

**BYLAWS OF THE
MIDDLE RIO GRANDE DEVELOPMENT COUNCIL
SOLID WASTE ADVISORY COMMITTEE**

ARTICLE I

Organization

- Section 1. This committee was established and authorized as a standing committee of the Middle Rio Grande Development Council by the Board of Directors in 1987.
- Section 2. The name of this committee is the “Solid Waste Advisory Committee”, serving Dimmit County, Edwards County, Kinney County, La Salle County, Maverick County, Real County, Uvalde County, Val Verde County, and Zavala County in the State of Texas.

ARTICLE II

Definitions

As used in these Bylaws:

- Section 1. “Council” means the Middle Rio Grande Development Council.
- Section 2. “Committee” or “SWAC” means the Solid Waste Advisory Committee.
- Section 3. “Region” or “planning region” means the area embraced by Dimmit County, Edwards County, Kinney County, La Salle County, Maverick County, Real County, Uvalde County, Val Verde County, and Zavala County.
- Section 4. “Regional” means, generally, existing or occurring within the region and having effects beyond an individual community, but more substantially, it means reflecting and serving goals and plans grown out of the cooperation and deliberation of the Committee, the Council, and interested parties within the region.
- Section 5. “Regional Interest” means one of several perspectives within the region belonging to those living, governing, or operating within the region who have a stake in the solid waste activities, planning, and policy of the Middle Rio Grande region as described in Article III.
- Section 6. “Board” means the Board of Directors of the Council.

Section 7. “Official Representative” or “representative” means any individual representing a regional interest who is designated by the Board to serve on the Committee.

Section 8. “Alternate representative” means any individual formally designated by the Board to represent a particular regional interest during Committee meetings, which the Official Representative is unable to attend or serve.

ARTICLE III

Objectives and Purposes of the Committee

Section 1. The declared policy of this committee is to actively support and assist the Middle Rio Grande Development Council and Board of Directors in the planning, development and implementation of regional and local solid waste management issues and plans.

ARTICLE IV

Committee Membership

Section 1. **The SWAC will be representative of the nine (9) member counties of the Middle Rio Grande Development Council. Representation will consist of one (1) member from each county and one (1) member from the largest incorporated city in each county for a total of eighteen (18) members.**

Section 2. **SWAC Members will be appointed by the Chief Elected Official (C.E.O) of each county/city represented in the MRGDC Region. All appointments require the approval by the MRGDC Board of Directors.**

Section 3. Members may serve for a period of one year, with such period beginning October 1st and ending September 30th or until replaced. **In the event of a vacancy or if a Chief Elected Official of a county/city wishes to change its member during the one year term, the Chief Elected Official of that county/city must submit another appointment in writing to the SWAC. Said appointment requires final approval by the MRGDC Board of Directors.**

Section 4. The committee shall reflect a broad range of interests in solid waste management. At a minimum, committee members shall be appointed who represent public officials, private providers of recycling and solid waste services to represent a balance of private service providers operating within the region, citizens groups, and interested individuals. The committee shall include as ex-officio members the Texas Commission on Environmental Quality (TCEQ) grant manager assigned to work with the Middle Rio Grande Development Council and a designated representative of the appropriate TCEQ regional office.

Section 5. The committee may nominate up to three (3) persons to represent the private industry sector to insure special interest groups are represented, subject to approval by the Middle Rio Grande Development Council Board of Directors.

Section 6. Attendance – Members absent from three consecutive meetings shall be dropped from membership upon a majority vote by the committee in session with a quorum present.
The following shall also apply:

1. The member shall be notified, in writing, after being absent from two (2) consecutive meetings, that the member’s membership is in jeopardy.
2. Any member so removed may, within ten (10) days, appeal such action by submitting a written appeal to the Middle Rio Grande Development Council Board of Directors.

Section 7. Membership on this committee shall not be restricted because of race, religion, sex, age, physical handicap or national origin.

ARTICLE V

Officers

Section 1. Officers of this committee shall consist of the Chairperson and a Vice-Chairperson. The Middle Rio Grande Development Council will provide administrative support and other pertinent services of Secretariat and Treasurer.

Section 2. Election of Officers – Officers shall be elected by the committee annually following appointment of the committee membership by the Middle Rio Grande Development Council Board of Directors. Such election shall take place while the committee is in session with a quorum present.

Section 3. Duties – The following constitutes the duties of committee officers:

- a. The Chairperson shall:
 1. Preside at all meetings of the committee.
 2. Call regular and special meetings of the committee.
 3. Appoint standing sub-committee and ad hoc committees as may be required or needed for the efficient operation of the committee.
 4. Appoint special representatives for the committee as may be required or needed for the efficient operation of the committee.
- b. The Vice-Chairperson shall:

1. During the absence or incapacity of the Chairperson, perform the duties of Chairperson, and when so acting, shall have all duties, responsibilities, power and privileges of the office of chairperson.
 2. Shall perform such other duties as may be prescribed by the committee or Chairperson from time to time.
- c. In the absence of both the Chairperson and the Vice-Chairperson at any regular or special meeting, the Middle Rio Grande Development Council staff will call the meeting to order and request nominations for a temporary Chairperson from the committee members present. Upon election, the temporary Chairperson will assume control of the meeting and conduct any business as may be before the committee for consideration.

Section 4. Term – There is no limit to the number of terms a member may serve as an officer. However, the member must be a duly appointed committee member and elected annually as described.

Section 5. Vacancy – In the event of a vacancy in the position of any officer, the committee shall elect a replacement no later than the next regular meeting following notification that such vacancy exists.

ARTICLE VI

Sub-Committees

Section 1. Standing sub-committee may be established by the committee, as need dictates. Once established, the Chairperson will appoint members to the sub-committee.

Section 2. The Chairperson may establish and appoint ad hoc sub-committees as needs dictate.

Section 3. A designated Middle Rio Grande Development staff member will be an ex-officio member of all sub-committees or ad hoc sub-committees.

Section 4. Standing sub-committees may be dissolved by the committee, as need dictates. Ad hoc sub-committees may be dissolved by the Chairperson as desired.

ARTICLE VII

Meetings

Section 1. The committee shall meet at a time, date, and place designated by the Chairperson, subject to this article.

- a. The full committee shall meet as required to conduct necessary business.
- b. A committee meeting may called at the request of at least twenty percent (20%) of the membership.

- Section 2. Notification – Members will be notified at least seven (7) days in advance of the regular meeting, with such notice including the date, time, place and items to be discussed. In the event of a special or emergency meeting, members will be given at least a twenty-four (24) hour notice and only the subject(s) for which the meeting was called may be acted upon.
- Section 3. Each representative on the committee shall be entitled to one vote.
- Section 4. One-third (1/3) of the total committee membership shall constitute a quorum. When a quorum is present at any meeting, a simple majority vote (half + 1) of the representatives present and voting shall decide any question under consideration except an amendment of the Bylaws.
- Section 5. There shall be no proxy voting. Only the representative, or in the absence of the representative, the alternate representative, may vote.
- Section 6. Quorum not present – Should a meeting be called and a quorum not be in attendance, the following shall apply:
- a. No action may be taken.
 - b. If a review and comment item is on the agenda or presented to the committee, those present may make recommendations to the Middle Rio Grande Development Council Board of Directors. Such recommendations shall include:
 - 1. Report of the committee to the Board of Directors that less than a quorum was present.
 - 2. Specific number of those attending and cities and counties represented.
 - 3. Record of vote taken on the item.
 - c. If no review and comment item is on agenda, or presented to the committee, those present shall submit a full report to the committee at the next regular scheduled meeting of the committee for ratification. A special meeting may be called for such purpose should those present determine the matter urgent in nature.

ARTICLE VIII

Conflict of Interest

- Section 1. In order to insure that all applications for grant or other public funds from any source processed through or by this committee, have the same rights, privileges, and are subject to a uniform and equitable review process, the following conflict of interest section shall apply:
- a. A committee member having a vested interested in any such application or fund request that comes before the committee shall, before deliberation of such

matter, declare openly that member's vested interest. Such vested interest shall include, but is not limited to those of grantee, supplier/provider of goods and/or services to a grantee or contractor. A Disclosure of Conflict of Interest Form must be executed by each member.

- b. A member with a vested interest on a particular item or application must abstain from voting on such application/matter. This includes prioritization of grant requests.

ARTICLE IX

Bylaws Adoption and Amendment

Section 1. These bylaws shall become effective immediately upon adoption by the committee, while in session, with two-thirds (2/3) or more of the membership present, subject to final approval by the Middle Rio Grande Development Council Board of Directors.

Section 2. These bylaws may be amended at any regular meeting of the committee by affirmative vote of a two-thirds (2/3) majority of the total committee membership, providing that at least ten (10) days notice, in writing, is given to all committee members setting forth the proposed amendment.

ADOPTED BY THE Solid Waste Advisory Committee on this the June 23rd day of 2014.

By: _____
Mr. Henry Garcia, Chairman

APPROVED THIS 23rd day of June 2014

Hon. Joel Rodriguez, President
Middle Rio Grande Development Council
Board of Directors