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**PLANNING AND PROGRAMMING COMMITTEE**  
**March 19, 2014**

**SUBJECT: TECHNICAL ADVISORY COMMITTEE**

**ACTION: APPROVE MEMBERSHIP AND BY-LAW REVISIONS**

**RECOMMENDATION**

A. Approve:

1. Adding one voting and one ex-officio (non-voting) Active Transportation member and alternate representing Bicycle and Pedestrian issues to Metro's legislatively mandated Technical Advisory Committee (TAC); and
2. TAC by-laws as amended; and

B. Receive and file:

1. Clarification on the Metro Board's role in determining the TAC's composition and appointments; and
2. Expansion of the role of the TAC's Transportation Demand Management/Air Quality (TDM/AQ) Subcommittee to include sustainability issues.

**ISSUE**

On a periodic basis, TAC and its Subcommittees review their composition and operating procedures to provide up-to-date technical expertise on the projects, programs and issues affecting transportation in Los Angeles County. In November 2013, TAC requested that the Board ratify its recommended action to add one voting and one ex-officio Active Transportation member and alternate to represent Bicycle and Pedestrian issues on the TAC. Additionally, staff reviewed the existing TAC by-laws and is recommending revisions. Board ratification is needed to make these changes which are shown in Attachment A.

At the January 15, 2014 Planning and Programming Committee meeting, there was discussion concerning the Los Angeles County Transportation Commission (LACTC) Administrative Code pertaining to the TAC. Specific questions concerning the Metro Board's role regarding the composition of the TAC were raised at the meeting. This report requests Board approval for the membership additions and by-laws revisions, and provides responses to the Planning and Programming Committee's questions concerning the Board's role in determining the TAC composition and appointments.

This report also updates the Board on the expanded role of the TDM/AQ Subcommittee.

## **DISCUSSION**

The establishment of a TAC is required by statute, California Public Utilities Code (PUC) Section 130105(e), dating back to the formation of the LACTC, predecessor agency to Metro. TAC started with 17 members in 1977 and through reorganization, the last of which was in 2012, its membership has grown to its current number of 32 (28 voting and 4 ex-officio) members. Since the formation of the TAC, newly added members include the California Highway Patrol, a citizen representative on Americans with Disabilities Act (ADA), and newly formed Councils of Governments (COGs)/Subregions representatives. Based on the Board adopted TAC by-laws, TAC members are appointed by the agencies specified in the membership structure of the TAC by-laws and must be approved by the Metro Board.

### **Purpose of TAC**

TAC provides countywide technical assistance by reviewing, evaluating and making recommendations for Metro staff's consideration on various transportation proposals, projects and programs affecting Los Angeles County. Transportation issues discussed include, but are not limited to, funding, operations, construction and maintenance of streets and freeways, bus and rail transit, bikeway and pedestrian improvements, sustainability, demand and system management, air quality improvements and goods movement. The TAC plays a key and vital role in the Call for Projects, making recommendations on project funding and deobligations. Recent subjects discussed include: Potential Sales Tax Ballot Measure, Call for Projects, Metro Green Construction Policy, and Open Street Program, etc. Metro serves as the Chair of the Committee.

### **Management of TAC**

The TAC by-laws govern staff's management of the Committee. Based on the Board-approved TAC by-laws, member agencies make appointments to the TAC subject to Board ratification.

### **Response to Planning and Programming Committee Questions**

Below are the responses to the questions raised at the January 15<sup>th</sup> Planning and Programming Committee:

#### **1. What is role of the TAC?**

While PUC Section 130105 mandates that Metro appoint a TAC, it does not provide guidance as to the role of the TAC. Metro is therefore responsible for determining

the role of the TAC. The Metro Board has set forth the function of the TAC in Section B of the approved TAC by-laws, which states that the role of the TAC is to provide technical assistance to Metro staff by reviewing, evaluating and making recommendations on various transportation proposals and alternatives within Los Angeles County.

2. Who determines the TAC composition and makes the appointments?

Pursuant to PUC Section 130105, Metro must “appoint a technical advisory committee of representatives from all of the transit operators, all of the cities and the county, and the Department of Transportation, and such advisory committees it deems necessary.”

Based on the adopted by-laws, TAC recommends membership changes to the Metro Board for ratification. To date, TAC is comprised of 32 members. Members are appointed by various cities, transportation agencies and the County of Los Angeles. All appointments are subject to ratification by the Metro Board.

3. What authority does TAC have in making changes to its membership and structure?

TAC can make recommendations as to its membership, but ultimately, the Metro Board decides on the structure of TAC and ratifies the appointment of members.

### Active Transportation Members

In May 2013, TAC’s Streets and Freeways (S&F) Subcommittee recommended that TAC add both a new Bicycle Coordinator and new Pedestrian Coordinator to the existing TAC membership structure. Subcommittee members stated that the training and expertise needed to address the needs of these two modes are substantially different and TAC membership would be strengthened by having members with specific experience and training in these two fields. TAC considered the S&F Subcommittee’s recommendation in June 2013 and voted to add one Active Transportation member and alternate, as they felt that existing members also have expertise in these areas, but also wanted a user’s perspective. The S&F Subcommittee at its October 2013 meeting requested that the TAC reconsider the item. In November 2013, TAC reconsidered and approved adding one voting and one ex-officio Active Transportation member and alternate to represent Bicycle and Pedestrian issues to the TAC membership structure. Although one member is ex-officio, his/her expertise would be drawn on during discussion of items. The voting and ex-officio positions must be designated to these respective positions and cannot be from the same mode or agency and will not be interchangeable. The two members and alternates will be nominated by the S&F Subcommittee and confirmed by TAC.

## TDM/Air Quality Subcommittee

In December 2013, the TDM/AQ Subcommittee unanimously approved for TAC's consideration the expansion of its role to include Metro Sustainability plans, programs and policies and to rename the Subcommittee, "TDM/Sustainability Subcommittee." TAC approved the Subcommittee recommendation at its December 2013 meeting.

## **DETERMINATION OF SAFETY IMPACT**

There is no impact to the safety of our patrons and employees.

## **FINANCIAL IMPACT**

TAC members do not receive compensation for their services. There is no impact to the current approved budget.

### Impact to Budget

There is no impact in the current approved budget.

## **ALTERNATIVES CONSIDERED**

The Board could change the TAC recommendation and appoint two new voting members, a bicycle and pedestrian representative, or send the item back to TAC for reconsideration, or not approve the changes to the TAC by-laws and membership structure. These alternatives are not recommended, as they would be inconsistent with the Board adopted TAC by-laws and prior Board actions.

## **NEXT STEPS**

With Board approval, we will work with the S&F Subcommittee to appoint the two Active Transportation members and their alternates to the TAC. Additionally, the TDM/Sustainability Subcommittee will review its by-laws and membership structure and make the necessary changes to reflect its expanded role. We will also review TAC membership structure on a bi-annual basis and bring TAC recommendations to the Board for ratification as appropriate.

## **ATTACHMENT**

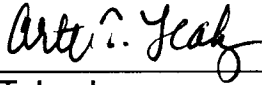
A. Amended Technical Advisory Committee By-laws

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Martha Welborne, FAIA  
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Arthur T. Leahy  
Chief Executive Officer

## TECHNICAL ADVISORY COMMITTEE BY-LAWS

Updated December 3, 2013

(Changes in Bold and Strikeouts)

A. Membership - There is hereby created the Technical Advisory Committee (TAC) composed of **34** members including **five** ex-officio members. **Voting TAC members, except for the Citizen Representative on Americans with Disabilities Act (ADA) and the Automobile Club of Southern California, must be a full time public transportation agency employee whose main responsibility is working on transportation projects, programs and/or policies. Consultants and those holding contracts with the Los Angeles County Metropolitan Transportation Authority (LACMTA), and/or those who bid on LACMTA solicitations pertaining to matters that TAC discusses and on which it makes decisions, and/or those that have financial interest in the recommendations of TAC and its Subcommittees are not eligible.** The Committee members shall be selected as follows:

- (1) Three members appointed by the City of Los Angeles;
- (2) Three members appointed by the County of Los Angeles;
- (3) Eight members appointed by the League of California Cities, one voting member per each of the following Subregional Groups or Councils of Governments (COGs): Arroyo Verdugo, Gateway Cities, Las Virgenes/Malibu, San Fernando Valley, San Gabriel Valley, South Bay, Westside Cities, **and** North County. These TAC representatives must be full-time staff from one of the COG/Subregion member cities, not a paid consultant and will be nominated by the COGs and confirmed by the League of Cities;
- (4) Two members appointed by the California Department of Transportation with expertise in freeway traffic operations, SAFE, surface streets and local programs;
- (5) One member appointed by the Operations Department of LACMTA;
- (6) Two members appointed by the Bus Operations Subcommittee (BOS) from among the Municipal Operators in Los Angeles County;
- (7) The Chief Executive Officer (CEO) of LACMTA or the alternate who shall act as Chairperson;
- (8) One member appointed by the City of Long Beach;
- (9) Two members appointed by the Local Transit Systems Subcommittee (LTSS);
- (10) One member appointed by the California Highway Patrol;
- (11) Two members appointed by the Transportation Demand Management/**Sustainability** (TDM/**Sustainability**) Subcommittee;
- (12) One member appointed by the Automobile Club of Southern California (**grandfathered\***);
- (13) One Citizen Representative with Technical Expertise on Americans with Disabilities Act (ADA) transportation issues, appointed by LACMTA;

- (14) **One member representing Active Transportation, nominated by the Streets and Freeway Subcommittee and confirmed by the TAC;**
- (15) Ex-Officio Members:
  - a) One member to represent the Goods Movement industry, appointed by LACMTA;
  - b) One member appointed by the Southern California Regional Rail Authority (SCRRA);
  - c) One member appointed by the Southern California Association of Governments (SCAG);
  - d) One member appointed by the South Coast Air Quality Management District (SCAQMD); and
  - f) **One member representing Active Transportation, nominated by the Streets and Freeway Subcommittee and confirmed by the TAC.**

Committee members shall serve until either reappointed or a successor is duly appointed and qualified. All appointments to the Committee shall be made in writing, subject to ratification by LACMTA. Committee members shall be selected on the basis of their technical and professional qualifications in the field of transportation planning, management and engineering.

**The voting and non-voting Active Transportation members that represent the Bicycle and Pedestrian modes cannot be from the same mode or agency and will not be interchangeable.**

**\* Grandfathered member – any entity that has served as a member to TAC prior to April 1, 1993.**

- B. Function - Subject to the supervision of LACMTA, the Committee shall provide technical assistance to LACMTA **staff** by reviewing and evaluating the various transportation proposals and alternatives within Los Angeles County. Transportation issues transmitted to the Committee will include the funding, operation, construction and maintenance of streets and freeways, bus and rail transit, demand and system management, air quality improvements, **sustainability and active transportation**. The Committee shall review, comment upon, and make recommendations on such matters as are referred to it by LACMTA **staff**. Cooperatively with the modal Subcommittees defined in Section E, LACMTA staff will forward issues, projects or programs to the Committee for review and action.
- C. Meetings - In the dispatch of responsibilities, the Committee may conduct meetings, appoint Subcommittees, and engage in such related activities as it deems necessary.
- D. Compensation - Members of the Committee shall serve without compensation.
- E. Subcommittees - There are four standing Subcommittees:

1. Bus Operations Subcommittee (BOS) - review and provide technical input on all bus operations, capital, and legislative issues;
  2. Streets and Freeways Subcommittee - review and provide technical input on projects and issues related to seaports and airports access, goods movement, bicycle improvements, pedestrian improvements, Transportation Enhancement Activities (TEA), traffic systems management, and streets and freeways operations and programming;
  3. Local Transit Systems Subcommittee (LTSS) - provide technical input on issues affecting local transportation systems including fixed route circulation, commuter services, paratransit, and rail feeder services; and
  4. Transportation Demand Management (TDM)/Sustainability Subcommittee - provide technical input on TDM, air quality issues, bicycle and pedestrian improvements, TEA, **and LACMTA plans and programs which implement a countywide transportation system that increases mobility, fosters walkable and livable communities, and minimizes greenhouse gas and environmental impacts.**
- F. Attendance - After three consecutive absences at regular meetings by the member or alternate, the agency will automatically lose voting privileges. **The TAC Chair will notify the agency of its absences, and** privileges will not be reinstated until **LACMTA receives a new letter from the** appointing agency **identifying its** new TAC member and alternate.
- G. Alternates - Each member shall have one alternate, with each alternate appointed in writing by their agency/jurisdiction.
- H. Protocol

If TAC has taken a position on an item and has a representative present to represent the TAC position, then:

- 1) **Members of TAC Subcommittees should not address the LACMTA Board as Subcommittee members.** They can introduce themselves as an individual from their respective agency, not as a representative of their TAC Subcommittee, and present their respective agency's point of view;

If TAC takes a position or makes a recommendation on an issue being presented to the Board prior to the Board report being finalized, then the TAC's recommendation(s)/position(s) should be reflected in the Board report.



To enhance communication between TAC and its Subcommittees:

- Subcommittee agendas will be reformatted to be identical to the format used for TAC agendas;
- Subcommittee agenda cover pages will continue to be included in TAC agendas, with the disposition of items (action, discussion or information) clearly denoted. TAC members should review the agenda and inform the TAC Chair if there are items they would like to discuss or items upon which they would like TAC to take action;
- During TAC Subcommittee reports, Subcommittee Chairs will describe their agendas and the disposition of items. If TAC members have a concern with regard to Subcommittee actions, this will be the opportunity to discuss the item and if appropriate, take action. During their respective reports, Subcommittee Chairs should make every effort to inform the TAC of anticipated/planned agenda items for the next several months;
- The Subcommittee Chair, in coordination with their LACMTA staff person, is responsible for ensuring that time sensitive items are appropriately scheduled to afford TAC members an opportunity to review the item(s) and take action, if desired.
- TAC members should review the Subcommittee agendas and call the TAC Chairperson and the Subcommittee Chairperson prior to the meeting, should members be interested in bringing the item to TAC for discussion;
- During the TAC Subcommittee Report, the Subcommittee Chairperson will describe the disposition of action items. This will provide an opportunity for TAC members to raise any concerns or to take an action on the Subcommittee items;

League of California Cities representatives' communication with Subregions:

Subregion/COG members represent the cities in their respective subregions. As such, it is each representative's responsibility to report to their Subregion/COG and member cities of the issues and developments that transpire at the TAC meetings. This will ensure that their Subregion/COG is informed.

