

INFORMATION ITEM

DATE: January 13, 2022
TO: TAC Funding & Programming Committee
PREPARED BY: Joe Barbeau, Senior Planner (joseph.barbeau@metc.state.mn.us)
SUBJECT: Proposed TAC Bylaws Changes

Attached are proposed changes to the TAC Bylaws, as suggested by the TAC Executive Committee and technical committee staff. The impetus to the update was formalization of the role of technical working groups. Article V, Part D (pages 8-9) addresses this topic. This enables a more direct relationship between TAC and specialized working groups that will provide recommendations on matters that require specialized technical expertise that is requested by TAC and/or not adequately or comprehensively represented on TAC or its standing committees.

The process led to several other proposed changes as well. These are summarized below.

- I. Article I: Name and Purpose (Page 2)
 - Part B. Expansion of the TAC's purpose.
- II. Article II: Membership of the TAC (Pages 2-3)
 - Part A. Change TAC from 32 to 34 members:
 - Split "non-motorized" member into "bicycle" member and "pedestrian" member, adding one member. This part also tasks the Bicycle/Pedestrian Planning Technical Working Group with recommending these members for approval by the TAC Executive Committee.
 - Addition of Minnesota Department of Natural Resources (DNR) member.
- III. Article III: Officers of the TAC (Pages 3-4)
 - Part A. Change of chairperson terms from three years to two years. Due to more frequent turnover, also shown is that a chairperson can serve multiple terms but not consecutively (current language allows for only one term altogether). New chairperson would start in odd-numbered years, starting in 2023.
- IV. Article IV: Meetings of the TAC (Pages 4-6)
 - Parts E and F: Changes to better-show an opportunity for public input into committee business. In Part F, addition of an agenda item to call for public comment on committee business is meant to provide a clear option for those with comments on action items. When a non-member has a comment, the chair can use discretion on whether to take the comment at that time or defer it to the appropriate action item.
- V. Article V: Committees (Pages 6-10)
 - Part C. Establishment of vice chairs for the Funding & Programming and Planning Committees
 - Part C. Clarification of how to assign new members to standing committees, when needed.

- Part C. #1 and #2 show several new objectives added to the Funding & Programming (F&P) and Planning Committees. These include:
 - Evaluate the Regional Solicitation (F&P)
 - Make HSIP funding recommendations (F&P)
 - Assist in development, review, and recommendation of performance measures (Planning)
 - Review and provide input on planning studies (Planning)
- Part D. Mostly new language on technical working groups. Membership, process, and purpose of the groups are addressed.

VI. Article VI: Amendment (Page 10)
(No changes suggested)

VII. Other/General

- The current version of the Bylaws is inconsistent by interchangeably referring to Funding & Programming and Planning Committees as “standing committees” and “subcommittees.” The proposed update uses the former.
- The current version of the Bylaws is inconsistent in use of “special task force,” “technical work group,” and “technical working group.” The proposed uses the latter.

METROPOLITAN COUNCIL

BYLAWS

of

The Technical Advisory Committee (TAC) of the Transportation Advisory Board

Adopted ~~February 6, 2019~~ February 2, 2022

These bylaws explain the TAC's purpose, membership composition, election of officers, structure and schedule of meetings, conduct of business, and standing committee ~~subcommittee~~ responsibilities and structure. These bylaws were adopted by the TAC on ~~February 6, 2019~~ February 2, 2022.

ARTICLE I: NAME AND PURPOSE

A. Name

The name of this body shall be the Technical Advisory Committee (hereinafter called the TAC).

B. Purpose

The Transportation Advisory Board (TAB) has established the TAC, for which the primary function is to provide technical advice to the TAB. The committee shall include the following purposes and objectives:~~The purposes of the TAC are:~~

1. Provide the technical evaluation, assistance~~advice~~, and coordination recommendations necessary for the Transportation Advisory Board (hereinafter called the TAB) to carry out its duties and responsibilities;
2. Assure state, regional, county and municipal involvement and coordination in transportation decisions of metropolitan significance;
3. Provide a forum for professional staff from planning and implementing agencies to address discussion of metropolitan transportation issues facing the region by professional staff of planning and implementing agencies.
- 3-4. Review MPO planning studies and programs, provided by the standing committees, for TAB

ARTICLE II: MEMBERSHIP OF THE TAC

A. Composition

The TAC shall be composed of the following professional staff:

Designated representatives or their designated alternates of:

- | | |
|---|------------|
| Association of Metropolitan Municipalities | (8) |
| Metropolitan Airports Commission (<u>MAC</u>) | (1) |
| Mn Dept of Employment and Economic Development (<u>DEED</u>) | (1) |
| Minnesota Department of Transportation (<u>MnDOT</u>) | (1) |
| Minnesota Pollution Control Agency (<u>MPCA</u>) | (1) |
| USDOT (FHWA) (non-voting) | (1) |
| Suburban Transit Provider (designated by Suburban Transit Association) | (1) |
| Non-motorized <u>Bicycle</u> Transportation (<u>designated by TAC Executive Committee</u>) | (1) |
| <u>Pedestrian Transportation (designated by TAC Executive Committee)</u> | <u>(1)</u> |
| Freight (designated by MnDOT Freight Office) | (1) |
| <u>Minnesota Department of Natural Resources</u> | <u>(1)</u> |
| And the following individuals (or their representative): | |
| Metropolitan Council | (3) |
| - Dir. Of Metropolitan Transportation Services (MTS) | |
| - Dir. Of Community Development | |
| - General Manager of Metro Transit | |

County Engineer of each of the Seven Metropolitan Counties	(7)
Region 7W (represent the areas of Sherburne and Wright Counties in the Twin Cities Urbanized Area)	(1)
Minneapolis City Engineer and Planning Director	(2)
St. Paul City Engineer and Planning Director	(2)
Transportation Advisory Board Coordinator	(1)
	<u>3234</u>

B. Appointment and Changes of Representatives to the TAC

The agencies listed in Article II A. shall notify the TAC Chair in writing of any changes to its designated representative and alternate representative.

The change shall take effect upon the Chairperson’s receipt of such notification. When a vacancy occurs, the Chairperson shall immediately notify the appointing body and request that a new representative be appointed.

C. Qualifications of Members and Alternates

The representative should be able to speak for the organization or mode he/she/they represents and be a participant in its decision-making process.

D. Terms of Office

All designated representatives shall serve at the pleasure of their respective organizations.

E. Responsibilities

It is the responsibility of each member or alternate to attend TAC meetings on a regular basis to be informed on matters coming before the TAC and to participate in the Standing standing Committeescommittees.

F. Attendance.

Attendance is an essential component of Committee work. All members are recommended to have an assigned alternate that is kept up to date on TAC issues. Should a TAC or standing cCommittee member or alternate miss attending any four regular meetings in a six-month period without reasonable excuse for such absences, that member shall be considered to have resigned from the Committee. The TAC Committee Chair will notify the appointing agency, and that agency must reappoint a member to the Committee. The same attendance criteria as stipulated above shall also apply to regularly scheduled standing committee meetings. While regular attendance is expected, remote attendance will be accommodated in certain circumstances.

ARTICLE III: OFFICERS OF THE TAC

A. Chairperson

The Chairperson shall be a member of the TAC. The Chairperson shall serve for a term of twothree years beginning January 1 of odd-numbered years. The Chairperson cannot serve more than one consecutive term. The Chairperson must be able to devote the time that is necessary to work effectively and cooperatively with the members of the TAC and

TAB. The Chairperson shall preside at all meetings of the TAC and shall have duties and responsibilities as are normally attendant upon that office and as are prescribed by these bylaws and as are specifically delegated or assigned by the TAC. The Chairperson shall appoint the vice-chair~~person~~ of the TAC and the chairs of the standing committees~~and task forces~~. The Chairperson shall represent the TAC at meetings of the TAB and other meetings as authorized by the TAC and shall act as liaison with the TAB. In such capacity, the Chairperson shall express the collective views of the TAC.

B. Vice-Chairperson

The Vice-Chairperson shall be a member of the TAC. The Vice-Chairperson shall be appointed by the Chairperson. The Vice-Chairperson shall act for the Chairperson during temporary absence and shall perform such duties as may be delegated by the Chairperson. The term shall be concurrent with that of the Chairperson.

C. Secretary

The Metropolitan Council's Director of Metropolitan Transportation Services, after consultation with the TAC Chairperson, shall designate one of his/her professional staff as Secretary of the TAC. The Secretary shall maintain a current copy of these bylaws and shall provide a copy to each newly appointed TAC member. Upon revision, the Secretary shall promptly update these bylaws and furnish each TAC member with an updated copy. The Secretary shall keep all TAC minutes; shall oversee the production and distribution of materials for upcoming TAC meetings as directed by the Chairperson and with the TAB Coordinator shall oversee the production of TAC materials for presentation to the TAB. The Secretary shall keep a record of the attendance of TAC members and shall report to the Executive Committee on a regular basis. The TAC Secretary shall also serve as Secretary to the Executive Committee.

ARTICLE IV: MEETINGS OF THE TAC

A. Regular Meetings

Regular meetings of the TAC shall be held on the first Wednesday of every month at a time and location determined by the members. Members of the TAC shall be sent notification of the specific time and place and tentative agenda, together with appropriate material pertaining to agenda items at least five days prior to the meeting. These materials will also be available to the public on the Council's website.

B. Cancellation

Regular meetings of the TAC may be cancelled by a majority vote of the members or by the Chairperson. The TAC Chairperson may not cancel two successive regular meetings without the approval of the Executive Committee.

C. Special Meetings

Special meetings of the TAC may be held upon the call of the Chairperson or a majority of the members of the TAC. Notice of a special meeting shall include the date, time, place and agenda for that meeting and shall be sent to the TAC members three days prior to the

meeting. Business at special meetings shall be limited to the subject(s) stated in the call.

D. Quorum

A simple majority of TAC members shall constitute a quorum for the conduct of business at any meeting of the TAC. If a quorum exists at any time during the meeting, a quorum is then determined to exist for the remainder of the meeting.

E. Non-Member Participation

All meetings of the TAC ~~and~~, its standing committees ~~and task forces~~ shall be open to the public input related to committee business. In agenda item 4 (Section F, below), Public Comment on Committee Business, when a non-member has a comment on a specific agenda item, the chairperson will have discretion on whether to take comment at that time or ask the non-member to comment when the item is discussed later in the meeting. ~~Non~~Time limits on non-member participation shall also be at the discretion of the Chairperson.

F. Order of Business

The business of the TAC shall contain the following elements:

- 1) Call to Order
- ~~1)2)~~ Approval of the Agenda
- 3) Approval of the Minutes of Previous Meetings
- ~~2)4)~~ Public Comment on Committee Business
- ~~3)5)~~ TAB Report
- ~~4)6)~~ Consent Items
- ~~5)7)~~ Reports of Committee Reports
- ~~6)8)~~ Special Agenda Information Items
- ~~7)9)~~ Agency Reports
- ~~8)10)~~ Other Business
- 11) Adjournment

G. Conduct of Business

1) Roberts Rules of Order

The rules contained in the current edition of the Roberts Rules of Order shall govern the TAC to the extent that they are not inconsistent with these bylaws.

2) Suspension of Rules

Roberts Rules of Order may be suspended by a two-thirds vote of the TAC members present.

3) Voting, Motions, Recording

Only members of the TAC may vote on matters, introduce or second a motion before the group. There shall be no voting by proxy and each member shall be entitled to only one vote on any issue. The chairperson shall be a voting member of

the TAC. Voting on any matter shall be by voice vote provided that a roll call vote shall be called and recorded on any issue if requested by the Chairperson or a majority of members present. Upon request of any member, the Secretary shall repeat the motion and the name of the mover and seconder immediately preceding a vote by the TAC.

In situations when the TAC meeting has been canceled but an item requires TAC action, the TAC Chair may offer the members the opportunity to vote electronically. The electronic votes must be received from a quorum of the members for the vote to be valid. The TAC Secretary will record the electronic vote and forward the action to the TAB, if necessary. The results of the electronic vote, the action transmittal and all appropriate materials pertaining to the item will be sent to the TAC members and posted on the website. The item will be on the TAC agenda the following month for information.

ARTICLE V: COMMITTEES

A. TAC Chairperson Nominating Committee

At the November TAC meeting, in the third year of the Chair's term, the members shall caucus within their respective groups representing the cities, the counties and the agencies. The caucuses shall select one person from their caucus to be a member of the TAC Chairperson Nominating Committee. At the December TAC meeting, the TAC Chairperson Nominating Committee shall nominate a candidate for TAC Chair.

B. Executive Committee

The Executive Committee shall be composed of the TAC Chairperson, the Vice-Chairperson and the chairpersons of the standing committees, the MnDOT TAC member, the Metropolitan Council's MTS TAC member, the TAB Coordinator, the immediate past TAC Chair and such other TAC members as the TAC Chairperson may appoint. The Executive Committee will be chaired by the TAC Chairperson and will meet at his/her discretion to coordinate TAC activities.

C. Standing Committees and Subcommittees

Standing committees are created or discharged only by action of the TAC. These committees are to perform as delineated within the purposes and objectives for each committee as adopted by the TAC. These committees shall make a report of activities at each regular TAC meeting. The committee chairperson shall be selected by the TAC chairperson from the members of the TAC. The committee vice-chairperson shall be recommended by the committee chairperson and approved by the TAC Executive Committee. The term of the committee chairperson and vice chairperson shall be concurrent with that of the TAC Chairperson. Each standing committee chair shall propose the membership for his/her/their standing committee to the Executive Committee, which shall consider each proposal and propose the membership of each standing committee to the TAC. The membership and purpose statement of the standing committees shall be approved by the TAC annually at its January meeting. When new members are added to TAC during the year, the TAC Executive Committee will assign them to the appropriate standing committee, if necessary. The ~~two~~ standing committees of the TAC are the Funding and Programming Committee and the Planning Committee. Standing committee

chairpersons may establish appropriate subcommittees and appoint the subcommittee chairperson from among the members of the parent standing committee. The purpose, objective and membership of the subcommittee shall be approved by the parent standing committee.

1) Funding and Programming Committee

The TAC shall establish a TAC Funding and Programming Committee. The primary function of the committee shall be to advise on the use of and to manage federal transportation funds available to the region. The committee shall ~~include~~ commit to the following purposes and objectives:

- Prepare and ~~process~~ make recommendations on the regional Transportation Improvement Program (TIP) and TIP amendments
- Carry out the application development, scoring, qualifying review, and appeal process for the Regional Solicitation for Federal Funds
- Evaluate the Regional Solicitation process and implemented projects and make recommendations for improvements to the process
- Make recommendations for Highway Safety Improvement Program (HSIP) funding
- Assist in the development and review of ~~the TPP and MnDOT's Metro Highway Investment Plan~~ investment programs carried out in a regional or statewide planning process (e.g. Transportation Policy Plan, MnDOT plans such as MnSHIP)
- Review ~~scope change and program year extension~~ program year date and scope change requests
- ~~Review the status of the programmed Regional Solicitation projects~~ Prepare the annual implementation report on regionally solicited and federally funded transportation improvement projects and programs

The membership of the committee shall include (1) representative (or alternate) from:

- At least five ~~Counties~~ counties
- At least five ~~Cities~~ cities
- MnDOT Metro District
- MnDOT State Aid Office
- Metropolitan Council staff
- MPCA
- Department of Natural Resources (DNR)
- Suburban Transit Providers
- Metro Transit
- MnDOT Metro District Multimodal Planning
- TAB Coordinator
- FHWA (non-voting)

2) Planning Committee

The TAC shall establish a TAC Planning Committee. The primary function of the committee shall be to address transportation planning and policy issues. The committee shall include the following purposes and objectives:

- Interpret new or revised changes in federal law or guidance, and their impact on TAC/TAB/metropolitan planning organization (MPO) roles.
- Give direction to the TAC, TAB, MPO in carrying out new or revised roles due to changes in federal law or guidance
- Manage the Functional Classification ~~Proceduressystem and make~~ recommendations on change requests
- Assist in the development and review of the TPP, Unified Planning Work Program (UPWP), and MnDOT's State Multimodal Transportation Plan (SMTP), Metro Capital Highway Investment Plan, modal plans, and other planning documents of regional or statewide significance
- Assist in the development, review, and recommendation of performance measures for federal requirements and the TPP
- Review and provide input on planning studies that will inform the Transportation Policy Plan or other planning processes in the MPO role
- ~~Review~~ and make recommendations on Airport Comprehensive Plans, Airport
- ~~Review Airport~~ Land Use Compatibility Guidelines/Procedures, t
- ~~Review~~ the design and application of airport noise mitigation plans, and the MAC Annual Capital Improvements Plan (CIP) and Environmental Review
- Review and comment on highway traffic forecast models, transit ridership forecasts, aviation forecasts
- ~~Review and make recommendations on the MAC Annual Capital~~ Improvements Plan (CIP) and Environmental Review

The membership of the committee shall include (1) representative (or alternate) from:

- At least four counties
- At least four cities
- MnDOT Metro District
- Metropolitan Council staff
- MPCA
- MAC
- Metro Transit
- TAB Coordinator
- FHWA (non-voting)

D. ~~Special Task Force~~ Technical Working Groups

The TAC may establish ~~task forces~~ standing technical working groups and develop their charge subject to approval by the Executive Committee. Activities shall be reported to the TAC or its standing committees at regular meetings and the results are subject to approval by the TAC membership. The membership ~~and~~ purpose statement, and any

specific advisory roles (e.g., input on action items) of each ~~task force~~ technical working group shall be approved by the TAC executive committee. -The primary function of the ~~task force~~ technical working groups shall be to provide recommendations to the TAC or TAC ~~subcommittees~~ standing committees when they consider matters that require specialized technical expertise that is requested by TAC and/or not adequately or comprehensively represented on TAC or its standing committees. These working groups are not expected to take formal actions or votes; rather they shall provide qualitative advisory feedback to the TAC or its standing committees at their discretion. These working groups do not necessarily replace the role of project- or study-specific technical groups that have a narrow scope and time-limited focus.

The following are ~~examples of specific tasks~~ technical working groups that might be assigned to this task force:

- Bicycle and Pedestrian Planning
- Transit Planning

~~Defin~~ The membership of the ~~task force~~ should include (1) representative from technical working groups will be specific to the expertise needed, but should at least include county and city governments, Met Council, TAB Coordinator, and agency-specific staff (e.g., MnDOT or transit providers). TAC will approve a membership list when ~~any~~ the group is formed. The technical working groups shall self-select a chair and vice chair person, subject to approval from the TAC Executive Committee, to report activities to TAC and its standing committees. Additional technical working groups may be formed in the future but should follow the requirements listed in here.

E. TAC Membership on MnDOT's Capital Improvements Committee (CIC)

Eight representatives from the TAC or its standing committees, in addition to the a Metropolitan Council representative, and the TAB Coordinator, shall be appointed by the TAC Chair to the MnDOT Metro District Capital Improvements Committee. TAC's CIC membership should include the TAC Chair, the Funding and Programming Committee Chair, and the Planning Committee chair. TAC's CIC membership should strive to achieve geographic balance through the appointment of city and county representatives. CIC Meetings are open to agencies and regional partners.

F. Voting

Only established members, or alternates, of a given committee ~~or task force~~ may vote on matters, or introduce or second a motion before that group. ~~Non-member participation, excluding voting, shall be at the discretion of the committee/task force chair.~~ Technical working groups are not expected to vote on items but may consider providing options as advisory comments to TAC or its standing committees, if consensus is not reached.

In situations when a TAC Standing Committee meeting has been canceled but an item requires TAC Committee action, the Committee Chair may offer the members the opportunity to vote electronically. The electronic votes must be received from a quorum of the members for the vote to be valid. The TAC Standing Committee Secretary will record the electronic vote and forward the action to the TAC, if necessary. The results of the

electronic vote, the action transmittal and all appropriate materials pertaining to the item will be sent to the TAC Standing Committee members and posted on the website. The item will be on the TAC Standing Committee agenda the following month for information.

ARTICLE VI: AMENDMENT

These bylaws may be amended by a two-thirds vote of the TAC members present, provided that written notice setting forth in detail the content of the proposed amendment(s) has been given to the TAC at the preceding regular TAC meeting. Upon adoption by the TAC, these bylaws and any amendments thereto shall be forwarded to the TAB for its information.