



# Southeast Regional Transportation Planning Organization

## Bylaws

Amended June 29, 2022

### Name and Status

The name of the organization is the Southeast Regional Transportation Planning Organization (SERTPO). SERTPO was created by the New Mexico Department of Transportation (NMDOT), and NMDOT has contracted with Councils of Governments (COGs) throughout New Mexico to carry out the requirements for Regional Transportation Planning Organizations (RTPOs).

### Purpose

1. To assist municipal, county and tribal governments within the SERTPO boundaries conform to the federal laws, rules and regulations concerning transportation.
2. To ensure regional transportation planning processes in nonmetropolitan areas include consultation with local elected officials (Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), p. 1963).
3. To address the transportation needs of nonmetropolitan areas in Southeastern New Mexico through enhanced planning, coordination and implementation of statewide strategic long-range transportation plans and transportation improvement programs (Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), 2012, p. 119).
4. To consult with the State regarding the service needs of areas with a population greater than 5,000 and less than 200,00 in Southeastern New Mexico (Fixing America's Surface Transportation (FAST) Act, 2015, pp. 1340-41).
5. To work with all municipal, county and tribal governments within the SERTPO boundaries.
6. To carry out the tasks and activities as outlined in the Regional Work Program (RWP), developed in coordination with NMDOT as referenced within the Cooperative Agreements entered between NMDOT and the Southeastern New Mexico Economic Development District/Council of Governments and Eastern Plains Council of Governments.

### SERTPO Responsibilities

The Regional Transportation Planning Organizations (RTPOs) responsibilities, as outlined in the NMDOT Planning Procedures Manual (PPM), include:

1. Develop and maintain regional long-range multimodal transportation plans (RTPs) , in cooperation with the State of New Mexico (the State).
2. Develop Regional Transportation Improvement Program Recommendations (RTIPR) for consideration by the State.
3. Foster the coordination of local planning, land use, and economic development plans with State, regional and local transportation plans and programs.
4. Provide technical assistance to local officials.
5. Provide training to Board/Committee members that are relevant to the work of the RTPOs.



6. Participate in national, multistate, and State policy and planning development processes to ensure the regional and local input of nonmetropolitan areas in transportation planning.
7. Provide a forum for public participation in the statewide and regional transportation planning processes.
8. Consider and share transportation plans and programs with neighboring regional transportation planning organizations, metropolitan planning organizations and tribal organizations.
9. Maintain a RTPO website that includes current information such as meeting agendas and minutes, as well as current planning documents, such as the Long Range Regional Transportation Plan, Regional Work Program, Title VI Plan, etc.
10. Conduct other duties, as necessary, to support and enhance the regional and statewide transportation planning process.
11. Maintain, in an organized fashion, all applicable records per the State's archiving requirements (identified in a following section) and to make those records constantly accessible and available to NMDOT, FHWA-NM and FTA Region 6 to review (see section on Quality Assurance Reviews for more information).

## Definitions

1. SERTPO Participating Area: Chaves, Curry, De Baca, Eddy, Lea, Lincoln, Otero and Roosevelt counties, all municipalities located within the foregoing counties, the Southwestern corner of Guadalupe County including the Town of Vaughn, all lying within NMDOT District 2.
2. SERTPO Membership: All municipalities, county, and tribal governments (Local Governments) contained within the SERTPO Participating Area.

## SERTPO Membership

SERTPO business is conducted through the actions of its SERTPO Committee and any created sub-committees. The SERTPO Committees shall be composed of voting members, non-voting associated and advisory members, representing their pertinent organization(s) within the SERTPO Participating Area.

1. Local Government Members: All Local Government Members shall be considered voting participants. Membership of the Local Governments in the Southeast Regional Transportation Planning Organization is indefinite. Local Government entities are responsible for appointing representatives to SERTPO and providing updated names and addresses for their chief elected officials and SERTPO representative Committee Members to the SERTPO Planning Program Managers (hereafter referred to as SERTPO Managers).
2. SERTPO Committee Member Representatives. SERTPO Committee Member Representatives, appointed in writing by their respective governments, are the principal officials, or their designated alternates, representing the municipal, county and tribal governments. SERTPO Committee is a requirement of statute (23 USC §135(m)(3)(A)) and is the decision-making authority of SERTPO. Member Representatives shall include a majority of nonmetropolitan local elected officials appointed in writing by their respective governments or their designees, and as appropriate additional representatives from city/county/tribal management, planning, private business,



transportation service providers, economic development practitioners, public in region, and other local entity personnel, appointed in writing by SERTPO members, but in no case shall the number of additional representatives equal or exceed the number of member representatives. Appointment of members that possess technical knowledge of transportation needs is encouraged and may include city/county/tribal engineers, road superintendents/managers and public works personnel, but in no case shall the appointment of members with technical knowledge result in SERTPO Committee Member Representatives to become a minority within the SERTPO Committee. The SERTPO Committee receives initial transportation project applications for its RTIPR and reviews applications based upon established criteria. The SERTPO Committee provides policy guidance in the development of SERTPO activities and takes all official actions by a majority vote of the quorum present. Each municipal, county and tribal entity has one vote.

3. Standing and Ad Hoc Committee(s). The SERTPO Committee is determined by SERTPO and meets at specified, regular intervals. Ad Hoc Committees are determined by SERTPO for a specific purpose and meet to accomplish its stated purpose. These types of committees are not a requirement, and SERTPO may determine whether to have them as separate or joint groups. These Committees meet privately to form and offer recommendations at public meetings of the SERTPO Committee. Membership representatives will be determined at the time of creation based upon the needs of the specific committee.
4. Advisory Member. Such member would be any person or persons representing Local, State and Federal agencies having direct responsibility for transportation planning and programs within the region. Such persons shall be considered non-voting members and will act in an advisory capacity only.
5. Associate Member. Such member would be any person or persons representing a public, quasi-public, political subdivision of the state, private sector or other organization that provides transportation services (e.g., freight providers (rail and trucking), public transit providers, emergency transportation providers, law enforcement, etc.). Such persons shall be considered non-voting members.
6. Ex-Officio Members. "Because of the nature of the office or position". Includes department heads from State and Federal government.
7. Representative's Membership Term. Member Representatives are appointed in writing by their respective member municipal, county or tribal government and serve for an indefinite term. Annually, the SERTPO staff will give the chief elected official of local governments the opportunity to appoint or confirm their designated Committee member representative(s).
8. Participation in the SERTPO Committees shall not be contingent on memberships with the Councils of Governments.

### Officers

1. Officer Term. The Chairman and Vice-Chairman are elected by the voting member representatives of the SERTPO Committee at the first meeting in March on even numbered years, and serve a two-year term, unless removed as described in Part 3. There are no term limits.
2. Vacancy. If a vacancy occurs in the office of the Chair or Vice Chair, the office shall be filled by the voting member representatives of the respective Committee. Until the election of a new Chair,



the Vice Chair shall serve as Chair. The unexcused absence of a Chair or Vice Chair for two consecutive meetings may be considered a vacancy.

3. Removal. The Officer(s) may be removed by election, resignation, noncompliance with the attendance policy, or by member governments (i.e., when the Officer no longer represents his or her member government entity).

## Duties of Officers

The officers of the SERTPO Committee shall be chosen from the voting member representatives and shall consist of a Chair and Vice Chair for the SERTPO Committee.

1. Chairman. The Chairman is the chief executive officer of the Committee and presides at all Committee meetings. The Chairman is responsible for calling all meetings and shall consult with SERTPO staff regarding the place and time of such meetings. The Chairman may, at their discretion, call a meeting of any committee to be held remotely using the best medium to conduct the meeting or allow individual members to attend the meeting remotely. The Chairman directs the business of the Committee and establishes standing and ad hoc subcommittees to focus upon specific areas of concern. The Chairman is an ex-officio member of all standing subcommittees.
2. Vice Chairman. The Vice Chairman presides at all meetings at which the Chairman is absent and performs all duties for which the Chairman is responsible during such meetings.

## Staff Support

The SERTPO fiscal/administrative agents are the Southeastern New Mexico Economic Development District/Council of Governments (SNMEDD/COG) and Eastern Plains Council of Governments (EPCOG). Each Council of Government (COG) enters into a Cooperative Agreement with NMDOT to operate SERTPO. Additionally, each COG provides professional planning, management and administrative support and employs the SERTPO Managers, who coordinate SERTPO activities and meetings in accordance with regional work programs.

1. SERTPO Managers will provide the SERTPO Committee and any of its subcommittees with the necessary staff and technical assistance to support the regional transportation planning processes. SERTPO Managers will be responsible for assembling information and preparing the documentation of plans, programs, meeting packets, project applications, correspondence and other records necessary to conduct the regional transportation planning process.
2. Proposed projects will be submitted to the SERTPO Managers in the designated format. .
3. While a vacancy is pending in the Committee, SERTPO Managers will redirect mail and email communications to the chief elected official for the local entity to ensure there is no interruption in the flow of information to the local government. In those instances where an email address is not available or offered, alternate email addresses for a local government contact will be used to ensure the delivery of information.

## Compliance with New Mexico Open Meetings Act

All meetings of the SERTPO Committee shall be conducted according to the Open Meetings Act, (N.M.S.A., 10-15-1 to 10-15-4). Any remote meetings called by the Chairman will ensure that any mem-



bers and member representatives participating by remote conferencing can be identified when speaking, all participants are able to hear each other at the same time and any members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting. If the entire meeting is held remotely, the public will also be allowed an avenue to attend the meeting remotely. Annually, the SERTPO Committee will adopt a resolution addressing compliance with the New Mexico Open Meetings Act requirements.

## Meetings

All meeting expenses are paid for by the COGs and reimbursed by the NMDOT. Meetings should be consistent with the SERTPO Public Participation Plan and Title VI Plan.

1. Notice: SERTPO shall determine, at least annually in its public SERTPO Committee meeting, what form of notice to the general public is reasonable for the next 12 month period. The reasonable form of notice decided by the SERTPO Committee shall include an agenda with specific items of business to be discussed or information on how the public may obtain a copy of the agenda. The agenda is to be posted on the SERTPO website at least 3 days prior to any meeting, except in the case of an emergency meeting. If unforeseen circumstances that if not addressed will likely result in injury or damage to person or property or substantial financial loss to SERTPO arises, an emergency meeting can be called and within 10 days of such meeting SERTPO shall report to the attorney general's office the action taken and the circumstances creating the emergency. At a minimum SERTPO gives the following notice of public meetings:

Regular Meetings	10 days' notice to the general public
Special Meetings	3 days' notice to members
Emergency Meetings	As much time as is practical

2. Scheduling Meetings:
  - a. The SERTPO Committee will meet as often as needed to conduct business and when called by the Chairman of the committee. SERTPO Managers must ensure that draft minutes of meetings are recorded and prepared within ten (10) days of the previous meeting and distributed to all members, the NMDOT District 2 Engineer and NMDOT Liaison(s). Minutes for the previous meeting shall be approved, amended or disapproved at the next meeting where a quorum is present. Official minutes shall be made available online.
  - b. Future meeting dates are typically scheduled prior to the completion of a meeting. If no date is set during a meeting, the Chairman of the Committee may call a meeting and set the date, time, and place in coordination with the SERTPO Managers.
3. Procedures of Meetings:
  - a. Conduct. All meetings shall be conducted in accordance with Roberts' Rules of Order.
  - b. Opening of Meetings. All meetings are opened by the Chairman or if the Chairman is not present, by the Vice Chairman of the committee. If no officer is present, a Chairperson Pro Term shall be selected by a consensus of the voting member representatives present during the meeting.
  - c. Agenda. Any items proposed to be placed on an agenda should be received by SERTPO Managers no later than 7 calendar days prior to the date of the meeting, to coincide with the



- delivery of meeting packets and public notice requirements. Packets will be hand-delivered, mailed, emailed and/or delivered electronically to Committee members and NMDOT Liaisons no later than 7 calendar days prior to the date of meeting. The Agenda will be made available to the general public through notice or through the SERTPO website at least three days prior to any meeting.
- d. Proxy Votes. If the designated committee member representative is unable to attend a meeting, any elected official or full-time employee of the local government entity may act as the voting member representative without designation in writing. If someone not employed by the local entity is to serve as proxy, this indication must be given in writing by the local governing agency.
  - e. Attendance. In order to encourage participation and prevent cancellation of meetings due to lack of quorum, if any local government entity or any committee misses three (3) consecutive meetings, their names will be removed from the membership roster used for quorum purposes. Committee membership for quorum purposes can be reestablished at the next meeting. Officers may be replaced at the next meeting following their third missed meeting.
  - f. Quorum. Since the Committee Members represent a diverse assembly of governments from a large geographic area that makes attendance of meetings difficult, a quorum for each public meeting is specifically defined herein. A quorum consists of 33% of the voting member representatives present during any one of the previous three meetings of the Committee.

## Member Training

1. SERTPO shall provide member representative training from time to time to new member representatives as well as existing member representatives. Member representatives are provided training during SERTPO meetings through presentations and other training activities. Longer trainings may be coordinated to follow regular SERTPO meetings or on specified dates for full-day training. All new member representatives shall be provided orientation materials. RTPO staff will offer informal orientation to new member representatives.
2. Members are notified of additional training opportunities outside SERTPO meetings on a continuing basis, primarily through email communications and online postings at [www.snmedd.com](http://www.snmedd.com). Trainings are usually transportation-related but may also include other topics to expand member knowledge (e.g., economic development).

## Records

Records generated by the SERTPO Committee and any subcommittees in conducting SERTPO business are jointly owned by the NMDOT and the membership of the SERTPO. Upon Committee Officer removal, any substantive records accumulated during that tenure must be passed on to the respective Committee Chairman and SERTPO Manager(s).

## Amendment of the Bylaws

The Bylaws may be amended by an affirmative vote of the SERTPO Committee with a quorum present. Any voting member may propose amendments to the Bylaws. Amendments must be submitted in writing to SERTPO Manager(s) and the Chairman of the SERTPO Committee in sufficient time to be included in





## Southeast Regional Transportation Planning Organization Bylaws

(Adopted 10/12/93; Amended 5/25/95; 9/4/03; 3/9/06; 6/16/15; 3/28/19; 11/12/20; 6/29/22)

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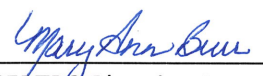
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### Approval and Amendments

**PASSED, ADOPTED AND APPROVED** this 29th day of June, 2022, during a regular meeting of the Southeast Regional Transportation Planning Organization SERTPO Committee.

  
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SERTPO Committee Chair/Vice-Chair

ATTEST:

  
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SERTPO Planning Program Manager