

# T Transportation Committee

Business Item  
Item: 2012-15  
Consent

Meeting date: February 27, 2012

For the Council Meeting of March 14, 2012

## ADVISORY INFORMATION

Date: February 27, 2012  
Subject: Proposed Changes to Transportation Accessibility Advisory Committee (TAAC) Bylaws  
District(s), Member(s): All  
Policy/Legal Reference: Minn. Stat. § 473.386, Subd. 2(f)  
Staff Prepared/Presented: Arlene McCarthy, Director MTS (651)602-1754  
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Division/Department: Metropolitan Transportation Services (MTS) - Metro Mobility

### Proposed Action

That the Metropolitan Council approve the proposed changes to the Transportation Accessibility Advisory Committee (TAAC) bylaws as approved by the (TAAC) on February 1, 2012 and shown in Attachment 1 to this Business Item.

### Background

Per Minn. Stat. § 473.386, the Council is required to establish the TAAC to advise the Council on management policies for the Council's special transportation service. TAAC-recommended changes to the bylaws must be approved by the Metropolitan Council.

### Rationale

The TAAC bylaws were last updated in 2003. Several issues have arisen over the last nine years, in which TAAC seeks to make the following changes listed below:

**Article III, Section 1a-** Historically TAAC has struggled to find a representative from each precinct, leaving a number of long-term vacancies in several precincts. The proposed change gives priority to residents of a precinct but allows Council members the flexibility to appoint a representative that does not live within the precinct in order to fill TAAC vacancies.

**Article III, Section 1d-** The Minnesota Senior Federation was abolished in 2009. The Metropolitan Area Agency on Aging was named as their successor on the TAAC. A footnote is proposed which allows for the two individuals currently serving as representatives of the MN Senior Federation to seek reappointment should they so desire.

**Article III, Section 1e-** Minnesota AARP is a State Office, not a Chapter. Minnesota Chapters do not have the authority to appoint individuals to committees. The appointing authority is the State AARP Office.

**Article III, Section 2-** Updates term expirations and replaces the MN Senior Federation with the Minnesota Area Agency on Aging.

**Article III, Section 3-** Some TAAC members have a history of lengthy extenuating circumstances that have prevented advance-excusal of absences. The “shall” language regarding removal from the Committee due to unexcused absences was replaced by “may” language. This change also transfers the obligation of attendance monitoring and enforcement from the Metropolitan Council to the TAAC.

**Article IV, Section 3-** Allows members to be counted as present and have voting rights if they attend Committee meetings via teleconference or other electronic means.

**Article IV, Section 3-** States that the TAAC Chair will take an active role in developing agendas.

Attachment 1 to this document is the proposed bylaws as approved by TAAC on February 1, 2012. Attachment 2 highlights the proposed changes to the bylaws.

### **Funding**

None.

### **Known Support / Opposition**

There is no known opposition.

## METROPOLITAN COUNCIL

### TRANSPORTATION ACCESSIBILITY ADVISORY COMMITTEE

#### BYLAWS

#### ARTICLE I

#### PURPOSE

1. The Transportation Accessibility Advisory Committee (TAAC) was created by the Minnesota State Legislature as a committee of users and advocates for the disability community to advise the Metropolitan Council on management policies for special transportation services (STS) (1994 Minn. Stat. 473.386, Subd. 2(f)).
2. The TAAC shall assist the Metropolitan Council in communicating with riders, advocacy groups, and legislators to enhance the efficiency and effectiveness of the region's special transportation services.
3. The TAAC shall assist the Metropolitan Council with developing the short and long range plans to meet the accessible transportation needs of persons in the Metropolitan Area.

#### ARTICLE II

#### OFFICERS

1. **Officers.** The officers of the committee shall be the Chair and Vice-Chair. The Chair shall be appointed by and serve at the pleasure of the Metropolitan Council. The Chair shall preside at all TAAC meetings and shall have such duties and responsibilities normally attendant upon that position, or as delegated or assigned by the Metropolitan Council.
2. **Chair.** The Chair may represent the TAAC at designated meetings or authorized assemblies and shall be responsible for reporting TAAC recommendations to the Metropolitan Council Transportation Committee. In such capacity, the Chair shall be expected to express the collective views of the committee, except those remarks that are expressly qualified as the personal view of the chair. The Chair shall work closely with the assigned Metropolitan Council staff person concerning the work program, relationship with the Council, and other matters that concern the advisory committee.
3. **Task Forces.** Ad hoc task forces may be established by the TAAC Chair. The charge and time frame for the work of the task force shall be set by the chair and its activities and findings shall be reported to the TAAC at its regular meetings. Task force recommendations are subject to the approval of the TAAC.

4. **Vice-Chair.** The chair shall nominate a member of the advisory committee to serve as Vice-Chair, and present the nominee to the TAAC for ratification. The Vice-Chair shall act for the Chair during the Chair's temporary absence or disability, or in the event of a vacancy. The term of Vice-Chair shall be concurrent with that of the Chair.

### **ARTICLE III**

#### **MEMBERSHIP**

1. **Members.** The TAAC must include elderly and persons with disabilities, other users of special transportation service, representatives of persons contracting to provide special transportation services, and representatives of appropriate agencies for elderly and persons with disabilities. At least half of the TAAC members must be ADA certified and be active users of public ground transportation in the Metro Area. All current members and members whose circumstances change after they are appointed will be allowed to fulfill their terms.

The TAAC shall consist of fifteen (15) members, plus a chair. Representation shall be as follows:

- a) ~~Eight (8) members, either consumers of special transportation service or advocates for the disability community, appointed by the corresponding members of the Metropolitan Council, one each from the following precincts:~~ **The two Council members representing each of the following precincts may appoint one TAAC representative. Council members will give primary consideration to applicants who reside in their districts.**

<u>Council District</u>	<u>Precinct</u>
1 & 2	A
3 & 4	B
5 & 6	C
7 & 8	D
9 & 10	E
11 & 12	F
13 & 14	G
15 & 16	H

- b) Two (2) members appointed at-large by the Minnesota State Council on Disability;
- c) Two (2) members appointed at-large by the Minnesota Consortium for Citizens with Disabilities (MnCCD);

~~d) Two (2) members appointed at large by the Minnesota Senior Federation that represent elderly citizens of the region;~~ Two (2) members appointed at-large by the Metropolitan Area Agency on Aging<sup>1</sup>;

~~e) One (1) member appointed at large by the Minnesota Chapter of AARP that represents elderly citizens of the region.~~ One (1) member appointed at-large by the State AARP Office which represents mature citizens throughout the state of Minnesota.

2. **Terms.** Members shall serve at the pleasure of the Metropolitan Council, and can be removed by the Council at any time, except people appointed by the Minnesota State Council on Disability, ~~Minnesota Senior Federation~~ Metropolitan Area Agency on Aging, MnCCD and Minnesota Chapter AARP member who serve four-year terms. The terms of one member representing the Minnesota State Council on Disability, ~~the Minnesota Senior Federation~~, one member representing The Metropolitan Area Agency on Aging and one member representing MnCCD will expire on January 1<sup>st</sup> of every other odd numbered year, starting 2015~~01/2003~~. The terms of one member representing the Minnesota State Council on Disability ~~Minnesota Senior Federation~~, one member representing the Metropolitan Area Agency on Aging, one member representing MnCCD, and the member representing AARP will expire on January 1<sup>st</sup> of every other even numbered year, starting ~~01/2001~~. 2016.

3. **Attendance.** In accordance with Metropolitan Council Advisory Committee provisions regarding meeting attendance, TAAC members shall be ~~may~~, at the pleasure of the TAAC, be automatically removed if they miss three consecutive regular committee meetings unless such absences are excused. After a member misses two consecutive regular meetings, and such absences are unexcused, ~~the chair of the TAAC~~, prior to the third regular meeting, if the TAAC elects to consider the removal of a member ~~must~~, the Chair ~~must~~ notify the member ~~in writing that the member~~ that he/she will be automatically ~~may be~~ removed from the TAAC if the member misses the next regular meeting and such absence is unexcused.

An absence shall be deemed excused if: (1) the absence was due to injury, illness, family or work-related emergency; and (2) the TAAC committee member notified the chair of the reason for the absence, if possible, prior to the TAAC meeting, but not later than one calendar day after the meeting.

4. **Compensation.** TAAC members shall serve without compensation but may be reimbursed for reasonable expenses in accordance with adopted Council policy. Reasonable expenses may include local travel expenses such as parking, mileage and

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<sup>1</sup> Members currently serving to represent the now defunct Minnesota Senior Federation shall be eligible to seek reappointment at the pleasure of the Metropolitan Council. Should the incumbents not seek and be granted reappointment, the Metropolitan Area Agency on Aging shall become the appointing authority for the vacancies.

public transit fares incurred in the performance of TAAC duties in accordance with adopted Metropolitan Council procedures.

## ARTICLE IV

### MEETINGS

1. **Meetings.** Regular meetings of the TAAC shall be held monthly at such time and place determined by the members. Notification of the specific date, time, place and tentative agenda of committee meetings, including any appropriate accompanying materials, shall be mailed to members at least five days prior to the meeting.

Special meetings may be held at any time upon the call of the TAAC Chair, or a majority of the members. Members shall be notified of a special meeting and its purpose at least five (5) days prior to the meeting. In the event of an emergency, notice may be waived by the Chair. Business at special meetings shall be limited to the subject(s) in the noticed agenda.

Regular or special meetings may be canceled by the Chair with two days' prior notification.

2. **Procedures.** The TAAC shall operate in accordance with Robert's Rules of Order Newly Revised, Metropolitan Council and TAAC bylaws, and all other applicable Council policies and procedures. If there is a conflict between the Council's bylaws and the TAAC's bylaws, the Council's bylaws shall prevail.
3. **Voting.** Voting will be the method used to determine TAAC consensus on recommendations to the Metropolitan Council. Voting on any matter shall be by voice vote provided that a roll call shall be called and recorded on any issue if requested by one or more members. Upon the request of any member, the Chair shall repeat the motion, name of mover and seconder before the vote. There shall be no voting by proxy and each member shall be entitled to only one vote on any issue. A member must be physically present to vote, or capable of instantaneous electronic communication, including but not limited to, voice, video, or script. The Chair shall be a voting member and cast the last vote. If there is a tie vote, the Chair's vote shall break the tie.

A simple majority of current TAAC members shall constitute a quorum for the conduct of business at any meeting. If a quorum exists at any time during the meeting, a quorum shall be presumed for the remainder of the meeting.

4. **Staff Support.** A staff liaison will be assigned by the Metropolitan Council to serve all regular and special meetings. The staff liaison will serve as a resource to the committee and, in collaboration with the TAAC Chair, assist in scheduling and conducting committee meetings as prescribed by the Council, set future meeting agendas, and work

effectively and cooperatively with the members of the committee. The staff liaison shall not vote on matters before the committee.

## **ARTICLE V**

### **CONFLICT OF INTEREST**

1. A TAAC member who would be required to take an action or make a decision that would substantially affect his or her financial interests or those of an associated business, unless the effect is no greater on the TAAC member than on other members of the TAAC member's business classification, profession, or occupation, shall submit a written statement to the Chair describing the matter requiring action or decision, and the nature of the potential conflict of interest.

If a potential conflict of interest presents itself and there is insufficient time to comply with the above, the TAAC member shall orally inform the chair or committee of the official body of the potential conflict.

## **ARTICLE VI**

### **AMENDMENTS**

The Bylaws may be amended by a two-thirds vote of the members present at any regular meeting of the whole TAAC Committee, provided that written notice setting forth in detail the contents of the proposed amendment(s) has been given to the TAAC Committee members at least ten (10) days prior to the meeting. Upon adoption by TAAC Committee, these Bylaws and any amendments thereto, shall be submitted to the Metropolitan Council for its review and approval.”

~~Amended: July 1, 2003~~

Amended: February 1, 2012