

**BY-LAWS OF THE  
LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL  
SOLID WASTE ADVISORY COMMITTEE  
(SWAC)**



**AMENDED: June 26, 2024**

**Article I      Organization:**

The purpose for establishing the committee is to accomplish the goals of House Bill (H.B.) 3072, 74<sup>th</sup> Texas Legislature (1995), amending 361.014, Tex Health of Safety Code Ann., as they relate to distributing solid waste fee revenue funds in support of local and regional solid waste projects.

**Article II      Definitions:**

As used in these By-Laws:

1. SWAC - Solid Waste Advisory Committee
2. TCEQ - Texas Commission on Environmental Quality
3. LRGVDC - Lower Rio Grande Valley Development Council
4. RSWMP – Regional Solid Waste Management Plan

**Article III      Purpose & Function:**

The main objective of the SWAC is to support the goals and objectives of the adopted Regional Solid Waste Management Plan (RSWMP) for the Lower Rio Grande Valley Development Council. The SWAC will accomplish the following tasks:

1. Discuss and make recommendations on solid waste management issues important to the region, new laws and regulations, opportunities for grants and funding, and other issues of concern.
2. Review and make recommendations on Regional Solid Waste Management Plan Amendments, Management Plan Updates, Closed Landfill Inventory, and submit to LRGVDC Board of Directors for their approval before submitting to TCEQ.
3. Reviews permit application for Solid Waste Management facilities to be located within the region.
4. Assist in the development of the implementation of the project-funding plan for Regional Solid Waste Grant program.
5. Assist with the implementation project selection process for Regional Solid Waste Grant Program.

#### Article IV     Membership:

The committee will reflect a broad range of interests in solid waste management. All members of the Committee should indicate a commitment to attend regular as well as special called meetings, and to contribute meaningfully to the discussion of Solid Waste management topics.

1.     The committee consists of 25 voting members, 12% county representatives, 12% large city representatives, 12% medium city representatives, 12% small city representatives, 16% private sector group, 8% educational group, 12% environmental group, 4% engineer group and 12% private citizen group. The non-voting membership includes TCEQ representatives and any interested individuals from cities, private citizens, county, etc.
2.     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 in the region, citizen groups, and interested individuals.
3.     As *ex-officio* (i.e., non-voting) members, the committee should indicate at a minimum the COG solid waste coordinator; the TCEQ planner assigned to the COG, and a designated representative of the TCEQ regional office, in accordance with the grant contract provisions.
4.     Advisory committee officers and representatives shall serve for a period of two (2) years (without monetary recuperation) and shall be reappointed bi-annually in alignment with current members. A member may be reappointed to multiple terms without term limits; however, must be redesignated each term by LRGVDC Board of Directors.
5.     All members shall make a good faith effort to attend all meetings and shall designate an alternate to act as an otherwise appointed member on his/her behalf at the scheduled meetings. All memberships shall be reviewed annually for good attendance and participation. Members with good records may be reconsidered for another term. **Any member who is not able to attend or be represented for three (3) consecutive meetings shall be terminated as a member.**
6.     There shall be a Chairperson and Vice-chairperson appointed by the members of the committee. The Chairperson shall make a good faith effort to: attend all meetings; maintain order during meetings; oversee that all meetings are conducted properly; review material for consideration by the committee; and abstain from scoring, voting, or approving action items in an event of a tie. The Vice-Chairperson shall perform the duties of the Chairperson in his or her absence.

**Article V.     Voting:**

1.     Only appointed SWAC members can vote on any SWAC actions. SWAC members may designate an alternate and must do so in writing/email prior to the meeting, so that the designated alternate may be allowed to vote at that particular meeting.
2.     **No member of the SWAC may present an application, participate in the deliberation on, or vote on, an application from the locality in which he/she is on the local government body, or in cases where that member has a personal or pecuniary interest as defined under state law.** County Commissioners, County Judges or their designated representative may vote on applications from incorporated cities within their counties but may not discuss or comment on applications from incorporated cities located within their county during presentations and scoring of applications.
3.     Any SWAC member arriving late to a scoring meeting or not attending the entire scoring meeting will not be allowed to score any of the applications. In order to vote, committee members must be physically present at meetings where grant applications are to be presented and scored.
4.     LRGVDC will retain voting records used by SWAC members during selection meetings.
5.     The SWAC will allow (4) four-minute presentation by each applicant.
6.     No Consensus scoring of projects will be allowed. Each member of the SWAC must score projects individually.
7.     Chairman will abstain from all votes including scoring applications unless a tiebreaker is needed.

**Article VI     Quorum:**

The quorum shall be a simple majority of the members present with no less than (10) persons present for quorum. Whenever possible, decisions will be reached through consensus.

**Article VII    Meetings:**

As per TCEQ the SWAC Committee shall meet at least twice per year but may meet quarterly or on a more frequent basis as necessary to conduct activities. All committee meetings shall be open to the public. Meeting attendance by virtual option is allowed with the exception of meetings where grant applications are being presented and scored.

In order to vote, committee members must be physically present at meetings where grant applications are to be presented and scored.

**Article VIII Staff Support:**

The LRGVDC as the designated staff support will furnish all administrative work.

**Article IX Minutes:**

A designated LRGVDC staff member shall maintain the minutes of this advisory meeting. Minutes shall be reviewed and approved as a standing agenda item.

**Article X Open Meetings:**

SWAC Advisory Committee meetings shall be open to the public and generally subject to the Texas Open Meetings Act.

**Article XI Amendments:**

These By-Laws may be altered, amended or added to, by vote from the SWAC, provided that:

1. The SWAC adopts the proposed amendments by a majority vote of the members present at the meeting.

**Article XII Adoption:**

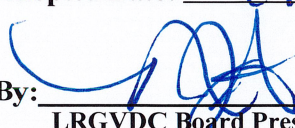
These By-Laws are duly adopted at a meeting of the Lower Rio Grande Valley Development Council Solid Waste Advisory Committee (SWAC) on this 27<sup>th</sup> day of June, 2007.

**Amended:**

These Bylaws were amended by the Solid Waste Advisory Committee on: June 25, 2024

**Bylaws Adoption/Amendment History**

Adopted Date: 6/26/2024

By:   
LRGVDC Board President