



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 3

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Memorandum

TO: Legislation Committee

DATE: November 6, 2009

FR: Executive Director

RE: New Policy Advisory Council

Background

Staff is returning this month after receiving guidance from the Legislation Committee in October on a proposal for consolidating MTC's three citizen advisory committees into one, multi-interest Policy Advisory Council. Some key points raised by this Committee last month included:

- Support for a single, multi-interest advisory committee
- Advisors serve to advise the Commission
- Regarding a new structure, the need to balance:
 - geographic and population-based membership
 - a diversity of views and opinions (including persons of color, low income, disabled)
 - a manageable committee size
- Need for an annual meeting where the Commission develops a work plan for advisors
- Need for working groups to implement the work plan with finite completion dates
- The Commission should be advised of dissenting opinions from the Council when they occur.

Discussion

Staff conveyed the Legislation Committee's comments to the current advisory committee members at a joint meeting on October 28. Advisors made a number of comments, which can be summarized according to the following themes:

1. While group size is an issue, advisors feel a larger group could still function well. *Response:* Staff agrees with the Commission that it is critical to keep the group to a manageable size.
2. Of the two options presented (proportional representation generally based on population, and a hybrid option that includes some of the existing categories), the proportional option is problematic. *Response:* Staff is not pursuing the option that called for proportional representation.
3. For the hybrid option, focus on what type of advice MTC is looking for (i.e. modal, senior, disabled). *Response:* The proposed composition of the new Policy Advisory Council does this.
4. Advisors agree that appointments should be based on a set term, and prefer leaving reappointment responsibility to the discretion of the Commissioners rather than establishing term limits. *Response:* The proposal does not pre-specify term limits, and calls on appointing Commissioners to consider length of service and effectiveness before reappointing an advisor.

5. A few advisors commented that the role of advisors should be advising the Commission on policy issues, as opposed to providing technical expertise, which should come from staff. *Response:* The proposed new Policy Advisory Council will focus on policy issues; staff will pursue more technical or specialized advice — such as accessibility by persons with disabilities — separately, as needed, on MTC programs and projects.

Proposed New Policy Advisory Council

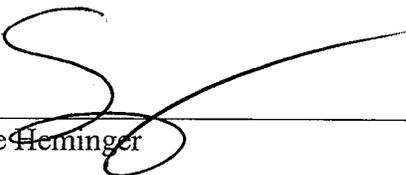
Attachment A includes a proposed mission statement for the new Policy Advisory Council and a summary of the proposed new committee structure. Attachment B is MTC Resolution No. 3931, which details the new committee and discusses key items — such as an annual meeting between the Commission and the new committee to develop a work plan and performance measures. It also spells out the length of terms, meeting frequency, etc.

The resolution calls for a 27-member Policy Advisory Council, with one third (9) of the members representing communities of color, environmental justice or low-income issues; one third (9) representing senior or disabled interests, and one third (9) representing economic and environmental interests. The first two categories would be appointed on a geographic basis by county. With respect to the last category, the resolution is written to be flexible and allow appointment of individuals on an at-large basis who can best offer advice based on current issues before the Commission. For example, the Council seats designated as representing the economy could be filled by people with backgrounds in architecture, business, construction, development, engineering, freight, housing and labor. Typical interest categories related to the environment are alternative transportation, environmental advocacy, public transit advocacy, bicycling and pedestrian issues. The resolution calls for an evaluation of the new committee structure after 18 months in order to determine whether the size, structure and functionality of the new group meets the Commission's needs.

Next Steps

Subject to the Commission's approval, staff proposes to begin recruitment in December and continue through early February. A recommended set of candidates would be presented to appointing Commissioners (Commission Chair and Vice Chair for the at-large seats, Commissioners from affected counties for community of color/environmental justice seats and senior/disabled seats) and slated for approval by the full Commission no later than March 2010. The new Policy Advisory Council would be seated in April. While terms for the Council are proposed to be four years, terms for the initial group of advisors would be for two years (through March 2012), in order to sequence appointments to more closely align with Commissioners' terms. Terms for current advisors would continue through March 2010, with the committees meeting as needed in the interim.

We believe adoption of Resolution 3931 will serve to strengthen the relationship between the Commission and its advisors and, in so doing, help to better inform MTC's policy decisions.



Steve Heminger

Attachments

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**MTC Policy Advisory Council
Proposed Mission Statement**

The mission of the Metropolitan Transportation Commission’s Policy Advisory Council is to advise the Commission on transportation policies in the San Francisco Bay Area, incorporating diverse perspectives relating to the environment, the economy and social equity. The Council advises the Commission and its staff through the appropriate MTC standing committees on matters within MTC’s jurisdiction and as assigned by the Commission.

**MTC Policy Advisory Council
Proposed Membership**

Interest	# Representatives	Appointing Commissioner
Economy/Environment*	9 (at large from throughout the region)	MTC Chair and Vice Chair
Equity – Communities of Color/Environmental Justice/Low Income**	9 (1 from each county)	Commissioner(s) from each county
Senior/Disabled†	9 (1 from each county)	Commissioner(s) from each county
Total Reps	27 Members	

* A minimum of four members shall represent economy interests and a minimum of four members shall represent environmental interests. The ninth member shall be selected from either category.

** A minimum of four members shall represent the communities of color, and a minimum of four shall represent environmental justice/low-income issues. The ninth member shall be selected from either category.

† A minimum of four members shall represent senior issues, and a minimum of four shall represent disabled issues. The ninth member shall be selected from either category.

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation

ABSTRACT

Resolution No. 3931

This resolution defines the role and responsibilities of the Commission's Policy Advisory Council.

This resolution supersedes Resolution No. 3516. Further discussion of this action is contained in the Executive Director's memorandum dated November 6, 2009. This resolution includes:

- Attachment A, which outlines the mission statement, roles, expectations, procedures, appointment process and membership criteria for the Council;
- Attachment B (to be added by Amendment to the resolution), a table listing the currently appointed advisors and their terms.

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation

RE: Commission Policy Advisory Council

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3931

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC seeks to involve citizens of diverse backgrounds and interests in the development of transportation plans and programs, in a manner consistent with applicable state and federal requirements and Commission policy (Resolution No. 2648); and

WHEREAS, MTC seeks to focus its advisory processes around the “Three E” principles of sustainability outlined in the regional transportation plan: a prosperous and globally competitive economy; a healthy and safe environment; and equity wherein all Bay Area residents share in the benefits of a well-maintained, efficient and connected regional transportation system; and

WHEREAS, MTC seeks to utilize its advisors to ensure that a wide spectrum of views are considered in developing transportation policy, and enhance the contributions and effectiveness of its advisors, now, therefore be it

RESOLVED, that the Commission establishes a Policy Advisory Council; and be it further

RESOLVED, that the members of the Policy Advisory Council will be appointed according to the process and shall have the role, tasks, membership and meetings as described in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and be it further

RESOLVED, that the Policy Advisory Council roster is contained in Attachment B to this resolution; and be it further

RESOLVED, that the Executive Director is instructed to secure nominations to fill expired terms and other vacancies and present them to the Commission for confirmation by periodically revising Attachment B; and be it further

RESOLVED, that Resolution No. 3516, Revised, is superseded with the adoption of this resolution.

METROPOLITAN TRANSPORTATION COMMISSION

Scott Haggerty, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on November 18, 2009

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation

Attachment A
Resolution No. 3931
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Attachment A
Metropolitan Transportation Commission
Policy Advisory Council

A. Mission Statement

The mission of the Metropolitan Transportation Commission's Policy Advisory Council (Council) is to advise the Commission on transportation policies in the San Francisco Bay Area, incorporating diverse perspectives relating to the environment, the economy and social equity. The Council advises the Commission and its staff through the appropriate MTC standing committees on matters within MTC's jurisdiction and as assigned by the Commission.

B. Roles/Expectations

1. Advisors Provide Interest-Based and/or Geographic Perspectives

Advisors should represent the stakeholder interest under which they have been appointed. Although some advisors may be appointed based on an organizational affiliation, they should represent their constituency (not just their individual organization).

2. Responsibilities

Advisors will be expected to regularly attend their Council meetings and to maintain an ongoing engagement with organizations and individuals who make up the advisor's constituency.

3. Council Work Plan

The Commission will hold an annual workshop with the Policy Advisory Council to set the Council's work plan and schedule for the year. At this meeting, the Commission will identify several priority areas in which it desires feedback and/or research from the Council, and establish appropriate goals and performance measures. Advisors also will be given the opportunity to recommend initiatives of potential relevance to the Commission for inclusion in the work plan.

4. Reporting to the Commission

With the assistance of MTC staff, the Council will report on its work plan progress or present recommendations to the full Commission or MTC's standing committees, as appropriate.

5. Limitations on Advisor Activities

The role of the advisors is to advise the MTC Commission. Advisors are not to convey positions to outside agencies on behalf of the Council, independent of Commission action.

C. Membership

The Council shall be composed of twenty-seven (27) members as follows.

A total of nine (9) members, one from each Bay Area county, shall be selected to represent interests related to the communities of color, environmental justice and low-income issues. A minimum of four members shall represent the communities of color, and a minimum of four shall represent environmental justice/low-income issues. The ninth member shall be selected from either category.

A total of nine (9) members, one from each Bay Area county, shall be selected to represent the interests of disabled persons and seniors. A minimum of four members shall represent senior issues, and a minimum of four shall represent disabled issues. The ninth member shall be selected from either category.

A total of nine (9) members shall be selected at-large from throughout the entire Bay Area to represent interests related to the economy and the environment. A minimum of four members shall represent economy interests and a minimum of four members shall represent environmental interests. The ninth member shall be selected from either category.

There shall be no alternates to the appointed membership.

D. Appointment Process

1. General

MTC staff shall secure nominations to fill terms and vacancies for the Council and present them to the appropriate Commissioners for confirmation. Appointments for advisors representing a particular county will be made by that county's Commissioners. Appointments for all at-large advisors will be made by the Commission's chair and vice chair. Nominations for members of the Council will be solicited from a wide range of sources including, but not limited to: MTC Commissioners, current advisors, relevant

organizations in the community, and via news releases or display ads sent to media outlets in the nine-county Bay Area.

2. Terms of Appointment

In general, advisors will serve four-year terms. Although there are no term limits, MTC Commissioners are to consider length of service and effectiveness before recommending the reappointment of advisors. All advisors wishing to be reappointed must reapply.

E. Procedures

Attendance and Participation

1. Advisors must attend at least two-thirds of the Council's regularly scheduled meetings each year and make a constructive contribution to the work of the Policy Advisory Council. Those who do not do so may be subject to dismissal from the Council at the discretion of the appointing Commissioner(s).

2. Residency Requirements

Advisors must live or work in the nine-county Bay Area.

3. Compensation

Subject to the Commission Procedures Manual (MTC Resolution No. 1058, Revised, Appendix D), advisors will receive a stipend per meeting and be reimbursed for actual expenses for travel, with a maximum of three meetings per month. Meetings are defined as a) publicly noticed meetings or meetings of ad hoc working groups of the Council; b) noticed MTC Commission or committee meetings; or c) attendance at a community meeting at the request of the Commission or MTC staff to provide outreach assistance (i.e., when he/she attends a community meeting with MTC staff to provide an introduction to a particular community).

4. Meeting Frequency and Location of Meetings

The Council will meet regularly as required by its annual work plan. Public meetings will be held at the MTC offices or other locations at a regular time to be agreed upon by the members of the Council.

5. Ad Hoc Working Groups

To implement its work plan, the Council may establish working groups, with participation from MTC staff, on an ad hoc basis.

6. Quorum Requirements

At least 50 percent plus one of the Council's appointed membership must be present to constitute a quorum and vote on issues. The Council can hold discussions in the absence of a quorum, but cannot vote.

7. Election of Council Chair and Vice Chair

The Council will have a chair and a vice-chair, to be elected by the council for a one-year term. Although Council officers may be reelected, regular rotation of these positions among the Council membership is strongly encouraged.

8. Public Meetings

All Council meetings and any ad hoc working group meetings will be noticed and open to the public.