

BYLAWS
Panhandle Regional
Planning Commission
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Amended – September 1982
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PANHANDLE REGIONAL PLANNING COMMISSION

BYLAWS

PREAMBLE

There is hereby created and organized a regional planning commission, the name of which shall be Panhandle Regional Planning Commission, hereinafter referred to as the Commission. The Commission is organized under the authority of Texas Local Government Code, Title 12, Subtitle C, Chapter 391, as amended, and may exercise any powers heretofore or hereafter conferred upon it by State law.

ARTICLE I

LOCAL GOVERNMENT BILL OF RIGHTS

Section 1: The Commission shall be a voluntary association of local governments and special districts. The Commission shall not condition membership upon endorsement of past, present, or future plans, programs or policies.

Section 2: The Commission shall seek no extension of authority over local governments or special districts.

Section 3: The Commission shall possess no power of taxation.

Section 4: The Commission shall seek no regulatory power over local governments or special districts.

Section 5: The Commission shall exercise no power to limit the lawful powers of local governments or special districts.

Section 6: The Commission shall seek to preserve and enhance the autonomy of local governments and special districts and defend their use of local democratic prerogatives.

ARTICLE II

STATEMENT OF PURPOSE

Section 1: The governmental units party to these bylaws hereby declare that the objective and purpose of the Commission shall be: to encourage local governments to join together, where appropriate, to improve the health, safety, and general welfare of their citizens; to plan the future development of communities; to make studies and plans to guide the unified far-reaching development of the region; to eliminate duplication and to promote economy and efficiency in the coordinated development of the region; and to assist, when requested, member governments to carry out plans and recommendations developed by the Commission.

ARTICLE III

MEMBERSHIP

Section 1: Membership entitles local governments and special districts to participate in the democratic establishment of policy over the Commission's plans, programs, and staff.

Section 2: Governmental units within the territorial limits of the counties of Armstrong, Briscoe, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, and Wheeler eligible to become members of the Commission shall be:

1. General purpose governments, which shall mean incorporated cities, towns, villages, and counties.
2. Special district governments, which shall mean independent and common school districts, water districts, hospital districts, sewer districts and other special districts.

Section 3: Persons or corporations, public or private, statutory boards, or state agencies that are not eligible for membership under Article III, Section 2, who are concerned with the same objectives as the Commission as outlined in Article II, Section 1, may become associate members who may participate in discussion and studies in an advisory capacity, but who shall not have the right to vote or hold office, except as provided in Article VI, Section 3(2).

Section 4: Eligible governmental unit may become members of the Commission by the passage of an ordinance, minute order, resolution, or other appropriate legal action of that governing body.

Section 5: Any member of the Commission, upon notifying the Board of Directors of such action, may withdraw by majority vote of such member's governing body; but no dues assessed and payable prior to such withdrawal shall be refundable. A governmental unit which withdraws from the Commission may subsequently attain membership as provided in Article III, Section 4, without prejudice.

Section 6: A meeting of the general membership shall be held annually during the fourth quarter of each fiscal year. The general membership shall be given a report on Commission activities by the Board of Directors.

ARTICLE IV

REPRESENTATION AND VOTING

Section 1: Representation shall be as follows:

1. Each member general purpose government shall be designated two (2) votes.
2. Each member special district shall be designated one (1) vote.

Section 2: As used in these bylaws, the term “elected official” means a general purpose government or special district official who is elected to the governing body. The city manager of each member city shall be an associate member.

Section 3: Any elected official of a member entity present may cast the vote (s) allocated to that member entity.

Section 4: The use of proxies is prohibited.

Section 5: All elections by the general membership will be conducted at a place so designated by the Board of Directors. The following matters shall be decided based on an aggregate vote of the general membership: the adoption of the budget, the adoption of a dues structure, a referendum, a recall, and bylaw amendments. Results of such election will be certified by the Secretary/Treasurer and transmitted to the general membership within ten (10) days following the vote.

ARTICLE V

POWERS, DUTIES, AND RESPONSIBILITIES OF THE PSA

Section 1: The Commission is hereby divided into the following Planning and Service Areas:

Area 1: Dallam County, Hartley County, Moore County, Oldham County, and Sherman County.

Area 2: Hansford County, Hemphill County, Hutchinson County, Lipscomb County, Ochiltree County, and Roberts County.

Area 3: Briscoe County, Castro County, Deaf Smith County, Parmer County, and Swisher County.

Area 4: Armstrong County, Carson County, Potter County, and Randall County.

Area 5: Childress County, Collingsworth County, Donley County, Gray County, Hall County, and Wheeler County.

Section 2: Each Planning and Service Area shall meet whenever it is deemed necessary by the planning service area chairman to discuss matters of common interest to the planning and service area. The PSA representatives will meet in conjunction with the annual meeting of the general membership and elect representatives to the Board of Directors; and shall review and adopt the annual budget, dues structure and work program.

Section 3: A Planning and Service Area Chairperson shall be the Planning and Service Area representative on the Board of Directors with seniority on that Board. In the event of a question of seniority, the Chairperson of the Board of Directors shall appoint a Planning and Service Area Chairperson. The Planning and Service Area Chairperson shall have the following duties:

1. The Planning and Service Area Chairperson shall call all meetings of the Planning and Service Area.
2. The Planning and Service Area Chairperson shall preside over all meetings of the Planning and Service Area.
3. The Planning and Service Area Chairperson shall settle any disputes concerning voting.
4. The Planning and Service Area Chairperson may appoint committees to address specific issues of concern to a given Planning and Service Area. These committees may report back to the Planning and Service Area membership and make recommendations to the Board of Directors. Planning and Service Areas shall have no standing committees.

Section 4: Those members present and voting shall constitute a quorum of the Planning and Service Area.

ARTICLE VI

BOARD OF DIRECTORS- POWERS, DUTIES, AND RESPONSIBILITIES

Section 1: The Board of Directors shall be the governing body of the Commission and shall be responsible for programs and policies. Those powers not reserved by the Planning and Service Areas shall be exercised by the Board of Directors.

Section 2: Each of the Planning and Service Areas, as set forth in Article V, Section 1, shall be represented by three (3) general purpose government elected officials to serve on the Board of Directors. Planning and Service Area representatives shall serve staggered three-year terms. In addition, Planning and Service Area No. 4 shall have a designated seat on the Board of Directors for an elected representative from the City of Amarillo. This seat shall be for a three-year term. The selection of this position is to be made by the City Commission of the City of Amarillo and shall possess full rights and privileges of board membership as long as the City of Amarillo is a full member of the Planning Commission.

Section 3: During the first quarter of each fiscal year, those sixteen general purpose government elected officials shall meet and appoint to the Board of Directors:

1. Two special district elected officials of member entities.
2. Three minority elected officials of member general purpose local governments.
3. The term of office of the appointed representatives shall be staggered three-year terms.

Section 4: During the first quarter of each odd numbered fiscal year, those sixteen general purpose government elected officials shall meet and offer an ex officio, non-voting membership on the Board of Directors to a member of the Texas Legislature who represents a district located wholly or partly in the territorial limits of the Commission as defined in Article III, Section 2. The term of office of the member of the Texas Legislature shall be two years.

Section 5: The Board of Directors shall call one or more meetings of minority citizens during the first quarter of the fiscal year. The place of the meeting or meetings and the jurisdictions to be represented at each meeting shall be determined by the Board of Directors. The equitable representation of minorities shall be the primary consideration of the Board in making this determination. The place and jurisdictional makeup of the meeting shall be reviewed annually. The meeting or meetings will be held for the purpose of allowing minorities to elect their own representatives to the Board of Directors. The meeting or meetings shall be governed by following procedures:

- a. One minority representative will be elected from each jurisdictional area.
- b. Each minority representative will be elected to a three-year term.
- c. Each person present may cast one vote.
- d. The Chairperson of the Board of Directors shall appoint a member of the Board of Directors to chair each meeting.
- e. The persons chairing the meeting shall settle any disputes concerning voting.
- f. Those persons present and voting shall constitute a quorum.

Section 6: The Board of Directors shall meet during the first month of the fiscal year and shall:

1. select a regular meeting time and date; and
2. establish rules and procedures for the conduct of business.

Section 7: The officers of the Board of Directors shall be the Chairperson, Vice-Chairperson and the Secretary/Treasurer. The Chairperson, or in his or her absence, the Vice-Chairperson, shall preside at all meetings of the Board of Directors. In the absence of both the Chairperson and Vice-Chairperson, the Secretary/Treasurer shall preside at the meeting of the Board of Directors. The officers will be elected at the annual meeting from among the Board of Directors. A nominating committee may be appointed by the chairperson to recommend a slate of officers.

Section 8: Vacancies on the Board of Directors shall be filled as follows:

1. Vacancies of the Planning and Service Area elected officials shall be filled for the remainder of the unexpired term by an election of the members of that Planning and Service Area at their first meeting following the vacancy.
2. Vacancies of appointed representatives shall be filled by the Chairperson, with the advice and consent of the Board of Directors.
3. Vacancies in seats held by minority citizens elected to the Board of Directors shall be filled at a meeting of the affected jurisdictional area to be called for that purpose by the chairperson within sixty days of the effective date of the resignation.

Section 9: The Board of Directors may establish such committees from among its members as it deems necessary. Appointments shall be made by the presiding officer.

Section 10: A majority of the filled positions on the Board of Directories shall constitute a quorum.

Section 11: The Board of Directors shall recommend to the general membership a budget and dues structure.

Section 12: The Board of Directors shall annually engage an independent auditor to audit the financial records and administrative procedures of the Commission.

Section 13: The Board of Directors may establish such advisory committees and policy boards as it deems necessary. Appointments to such committees and boards shall be made by the Chairperson with the advice and consent of the Board of Directors. All appointments shall be made to reflect as nearly as possible the demographic and ethnic characteristics of the region. The Board of Directors may remove any member or members from a committee or policy board as may be necessary.

ARTICLE VII

ADMINISTRATION

Section 1: The Board of Directors shall employ an Executive Director who shall be qualified by training and experience, and shall serve at the pleasure of the Board of Directors.

Section 2: The Executive Director shall be the administrative officer of the Commission shall be subject to the rules and regulations of the Board of Directors, act for and in the name of the Commission as authorized, and appoint and remove all subordinate employees of the Commission.

Section 3: The Executive Director shall prepare an annual work program and annual budget to be submitted to the Board of Directors not less than thirty (30) days prior to the end of the fiscal year. The Executive Director shall faithfully execute all other duties and responsibilities vested in or required of him by the Board of Directors.

ARTICLE VIII

GENERAL PROVISIONS

Section 1: Any member entity may initiate a referendum petition to rescind a specific action of the Board of Directors by notifying the Secretary/Treasurer by resolution of that member's intent. The petition shall specify the action to be reconsidered. If within sixty (60) days following the initiation, the Secretary/Treasurer receives resolutions supporting the petition from member entities who possess twenty-five percent (25%) of the total membership vote, the Secretary/Treasurer will certify to the Board of Directors the validity of the petition. If the Board of Directors fails to rescind its action at the next regularly scheduled meeting, the Board shall order an election of the general membership within thirty (30) days to be conducted in accordance with Article IV, Section 5.

Section 2: Any member entity may initiate a recall petition by notifying the Secretary/Treasurer by resolution of that member's intent. Resolutions for recall must state the name, title and basis of representation of the individual(s) to be considered for recall, and must state the reason for such action. If within sixty (60) days following the initiation the Secretary/Treasurer receives resolution supporting the petition from

member entities who possess twenty-five percent (25%) of the total membership vote, the Secretary/Treasurer will certify to the Board of Directors the validity of the petition. The Board of Directors at its next regular meeting shall order an election of the general membership within thirty (30) days of such certification in accordance with Article IV, Section 5.

Section 3: These bylaws may be amended by an affirmative vote of the majority of the general membership. Amendments may be proposed by resolution of any member entity or the Board of Directors. Voting on proposed amendments may occur during the regular meetings of the Planning Service Area as provided in Article V, Section 2, (or by a ballot mailed to the general membership. A consent form may be utilized by a member entity to ratify a Bylaws change).