

# Washington Metropolitan Area Transit Authority Riders Advisory Council

## BY-LAWS

### ARTICLE I

#### NAME

The name of the advisory group shall be the Washington Metropolitan Area Transit Authority (WMATA) Riders Advisory Council, and may be referred to as "the RAC."

### ARTICLE II

#### MISSION

##### A. MISSION STATEMENT

The mission of the RAC is to actively seek input from a broad range of riders on operational and budgetary issues that affect Metrorail, Metrobus, and MetroAccess riders and organizations with an expressed interest in public transit; advise the WMATA Board, on ways to resolve such issues in order to improve the Metrorail/bus system and MetroAccess; promote WMATA responsiveness to riders; and recommend possible solutions to the WMATA Board of Directors and staff, based on public input, so that WMATA can effectively address the diverse concerns of the riding public.

This mission is consistent with WMATA's goal to encourage public input in order to provide the best service to all of its customers.

##### B. GOALS OF THE RAC

The goals of the RAC are to:

- Advise the Board of Directors on operating and budgetary issues that have a direct impact on Metrorail, Metrobus, and MetroAccess riders;
- Encourage rider awareness of the RAC and of the opportunities that the RAC provides for riders to make their voices heard;
- Advise the Board of Directors on operating and budgetary issues that have a direct impact on Metrorail, Metrobus, and MetroAccess riders;
- Encourage open decision-making process by WMATA that clearly reflects riders' needs and concerns;
- Support improvements in service;
- Aim for a high level of rider satisfaction with WMATA; and
- Strive for a high level of public confidence in WMATA.

### C. RESPONSIBILITIES

The RAC shall serve in an advisory capacity to the WMATA Board and may work with staff to:

- Educate themselves about the Metrorail/bus system, the budget process, and the administrative process as they relate to providing transportation by bus, rail, and paratransit;
- Review, analyze, and prepare recommendations on issues that relate to the provision of Metrorail/bus and MetroAccess service;
- Hold public forums with special focus on an issue, geographical location, or targeted group as necessary to respond to riders' concerns and apprise WMATA of the date and time of such public forums for its information and use;
- Attend, listen, and speak at community meetings to better learn and represent riders' perspectives;
- Develop recommendations which take into consideration the needs of people throughout the Metrorail/bus system service area and which consider the financial impacts of different solutions on both customers and WMATA;
- Execute and adhere to a RAC Standards of Conduct Policy;
- Establish annual goals for the RAC;
- Interact with the WMATA Elderly and Disabled Committee (E&D Committee), which advises the WMATA Board on WMATA's programs and transportation facilities insofar as they affect customers with disabilities and those who are elderly; and
- Interact with other advisory groups established by WMATA.

### D. COMMUNICATION WITH BOARD AND STAFF

The RAC may communicate with the WMATA Board of Directors and appropriate staff on a regular schedule as established by the WMATA Board, and may send additional reports or recommendations as needed by the WMATA Board. A brief report may be made at the beginning of each WMATA Board or Board Committee meeting that is open to the public on items that are within the mission and goals of the RAC. The RAC may also provide advice in other areas not within the stated goals or mission of the RAC after prior consultation of the WMATA Board.

## ARTICLE III

### MEMBERSHIP PRIVILEGES

#### A. COMPOSITION

The RAC shall be composed of up to twenty-one (21) members, eighteen (18) of which shall consist of six (6) members from each of the jurisdictions who live in the WMATA service area. Membership will be selected, generally, from people who live in the WMATA service area. It is important that the membership reflect a broad representation of people from different geographic locations of the WMATA service area and not any particular advocacy group. Therefore, membership on the RAC shall reflect a broad array of ages, genders, races, and disabilities so as to capture the concerns of the riders in the WMATA service area. To that end, each set of six jurisdictional members shall be spread among two (2) bus riders; two (2) rail riders; and two (2) paratransit, combination rail and bus riders, or other rider trip patterns. An additional three (3) members shall be appointed by the WMATA Board without regard to trip pattern or demographic composition; provided, however, that one of the three additional members shall be the Chair of the WMATA Elderly and Disabled Transportation Advisory Committee (or any successor committee thereto). WMATA employees or elected officials are not eligible for membership on the RAC.

#### B. SELECTION PROCESS FOR MEMBERS

Applications will be available on the WMATA website, in the take-one boxes throughout the Metrorail/bus system and MetroAccess vehicles and through the Office of Customer Service. A selection committee for each of the District of Columbia, Maryland, and Virginia will convene annually to review applications and select a slate of prospective RAC members who reside within the boundaries of the Compact signatory whose selection committee is supporting their nomination to present to the WMATA Board of Directors for approval. The Selection Panel will be comprised of one or more members of the WMATA Board of Directors from the given Compact signatory. The original Selection Panel will be comprised of one or more members of the WMATA Board of Directors from the affected Compact signatory. WMATA staff shall provide support as necessary. The WMATA Board will review and appoint the members using the following process: Each selection committee shall present its report at the December meeting of the Board of Directors and the Board of Directors shall vote on that report at the January meeting. Should the report of the initial Selection Committees be presented to the Board of Directors at any meeting other than the December meeting, then the Board shall vote on the report at the meeting following the meeting at which the report was presented. Mid-term vacancies shall be governed by Article III section F of these Bylaws.

C. TERM OF OFFICE

1. Members

- a. The term for each member of the RAC shall be for three (3) years or until replaced by the appointment of a new member of the RAC, appointed by the Board. In order to stagger membership, one-third of the first RAC members shall serve for a one-year term, one-third of the first RAC members shall serve for a two-year term, and one-third of the first RAC members shall serve for a three-year term, all of which shall be selected by lots. The term of a member of the RAC does not include time serving on the RAC before the first January meeting of the WMATA Board after the formation of the RAC.
  - b. Terms shall follow the calendar year and normally commence in January after action by the Board. Terms shall expire on the later of December 31 or when the Board makes new appointments to the RAC.
  - c. Optimally, one-third of the membership terms would begin or expire each year. The seat held by the Chair of the WMATA Elderly and Disabled Transportation Advisory Committee shall, for the purposes of this subsection, be deemed to have expired at the close of every third year.
2. Members may be considered for reappointment at the end of their term through the established selection process. The selection process shall consider the value of retaining some historical memory as well as the value of new ideas. However, no person shall serve on the RAC for more than 4 complete terms, with the exception of the Chair of the WMATA Elderly and Disabled Transportation Advisory Committee, who shall not be so limited.

D. VOTING RIGHTS

The RAC shall at its first meeting determine the methods by which the RAC shall take positions.

E. RESIGNATION

Members may resign by filing a written resignation with the RAC Chair who then will inform the staff and WMATA Board of Directors.

F. MID-TERM VACANCY

If membership vacancies arise during the year, the WMATA Board of Directors' Chair, with input from the WMATA Board of Directors, will fill the

vacancy for the unexpired term. Such time serving an unexpired term shall not count against the 4 complete term limitation on RAC membership.

#### ARTICLE IV

##### TERMINATION OF MEMBERSHIP

- A. A member's appointment to the RAC shall be terminated upon an affirmative determination by the RAC made at a regular meeting with two-thirds of the members present and voting and which constitutes a majority of all members holding appointments to the RAC that a member:
1. Has had three consecutive unexcused absences or missed five regular meetings without an approved excuse in a calendar year.
  2. At the time of appointment, materially misrepresented use of the Metrorail/bus system or MetroAccess or affiliation with a community organization upon which his/her appointment was based. The omission of information substantially relevant to the basis for the appointment shall be considered to be a material misrepresentation, thereby subjecting the RAC member to removal as provided in this Article.
  3. Engaged in a consistent pattern of disruptive behavior in RAC or other WMATA-related meetings which includes use of slurs, derogatory comments, or any other conduct, whether physical, verbal or written directed at another person or based upon another person's race, color, origin, sex, religion, sexual orientation, disability, or age.
  4. Refuses to execute or adhere to the RAC Standards of Conduct Policy.
- B. The Chair will notify the member and the WMATA Board when membership has been terminated. The WMATA Board Chair, with input from the Board of Directors, shall appoint a new member to serve the unexpired term of the terminated member.

#### ARTICLE V

##### OFFICERS

A. CHAIR

The membership of the RAC will annually elect the Chair of the RAC from the RAC membership. The RAC Chair will develop an agenda, lead meetings and keep order, appoint members to subcommittees, present reports to the WMATA Board of Directors, prepare and sign all letters, reports and other

communications of the RAC. Additionally, the RAC Chair may discuss matters of interest directly with the Chair of the WMATA Board of Directors.

B. VICE-CHAIR

The membership of the RAC shall annually elect a First Vice-Chair and a Second Vice-Chair from the RAC membership. In the absence or inability of the Chair to serve, the First Vice-Chair shall have all of the powers and shall perform all of the duties of the Chair. In the absence of both the Chair and the First Vice-Chair, the Second Vice-Chair shall have all of the powers and shall perform all of the duties of the Chair. The Vice-Chairs shall perform such other duties from time to time as may be requested by the Chair.

C. CHAIR AND VICE-CHAIRS

1. Term of Office

The officers of the RAC shall serve for one (1) year. The positions of Chair and Vice Chair shall be split among Members from the District of Columbia, Maryland, and Virginia and rotated annually. No person shall serve as Chair for more than three years.

2. Vacancy

A vacancy in any office shall be filled by a special election held by the RAC at the meeting next following the announcement of the vacancy and shall be for the unexpired term.

3. Temporary or Permanent Vacancies

If the Chair and both Vice-Chairs are absent from any meeting and/or are unable to act, the meeting shall be called to order by staff. The staff shall immediately call for the election of a Temporary Presiding Officer.

4. Failure to Elect

If the RAC fails to elect a Chair or Vice-Chair, the existing Chair or Vice-Chair shall continue to serve until successors are appointed.

D. STAFF SUPPORT

The GM/CEO or his designee shall designate a person to serve as RAC staff to prepare meeting notices, agendas, and minutes as required and to serve as liaison between the RAC and the WMATA Board of Directors. Such staff member shall be a WMATA employee hired by the Hiring Committee composed of four members of the RAC and one appointee of the GM/CEO. A hiring decision shall be made by a majority vote of the Hiring Committee with such majority containing at least one affirmative vote from the RAC

appointees and one affirmative vote from the GM/CEO appointee. A representative of the WMATA Office of Human Resources and Management Services shall sit on the Hiring Committee and participate in its discussions but shall not have a vote in the hiring decision. The RAC shall have input into the development of the job description for the position, the annual performance plan for the employee, and the annual evaluation of the employee's performance. These documents shall be prepared by WMATA in cooperation with the RAC and in compliance with all WMATA policies and procedures.

WMATA shall provide a specific amount of space on its external website for the general public for use by the RAC and shall take all necessary steps within a reasonable time to post RAC provided information on that website. The sole review of the RAC content shall be to ensure that the posted information is in a form conducive to use on the website and not defamatory, false, misleading or deceptive.

## ARTICLE VI

### MEETINGS

#### A. REGULAR MEETINGS

All regular meetings of the RAC shall be held once a month, generally in the evening, and conducted in accordance with Robert's Rules of Order and these by laws. Meeting agendas shall be posted on WMATA's website in the same manner as agendas posted for meetings of the WMATA Board of Directors. Meetings will be open to the public, held in a location accessible to people with disabilities, and within the geographical boundaries of WMATA's service area.

At least 72 hours prior to a regular meeting, an agenda must be posted which contains a brief general description of each item to be transacted or discussed at the meeting. Members of the public have the right and should be solicited by the RAC to attend and directly address the RAC on any item on the agenda that is within the subject matter of the RAC before or during the consideration of the item.

#### B. SPECIAL MEETINGS

Special meetings may be called by the Chair when in the opinion of the Chair the business of the RAC requires it or by the request of a majority of the RAC membership. Notice for special meetings will conform to the requirements of notice for regular meetings. No other business shall be considered at such meeting.

C. QUORUM

A majority of the appointed members of the RAC (50 percent of the membership, plus one) must be present in order to constitute a quorum necessary for the transaction of the business of the RAC. No decision of the RAC shall be valid unless a majority of members present and voting concur by their vote.

D. DECISIONS AND ADVICE OF THE RAC

All decisions of the RAC, which require a formal vote, shall be made only after an affirmative vote of a majority of its members in attendance unless otherwise expressly stated in these By-Laws, provided a quorum is present. Staff shall forward minutes of meetings, as well as any special reports or communication desired by the RAC, to the WMATA Board of Directors. In addition, the Chair or a designee may present reports to the WMATA Board of Directors or an appropriate committee in person.

Dissenters to a decision made by a formal vote may forward to the WMATA Board of Directors their minority or dissenting report by recording them in the minutes of the meeting or in the form of a prepared minority report.

The RAC may also provide advice to the WMATA Board that represents a variety of opinions and for which no formal action is taken or necessary.

ARTICLE VII

AGENDA, MINUTES, AND RULES OF CONDUCT

A. AGENDAS

1. The Chair, with the support of WMATA staff, will prepare an agenda for regular meetings. Members approve the agenda by vote as part of the meeting proceedings. Members may contact the Chair to have items put on the agenda. Also, each meeting agenda calls for members to put items on future agendas.
2. The RAC liaison shall be responsible for distributing the final agenda and preparing or compiling the associated agenda materials for each meeting. Agenda materials shall normally be mailed to members one week prior to each meeting.

B. MINUTES

Minutes of each RAC meeting shall be prepared by the RAC liaison and distributed to RAC members together with the agenda for the next meeting.

## C. RULES OF CONDUCT

All regular and special meetings of the committee shall be conducted in accordance with these by-laws and with the most current edition of Robert's Rules of Order. In case of conflict, these by-laws shall take precedence over Robert's Rules of Order.

The following rules will be followed:

1. Chair Responsibility: The Chair is responsible for the orderly conduct of the meeting. Every member desiring to speak shall address the Chair, and upon recognition by the Chair, shall talk only to the question under debate.
2. Representation: Representation of positions on issues shall conform to the following principles:
  - No member of the RAC shall misrepresent the position of the RAC on any issue, including the absence of any formal position on an issue, in any communication with the general public, including the media.
  - No member of the RAC shall be seen as representing any position of WMATA to the general public, including the media, without first having been so authorized by the WMATA Board of Directors.
  - Every member is free to express individual opinions, after making a good faith effort to label his/her comments as such, to the general public including the media on any topic that the member chooses to address.

## ARTICLE VIII

### SUBCOMMITTEES

The Chair has authority with concurrence by the RAC to appoint subcommittees and/or ad hoc committees to address issues. Subcommittees will operate according to the requirements of these by-laws and Robert's Rules of Order.

## ARTICLE IX

### BY-LAWS AMENDMENTS

The by-laws may be proposed for amendment or repeal by a motion that is made, seconded and passed by a two-thirds (2/3) vote of regular members at any regular meeting. The 2/3 vote shall be based on the number of persons currently holding appointments to the RAC whether present at the meeting or not. Written and oral notice of the proposed amendment must be given at the prior regular monthly

meeting to all members. The notice must contain both the original language and the proposed amending language to the by-laws. The proposed by-laws change will be made final upon approval by the WMATA Board of Directors or their designee. Any by-law may be altered or amended or annulled at any time by a majority vote of the WMATA Board of Directors.

ARTICLE X

TERM OF RAC

The Board will periodically review the operation of the RAC and may modify its composition, structure or by-laws. Such review shall occur no less frequently than every five (5) years but may occur more frequently on an as-needed basis.