

North Central Texas
Council of Governments

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legal counsel

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
REGIONAL STORMWATER MANAGEMENT COORDINATING COUNCIL

COUNCIL BYLAWS

SECTION 1: PURPOSE

The North Central Texas Council of Governments (NCTCOG) is a voluntary association of, by, and for local governments, established to assist in regional planning. NCTCOG serves the 16-county area of Collin, Dallas, Denton, Ellis, Erath, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, and Wise Counties; with membership including counties, cities, school districts, and special districts (Figure 1).

Local government agencies in North Central Texas are dedicated to protecting the region's waters by addressing both the quantity and quality of storm water runoff from urban areas. The agencies within the urbanized areas of this region are committed to implementing comprehensive programs of storm water runoff management to maximize the utilization of the region's lakes, streams, and rivers for drinking water supply, recreation, fish and wildlife habitat, and economic opportunity.

The North Central Texas Council of Governments (NCTCOG) Regional Stormwater Management Coordinating Council (RSWMCC; also referred to as 'Council' or 'Coordinating Council') represents the North Central Texas region on stormwater issues. Originating in 1999, the committee is comprised of stormwater professionals from agencies within the North Central Texas Region that hold stormwater permits for Municipal Separate Storm Sewer Systems (MS4s).

The purpose of the Regional Storm Water Management Coordinating Council (RSWMCC) is to provide a forum for exchanging ideas, provide mutual support, and learn and address common needs related to the goals of the Texas Pollutant Discharge Elimination System (TPDES) and to promote the continued regional stewardship of the urbanized surface waters of North Central Texas.

SECTION 2: COUNCIL MEMBERSHIP

The Regional Stormwater Management Coordinating Council (RSWMCC) members shall be employees of and represent local government agencies regulated by the Texas Pollutant Discharge Elimination System, or TPDES. Membership is also limited to representatives of local government agencies that participate in the annual Cost Share of the RSWMCC. Under normal circumstances, only one representative from each agency may serve concurrently.

There are twenty (20) Council seats, and are allocated as follows:

- A permanent seat (1) is maintained for each cost-share paying, local or regional governmental agency designated as a Phase I MS4 permit holder by the TPDES.
- Twelve (12) At-Large seats are maintained for cost-share paying, local or regional governmental agencies designated as Phase II permit holders by the TPDES.

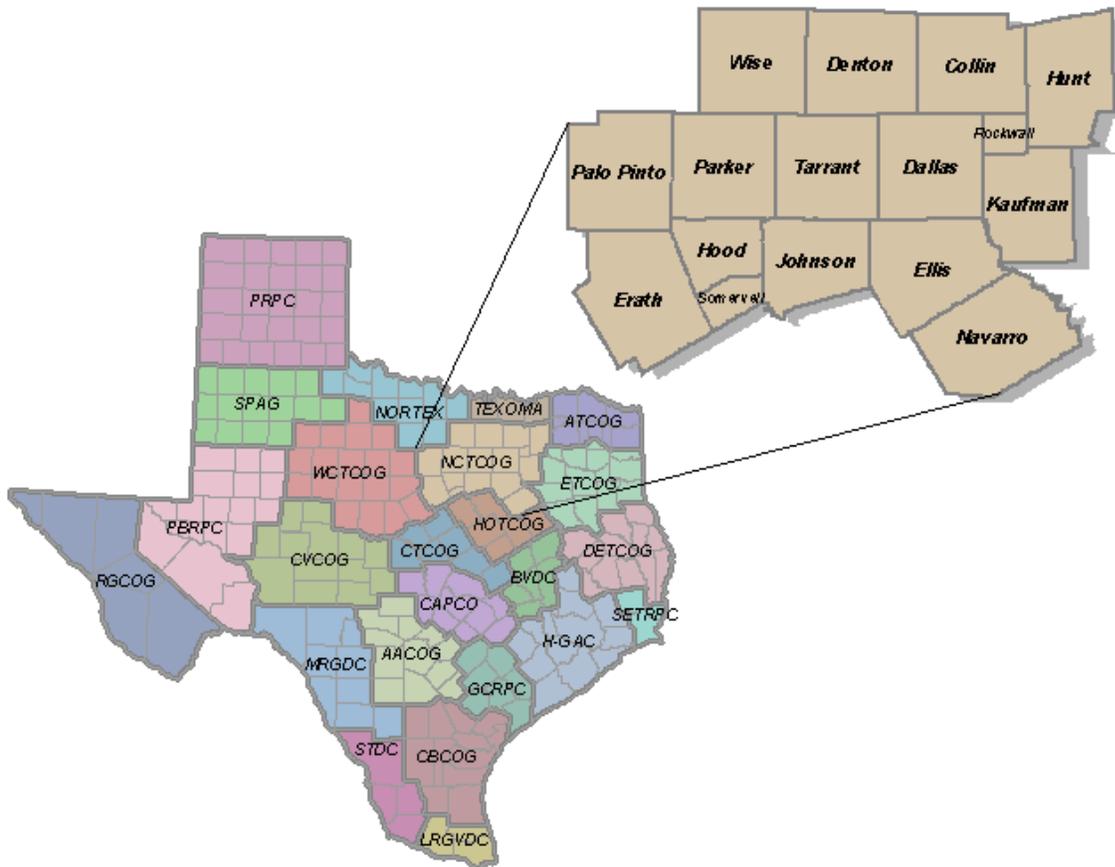
Phase II Representatives Election and Term

Phase II Representatives are elected to the Coordinating Council by the regional program and are employed by a governmental agency in NCTCOG membership. Under normal circumstances, no two representatives from single Phase II MS4 permit holder are allowed to hold an At-Large seat concurrently.

Phase II Representative terms on the Coordinating Council consists of three consecutive fiscal years. Elections for Representatives are conducted in the fourth quarter of the fiscal year that the term for any Representative ends. The terms are to be staggered so that 3 seats should be up for election at the end of each fiscal year. NCTCOG staff will support the election procedures.

A Phase II Representative is eligible to succeed themselves in an election without limitation.

Figure 1. North Central Texas Council of Governments Service Area Boundary



SECTION 3: EXECUTIVE COMMITTEE ELECTION & TERM

The Executive Committee (EC) is comprised of a Chair, Vice Chair and Past Chair, and provides leadership to the Coordinating Council, helping guide the Regional Program. Those serving on the EC must be current members of the Coordinating Council. The position of Coordinating Council Chair is supported by a Vice Chair and a Past Chair. Service on the EC starts with a member being elected to the position of Vice Chair, which begins a three-year term of service, rotating through the subsequent positions of Chair and Past Chair. Because of this, once a Phase II Representative is elected to the Vice Chair position, his/her position as Representative is extended for three years regardless of the number of years remaining in their current term of service.

The service period of election terms aligns with the NCTCOG Fiscal Year, which runs from October – September. NCTCOG will coordinate the election process – accepting nominations throughout the year and hosting an election with nominated candidates prior to the end of the NCTCOG Fiscal Year in October.

The Chair and Vice Chair positions shall be always comprised of members from both a Phase I and a Phase II local government agency. The position of Chair and Vice Chair shall alternate annually between Phase I and Phase II MS4 members. For example, in a year when the Vice Chair moving to the Council Chair position is from a Phase I MS4, the nominations for Vice Chair will be limited to Phase II representatives, and vice versa.

Vice Chair

Election of the Vice Chair is conducted annually, in the fourth quarter of the fiscal year. The term of office coincides with the fiscal year. Nominations of candidates for Vice Chair can be made by all members of the Council. Election to the position is determined by simple majority of votes from the entire body of the RSWMCC. NCTCOG Staff will support the election procedures.

Council Chair

The Council Chair position is a one-year term to coincide with the fiscal year, and is filled by progression of the Vice Chair to Chair.

Past Chair

The Council Past Chair is a oneyear term to coincide with the fiscal year, and is filled by progression of the Chair to Past Chair.

SECTION 4: GENERAL PROCEDURES

Meetings

- All Coordinating Council meetings are open to the public. The Coordinating Council may provide the opportunity for public comment relative to specific activities at the discretion of the Council Chair.
- The Coordinating Council shall meet quarterly or as necessary to fulfill its purpose.
- The Coordinating Council Chair shall call the meeting to order and assist the Council with maintaining order or progressing items of business, as needed.

Designated Alternates

- The representing governmental agency or the council member may name, by written correspondence to the Coordinating Council Chair or NCTCOG Staff, a Designated Alternate to perform in Coordinating Council activities with the full responsibilities and rights of the absent member.
- A Designated Alternate must be submitted in writing at least 24 hours prior to a formal Council vote to have voting privileges. A designated alternate may not vote if the Council Member they represent is also present for a vote. Once submitted, a Designated Alternate term is valid until the end of the current fiscal year. A Designated Alternate may be submitted by a council member and not vote during the current fiscal year.

Vacancies

A member vacating a Coordinating Council seat will notify NCTCOG in order that the vacancy can be filled in accordance with Coordinating Council procedures.

- A vacant Vice Chair position is filled by nomination and election within the Coordinating Council, and a Vice Chair elected to fill a vacancy shall serve the duration of the unexpired term and the following full term. Any member of the Coordinating Council may nominate a candidate for a vacant Vice Chair seat.
- A vacant Council Chair position is filled by the current Vice Chair in conjunction with the election of a new Vice Chair.
- A vacant Past Chair position is not filled by the current Council Chair. A vacant Past Chair seat is filled by nomination of candidates by the Council Chair and Vice Chair and election by the Council.

Phase I Vacancy

- Representatives of the Phase I agencies are responsible for appointing the Council member for their agency in the event of a vacancy.

Phase II Vacancy

- A vacant Phase II seat is filled by nomination and election open to Phase II MS4 representatives among active NCTCOG members. A Phase II representative elected to fill a vacancy shall only serve the duration of the unexpired term to which he or she is elected. Any member of the Coordinating Council may nominate a candidate for a vacant Phase II seat.
- A vacant Phase II seat may not be filled via an appointment by the governmental entity of the vacating person.

- A vacant Phase II seat may be filled by a representative from the same agency as a current Phase II representative, provided there are no other suitable candidates nominated for the position.

Quorum

- A quorum shall consist of a simple majority of the Members of the Coordinating Council.
- If a quorum is not met, an alternative option may be utilized such as an online or “hybrid” option for meeting attendance. There will be a public record on all meeting minutes for quorum and voting records, including members physically present at the meeting and any alternative options utilized in achieving a quorum.
- If the Council Chair is not present at a Council Meeting, the Vice Chair will be assigned the duties of the Chair. This includes calling the meeting to order and assisting with progressing items of business, as needed.
- In the event that the Chair and Vice Chair are both absent, the Past Chair may also perform duties of the Chair.

Task Forces

- The Coordinating Council may be assisted by working groups, known as task forces, appointed by the Chair. While serving in this capacity, members of these groups need not be members of the Coordinating Council but should be representatives of local or regional governmental agencies in the North Central Texas Region. Members of the Task Forces must be from cost share-paying agencies, but attendance of Task Force meetings will be open to the public.
- At the beginning of each task force meeting the task force will select or confirm a volunteer representative to the Work Program Committee.
- Task Forces need not have a set length of service relative to the annual work program but should provide continual support for significant regional issues.
- All Task Forces of the RSWMCC shall be evaluated for relevancy alongside or following the issuance of an updated Phase II MS4 General Permit from the Texas Commission on Environmental Quality (TCEQ), and the Council Chair shall appoint an Ad Hoc Committee for this purpose.
- Following review, Task Forces may be modified or discontinued, as needed.
- Task Force Meetings will be supported by NCTCOG Staff.

Work Program Committee

- The Work Program Committee is comprised of 1-2 volunteer representatives of each active Task Force, the Executive Committee of the RSWMCC, and NCTCOG staff.
- The Work Program Committee will meet or correspond every quarter to review Task Force activities and goals prior to the meeting of the Coordinating Council.
- Work Program Committee Meetings will be supported by NCTCOG Staff.

Ad Hoc Committee

- The Council Chair may appoint at any time an Ad Hoc Committee to address special projects or needs of the Council. Ad Hoc Committees must be assigned a specific purpose

and set a length of service.

- The Council Chair may appoint an Ad Hoc Committee verbally to the Council during the regular Council Meetings and, if so, it will be recorded in the meeting minutes. Alternatively, the Chair may submit an appointment in writing to NCTCOG staff at any time, and it will be recorded in the meeting minutes of the next Council Meeting.
- The Council members may make recommendations for membership of any Ad Hoc Committee. However, the Council Chair will decide on the composition of all Ad Hoc Committees, including if it is necessary to designate specific roles within an Ad Hoc Committee, such as an Ad Hoc Committee Chairperson.
- Ad Hoc Committee Meetings will be supported by NCTCOG Staff.

SECTION 5: ANNUAL WORK PROGRAM & COST SHARE

- Regional activities are guided by an Annual Work Program prepared by the Coordinating Council and NCTCOG staff. The annual Work Program describes projects, goals, and initiatives to be undertaken by the Coordinating Council, Task Forces, and NCTCOG Staff. NCTCOG Staff will prepare and propose a budget for the annual Work Program. The Annual Work Program and budget will be approved during the fiscal year by a simple majority vote of Council members.
- The Annual Work Program will align with the NCTCOG Fiscal Year, from October – September. Deliverables will be scheduled to be completed during the period of the current fiscal year, unless otherwise reported to the RSWMCC.
- Any activity or action that the Council may desire to pursue and is not specifically addressed in these procedures will be conducted in the manner decided by a simple majority of the Council.
- The Annual Work Program of the RSWMCC will be supported financially by an Annual Work Program Cost Share. The specific cost of participating in the cost share will be determined by a tiered cost share table based on population data of the North Central Texas Region. The population data will be derived from a reputable, public data source such as the U.S. Census or the NCTCOG Regional Database.
- The tiered cost share table shall be reviewed and updated at least every 5 years.
- The Council Chair or Vice Chair, may, at any time, request a review of the tiered cost share table, provided they demonstrate an emergent need for review to the Council. The review may be initiated by the Council Chair or Vice Chair through a formal motion at a Council Meeting.
- Any review of the tiered cost share table will be conducted by an Ad Hoc Committee comprised of Council members appointed by the Council Chair. The Ad Hoc Committee may determine at the time of review which specific data source will be used to derive population data for the tiered cost share table.
- Annual Work Program & Cost Share activities will be supported by NCTCOG Staff.

SECTION 6: COUNCIL BYLAWS

- Changes to these bylaws can only be made by a simple majority vote of the RSWMCC membership present.
- The RSWMCC Bylaws will be reviewed by the Council at least once every 5 years beginning in FY2030.

SECTION 7: ROLE OF NCTCOG STAFF

- NCTCOG will serve in an advisory and administrative support capacity to the RSWMCC and Subcommittees. NCTCOG will prepare all meeting notices, agendas and support materials, keep attendance records, record the proceedings of each NCTCOG-hosted meeting, and otherwise provide support functions within the limits of the fiscal resources.

Adopted January XX, 2026 by the Regional Stormwater Management Coordinating Council (RSWMCC).

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