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BYLAWS
OF
SOUTHWEST WASHINGTON
REGIONAL TRANSPORTATION COUNCIL

ADOPTED: July 7, 1992

AMENDED: February 3, 2004

AMENDED: April 6, 2004

AMENDED: January 3, 2006

AMENDED: April 7, 2009

AMENDED: November 2, 2010

AMENDED: December 4, 2012

AMENDED: December 5, 2017

AMENDED: December 3, 2019

AMENDED: December 1, 2020

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BYLAWS
OF
SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL

ARTICLE 1
IDENTIFICATION

1.1 Corporate Name. This Corporation that was formed under the authority of the Interlocal Corporation Act, Chapter 39.34 RCW shall be known as Southwest Washington Regional Transportation Council, hereinafter called the "Corporation," formed under the laws of the State of Washington, specifically under Chapter 24.03 of the Revised Code of Washington (the Washington Nonprofit Corporation Act) or any amendments thereto or recodification thereof.

ARTICLE 2
OFFICES

2.1 Principal Office. The principal office of the Corporation shall be located at 1601 E Fourth Plain Blvd, Suite A430 , Vancouver, Washington 98660.

2.2 Other Offices. The Corporation may also, where necessary or convenient to the accomplishment of its corporate purposes, maintain offices or facilities elsewhere within the State of Washington of such nature and at such locations as the Board of Directors, hereinafter called the Board, may, from time to time, determine.

ARTICLE 3
FUNCTIONS

3.1 The purpose of the Corporation shall be as prescribed by the Articles of Incorporation, and generally, to do all other things incidental, necessary, convenient or expedient for the attainment of the purposes therein set forth, including maintaining a continuing, cooperative and coordinated transportation planning/program process, adopting a regional transportation plan for southwest Washington, prioritizing and selecting federally funded projects, carrying out all responsibilities and duties required by current and future federal state and local transportation planning and coordination law, and other applicable federal transportation legislation and federal and state Clean Air and Growth Management Act requirements, and for the accomplishment of the duties and responsibilities imposed upon the Corporation by the laws of the State of Washington, federal laws and by these Bylaws.

3.2 The function of the Corporation are further defined by the Interlocal Agreement For The Establishment of the Southwest Washington Regional Transportation Council ("Interlocal Agreement") entered into on July 1, 1992.

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ARTICLE 4
BOARD OF DIRECTORS

4.1 Powers. The property and business affairs of the Corporation shall be managed by its Board of Directors. All powers shall be vested in and may be exercised by the Board of Directors, except those powers these Bylaws or the laws of the State of Washington reserve or delegate to groups other than the Board. The Board may hold meetings at such times and places as it shall deem appropriate; appoint committees and task forces on particular subjects; carry on correspondences and communicate with other entities interested in the same purposes for which the Corporation has been organized; and devise and carry into execution such other measures as it deems proper and expedient to promote the purposes of the Corporation and to best protect the interests and welfare of the Corporation. The powers and duties of the Board shall also include, but not be limited to, the following items:

4.1.1 To determine the amount of annual contributions payable to the Corporation by the member agencies for the succeeding fiscal year.

4.1.2 To collect, use and expend the fees and other moneys collected to maintain, pay tax on, care for and preserve the Corporation property and generally carry out the corporate purposes;

4.1.3 To employ an Executive Director and to administer operations of RTC subject to Board oversight and approval, as per the terms of adopted policies and the Bylaws.

4.1.4 To bring and defend actions by or against one or more existing or former Board Members, Officers or other agents, pertinent to the operation of the Corporation.

4.2 Representation. The parties to the Interlocal Agreement as well as ODOT, Metro, Cowlitz Indian Tribe, and members of the Washington House of Representatives and the Washington State Senate whose districts are wholly or partly within RTC's RTPO boundaries shall be represented on the Board of Directors. Except for the Oregon State Department of Transportation and the Metro, such Board Members shall represent any general purpose government, special purpose district, governmental agency, federally recognized tribal nation or political subdivision which is a party or becomes a party to the Interlocal Agreement or whose representation on the RTC Board is provided for by state law and agrees to fund the Southwest Washington Regional Transportation Council pursuant to the Interlocal Agreement and these Bylaws. Representatives of the Oregon State Department of Transportation and Metro shall also be representatives of the Board as provided in the Interlocal Agreement and the Articles of Incorporation.

4.2.1 Voting Members. The Board of Directors shall be comprised of Fourteen (14) voting members designated as provided in the Interlocal Agreement creating RTC, with the exception of changing the designation of one of the City of Vancouver representatives from the City of Vancouver Manager to a City of Vancouver

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Councilmember; and, One (1) voting member representing the Cowlitz Indian Tribe in conformance with RCW 47.80.050

4.2.2 Ex-officio Members. The Fifteen (15) state legislative members of the 14th, 17th, 18th, 20th, and 49th districts that are wholly or partly within RTC's RTPO boundaries are ex-officio non-voting members of the Board.

4.2.3 Associate Members. Special purpose governments and other quasi-government agencies are eligible to petition for approval as Associate Members to the Council. Associate Members will be designated as ex-officio members, and possess full participation rights, but no voting privileges. The Council Chair, in consultation with the Executive Director, will consider whether the membership fits into the Council's overall mission and purpose. The Chair will make a membership recommendation to the full Council at a regular meeting, and additions require a two thirds (2/3rds) majority vote of the Council.

4.2.4 Term. In the event a Board Member is a member of the Board by virtue of its position with a participating agency, such Board Member shall serve on the Board as long as he or she holds that position. For those Board Members who are chosen from several to represent its agency or several agencies on the Board, the agency or agencies so represented shall annually choose among themselves the person who shall represent them on the Board. Annual representation on the Board shall be communicated in writing to the Executive Director by January 31 of each year.

4.2.5 Alternates. Alternates will be allowed for RTC Board voting members only. A single alternate for each voting jurisdiction or agency may be appointed annually. Jurisdictions who have an elected official on the Board may appoint a single elected official as their alternate. Agencies who have a non-elected official on the Board may appoint a single non-elected official as their alternate.

4.2.5.a If neither the duly designated member representative nor the officially designated alternate member representative is able to attend a specific meeting, then the jurisdiction(s) may designate, for that meeting only, an additional alternate member representative. This additional alternate shall have all rights, privileges, and authorities exercised by the member representative and the alternate.

4.3 Resignation. Should any entity, on behalf of whom a Board Member is serving as a representative to the Board, withdraw from the Interlocal Agreement, the Board Member shall be deemed to have resigned from the Board effective as of the date of withdrawal.

4.4 Compensation. Board Members shall not receive a salary or per diem for their services as such.

4.5 Contracts and Services. Should any Board member or Officer of the Corporation have a personal financial interest either directly or indirectly in any contract, transaction or issue relating to the operations of the Corporation, the Board member or officer must ensure that they are in compliance with the RTC Procurement and Ethics Policy and with all applicable conflict of interest and related provisions of federal and state law.

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4.6 Removal of Board Members. Upon an affirmative vote of two thirds (2/3rds) of the voting members of the Board, any Director may be removed for cause, include but is not limited to: neglect of duty, conflict of interest, or the unexcused absence by a member of three consecutive regular meetings. His or her successor shall be selected by their respective agency and announced at any regular meeting of the Board.

ARTICLE 5
OFFICERS

5.1 Designation. The Officers of the Corporation shall be a Chair, a Vice-Chair, a Secretary and a Treasurer, all of whom shall be elected by the Board.

5.2 Authority and Duties. All Officers, as between themselves and the Corporation, shall have such authority and perform such duties in the management of the Corporation as may be provided in these Bylaws or, to the extent not so provided, by the Board.

5.3 Officers.

5.3.1 Chair. The Chair shall be the chief executive Officer of the Corporation. He or she shall have all of the general powers and duties, which are usually vested in the office of the Chair of a nonprofit Corporation, including the obligation to preside at Board meetings. The Chair shall be chosen from the Board.

5.3.2 Vice Chair. A Vice-Chair shall have all the powers and authority of the Chair in the absence or inability of the Chair and he or she must perform all of the functions and duties of the Chair in that case. The Vice-Chair shall also be chosen from the Board.

5.3.3 Secretary. The Secretary shall have charge of such books and papers as the Board of Directors may direct. An employee of the Corporation shall be the Secretary. The Secretary shall in general perform all the duties incident to the office of Secretary. The Secretary shall compile and keep up to date at the principal office of the Corporation the following:

(a) Current Bylaws;

(b) A record of the members of committees, including addresses, and the entity they represent, if any;

(c) Correct and adequate records of accounts and finances;

(d) A record of Officers' and Board Members; names and addresses;

(e) Minutes of the proceedings of the Board, and any minutes, which may be maintained by committees of the Board.

5.3.4 Treasurer. The Treasurer shall have the custody of all funds, property, and securities of the Corporation subject to such regulations as may be imposed by the Board of Directors. An employee of the Corporation shall be the Treasurer. He or she may be required to give bond for the faithful performance of the Treasurer's duties, in such sum and with such sureties as the Board of Directors may require. When necessary or proper,

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he or she may endorse on behalf of the Corporation for collection checks, notes, and other obligations, and shall deposit the same to the credit of the Corporation at such banks, trust companies, or other depositories as the Board of Directors may designate. The Treasurer shall enter regularly on the books of the Corporation, to be kept by the Treasurer for that purpose, a full and accurate account of all monies and obligations received and paid or incurred by him or her for or on account of the Corporation, and shall exhibit such books at all reasonable times to any Board Member on application at the offices of the Corporation. He or she shall, in general, perform all the duties incident to the office of Treasurer, subject to the control of the Board of Directors. The Treasurer shall work in conjunction with the Clark County Treasurer in carrying out its duties.

5.4 Election of Officers. The Officers shall be elected annually by the Board at its annual meeting and shall hold office at the pleasure of the Board.

5.5 Removal of Officers. Upon an affirmative vote of two thirds (2/3rds) of the members of the Board, any Officers may be removed, with or without cause. His or her successor shall be elected at any annual or regular meeting of the Board, or at any special meeting of the Board called for such purpose.

5.6 Resignation and Vacancies.

5.6.1 Resignation. Any Officer may resign at any time by giving notice in writing to the Board of Directors. Unless otherwise specified, such written notice of such resignation shall take effect upon receipt of the notice by the Board.

5.6.2 Vacancies. In case any office becomes vacant by death, resignation, retirement, disqualification, or any other cause, an Officer shall be elected by the Board to fill such vacancy. The Officer so elected shall hold office and serve until the next annual meeting of the Board of Directors, and until the election and qualification of his or her successor.

ARTICLE 6
MEETINGS

6.1 Place of Meetings. Regular and special meetings shall be held at the location published on the official meeting Agenda, or at such other place as the person calling the special meeting.

6.2 Annual Meetings. The annual meeting of the Board shall be held on the first Tuesday of December, for the purposes of appointing Board Members, electing Officers, and transacting such business as may properly come before the meeting. Provided, however, meetings and notices therefore shall be conducted in accordance with the Open Public Meetings Act**.**

6.3 Regular Meetings. Regular meetings of the Board, or any committee designated and appointed by the Board, may be held at such time and place as shall be determined, from time to time, by a resolution of the Board. Provided, however, meetings and notices therefore shall be conducted in accordance with the Open Public Meetings Act. An annual list of meeting dates for the succeeding calendar year shall be published and adopted by resolution at the annual meeting.

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6.4 Special Meetings. Special meetings of the Board, or any committee designated and appointed by the Board, may be called by any Board Member or the Chair. Written notice stating the place, day, hour and reason of any special meeting shall be delivered personally or e-mail or by facsimile transmission to each Board Member not less than three (3) nor more than ten (10) days before the date of such meeting. Provided, however, meetings and notices therefore shall be conducted in accordance with the Open Public Meetings Act and any other applicable laws. Only business or purposes mentioned in the notice shall be transacted at such special meeting.

6.5 Study Sessions or Workshops. The Board may meet in study sessions or workshops. The purpose is to review and discuss current or proposed matters including the receipt of information from Staff or others. Final Board action shall not occur at a study session or workshop and shall be held in conformance with the Open Public Meeting Act requirements.

6.6 Executive Sessions. The Board may hold an executive session during a regular or special meeting and shall convene and conduct such sessions in conformance with Open Public Meeting Act requirements.

6.7 Parliamentary Authority. Meetings shall be conducted in general accordance with Roberts Rules of Order Newly Revised or adopted supplementary Board rules governing procedural and process questions.

6.8 Chairperson. At all meetings of the Board of Directors, the Chair, or in the absence of the Chair, the Vice Chair, or in their absence a member of the Board chosen by the Board present, shall preside as Chairperson.

6.9 Quorum. At least a majority of voting Board Members~~,~~ of the Corporation shall be present at a meeting to constitute a quorum for the transaction of business at all meetings of the Board. Quorum requirements may be adjusted in the future if there is a change in the number of voting Directors.

6.10 Decision Making. The acts of a majority of the voting Board members at a meeting at which there is a quorum shall be the acts of the Board unless a greater vote is required by an express parliamentary procedure, provision of a statute, the Articles of Incorporation or these Bylaws in which case such express provisions shall govern and control the decision of such question.

6.10.1 When voting on matters solely affecting Washington State, voting Board Members must obtain a majority vote of the Washington agency Board Members before a matter may be adopted.

6.11 Remote Meetings and Participation. Meetings may be convened using a remote meeting format (telephone, internet, or other communications media), as authorized by the Board Chairperson. In such circumstances, RTC staff shall establish a remote meeting format which provides for full participation by each member or alternate and public access. Members of the public shall be entitled to access RTC Board meetings through telephone, internet or any other technology that enables the public to follow the proceedings of the RTC Board in real time.

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A Board member or alternate may individually participate in a meeting by remote format so long as all members may simultaneously hear each other and participate interactively during the meeting. Participation by such means shall constitute the equivalent of presence in person at a meeting for purposes of establishing a quorum, voting, and for all other purposes. Provided,that individual remote meeting participation shall coordinated with RTC staff, and in the event remote meeting logistics cannot be established, RTC staff shall notify Board members or alternate.

6.12 Meeting Procedures. The Board may adopt supplementary provisions guiding the conduct and procedures of Board meetings.

ARTICLE 7
COMMITTEES

7.1 Board Committees.

7.1.1 Executive Committee. The Executive Committee shall be comprised of the Chair, Vice-Chair and General Counsel. The Executive Committee shall be responsible for coordinating with the Executive Director in carrying out the business affairs of the Corporation, including but not limited to developing recommendations for Corporation policies, reviewing the meeting agendas, review of budget and personnel matters, administration of the Executive Director's employment contract and performance evaluations, and other matters as the Board may delegate to the Executive Committee. The Executive Committee shall, in its discretion, refer matters of corporation interest for consideration by the full Board.

7.1.2 Other Committees. The Board may establish other committees as necessary to carry out the duties of the Corporation.

7.2 Standing Sub-Committees for Policy and Technical Matters.

7.2.1 Skamania County Regional Transportation Policy Board Subcommittee. The Corporation hereby recognizes the existence of the Skamania County Regional Transportation Policy Board Subcommittee as a subcommittee of the Board, representing the RTPO functions within Skamania County. One member of this committee shall be a Board Member of the Corporation. The subcommittee shall allow representatives from the county, cities/towns, ports, Washington State Department of Transportation within Skamania County, and a representative of a major employer.

7.2.2. Klickitat County Regional Transportation Policy Board Subcommittee. The Corporation hereby recognizes the existence of the Klickitat County Regional Transportation Policy Board Subcommittee as a subcommittee of the Board, representing the RTPO functions within Klickitat County. One member of this committee shall be a Board Member of the Corporation. The subcommittee shall allow representatives from the county, cities/towns, ports, Washington State Department of Transportation within Klickitat County, and a representative of a major employer.

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7.2.3 Regional Transportation Advisory Committee (RTAC). The Corporation hereby recognizes the existence of the Regional Transportation Advisory Committee (RTAC) as a sub-committee of the Board, representing the MPO and RTPO functions within Clark County. The subcommittee shall allow representatives from the county, cities/towns, ports, transit authority, Washington Department of Transportation, the Oregon Department of Transportation, and Metro and a representative of a major employer within Clark County.

7.3 Ad Hoc Sub-Committee

7.3.1. Bi-State Coordination Committee. The Board has jointly established a Bi-State Coordination Committee (RTC Resolution 05-99-11; and as amended by, Bi-State Transportation Committee Resolution No. 04-02).

ARTICLE 8
GENERAL PROVISIONS

8.1 Executive Director. The Executive Director shall be appointed or removed by the RTC Board. The Executive Director is responsible for the general supervision and management of the affairs of RTC under the direction of the Board of Directors, and shall perform the duties and responsibilities as outlined in the Director's Employment Agreement.

8.2 Books and Records. The Corporation shall, through the Secretary and Treasurer, keep correct and complete books and records of account and, specifically, shall keep all books and records of the Corporation provided for in the foregoing provisions of these Bylaws.

8.3 Official Reports, Records, and Returns. All reports, records and returns required by local, state or federal authority shall be prepared, at the expense of the Corporation, by such persons or firms as the Board shall, from time to time, designate.

8.4 Fiscal Year. The fiscal year of the Corporation shall be January 1 through December 31.

8.5 Execution of Documents. Unless otherwise authorized by the Board of Directors, all contracts, leases, deeds, deeds of trust, mortgages, powers of attorney, and all other documents executed on behalf of the Corporation shall be executed for and on behalf of the Corporation by the Chair or Vice Chair and the Secretary of the Corporation.

8.6 Member Dues Assessments. At each April meeting of the Board, the Board shall determine the amount of annual contributions payable to the Corporation by the agencies for the succeeding fiscal year. In setting the contribution, the Board shall consider all relevant circumstances, including: a review of the Corporation's written budget for the next fiscal year, the amount of reserves on hand, the Corporation's Work Plan for the current and projected next fiscal year, and the anticipated receipts and donations from all funding sources.

8.7 Procurement. Administration and procurement of contract and services and enforcement of ethical obligations of Board members and RTC staff shall be overseen by the Board, unless otherwise delegated under the provisions of the RTC Procurement Policy.

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8.8 Conflict. In the case of any conflict between the Articles of Incorporation and these Bylaws, the Articles shall control.

8.9 Severability. Should any of the covenants, terms or provisions imposed in these Bylaws be or become unenforceable at law or in equity, the remaining provisions of these Bylaws shall, nevertheless, be and remain in full force and effect.

ARTICLE 9
AMENDMENTS

9.1 General Provisions. These Bylaws may be amended, repealed or altered, in whole or in part, at any regular or special meeting of the Board as provided herein. The Board meeting packet shall contain a full statement of the proposed amendment.

9.2 Procedures. Any proposal to amend a bylaw may be initiated by a voting Board member in writing to the Chair and be considered after providing a 30-day notice. At a minimum, Board review of the bylaws shall occur every five years.

9.2.1 Proposals to amend the Bylaws will be forwarded to a bylaws committee which will consist of 3 to 5 members of the Board to be appointed by the Chair and chaired by the Vice Chair. The bylaws committee shall provide a written recommendation to the Board regarding any proposal to amend the Bylaws. The Board shall not vote upon any bylaws amendment proposal, which has not been considered by the bylaws committee.

9.2.3 A proposal to amend a bylaw shall require an affirmative vote of two thirds (2/3rds) of all voting Board Members in order to pass.

9.2.4 In no event shall any amendment, repeal or alteration of these Bylaws be adopted or effective in any manner whatsoever which shall cause or contribute to cause any change in the structure, purposes or operations of this Corporation in such a fashion as to subject the Corporation and/or its property or assets to liability for payment of taxes, assessments or charges not otherwise payable by, or chargeable to, this Corporation pursuant to state or federal law.

ADOPTED by the Board of the Southwest Washington Regional Transportation Council on the 7th day of July, 1992.

AMENDED by the Board of the Southwest Washington Regional Transportation Council on the 3rd day of February, 2004.

AMENDED by the Board of the Southwest Washington Regional Transportation Council on the 6th day of April, 2004.

AMENDED by the Board of the Southwest Washington Regional Transportation Council on the 3rd day of January, 2006.

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AMENDED by the Board of the Southwest Washington Regional Transportation Council on the 7th day of April, 2009.

AMENDED by the Board of the Southwest Washington Regional Transportation Council on the 2nd day of November, 2010.

AMENDED by the Board of the Southwest Washington Regional Transportation Council on the 4th day of December, 2012.

AMENDED by the Board of the Southwest Washington Regional Transportation Council on the 5th day of December, 2017.

AMENDED by the Board of the Southwest Washington Regional Transportation Council on the 3rd day of December, 2019.

AMENDED by the Board of the Southwest Washington Regional Transportation Council on the 1st day of December, 2020.

AMENDED by the Board of the Southwest Washington Regional Transportation Council on the 2nd day of December, 2025.

DocuSigned by:
Anne McEnerny-Ogle
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Chair of the Board

ATTEST:

DocuSigned by:
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Secretary