI.

ARTICLE VIII EXECUTIVE DIRECTOR AND STAFF

1. The Executive Committee may employ an Executive Director who shall have a degree from a recognized and accredited school or be qualified by professional experience. The Executive Director shall serve at the pleasure of the Executive Committee.

2. The Executive Director shall be the chief administrative officer of the Commission and shall, subject to the rules and regulations of the Executive Committee, act for and in the name of the Commission.

3. The Executive Director shall prepare and recommend the annual budget of the Commission and shall faithfully execute all other duties and responsibilities vested in or required by the Executive Committee.

4. The Executive Director shall recommend the employment of consultants to the Executive Committee.

5. The Executive Director shall work with and coordinate all studies and surveys and work with any and all consultants or the representatives of each governmental unit.

6. The Executive Director shall not be employed by any member agency while serving as the Executive Director of the Commission.

7. The Executive Director is authorized to appoint and remove all subordinate employees of the Commission.

ARTICLE IX FINANCE

1. Each governmental unit becoming a member of the Commission shall pay dues pursuant to the annual budget approved by the general membership.

2. The Commission may apply for, contract for, receive, and expend funds, fees, or grants from the State of Texas, the Federal Government, or any other source. The Commission

shall have no power to levy any tax.

3. Funds of the Commission shall be placed in a depository to be designated by the Executive Committee.

4. Signatory Requirements:

- a. All checks drawn on accounts of the Commission shall require two (2) signatures except for checks of \$1,000.00 or less drawn on accounts other than payroll. These checks shall require one (1) signature with the President, 1st Vice-President, 2nd Vice-President, 3rd Vice-President, Treasurer and Executive Director being authorized signatories.
- b. Checks of \$5,000 or less, but exceeding \$1,000.00, shall bear two (2) signatures with the President, 1st Vice-President, 2nd Vice-President, 3rd Vice-President, Treasurer, and Executive Director being authorized signatories.
- c. Checks exceeding \$5,000.00 shall bear two (2) signatures with the President, 1st Vice-President, 2nd Vice-President, 3rd Vice-President and Treasurer being authorized signatories.
- d. Checks drawn on the Payroll Account shall require two (2) signatures with the President, 1st Vice-President, 2nd Vice-President, 3rd Vice-President, Treasurer and Executive Director being authorized signatories, regardless of amount.

The Commission will seek proposals for its institutional depository every five (5) years. The proposals will be sent and received so that approval may be made at the same time as the budget for the upcoming year – October to September.

ARTICLE X ADOPTION AND AMENDMENT

1. These Bylaws shall become initially effective upon adoption by two (2) or more local general-purpose governments within Hardin, Jefferson, and Orange Counties, having a combined population equal to not less than sixty percent (60%) of the total population.

2. These Bylaws, with the exception of Articles IV and IX, may be amended at any meeting of the Executive Committee by affirmative vote of a majority of the total number of representatives present, provided that at least seventy-two (72) hours notice in writing is given to all representatives detailing the proposed amendment.

3. Article IV and IX of these Bylaws may be amended only by submission of the proposed amendment to the governing bodies of the member governmental units and the approval of such amendments by two-thirds (2/3) of the governing bodies as defined in Article III, present at any meeting of the Executive Committee, provided that at least seventy-two (72) hours notice in writing is given to all representatives detailing the proposed amendment.

ARTICLE XI ANNUAL REPORT AND AUDIT

1. The Commission shall prepare an annual report, which shall be submitted to all members of the governing bodies of all member governmental units.

2. The Commission shall have an annual audit, made by an independent outside auditor who shall be a Certified Public Accountant, of its financial accounts and transactions during the preceding fiscal year and shall include a summary of such audit in its annual report. Once an outside auditor has been designated, they may prepare the annual audit for a period of five (5) years. No auditor shall serve a term longer than five (5) consecutive years. Once terminated, there must be a three (3) year moratorium before being eligible for reconsideration. All auditing engagements shall be renewed annually.

ARTICLE XII BUDGET SUBMISSION AND ADOPTION

The Executive Committee shall annually adopt a budget at an Executive Committee meeting that takes place no later than the last day of the month prior to the beginning of the fiscal year. The budget shall include a membership dues assessment schedule.

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These Bylaws have been adopted as revised by the constituted number of local governments so called for in Article X, effective July 24, 2019.



John Gothia, SETRPC President
South East Texas Regional Planning Commission
Judge, Orange County

ATTEST:



Wayne McDaniel, SETRPC Secretary
South East Texas Regional Planning Commission
Judge, Hardin County

REVISED AND AMENDED – JULY 24, 2019
REVISED AND AMENDED – AUGUST 17, 2011
REVISED AND AMENDED – AUGUST 20, 2003
REVISED AND AMENDED – MAY 19, 1993
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REVISED AND AMENDED - AUGUST 18, 1976
REVISED AND AMENDED - NOVEMBER 15, 1974
REVISED AND AMENDED - SEPTEMBER 12, 1973
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ORIGINAL BYLAWS ADOPTED - JUNE 22, 1970