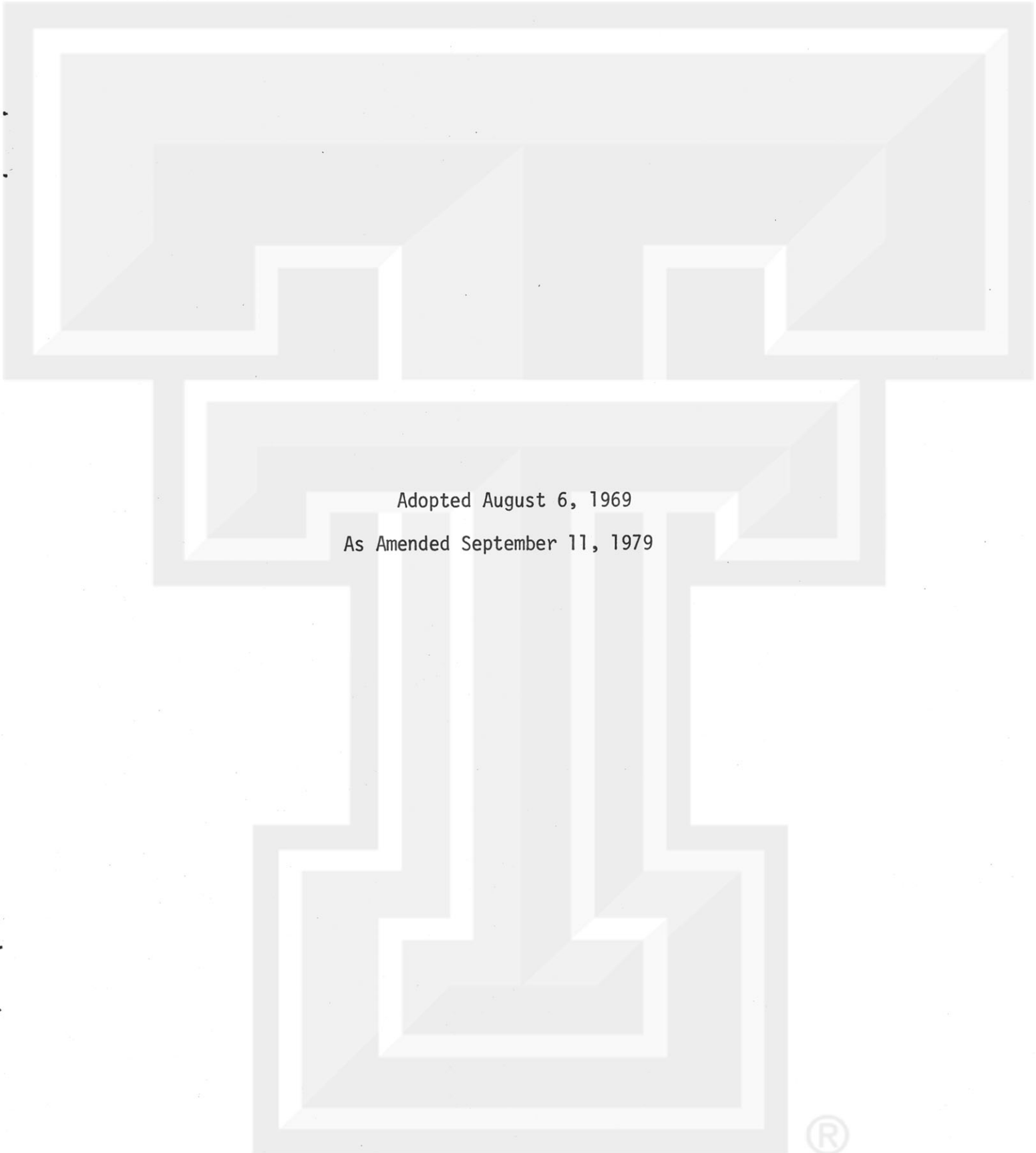


# BY LAWS



SOUTH PLAINS ASSOCIATION OF GOVERNMENTS®



Adopted August 6, 1969  
As Amended September 11, 1979



BY-LAWS  
SOUTH PLAINS ASSOCIATION  
OF  
GOVERNMENTS

ARTICLE I  
ORGANIZATION

On June 7, 1967, there was created, under authority of V.A.C.S., Article 1011m, a regional planning commission known as the Lubbock Metropolitan Council of Governments. In accordance with Resolution C-69-15 adopted May 14, 1969, supporting the creation of a regional association of governments, and in accordance with Resolution C-69-21 adopted August 6, 1969, amending the bylaws of the Lubbock Metropolitan Council of Governments, the name of the organization is hereby changed to the South Plains Association of Governments, thus expanding the organization and creating a voluntary association of local governmental units located in whole or in part within the counties of:

Bailey	Dickens	Hale	Lamb	Motley
Cochran	Floyd	Hockley	Lubbock	Terry
Crosby	Garza	King	Lynn	Yoakum

and such adjacent counties as may seek membership in the Association. All prior actions of the Lubbock Metropolitan Council of Governments are hereby approved as actions of the expanded Association which shall hereafter be governed by these bylaws and by the herein designated three decision-making bodies:

General Assembly  
Board of Directors  
Executive Committee

ARTICLE II  
OBJECTIVES AND DECLARATION OF POLICY

In creating this Association it is recognized that:



1. The Association has no power to levy any character of tax whatever.
2. The Association is a voluntary organization through which individual governmental units can coordinate their efforts. Its recommendations are advisory and not mandatory. It is not in itself a government, nor does it seek to become one.
3. The Association shall consider primarily such matters as are of area-wide or regional significance.
4. The physical, economic, and social well-being of the region, its citizens, and business enterprises are dependent upon an orderly development of the entire region. This will be possible only with the successful coordination of governmental services and policies in a spirit of cooperation.
5. County and city governing bodies are, and should continue to be, the top policy makers in local government. They are directly concerned with all services and regulations affecting the public in their communities. Local units of government, which are the closest to the people, should exercise the basic initiative and leadership and should have the primary responsibility for dealing with those problems and needs which require action on a regional basis. Local units of government have the responsibility for anticipating and meeting governmental needs which future development will require, including the need for joint and coordinated areawide services.
6. In achieving its objectives, the Association may exercise any powers heretofore or hereafter conferred upon it by State Law, provided however, in the event any taxing power is hereafter granted, no taxes shall be levied without first being authorized at an election submitted to the qualified electors residing in the counties or local governmental units within such counties if such county unit is a participating member of this Association.

It is hereby declared that the primary goal of this Association shall be to maintain and improve the quality of life for all people in the region by promoting the orderly development of the total regional environment: economic, social, and physical. The following objectives are established in support of this goal:

1. To serve as a forum through which citizens and governments may identify, discuss, study, and bring into focus regional challenges and opportunities.
2. To serve as a vehicle for the collection and exchange of information of regional interest, and to identify and measure regional trends and issues.
3. To provide continuing organizational machinery designed to insure effective communication and coordination between governments, agencies, and citizens.

4. To establish a comprehensive development planning process which will examine the interrelationships between various components of the total environment, and to foster, develop and review policies, plans, and priorities of regional growth, development, and conservation.
5. To facilitate agreements and cooperative action proposals among member governments for specific projects or other inter-related developmental needs and for the adoption of common policies and plans with respect to common regional challenges.
6. To maintain liaison with members, governmental units, and groups or organizations; to ascertain regional consensus; to serve as regional spokesman in presenting such consensus.
7. To furnish general and technical aid to member governments as they direct; to promote and accomplish association approved agreements, policies and plans; and to assist local governments in doing a better job for themselves.
8. To review and help to coordinate Federal, State, and local programs of regional importance.

### ARTICLE III MEMBERSHIP

#### Section A - Eligibility

The Association shall be composed of local government members located in whole or in part within the counties of:

Bailey	Dickens	Hale	Lamb	Motley
Cochran	Floyd	Hockley	Lubbock	Terry
Crosby	Garza	King	Lynn	Yoakum

Local governments in adjacent counties may voluntarily seek membership in the Association subject to approval by the Governor of Texas.

There are two types of membership.

1. General Government Members - Membership shall be open to all counties enumerated above and to all incorporated cities within those counties.
2. Special Purpose Government Members - Membership shall be open to all school districts, water districts, sewer districts, soil and water conservation districts, and hospital districts located in whole or in part within the counties enumerated above whose governing bodies are composed of elected officials.

## Section B - Conditions of Membership

To become and retain membership in the Association, General Government members and Special Purpose Government members shall meet two conditions:

1. Formally enter into the intergovernmental agreement creating the Association by passage of an ordinance, minute order, or resolution filed with the Association;
2. Comply with requirements in the Bylaws concerning financial contributions of its members.

## Section C - Withdrawal

A member of the Association may withdraw by a majority vote of the membership of the member's governing body. Governmental units which withdraw from the Association may subsequently rejoin the Association upon payment of dues becoming delinquent during the period of withdrawal.

# ARTICLE IV GENERAL ASSEMBLY

## Section A - Responsibilities

To accomplish the objectives and purposes of the Association, the General Assembly shall have the following responsibilities:

1. To adopt and amend the bylaws of the Association.
2. To propose, initiate, or approve any study, policy discussion, plan, or other Association policy matters.
3. To resolve any membership questions.
4. To adopt the Association budget and membership dues schedule.

## Section B - Representation

Membership representation shall be as follows:

1. General Government Members - Each member city and county shall be officially represented by its duly elected presiding officer and/or such other duly elected members of its governing body as they annually select prior to the annual Association meeting.

Representation shall be proportional to the population of the governmental unit according to the last Federal census at the ratio of one representative for each 25,000 persons or fraction thereof. However, there shall be a maximum of five representatives from any one government.

2. Special Government Members - Each member government shall be officially represented by its duly elected presiding officer or one other duly elected member of its governing body as may be selected.

#### Section C - Alternates

Each member government entitled to only one voting representative shall appoint an alternate to serve in the event of the absence of the duly selected representative. Such alternate shall be a duly elected member of the government's governing body. Such alternate representative shall have all the rights and privileges of the regular representative during his absence provided written notice of such alternate has been filed with the Association Secretary.

#### Section D - Non-voting Representatives

Each member government entitled to only one voting representative may appoint any or all of the remaining members of its governing body as non-voting representatives. Non-voting representatives shall be permitted to enter into the discussions of the General Assembly, and shall be permitted to caucus and advise with their respective voting representatives on any matter presented for consideration of the General Assembly.

#### Section E - Term of Office

Representatives shall serve during the term of office to which they have been elected by their constituents unless sooner replaced by the governmental unit.

#### Section F - Voting

Each duly selected voting representative of governmental members shall have one vote in the General Assembly, and a simple majority of such representatives present and voting shall decide any question, except amendments to these Bylaws.

#### Section G - Quorum

A quorum of the General Assembly shall consist of fifty-one (51%) percent of the total voting representatives.

#### Section H - Meetings

The General Assembly is required to meet at least two times a year, or upon call of the President or Board of Directors, or by petition of 10% of the voting representatives of General and Special-purpose Government members. The Annual Meeting of the General Assembly shall be held during the month of September each year. Announcement of

each meeting shall be written notice served upon or mailed to each representative at least ten days prior to the meeting. The written notice shall specify the time, the place, and the object of the meeting.

## ARTICLE V BOARD OF DIRECTORS

### Section A - Responsibilities

The responsibilities of the Board of Directors are:

1. To propose, initiate, approve, or recommend any study, policy discussion, plan, or other Association matter.
2. To evaluate alternative policies, plans, and programs and to recommend a consistent set for consideration and adoption by public and private agencies responsible for implementing programs in the region.
3. To initiate, advise, and aid in the establishment of cooperative agreements among local governments in the region, and to propose amendments to inter-governmental agreements as necessary.
4. To review proposed policies, plans, and programs for consistency with Association-approved policies, plans, and programs for the region.
5. To render advice and technical assistance, upon request of member governments, in regard to local governmental problems having regional impact.
6. To provide an opportunity for citizens, State and Federal governments, and other agencies having regional interests to cooperate in Association activities.
7. To appoint representative ad hoc or special committees and technical-advisory committees as needed to assist in the preparation of plans, programs, and project reviews.
8. To approve requests for special studies pertaining to a portion of the region, provided the cost is borne by the interested members only.
9. To annually elect the officers of the Association and to fill vacancies in the office as they occur.
10. To conduct the business of the Association, and to make such management decisions as are necessary to carry out the objectives of the Association.
11. To maintain appropriate financial and meeting records for the entire planning program.
12. To allocate components of the annual work program among the Association staff, staffs of other public agencies, and private consultants.



13. To serve as financial control body, to receive funds for the Association, to approve contracts, and to transfer funds within the approved total budget in order to meet unanticipated needs or changed conditions.
14. To propose an annual budget and membership-fees schedule to the General Assembly.
15. To appoint, fix salary of, and remove from office the Executive Director, and to authorize staff positions.
16. To establish bonding requirements for the Executive Director and Association officers.
17. To seek and accept contributions and grants-in-aid.

#### Section B - Membership

Each General Government member having a population of 10,000 persons or more, according to the last Federal census, shall be entitled to one representative on the Board of Directors for each 50,000 persons total population, or part thereof. These representatives shall be selected by the member's governing body from among the member's duly-selected representative(s) to the General Assembly.

In addition to the above, the remaining members within each county of the Association shall be entitled to one representative collectively on the Board of Directors. At the Annual Meeting of the Association, special-purpose government members shall caucus with the general members from their respective counties, regardless of county population, and -- if elected by the members present from that county -- shall serve as "at-large" representatives with full voting rights and privileges. In the event that any member's jurisdiction overlaps two or more counties, said member shall participate in the selection of a Board member from only one county of his choice.

Each type of special-purpose district will be entitled to elect one representative to the Board of Directors when such type district has five or more member districts in the organization. This representative shall be chosen by and from the special district within the region at the Annual Meeting of the Association, and shall have the same voting rights as any other Board member.

Board members shall be selected annually at or prior to the Annual Meeting of the Association, and their terms of office shall begin at the conclusion of said Annual Meeting. However, if no government in a county is a member at that time, such Board positions may be filled according to the preceding formula as new members join thereafter.

In addition to the above, eight minority representatives chosen by and from the minority population shall be added as Board members with the apportionment as follows: two from the City of Lubbock; two from Lubbock County; one from Hale County; one from Bailey, Lamb, Yoakum and Cochran Counties collectively; one from Hockley and Terry

Counties collectively; and one from Floyd, Motley, Crosby, Dickens, Lynn, King, and Garza Counties collectively.

Prior to the Annual Meeting each year, SPAG staff shall prepare a written inventory of all political, civic, religious, professional, social, and fraternal organizations and groups substantially representative of the minority groups in the area and notify the minority organizations and groups to meet at a designated time and place for the purpose of selecting the minority representatives to become members of the Board of Directors. SPAG's role at the meeting will be limited to coordinating the meeting and assisting the minority groups and organizations in selecting their representatives.

#### Section C - Voting

Each member of the Board shall have one vote, and a simple majority of the members present and voting shall decide any question.

#### Section D - Quorum

A quorum of the Board of Directors shall consist of a simple majority of its total membership.

#### Section E - Meetings

The Board of Directors shall meet at least once a month, on call of the President, at the direction of the General Assembly, or upon call of 10% of the voting membership of the Board. Announcement of each meeting shall be written notice served upon or mailed to each member at least 10 days prior to the meeting, unless it is a stated meeting. The written notice shall specify the time, the place, and the object of the meeting.

#### Section F - Attendance

Failure to attend three consecutive meetings of the Board of Directors without excuse will be considered as a resignation, and a replacement will be appointed by that county's caucus or by the representative group from which that member was selected.

### ARTICLE VI EXECUTIVE COMMITTEE

#### Section A - Responsibilities

The responsibilities of the Executive Committee are:

1. To act as the governing body of the Association between meetings of the General Assembly and the Board of Directors, and to take such actions as are expedient and necessary to continue the programs and policies of the Association.
2. To lend advice and assistance to the Executive Director in the exercise of his responsibilities.

3. To execute such other responsibilities as may be delegated to them by the Board of Directors.

#### Section B - Membership

The Officers of the Association shall be the Executive Committee. The immediate past-president shall serve as an ex-officio member of the Executive Committee.

Two persons from the minority membership of the Board of Directors shall be elected to serve on the Executive Committee. A caucus of minority Board representatives shall be held during the Annual Meeting and the two members chosen by and from the minority Board members shall serve for one year on the Executive Committee.

#### Section C - Voting

Each member of the Executive Committee shall have one vote and a simple majority of the members present and voting shall decide any question.

#### Section D - Quorum

A quorum of the Executive Committee shall consist of a simple majority of its membership.

#### Section F - Meetings

The Executive Committee shall meet on call of the President, or upon call of any three of its members. Announcement of each meeting shall be either written notice or telephone message. Telephone polls of the Executive Committee may be made under emergency conditions provided the action is duly ratified at the next Committee meeting and is recorded in the minutes of the Committee.

### ARTICLE VII OFFICERS

#### Section A - Election

The Officers of the Association shall be President, First Vice-President, Second Vice-President, Third Vice-President, Fourth Vice-President, Secretary, and Treasurer. They shall be elected by and from the membership of the new Board of Directors at the conclusion of the Annual Meeting in September of the General Assembly. They shall take office immediately and serve until their successors are chosen.

#### Section B - Duties

The duties of each officer shall be:

1. President - The President shall be the Association's trustee of its programs and policies. He shall preside at all meetings of the General Assembly, Board of Directors, and Executive Committee.
2. Vice-President - The Vice Presidents shall, in their respective order, assume the duties of the President in his absence; and shall chair committees as designated by the Board of Directors.
3. Secretary - the Secretary shall be responsible for the accuracy of the minutes of all meetings.
4. Treasurer - The Treasurer shall be responsible for the accuracy of the financial records of the Association.

## ARTICLE VIII STAFF

### Section A - Executive Director

The Board of Directors shall employ an Executive Director who shall be qualified by training and experience for the position and who shall serve at the pleasure of the Board of Directors. The Executive Director shall be the chief administrative officer of the Association and shall, subject to policies, rules, and regulations of the Association, act for and in the name of the Association. The Executive Director shall be responsible for coordinating all staff and consultant services provided to the Association; preparing and administering the annual work program and budget; employing, retaining, and removing all personnel as may be necessary; and performing all other duties delegated to him by the Board of Directors.

### Section B - Employment

The Board of Directors shall provide such staff as deemed necessary to carry out the purposes and functions of the Association through authorization of positions.

### Section C - Bonding

The Executive Director and each officer of the Association shall be bonded in the amount as prescribed, from time to time, by the Board of Directors. The bond referred to herein shall be conditioned on the faithful discharge of the duties of the position and for the faithful accounting of all monies and things of value coming into the hands of the officers. The bond shall be procured from a regularly accredited surety company authorized to do business under the laws of the State of Texas, and the premium therefore shall be paid by the Association. The Board of Directors may require any employee to be bonded in such amount and upon such conditions as it may deem proper for the protection of the public interest.

## ARTICLE IX FINANCES

### Section A - Fiscal Year

The fiscal year of the Association shall commence on October 1 of each year.

### Section B - Budget

A proposed budget for the Association shall be prepared by the Executive Director and shall be submitted to the Board of Directors on or before July 1 of each year. The annual budget shall be adopted by the Association not later than their Annual Meeting.

### Section C - Dues

Each member of the Association shall pay dues as follows:

1. Dues for General Government County members shall be at the maximum rate of 7½¢ per capita based upon the total population of the governmental jurisdiction according to the last Federal census.
2. Dues for General Government incorporated city members shall be at the maximum rate of 15¢ per capita based upon the total population of the governmental jurisdiction according to the last Federal census.
3. Dues for Special Purpose Government members shall be at the maximum rate of \$300 per year for governments with taxing authority and \$25.00 per year for governments without taxing authority.
4. Governmental units joining the Association following the start of the fiscal year shall pay full dues according to the above schedule.
5. Within the established dues schedule, the Board of Directors shall have the discretion to issue a call for all or part of such dues to be paid at any time during fiscal year for which such dues are established. Said dues shall be paid within 30 days of such call.
6. A member which is in arrears in its dues shall not participate in deliberations or cast a vote in either the General Assembly, Board of Directors, or Executive Committee until all delinquent dues are paid.
7. Governments entering into the inter-governmental agreement and becoming members of the expanded Association between the date of adoption of these bylaws and October 1, 1969, shall not be required to pay dues prior to October 1, 1969.

### Section D - Financial Assistance

The Board of Directors may apply for, contract for, receive, and expend funds or grants from the State of Texas, the Federal Government, or any source.

## Section E - Depository

Funds of the Association shall be deposited in a depository designated by the Board of Directors and may be expended upon check or warrant in accordance with rules established by the Board of Directors.

## Section F - Annual Report and Audit

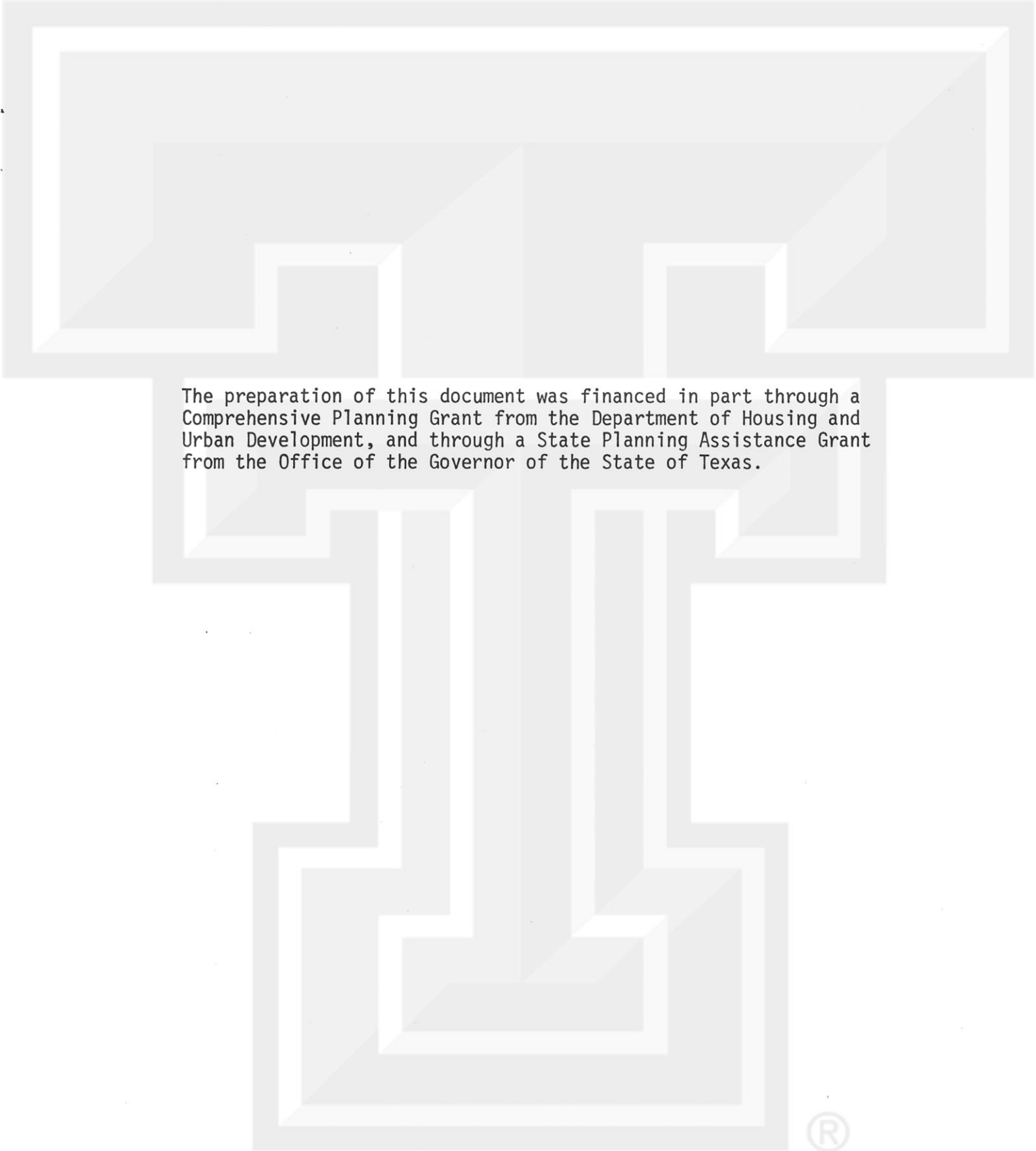
The Association shall prepare an annual report which shall be submitted to all voting representatives. The Association shall have an annual audit made of its financial accounts and transactions during the preceding fiscal year which shall be distributed to all voting representatives.

## ARTICLE X AMENDMENTS

These Bylaws may be amended in the following manner:

- (a) At least ten (10) days notice in writing shall be given to all voting representatives, setting forth any proposed amendment and setting a time and place for a meeting of the General Assembly to consider such amendment and any other business which shall come before the meeting.
- (b) No amendment shall be effective unless:
  - (1) Fifty-one (51%) percent of the General Government members present at the General Assembly meeting vote in favor of it, and
  - (2) Fifty-one (51%) percent of the Special Purpose Government members present at the General Assembly meeting vote in favor of it.





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