
Bylaws

Transportation
Technical Committee
and Policies and
Procedures for the
Bicycle and Pedestrian
Committee

As Amended:
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SECTION 1. NAME

The name of the Committee will be the Transportation Technical Committee (TTC).

SECTION 2. ORGANIZATION

2.1. Authority

The Fargo Moorhead Metropolitan Council of Governments Policy Board (Policy Board) is the authorizing body for the TTC and any and all committees that report to the TTC.

2.2. Purpose

The purpose of the TTC is to provide technical support to the Policy Board. Activities of the TTC include but not limited to:

- Provide technical support to Policy Board, and other agencies, on transportation related studies and issues.
- Advise the Policy Board on technical and policy matters with accompanying recommendations and support information.
- Provide technical support in the preparation of the Metropolitan Transportation Plan (MTP) and recommend its adoption to the Policy Board.
- Review the Transportation Improvement Program (TIP) including reviewing projects and recommending adoption to the Policy Board.
- Assist the Policy Board and Staff in preparation of the Unified Planning Work Program (UPWP), and recommend its adoption by the Policy Board.
- Coordinate in the development of regional transportation planning activities, studies, Requests for Proposals and other related activities and to review and provide technical critique on the products and processes associated with regional transportation planning for the Metro COG area.

SECTION 3. MEMBERS

3.1. Committee Composition

The membership of the TTC will consist of twenty-two (22) voting members, two (2) Ex-Officio members and non-voting members from Associate Member jurisdictions.

3.1.1 Voting Members

- One (1) Metro COG (TTC Chair);
- One (1) City of Dilworth;
- Two (2) MATBUS;
- Two (2) City of Fargo (Engineering Department and Planning Department);
- One (1) City of Horace;
- Two (2) City of Moorhead (Engineering Department and Planning Department);

- Two (2) City of West Fargo (Engineering and Planning Departments);
- Two (2) Cass County (County Engineer's Office, County Planning Department);
- Two (2) Clay County (County Engineer's Office, County Planning Department);
- One (1) Minnesota Department of Transportation (MnDOT);
- One (1) North Dakota Department of Transportation (NDDOT);
- One (1) Freight Representative;
- One (1) Bicycle/Pedestrian Representative;
- Two (2) University/College Representatives (one each from North Dakota and Minnesota); and
- One (1) Economic Development Representative (regional representative)

3.1.2 Ex-Officio and Non-Voting Members

Ex-officio members of the TTC shall include:

- One (1) Federal Highway Administration Representative; and
- One (1) Federal Transit Administration Representative

Non-voting Associate Members shall include:

- One (1) representative for each Metro COG Associate Member

3.2. Non-Voting Participants

Any member of a jurisdiction or associate member jurisdiction may actively participate in discussions before the TTC. They will not, however, be afforded voting privileges unless they are identified as an alternate member.

3.3. Alternate Members

Alternates will be allowed to replace the designated member maintaining all rights and voting privileges as the designated member.

3.3.1 Alternates will advise the Chair for the record, at the beginning of each meeting, that they will be replacing the designated member.

3.4. Member Selection and Termination

3.4.1 The represented agencies shall select the member(s) to represent that agency according to their represented agency's own practices and the proposed listing outlined in these Bylaws. These selections will be submitted to Metro COG through an email or letter for documentation purposes.

3.4.2 Economic development shall be represented by an employee of the Greater Fargo Moorhead Economic Development Corporation (GFMEDC). If the

organization is unable to provide a representative, Metro COG shall publicly solicit membership representing economic development regionally.

- 3.4.3** Metro COG shall publicly solicit membership representing freight.
- 3.4.4** Bicycle/Pedestrian representation on the TTC shall be a recommendation of the Bicycle and Pedestrian Committee. The Committee shall recommend a representative, which shall consist of a local agency representative who is not already a member of the TTC.
- 3.4.5** University/College representatives shall be solicited from higher educational institutions. In North Dakota, the representative shall be solicited from North Dakota State University and/or North Dakota State College of Science (Fargo campus). In Minnesota, the representative shall be solicited from Minnesota State University Moorhead, Minnesota State Community and Technical College and Concordia College.
- 3.4.6** Solicitation of representatives for freight (and economic development, if necessary) shall be carried out through a public notice in The Forum, a Metro COG website posting, social media postings (LinkedIn, Facebook and any other social media platform in use by Metro COG), and through directly sharing information about the solicitation with companies and individuals in the industry. Interested representatives shall be brought to the TTC for review and recommendation, and to the Policy Board for review and approval.
- 3.4.7** The TTC will provide recommendations to the Policy Board on membership for those representatives not directly appointed by a member jurisdiction.
- 3.4.8** All TTC members will be approved by the Policy Board.
- 3.4.9** A person's membership on the TTC shall be terminated upon the member leaving his or her position named for membership on the TTC, or by the agency represented by the person choosing a replacement representative.

SECTION 4. OFFICERS AND COMMITTEES

4.1. TTC Chair

The Metro COG Executive Director will serve as the TTC Chair.

- 4.1.1** Duties of the TTC Chair - The Chair shall preside at TTC meetings assuring a comprehensive, cooperative, and continuing planning (3-C) process.

4.2. TTC Vice Chair

The TTC will in January of each year elect a member of the Committee to act in the capacity of Vice Chair.

- 4.2.1** Duties of the TTC Vice Chair - The Vice Chair shall preside at TTC meetings in the Chair's absence and assume all responsibilities of the TTC Chair.

SECTION 5. QUORUM

- 5.1.** In order for business to be transacted, there must be a recognized quorum of voting members. Quorum for the TTC will be no less than 34% of voting members.
- 5.2.** A quorum is not lost when a member or members abstain from voting.
- 5.3.** If a quorum is not reached within fifteen minutes of the scheduled meeting time, those members present may, by unanimous agreement, select to continue the meeting as an informational meeting to discuss items on the agenda that do not require approval or action by the TTC voting membership.
- 5.4.** If quorum is present at the scheduled meeting time and the Chair and Vice Chair are absent, the senior-most member of the Metro COG staff may call for election of a temporary Chair. Upon arrival of the Chair or the Vice Chair, the temporary Chair will relinquish the position upon conclusion of the business item immediately before the TTC.

SECTION 6. MEETINGS

6.1. Meetings

The TTC shall typically hold meetings the second Thursday of each month. The Policy Board approves the schedule of meeting dates each year. When the date of a meeting falls on a legal holiday, the TTC meeting will be held as scheduled by the TTC Chair.

- 6.1.1** The TTC Chair may cancel a regularly scheduled meeting or call additional meetings as deemed necessary.
- 6.1.2** TTC Meetings will generally be held at the Metro COG offices. Locations for all TTC meetings shall be accessible by persons with disabilities.
- 6.1.3** Changes to meeting time, place, or date and any cancellations of regular meetings shall be made at least twenty-four (24) hours prior to when such meeting was to have taken place or as soon as practicable.
- 6.1.4** Publication of the meetings and information will be posted on the Metro COG website. The TTC meeting schedule for each calendar year will be published in the newspaper of record in December of the preceding year. Public involvement activities will follow the adopted Metro COG Public Participation Plan (PPP).

6.2. Video and Teleconference Attendance

- 6.2.1** Members of the TTC may participate in a meeting by means of conference telephone, video conference device or similar communications equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this subsection shall constitute presence in person at such meeting.
- 6.2.2** If communication is lost and cannot be restored in a timely fashion, the person participating through electronic devices will be considered to have left the meeting. In that event, the Chair will ascertain whether quorum continues. The lack of quorum present will be addressed through procedures in SECTION 5.

6.3. Conduct of Meetings

- 6.3.1** Open Meeting Law - The meetings of the TTC will be held in accordance with Section 44-04-18 of the North Dakota Century Code.
- 6.3.2** Roberts Rules of Order – Roberts Rules of Order (current addition) shall govern the conduct of meetings where not otherwise specifically provided by these bylaws.
- 6.3.3** The presiding officer shall have authority to limit discussion or presentation by members and non-members of the TTC or to take other appropriate actions necessary to conduct all business before the TTC in an orderly manner.

6.4. Agendas

- 6.4.1** There shall be an official agenda for every regular meeting of the TTC, which shall determine the order of business conducted at the meeting.
- 6.4.2** The TTC Chair shall draft the meeting agenda.
- 6.4.3** Meeting agendas sent to Members shall include appropriate materials (e.g., staff reports, draft documents, etc.).
- 6.4.4** Regular meeting agendas shall be posted on the Metro COG web pages for download and distributed to Members at least five (5) calendar days in advance of the meetings.

6.5. Record of Proceedings

- 6.5.1** At all meetings of the TTC, the Chair shall record a roll of members, minutes of proceedings, and votes.
- 6.5.2** The Chair shall record the minutes of each meeting as a matter of public record and should present such minutes to the TTC for approval. Approved minutes of the TTC meetings shall be available for public inspection at the Metro COG offices and posted on the Metro COG web site.

SECTION 7. VOTING

7.1. Silent Vote.

Any member remaining silent on a vote shall be considered to have voted in the affirmative, unless the Chair has granted permission to a member to refrain from voting, in which event the member shall be recorded as abstaining.

7.2. Roll-Call Vote.

Per North Dakota Century Code Section 44-04-21.1, all public agencies must perform a roll-call vote for all non-procedural items included with the agenda. The vote of each member shall be asked his or her vote and he or she will respond in turn. Results of the roll-call vote will be recorded by the TTC Chair and recorded in the minutes of the meeting. The meeting minutes will record by name the members approving the action, those not approving the action and those abstaining from voting; the final vote tally; and the result of the action. The result of the roll-call vote will be finalized with the vote to approve the meeting minutes at the next scheduled meeting.

7.3. Conflict of Interest

No member of the TTC shall participate in, discuss, or vote on a matter in which he or she has a substantial personal interest as defined by Section 44-04-18 of the North Dakota Century Code.

Should any member have such a substantial personal interest on a matter coming before the TTC or its committees, the Chair shall declare an abstention for each affected member for that item on the agenda.

7.4. Proxy and Weighted Voting

- 7.4.1** The use of a Proxy Vote will not be allowed for any actions before the TTC.
- 7.4.2** Each voting member has one (1) vote and shall not have a weight of more than 1.

SECTION 8. RECOMMENDATIONS OF THE METROPOLITAN BICYCLE AND PEDESTRIAN COMMITTEE

- 8.1.** The Metropolitan Bicycle and Pedestrian Committee is a subcommittee of the TTC.
- 8.2.** TTC shall consider the recommendations of the Metropolitan Bicycle and Pedestrian Committee regarding the development and maintenance of the Metropolitan Bicycle and Pedestrian Plan.
- 8.3.** Selection and appointment of the members of the Metropolitan Bicycle and Pedestrian Committee are described in **Appendix C**.

SECTION 9. AMENDMENTS TO BYLAWS

- 9.1.** These Bylaws may be amended by a majority vote of the Policy Board voting membership at any regular meeting, provided that the members have been notified in writing of the proposed change at least five (5) calendar days in advance and the proposed amendment has been placed on the agenda.
- 9.2.** All amendments to these Bylaws shall be recorded by date and incorporated into these Bylaws. An official copy will be maintained by the Chair.

SECTION 10. SUPERSESSON OF PREVIOUS BYLAWS

- 10.1.** Adoption of these bylaws hereby supersedes and renders null and void all previous bylaws of the Metro COG Transportation Technical Committee, but does not affect any other existing official actions by Metro COG special purpose agreements or contracts between or among other general or special purpose units of governments, boards, agencies, commissions, or authorities.

SECTION 11. APPROVAL AND AMENDMENT HISTORY OF THE BYLAWS

- 11.1.** The table in **Appendix A** records the action and dates of all amendments to the TTC bylaws. The table will be updated upon approval of all amendments to the bylaws. The date shall reflect the date on which the Policy Board approves the amendment(s).

SECTION 12. EFFECTIVE DATE

- 12.1.** The effective date of these Bylaws will be that on which the Policy Board approves them or any associated amendments. The Policy Board Chair and the Metro COG Executive Director will sign the resolution in **Appendix B** to execute the effective date of the Bylaws.

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Appendix A. Amendment History of the Transportation Technical Committee Bylaws

Action	Date
Approval of Original Bylaws	October 15, 2015
Approval of new voting members	September 15, 2016
Approval of new member	April 20, 2017
Clarification of TTC member selection and addition of Appendix C, Metropolitan Bicycle and Pedestrian Committee, and miscellaneous updates	May 19, 2022

Appendix B. Approval of the Transportation Technical Committee Bylaws

On this ____ day of _____, 20__ the Fargo-Moorhead Metropolitan Council of Governments (Metro COG) Policy Board approves the amendment to the Metro COG Transportation Technical Advisory Committee Bylaws

ATTEST:

Metro COG Policy Board Chair

Metro COG Executive Director

Date

Date

Appendix C. Selection and Appointment of Representatives to the Metropolitan Bicycle and Pedestrian Committee

General. The Metropolitan Bicycle and Pedestrian Committee (the "Committee") is tasked with the oversight of the development and maintenance of the Metropolitan Bicycle and Pedestrian Plan. The Committee is made up of twenty-two (22) representatives. The Committee is a subcommittee of Metro COG's Transportation Technical Committee.

Agencies or entities participating as voting members of the Committee:

Category	Organization	Number of Members
Metropolitan Planning Organization (MPO)	Fargo-Moorhead Metropolitan Council of Governments	1
Local Units of Government	City of West Fargo Planning/Engineering/Parks	2
	City of Fargo Engineering	1
	City of Fargo Planning	1
	Fargo Park District	1
	City of Moorhead Engineering/Planning/Parks	2
	City of Dilworth	1
	City of Horace	1
	Cass County	1
	Clay County	1
Transit	MATBUS	1
State Departments of Transportation	NDDOT – Fargo District	1
	MnDOT – District 4	1
Safety / Health	City of Fargo Police	1
	Cass County Public Health	1
	Clay County Public Health	1
Miscellaneous	River Keepers	1
	College/University Representative	1
	Great Rides (or similar organization)	1
Citizen	Citizen (2-year term)	1
Total		22

Policy Statement. As the opportunity arises to fill the vacant voting citizen representative positions on the Metropolitan Bicycle and Pedestrian Committee a specific solicitation and selection process will be implemented to maintain a clear and seamless process for filling vacant voting citizen representative positions. The following steps will be taken for the solicitation and selection of any voting citizen representative vacancy:

- The Vacancy will be announced
- There will be a public notification process for the vacancy
- There will be a specific application submission period
- There will be a specific application that must be completed
- All applications will be reviewed
- There will be a specific selection process
- The candidate's interest will be confirmed prior to submission of a recommended candidate
- The Policy Board will review and approve the recommended candidate and their proxy before either the person sits on the Committee
- There will be a specific process for breaking a tie.

Solicitation Process. The intention of the solicitation process is to maintain a fair and equal process for all interested citizens to apply for vacant voting citizen representative positions on the Committee.

Announcement of the Vacancy or Upcoming Term Expiration: An approaching 2-year term limit, resignation or vacation of a voting citizen member's position is announced either by the representative, or Metro COG.

Public Notification Process: An electronic notice announcing the vacancy will be sent to all Metro COG jurisdictions and those on the bicycle and pedestrian interested persons list. The announcement will be put on Metro COG's website. An announcement will be submitted to the Forum for publication. The vacancy will be posted on LinkedIn, Facebook and any other social media platform in use by Metro COG, and through directly sharing information about the solicitation with organizations and individuals interested in bicycling and walking. Duties and responsibilities of the position, application timelines and Metro COG contact information will be provided in the announcement.

Selection Process. The intent of the selection process is to maintain a fair and equitable process in which all attributes of the applicants are reviewed thoroughly and objectively to ascertain who is most qualified to fill any voting citizen representative position. The following steps will ensure that all applicants receive a thorough review of the assets they have to offer the Committee and that a selection is made in a timely manner so as to maintain the operability of the Committee. The selection process is comprised of the following steps:

- a. **Application Submission Period:** The submission period will be for no less than fourteen (14) days.

- b. **Submission of Application:** Candidates will fill out an application with the following information provided: Name, jurisdiction of residence, contact information, familiarity with the Fargo-Moorhead Metro Area, background related to bicycle and pedestrian movement, why applicant would like to serve on the Committee, and other pertinent questions. Applications will be sent directly to Metro COG.
- c. **Review of Applications:** Once all applications have been received by the specified due date, Metro COG will forward the applications to a review committee comprised of a Metropolitan Bicycle and Pedestrian Committee representative from, at minimum, the jurisdictions of West Fargo, Fargo, and Moorhead. The review committee members will review the applications and individually rank the applicants. The ranks will be compiled to obtain an overall rank.
- d. **Selection Process.** The application of the top ranked candidate will be brought forward to the Metropolitan Bicycle and Pedestrian Committee for consideration. A vote by the Committee will be taken to recommend Policy Board appointment of the top ranked candidate to the Committee. If a majority vote fails by the Committee, the next ranked candidate will be considered by the Committee using the same voting and recommendation process as the top ranked candidate. If the Committee is not comfortable with the remaining candidates the application period will be re-opened in accordance with the process laid out in these policies and procedures.
- e. **Confirmation of Candidate's Interest:** The candidate is contacted and is asked if they still want to serve on the Committee. If the candidate accepts the position the recommendation to appoint to the Committee is forwarded to the Policy Board. If the candidate does not accept the position, the Committee has the option of reviewing the remaining candidates and voting on the remaining candidates. If the Committee is not comfortable with the remaining candidates the application period will be re-opened in accordance with the process laid out in these policies and procedures.
- f. **TTC Review and Recommendation:** The recommendation of the Metropolitan Bicycle and Pedestrian Committee shall be brought before the TTC for a recommendation to the Policy Board.
- g. **Policy Board Approval:** The Policy Board must approve all candidates ~~and their proxies~~ for the voting citizen representative position before the candidate takes their seat on the Metropolitan Bicycle and Pedestrian Committee.

In the event of a tie, a discussion and re-vote will occur at the same committee meeting if possible. If a tie occurs on the second vote, a coin-toss will occur. The Chair for the Committee will declare which of the two tied candidates is heads or tails. The Chair will toss the coin and the tie will be broken.