

BYLAWS
OF THE
COASTAL BEND COUNCIL OF GOVERNMENTS

Originally adopted – November 3, 1966

Latest Amendments Adopted May 30, 1997

Also amended on 5/24/1966 (Section 3b) and on 8/26/2011 (Section 3c)

Information in Attachment A revised in October 2016 based on latest membership and most recent Census

BYLAWS

COASTAL BEND COUNCIL OF GOVERNMENTS (FORMERLY COSTAL BEND REGIONAL PLANNING COMMISSION)

Section 1. NAME

The name of this organization shall be the Coastal Bend Council of Governments.

Section 2. AUTHORITY

The authority and powers of the Commission/Council shall be in accordance with the provisions of Chapter 391 of the Local Government Code.

Section 3. MEMBERSHIP

a. The Coastal Bend Council of Governments shall consist of city and county representatives as set forth in the agreement establishing the Council, as amended. Associate membership shall be provided for school districts, soil and water conservation districts and other special purpose districts, political subdivisions and public interest and civic group members at large. Associate members shall receive all mailings of agendas and minutes, may attend all meetings of the Council, Executive Board and Committees and participate in discussions of all matters before such bodies, but shall have no power to vote in Council meetings. The annual membership fee for each Associate Member shall be \$125. [01/22/1971 Council meeting]

b. In no case may members appointed by their respective governments, appoint a proxy to vote in their absence. Only officially appointed alternates may vote in the absence of the official representative. [05/24/1996 Council meeting]

c. *In addition, the 82nd Texas Legislature enacted H.B. No. 2160 on May 23, 2011 to amend Chapter 391 of the Local Government Code to require the governing body of a commission of a region that is consistent with the geographic boundaries of a state planning region shall offer an ex officio, nonvoting membership on the governing body to a member of the legislature who represents a district located wholly or partly in the region of the commission. The Coastal Bend Council of Governments (CBCOG) Chairman shall select a member of the legislative delegation from the Coastal Bend Region and offer an ex officio, nonvoting membership on its governing board. The initial selection and offer shall be as soon as possible following the adoption of these amended Bylaws. Subsequent selection and offer of membership shall be made after the election or reelection of a CBCOG Chairman at the annual meeting of the CBCOG membership on the fourth Friday of January. [CBCOG action at membership August 26, 2011 meeting]*

Section 4. COMPENSATION

All members of the council shall serve without compensation.

Section 5. OFFICERS

a. The Council shall, at its January meeting, elect a Chairman, a First Vice-Chairman, a

Second Vice Chairman, a Secretary and a Treasurer. The term of these officers shall be for one (1) year, or until their respective successors have been elected and qualified, with eligibility of re-election; but any officer removed at any time by the council at a regular meeting, provided in written notice thereof is given to the officer and members at the preceding meeting. The officers shall be elected from among the members of the Council, and except for Nueces County (from which there may be no more than three officers), no more than two officers shall be from the same county. The Chairman and two Vice Chairman shall each be from different counties. [03/22/1968 Council meeting]

b. In the event an elected official from a member government who serves as an officer of the Council leaves elected office prior to the expiration of their term as an officer of the Council, that officer, at the discretion of the said member government, may serve out the remainder of the term as an officer. In all cases, the immediate Past Chairman of the Council shall serve as a member of the Executive Board, regardless of elected status.

Section 6. EXECUTIVE BOARD

a. In the interest of effective functioning of the Council, there shall be an Executive Board consisting of five (5) officers, the immediate Past Chairman and a number of representatives equal to one more than the number of member counties. At least one-half of the members of the Executive Board shall reside outside Nueces County. [07/27/1973 Council meeting]

b. The Executive Board shall further include an advisory member representative from either (a) soil and water conservation district, (b) school district, and (c) other special purpose districts, political subdivisions and public interest and civic groups; all of whom shall be associate members of the Council. Such representatives shall serve in an advisory, nonvoting capacity to the Executive Board and shall be elected by the Council in January at the recommendation of a Nominating Committee. [04/22/1971 Council meeting]

c. In nominating the Executive Board, the members shall consider the advisability of maintaining some continuity among the members of the Executive Board from year to year. In the event of a vacancy in any office or on the Executive Board, the Nominating Committee shall make nominations to the Council to fill such vacancies at its next meeting, and such vacancy shall be filled by election from among members of the Council. The Nominating Committee report shall be mailed to members of the Council with the proposed agenda and notice of the meeting at which the election is to be held. Nominations may be made from the floor at all elections.

Section 7. MEETINGS

a. The Council shall meet monthly on the 4th Friday of each month except December which shall be held on the 2nd Friday unless changed by a majority vote. The November meeting is waived unless authorized by the membership.

b. All meetings must comply with the requirements of the Texas Open Meetings Act found in Chapter 551 of the Local Government Code. In no case may any item be added to the agenda by a suspension of the rules of parliamentary procedure.

c. For quorums and votes available to the counties and cities please refer to Attachment A

of these Bylaws [09/27/1974 Council meeting] and [05/24/1996 Council meeting]

Section 8. RULES

a. It shall be the duty of the Chairman to preside at all meetings of the Council and the Executive Board, and the Chairman shall coordinate the work of the Council and Board for the greatest usefulness. The Chairman, with the advice and consent of the Council shall appoint such committees as deemed necessary to carry out the work of the Council. In the absence of the Chairman, the First Vice Chairman, if present, shall preside; otherwise, the Second Vice Chairman shall preside at such meetings.

b. The normal order of business shall be as follows:

- I. Call to Order-Roll Call
- II. Approval of Minutes
- III. Treasurer's Report
- IV. Action Items
- V. Announcements and Non-Action Items
- VI. Approval of Treasurer's Report
- VII. Adjourn

c. The Council may adopt policy guidelines to expedite , clarify or give guidance to grant applicants, subcommittees or others that bring resolutions or action items before the Council for consideration. [05/30/1997 Council meeting]

Section 9. FUNCTIONS AND DUTIES

a. The purpose of the council shall be to permit and encourage local units of government, as well as special districts, to join and cooperate with one another to improve the health, safety and general welfare of their citizens, to plan for the future development of the communities, the area and region embraced by the inter-county agreement; that needs of agriculture, business and industry be recognized; that historical and cultural value be preserved; that growth of the communities, the area and the region be commensurate with the promotion of the efficient and economical use of public funds and for such other purposes and objectives as may be from time to time provided by Chapter 391 of the Local Government Code.

b. Another purpose of the Council is to make studies and plans to guide the united, far-reaching development of the region, to eliminate duplication and promote economy and efficiency in the coordinated development of the region.

c. The Council shall serve in a general advisory capacity to units of government within the region.

Section 10. FISCAL FUNCTIONS

a. The Council shall prepare and approve an annual budget in the same manner as other departments of local government. Said annual budget shall be submitted to all participating local

governments in each county of the Coastal Bend Region as provided in the inter-county agreement establishing the Council.

b. The Council shall have authority to provide such information and reports as may be necessary to secure financial aid.

c. The Council shall deposit any monies received as gifts, donations or grants from public or private sources for planning purposes in a public banking institution or institutions designated by it, to be available for expenditures by the Council by warrants upon such monies to be drawn only upon vouchers signed by the Chairman, the Treasurer or any other two designated signatories. The Council shall provide a blanket bond covering the Chairman, Treasurer and any other signatories as well as the employees of the Council in the amount of \$50,000 at a minimum. [03/22/1968 Council meeting]

d. Shall have authority to contract with respect to any funds, grants or services from whatever source derived within the limits of the budget.

e. Shall have authority to appoint such employees as it deems necessary, including an Executive Director, and engage consultants as it may require within the limits of the budget.

f. Shall have authority to acquire equipment and material for its use and incur other necessary expenses within the limits of the budget.

g. May authorize board members and employees of the Council to attend planning conferences or meetings of planning institutions or hearings upon pending legislation; or to engage in other planning activities as official representatives of the Council; and shall have authority to pay, within the limits of the budget, the reasonable traveling expenses of such representatives.

h. All expenditures shall be approved by the Council.

i. Shall have the financial books of the Council audited annually by an independent Certified Public Accountant selected by the Council.

Section 11. EXECUTIVE BOARD – FUNCTIONS

a. Shall meet quarterly or upon call of the Chairman or any three members of the board. The quarterly meetings shall coincide at appropriate times with meetings of the Council as a whole. Notice of the meetings shall be placed in the mail by the Executive Director no less than five days prior to the meeting.

b. Shall exercise such functions, duties and powers as the Council may, from time to time assign to it. In directing the Executive Board to undertake a function, duty or power, the Council may reserve to itself the right of final approval of any act undertaken by the Executive Board pursuant hereto.

b. A majority of the members of the Board, exclusive of the Executive Director, shall constitute a quorum for the transaction of business at any meeting, and a majority vote of those present shall prevail.

Section 12. Fiscal Year

The fiscal year of the Council shall be the calendar year.

Section 13. HEADQUARTERS

- a. The official address and meeting place of the Council is:

Coastal Bend Council of Governments [Physical address]
2910 Leopard Sreet
Corpus Christi, Texas 78408

Coastal Bend Council of Governments [mailing address]
P. O. Box 9909
Corpus Christi, Texas 78469-9909

Section 14. AMENDMENTS

- a. These Bylaws may be amended by affirmative vote of two-thirds (2/3) of the Council present at any meeting, provided that such proposed amendment or amendments with the recommendation of the Bylaws Committee shall be in writing in the call for the meeting in which they are acted upon.

Section 15. EFFECTIVE DATE

- a. These Bylaws are approved as of the date of adoption on November 3, 1966 with the following revisions:

1. March 22, 1968
2. January 22, 1971
3. April 22, 1971
4. July 27, 1973
5. September 27, 1974
6. May 24, 1996
7. May 30, 1997
8. August 26, 2011

ATTACHMENT "A"

It was the intent of the agreement to allow one full vote for each 20,000 population or fraction thereof in each county. These votes are subject to fractionalization between units of government and among representatives of each member unit of government within each county. According to the 2010 Census there are a total of 35 votes under the agreement requiring approval by the "House" or population side representing the 11* counties now belonging to the COG under the 2010 Census. Hence, a quorum for the "House" side vote would be 17.5 voting representatives present entitled to cast 17.5 votes. The agreement contemplates votes in favor from a majority of the 11 counties for "Senate" side approval. Hence, a quorum also requires voting members present from at least 6 of the present counties which have representatives to the COG. In summary, to have a quorum of the COG there must be members present entitled to cast 17.5 full votes on the House side and members present from at least 6 counties which have appointed representatives to the CBCOG under present county membership and the 2010 census.

<u>County/City</u>	<u>Current Number of Voting Representatives</u>	<u>Original Agreement Adopted</u>	<u>Approved as Amended November 3, 1966</u>	<u>Approved as Amended June 24, 1977</u>
Aransas	2		11/14/1966	
Bee	2		11/14/1966	8/18/1978
Brooks	1	3/23/1966	11/14/1966	3/12/1979
Duval	1	3/23/1966	11/14/1966	8/14/1978
Jim Wells	3	3/23/1966	11/15/1966	9/22/1978
Kenedy	1		5/08/1967	2/14/1983
Kleberg	2	3/23/1966	11/14/1966	8/14/1978
Live Oak	1		11/14/1966	8/14/1978
Nueces	17	3/23/1966	11/15/1966	8/15/1878
Refugio	1		11/14/1966	7/11/1977
San Patricio	4	3/23/1966	11/14/1966	8/14/1978
County Total	35			
Agua Dulce	1			9/11/1978
Alice	2		3/13/1967	7/11/1977
Aransas Pass	1		9/07/1971	7/18/1977
Bayside	1			9/07/1978
Beeville	1		4/11/1967	8/22/1977
Benavides	1			5/04/1983
Bishop	1		7/30/1974	8/14/1978
Corpus Christi	9		11/23/1966	7/19/1977
Driscoll	1			5/27/1983
Falfurrias	1			1/12/1978
Freer	1			7/05/1977
Fulton	1			02/11/1980
George West	1		11/10/1967	11/13/1978
Gregory	1		07/10/1972	08/14/1978
Ingleside	1		05/13/1971	01/25/1978
Ingleside on the Bay	1			04/21/1992
Kingsville	2		02/22/1967	08/21/1978
Mathis	1		03/15/1967	01/19/1978
Odem	1		01/04/1972	09/05/1978
Orange Grove	1		10/10/1972	01/12/1978

ATTACHMENT "A" (CONTINUED)

<u>County/City</u>	<u>Current Number of Voting Representatives</u>	<u>Original Agreement Adopted</u>	<u>Approved as Amended November 3, 1966</u>	<u>Approved as Amended June 24, 1977</u>
Port Aransas	1		06/18/1971	04/24/1978
Portland	1		12/06/1966	06/13/1978
Premont	1			05/04/1981
Refugio	1		10/24/1967	08/22/1978
Robstown	1		03.17/1967	07/15/1977
Rockport	1		03/13/1967	07/11/1977
San Diego	1			01/01/1978
Sinton	1		07/06/1971	07/19/1977
Taft	1		08/10/1974	09/12/1978
Three Rivers	1		11/08/1971	09/12/1978
Woodsboro	<u>1</u>			11/01/1977
City Total	41			

County representatives based on population from last Census as follows: One representative for each 20,000 persons or fraction thereof.

City representatives based on population from last Census as follows: Cities over 15,000 population may designate one representative and one additional representative for each additional 35,000 persons or fraction thereof.

*Prior to September 2013, there were 12 counties in the Coastal Bend Region. McMullen County is now in the Alamo Area COG region.