

BYLAWS

CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS

Adopted April 14, 1999
Amended: October 12, 2005

Section 1.00

NAME

1.01

The name of this Committee is the CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE (CBPC) of the Metropolitan Washington Council of Governments (COG).

Section 2.00

AUTHORITY

2.01

The authority of the CBPC derives from Resolution 26-98 adopted by the Board of Directors of COG on September 9, 1998. The Board subsequently addressed membership of the Committee and gave it expanded jurisdiction and budget authority by Resolution R17-05, May 11, 2005.

The CBPC is the principal policy adviser to the Board on all Chesapeake Bay, Potomac River, and water resources issues, and the CBPC shall submit to the Board for its review and approval all major policies, plans, agreements, and programs relevant to these issues. The CBPC shall have oversight responsibility for administering these policies, plans, agreements, and programs receiving Board approval.

The CBPC shall annually review and approve the specifics of the work program and budget for COG's Regional Water fund.

Section 3.00

PURPOSE AND MISSION

3.01

The CBPC shall be the COG Board's principal policy advisor on matters concerning the Chesapeake Bay, the Potomac River and its tributaries, and regional water resources. The CBPC shall evaluate, monitor and participate in the activities of the Chesapeake Bay Program, and shall, under the policy parameters established by the COG Board of Directors, represent the Board's policy-making interests directly to the Chesapeake Executive Council and other appropriate Chesapeake Bay policy makers, including but not limited to the Principals Staff Committee, the Implementation Committee, the Local Government Advisory Committee and the state regulatory agencies. The CBPC shall facilitate implementation of Bay policy in the Washington region and shall design and conduct outreach to COG member governments on Bay restoration. In doing so, the CBPC shall provide regular updates to the COG Board of Directors. The CBPC shall prepare an annual report on its activities for the year and recommendations for the future.

3.02

Areas of responsibility shall include, recommending, advocating and coordinating Bay Program policy issues on behalf of COG members, as well as educating COG membership about the Bay Program. The CBPC shall develop and coordinate an effective arrangement with the Bay Program to ensure that local governments in the Washington metropolitan region have substantial influence in

the development of future Bay Program policies and maintain active involvement at the technical level.

Section 4.00

MEMBERSHIP AND TERMS

4.01

The CBPC shall be composed of the following voting members appointed annually by COG member governments:

- a) one elected official serving on the legislative bodies of each COG member government except Fairfax County which shall have two representatives; and
- b) one elected executive or designated senior manager each from:
 1. The District of Columbia,
 2. Montgomery County, and
 3. Prince George's County.
- c) the general manager or a designated senior manager from any water and/or wastewater utility that contributes to COG's Regional Water Fund.

4.02

Alternates to Voting Members

Each member represented on the CBPC may be represented by an alternate. Except for elected executives, alternates to local elected officials to the degree practicable should be other elected officials. Members and alternates shall be appointed by the governmental unit or utility they represent and shall serve until replaced by the body appointing them.

4.03

Non-Voting Members

The CBPC shall, at its discretion, invite certain interested parties to designate a non-voting member of the Committee, who may actively participate in all Committee business with the exception of formal votes. Representatives of interested parties may be invited, at the discretion of the CBPC Chair, to participate in a specific meeting in which their perspective or input would assist the Committee in its actions.

Section 5.00

OFFICERS

5.01

The presiding officer of the CBPC shall be an elected official representing a member government and shall be appointed annually by the Chair of the COG Board. The term of office shall be for one (1) year, with the possibility of reappointment for a second year at the discretion of the COG Board Chair. Insofar as practicable, the position of Chair shall rotate among member governments from the three (3) state jurisdictions. For purposes of Section 5.00, the District of Columbia, the Commonwealth of Virginia and the State of Maryland each constitute a state jurisdiction.

The CBPC shall annually select two Vice Chairs. Each Vice Chair shall represent a member government from a state different from that of the Chair and that of the other Vice Chair.

5.02 If a vacancy occurs in the office of Chair, his or her successor shall be appointed by the Chair of the COG Board from the same state to complete the unexpired term. A vacancy in the office of Vice Chair shall be filled by the vote of the CBPC, chosen from the same state to complete the unexpired term.

Section 6.00 DUTIES OF OFFICERS

6.01 The Chair of the CBPC shall preside at all meetings and shall perform such other duties that the CBPC from time to time shall assign.

6.02 The Vice Chairs shall act to discharge the duties of the Chair in the absence of inability of the Chair to act, in the rotational order set forth in Section 5.01, above.

Section 7.00 QUORUM AND VOTING PROCEDURES

7.01 Seven (7) members or their alternates representing COG member governments shall constitute a quorum of the CBPC. Of this number, there shall be at least three (3) members or alternates from Maryland; three (3) members or alternates from Virginia; and one (1) member or alternate from the District of Columbia. For purposes of this section utility members are counted in determining the existence of a quorum, relying upon primary place of business, or primary service area.

7.02 When a quorum of the CBPC is present at any meeting, the vote of the majority of the CBPC members (or their officially designated alternates) present and voting shall decide any question brought before the Committee.

New 7.03

A Sense of the Committee of the Whole Resolution may be submitted to the CPBC electronically for consideration. The Resolution, plus all the written and any other electronically reproducible background material submitted to the Committee of the Whole, shall be transmitted electronically to all members of the CPBC by the staff no less than 7 nor more than 10 days after the vote of the Committee of the Whole. Staff shall also give the CPBC specifics of the vote of the Committee of the whole, including the identities of all persons voting, yea, nay, or abstaining. Persons who voted nay or who abstained shall have the right to have a position paper in opposition submitted to the CPBC. Such a paper will be forwarded by the staff if received within 7 calendar days of the vote of the Committee of the Whole.

Members of the CPBC may vote for or against the Resolution, or abstain therefrom, on a form or in a manner provided by the staff. Votes received no less than 10 days nor more than 21 days after the vote of the Committee of the Whole will be tallied by the staff and results reported electronically. For the Resolution to become legally effective it must receive yea votes from a majority of the CPBC, including at least 3 votes from Maryland, 3 votes from Virginia, and 1 vote from the District of Columbia.

Section 8.00

COMMITTEES

8.01

Technical Committees

The Water Resources Technical Committee (WRTC) shall serve as the principal technical advisor to the CBPC. The CBPC may also consult with other technical subcommittees created:

- a) by the COG Board and its policy committees,
- b) by the Metropolitan Washington Air Quality Committee (MWAQC), and
- c) by the Transportation Planning Board (TPB).

8.02

Other Groups or Units

The development and implementation of CBPC policies, plans, agreements, and programs will require, from time to time, the establishment of groups or units other than Technical Committees, especially those involving non-government representation. Such groups or units shall report no less than annually to the CBPC regarding their missions and work plans.

New 8.03

Committee of the Whole

At the call of the Chair, or upon majority vote of members present irrespective of quorum, a meeting of the CPBC may convene as a Committee of the Whole to consider and discuss any matter then pending before the CPBC or any new matter submitted by the Chair. The Committee of the Whole may, by motion, seconded, and approved by majority vote of the members present, adopt a Sense of the Committee Resolution on any matter so considered. Such a Sense of the Committee Resolution shall have no legal force and effect but may be communicated to other entities to represent the interim and informal position of the Committee. Upon separate motion and second, such a Resolution may be submitted for formal electronic voting by the Committee pursuant to 7.03 herein.

8.034

The CBPC may establish other Technical Committees as it deems necessary to carry out its business, consistent with the goals and resources specified in the COG annual budget.

Section 9.00

AMENDMENT TO THE BYLAWS

9.01

These Bylaws are derivative of and based upon policies of the COG Board and can only be changed by the Board itself.

9.02

These Bylaws may be recommended for amendment pursuant to the following procedures:

- a) with the approval of the majority of those voting members of the CBPC present and voting, a proposal to amend the Bylaws introduced at any regular meeting of the Committee, shall be recorded in the minutes; and

b) a special written notice setting forth such proposal shall be circulated to every member of the CBPC at least ten (10) days before the next regular meeting.

c) The amendment shall be acted upon at the next regular meeting following the meeting at which it was proposed. A majority vote of the members present and voting of the CBPC shall be required for adoption. The proposed amendment will then be forwarded to the COG Board for consideration.

Section 10.00

RULES OF PROCEDURE

10.01

Parliamentary Procedure

Except as provided otherwise by these Bylaws, the COG Board Rules of Procedure, and secondarily, Roberts Rules of Order, Revised, shall be the parliamentary authority for the conduct of meetings of the CBPC. If these are silent, the Committee Chair shall declare the appropriate procedure which shall stand for the duration of the meeting announced unless overruled by a majority vote of members present and voting.

10.02

Meetings

The CBPC shall meet at a frequency necessary for the conduct of its business set by Committee Resolution adopted at the first meeting of each year or at the call of the Chair.

10.03

Meeting Summaries

COG staff shall prepare draft meeting summaries for adoption by the CBPC at the next available meeting time subsequent to the meeting for which the summary was prepared. The CBPC shall review and revise the meeting summaries as necessary, which, upon adoption, shall constitute the official CBPC record of actions and other deliberations.

Section 11.00

BUDGET PROCESS

11.01

The Committee shall annually review and adopt a work program and budget for COG's Regional Water Fund as recommended by the WRTC. The committee shall afford COG's Environment and Public Works Directors Committee an opportunity to review and comment on the draft work program and budget.