



AD HOC SERVICE SECTOR COMMITTEE
AUGUST 7, 2002

SUBJECT: SERVICE SECTOR BYLAWS

ACTION: APPROVE PROPOSED BYLAWS

RECOMMENDATION

Approve actions related to the proposed bylaws that are to be used uniformly by all Service Sector Councils (Attachment A).

ISSUE

In an effort to improve MTA service quality and delivery and bring the decision-making process nearer to the customer, the MTA has decentralized its bus operations to five Service Sectors countywide. This new structure is intended to provide greater local control, insure increased responsiveness to customers and ultimately result in a more efficient and effective transportation system.

At the June meeting of the Ad Hoc Service Sector Committee, staff was directed to mail out the proposed bylaws for the Sector Councils and the revised map to all interested parties soliciting comments for a 30-day review period and to report back. Based on the comments received, staff developed a matrix (Attachment A) of the Service Sector Councils bylaws broken down by articles identifying action required.

DISCUSSION

In April 2002, the Board approved the establishment of Service Sectors with governing councils. The adoption of bylaws will serve as a guide for the Sectors to roll-out the transition plan that is forthcoming and shall be applicable to all Sectors uniformly.

The purpose of bylaws is to provide for the structure and governance of a governing body and for the orderly and fair conduct of its meetings. These bylaws will assist a governing body in meeting its goals by determining their structure, establishing a meeting procedure and providing an understanding of the procedures by which its rights can be exercised.

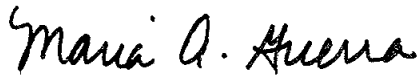
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Verbal comments received by Board staff include the need for the MTA Board to adopt a universal name for these governing bodies and to make a determination of what the members will be called (i.e., Councils - Council Members, Commissions - Commissioners, Boards - Board Members). However, until such a decision is made and so as not to confuse the issue, staff will continue to call them Councils for the purpose of these Board Reports.

ATTACHMENT

- A. Matrix
- B. June 12, 2002 Bylaws

Prepared by: Yvette Z. Robles, Government Relations Officer



Maria A. Guerra
Chief of Staff



Roger Snoble
Chief Executive Director

SECTION	ACTION REQUIRED BY MTA BOARD	COMMENTS
	<ul style="list-style-type: none"> • Approve that all Councils should be formed in accordance with a uniform set of adopted bylaws for the Service Sector Councils. 	<p>“members of the Service Sector Councils must reside within the Service Sector boundaries.” Comments received supported both scenarios. Additionally, comments received expressed concern for deleting the “residence” requirement for elected officials.</p> <ul style="list-style-type: none"> • This will ensure consistency in the coordination of Service Sector Councils countywide.
Article II, Section B Terms of Service	<ul style="list-style-type: none"> • Consider incorporating a staggered term for Councilmembers. 	<ul style="list-style-type: none"> • Concerns were raised about terms of service.
Article II, Section C Eligibility	<ul style="list-style-type: none"> • Approve as is. 	<ul style="list-style-type: none"> • No applicable comments received for this section.
Article II, Section D Appointments	<ul style="list-style-type: none"> • Approve the definition of coalitions to be all cities and unincorporated county areas. • Approve that the MTA Board Members shall confirm and appoint members of the Service Sector Councils based on nominations submitted by the regional COGs and/or coalitions through a locally adopted process. 	<ul style="list-style-type: none"> • Comments were received requesting clarification of “coalitions.” • Clarification was requested as to the process used to nominate members to the MTA Board for final approval.
Article II, Section E Vacancies	<ul style="list-style-type: none"> • Consider filling vacancies in the same manner as appointments; which the MTA Board confirms, and that members confirmed to fill vacancies should do so for the unexpired term. 	<ul style="list-style-type: none"> • Consistent with MTA Board appointment procedures.
Article II, Section F Attendance	<ul style="list-style-type: none"> • Approve deletion of “in consultation with the General Manager.” 	<ul style="list-style-type: none"> • Concerns were raised about attendance, no impact to Service Sectors.
Article II, Section G Resignation	<ul style="list-style-type: none"> • Approve inclusion of language that “the COG or other nominator should also receive a copy of the resignation.” 	<ul style="list-style-type: none"> • Concern was expressed as to the notification procedures/requirements for Sector Council resignations.

SECTION	ACTION REQUIRED BY MTA BOARD	COMMENTS
Article II, Section H Removal	<ul style="list-style-type: none"> • Approve as is. 	<ul style="list-style-type: none"> • It is consistent with other public agencies to have a removal class and further add flexibility for unique unforeseen circumstances.
Article III, Section A Officers	<ul style="list-style-type: none"> • Approve Articles A.1 and A.2 as is. • Delete Secretary as an Officer. • Approve changing Article III, Section A.3 to Article III, Section B, titled "Secretary" and include language as follows: "The Secretary shall keep or cause to be kept minutes of each meeting for distribution to the MTA Board through the Board Secretary and the MTA Chief Executive Officer. The Secretary shall maintain, or cause to be maintained, an up-to-date roster of members, (and those individuals receiving agendas and minutes) and have it available at all meetings of the Council" • Approve addition of Article III Section C that states, "In the absence of the Chair and Vice-Chair, the Sector Council shall determine the presiding officer for the meeting." 	<ul style="list-style-type: none"> • The process for electing officers is defined in Roberts Rules of Order. • MTA staff will perform the functions of the Secretary. • Concerns were expressed regarding clarification of officer duties. • Concerns were expressed regarding clarification of officer duties.
Article IV Work Program	<ul style="list-style-type: none"> • Approve as is. 	<ul style="list-style-type: none"> • At its regularly scheduled meeting of April 25, 2002, "the Board supported the establishment of Service Sectors with governance councils." As such, they should be responsible for developing a work program that falls within their purview and delegated authority.

SECTION	ACTION REQUIRED BY MTA BOARD	COMMENTS
Article V, Section A Agenda	<ul style="list-style-type: none"> • Approve as is. 	<ul style="list-style-type: none"> • This is consistent with the MTA Board agenda process.
Article V, Section B Regular Meetings	<ul style="list-style-type: none"> • Approve as is. 	<ul style="list-style-type: none"> • Special meetings are at the discretion of the Council. However, as per Board approval at its regularly scheduled meeting of April 25, 2002, “a stipend may be paid for up to two meetings per month; amount of the stipend to be determined for review by the Board.”
Article V, Section C Ralph M. Brown Act	<ul style="list-style-type: none"> • Replace language to read as follows: “all meetings of the Council shall be called, noticed and conducted in the manner proscribed by the Ralph M. Brown Act. 	<ul style="list-style-type: none"> • This will ensure compliance of the Ralph M. Brown Act.
Article V, Section D Code of Conduct	<ul style="list-style-type: none"> • Approve as is. 	<ul style="list-style-type: none"> • No comments received that conflict with this intent.
Article V, Section E Participation	<ul style="list-style-type: none"> • Approve as is. 	<ul style="list-style-type: none"> • No comments received that conflict with this intent.
Article V, Section F Annual Meeting	<ul style="list-style-type: none"> • Approve as is. 	<ul style="list-style-type: none"> • No comments received regarding this section.
Article V, Section G Quorum	<ul style="list-style-type: none"> • Approve as is. 	<ul style="list-style-type: none"> • No comments received regarding this section.
Article V, Section H Stipend	<ul style="list-style-type: none"> • Approve as is. 	<ul style="list-style-type: none"> • Concerns expressed that two meetings per month may not be sufficient. However, at its regularly scheduled meeting on April 25, 200, the MTA Board approved that “a stipend may be paid for up to two meetings per month; the amount of the stipend to be determined for review by the Board.”
Article VI Amendments	<ul style="list-style-type: none"> • Approve deletion of need for General Manager’s approval. 	<ul style="list-style-type: none"> • Concerns expressed about inclusion of General Manager approval.

SECTION	ACTION REQUIRED BY MTA BOARD	COMMENTS
Article VII Authority	<ul style="list-style-type: none"> • Approve preamble as is. • Approve Article VII as is 	<ul style="list-style-type: none"> • Concerns were expressed with language.
Article VIII Responsibilities	<ul style="list-style-type: none"> • Approve as it. 	<ul style="list-style-type: none"> • The Councils will be given the authority to meet and confer with the Deputy Chief Executive Officer to provide input into the General Manager's evaluation. Hiring and firing of the General Manager will be the responsibility of MTA management. Procedures and methodologies to be provided in the forthcoming implementation plan. • Sector Councils will meet with the Sector General Manager and MTA Deputy Chief Executive Officer before the budget is adopted and further establish goals in coordination with the Sector General Manager that conform with the MTA performance evaluation plan. Ultimate responsibility for the Sector budgets will rest with the General Managers. Procedures and methodologies to be provided in the forthcoming implementation plan.

SECTION	ACTION REQUIRED BY MTA BOARD	COMMENTS
Article IX Political Activities	<ul style="list-style-type: none">Amend the article with the following language: "Service Sector Council Members shall be subject to the restrictions that are imposed on MTA Board Members."	<ul style="list-style-type: none">Concern was expressed that this provision was not necessary and inconsistent with other local ordinances.
Article X Liability Protection	<ul style="list-style-type: none">Approve as is.	<ul style="list-style-type: none">This protection is the same as that of MTA Board members and MTA staff and has been reviewed by County Council.

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
SERVICE SECTOR COUNCILS BYLAWS**

ARTICLE I: PURPOSE

The purpose of the Service Sector Councils is to guide the staff at the local Service Sectors for the purpose of improving bus service within each respective sector.

In order to achieve MTA's mission of being responsible for the continuous improvement of an efficient and effective transportation system for Los Angeles County, the Service Sector Councils shall support staff in:

- Facilitating a partnership along a shared vision for responsive community based transportation services;
- Organizing the functions of the MTA to best serve our customers in a manner that is efficient and effective;
- Developing an organizational framework that will lead the MTA into being a world class transportation agency;
- Fostering a more dynamic working environment, to reduce management layers by moving responsibility and accountability closer to the customer; and
- Achieving overall improvement in service quality.

The General Managers, in concert with the Councils, will support Sector efforts to deliver, monitor, and improve safety and performance of all bus service operated by the divisions within their respective Sector; develop efficient coach operator work assignments and service schedules that are responsive to customer needs and monitor existing service resource allocations; develop and implement changes in bus service that improve service quality, ridership and operational efficiency; and, develop and implement a planning and public communication process that elicits and responds to the community and the customer.

ARTICLE II: MEMBERSHIP

- A. COMPOSITION: The Councils are comprised of up to nine members of the community residing or working within the boundaries of a designated Service Sector of the MTA. Members of the Service Sector Council may be elected officials and/or private citizens. Sectors have the option of retaining structures already in place and may request a change in the number of members represented on the Council.
- B. TERMS OF SERVICE: Each member of the Service Sector Councils shall serve a term of three-years and are subject to the same restrictions as the MTA Board members.
- C. ELIGIBILITY: Members of the Service Sector Councils must reside within the Service Sector boundaries.

- D. APPOINTMENTS: MTA Board Members shall confirm and appoint members of the Service Sector Councils based on nominations submitted by the regional COGs and/or coalitions. As much as possible, members of the Councils shall be selected to reflect a broad spectrum of interests and geographic areas of the Sector. Membership on the Council is not transferable or assignable.
- E. VACANCIES: Council vacancies will be filled pursuant to a process developed by the Sector Council and approved by the MTA Board. The process should provide for maximum outreach, input and review.
- F. ATTENDANCE: If a member has more than three absences in a row or in a six-month period, the Council Chairperson, in consultation with the Sector General Manager may declare the council representative inactive and initiate a nomination process to fill the vacancy of the inactive member.
- G. RESIGNATION: A member of the Service Sector Council may render their resignation from the Sector Council by writing a letter to the MTA Board Secretary with copies to the MTA Board.
- H. REMOVAL: Any member of the Council can be removed at any time if the Council deems this is in the best interests of the Service Sector. Removal requires a (2/3, supermajority) vote of those members of the Council that are present and confirmation by the MTA Board.

ARTICLE III: GOVERNANCE

- A. OFFICERS: The officers of the Council shall consist of the Chairperson, Vice-Chairperson and Secretary, each of who shall be elected from among members of the Council. The Council, annually, or at its June meeting and at such other time as there may be a vacancy, shall elect officers. The term of office shall be one year. Each shall serve for the balance of the current term.
 - 1. Duties of the Chairperson: The Chairperson shall preside at all meetings of the Council and shall exercise and perform such other powers and duties as may be assigned by the Council or prescribed herein.
 - 2. Duties of the Vice-Chairperson: The Vice-Chairperson shall perform the duties of the Chairperson in his or her absence, and when so acting shall have all the powers of and be subject to all the restrictions of the Chairperson.
 - 3. Duties of the Secretary: The Secretary shall keep or cause to be kept minutes of each meeting for distribution to the MTA Board through the Board Secretary and the MTA Chief Executive Officer. The Secretary shall maintain an up-to-date roster of members (and those individuals receiving agendas and minutes) and have it available at all meetings of the Council. In the absence of both the Chairperson and the Vice-Chairperson, the Secretary shall serve as the Chairperson Pro-Tempore and have all the powers and be subject to all the restrictions of the Chairperson.

ARTICLE IV: WORK PROGRAM

In June of each year, the Council shall adopt an Annual Council work program, which outlines the activities and priorities of the Council for the following year. The work program shall be consistent with the MTA Board adopted mission, vision and goals and must comply with all Board adopted policies, service standards and other criteria.

ARTICLE V: MEETINGS

- A. AGENDA: Matters to be placed on the agenda for any regular meeting will be coordinated through the General Manager. Any member of the Council may also place items on the agenda through the MTA Board Secretary. The Secretary shall cause the agenda to be prepared and copies thereof to be mailed or delivered at least seven working days prior to the regular meeting date to council members, MTA staff and the public.
- B. REGULAR MEETINGS: The Council will hold regularly scheduled monthly meetings. If such meeting day is a holiday, the meeting shall be held on the next business day. Scheduled meetings should not conflict with regularly scheduled MTA Committee and Board meetings. Council meetings are limited to no more than two meetings a month and shall be conducted pursuant to Robert's Rules of Order.
- C. RALPH M. BROWN ACT: All meetings of the Council shall be called, noticed and conducted in the manner prescribed by the Section 54952.3 of the Government Code (the Ralph M. Brown Act) as amended from time to time.
- D. CODE OF CONDUCT: Members of the Service Sector Councils shall adhere to the MTA Code of Conduct and all other relevant State and Federal laws.
- E. PARTICIPATION: Anyone attending the meeting is eligible to be heard. No person or member shall address the Council at any meeting until first recognized by the Chairperson. The decision of the Chair not to recognize a person may be changed by vote of a majority of the members of the Council present at the meeting. The Chairperson may, in the interest of facilitating the business of the Council, limit the amount of time which a person or member may use in addressing the Council.
- F. ANNUAL MEETING: The Councils shall meet and confer with the MTA Chief Executive Officer and other Sector Governance Councils on an annual basis to discuss the overall effectiveness of the Sectors and other related matters.
- G. QUORUM: A majority of council members (50%+1) shall constitute a quorum to do business; two-thirds of the Council shall constitute a supermajority.
- H. STIPEND: Members of the Service Sector Councils will be paid a stipend in an amount determined by the MTA Board.

ARTICLE VI: AMENDMENTS

AMENDMENTS TO BYLAWS: The Council may amend the bylaws from time to time by a vote of a two-thirds supermajority of the membership as listed on the membership

roster at the time of such a vote. Any proposed bylaws amendments must be properly noticed on the agenda of a regularly scheduled Council meeting and scheduled for a membership vote at the next regularly scheduled Council meeting. Any amendments to the bylaws are subject to Sector General Manager and MTA Board approval.

ARTICLE VII: AUTHORITY

The Council is created and given perpetual succession by terms of the Los Angeles County Metropolitan Transportation Authority. The Council's authority shall include, but not be limited to directing the Sector General Manager to:

- A. Develop route planning studies to better route and schedule Tier 2 and 3 services operated within the Sector and those Tier 1 routes so designated;
- B. Develop efficiency studies to identify ways to decrease the unit cost of services provided in the Sectors;
- C. Call public hearings pertaining to bus route changes within the Sectors following State and Federal law and with policy pertaining to public hearings;
- D. Make changes, add or delete bus services within the Sectors in conformance with MTA service standards, collective bargaining agreements and MTA policies;
- E. Make efficiency changes to the operations as appropriate;
- F. Contract with planning, businesses, consultants, other local transit operators and any other contracting needs unique to the Sector; and,
- G. Work with MTA planning staff and municipal operators to insure coordination of services, including Tier 1 services.

ARTICLE VIII: RESPONSIBILITIES

The Council's delegated responsibilities shall include, but not be limited to:

- A. Meet with the Sector General Manager and MTA Deputy Chief Executive Officer before the budget is adopted and further establish goals in coordination with the Sector General Manager that conform with the MTA performance evaluation plan;
- B. Prior to the budget adoption by the MTA Board, meet with the Deputy Chief Executive Officer to review the performance of the Sector General Managers in accordance with the MTA performance criteria at least once per year;
- C. Meet and confer with the Deputy Chief Executive Officer to provide input into the General Manager's evaluation;
- D. Meet in a general forum with all members of the Service Sector Councils and the MTA Board of Directors to report on the progress each Sector has made and establish lines of communication to ensure cooperation between each of the Sectors and the MTA Board at least once per year; and,

- E. Provide input to the MTA Board on budget, capital needs, Tier 1 service plans, and other issues the councils feel the MTA Board should be informed of.

ARTICLE IX: POLITICAL ACTIVITIES

Neither the Service Sector Council nor any member purporting to speak for it shall endorse any candidate for public office or any political party. Membership rosters of the Council shall not be used for political, commercial, or any other activity not directly related to the Council.

ARTICLE X: LIABILITY PROTECTION

Any member of the Service Sector Council made or threatened to be made a party to any action, suit or proceeding by reason of the fact that s/he is or was a Director or Officer of the Service Sector Council shall be indemnified and defended by the MTA pursuant to the law in the same manner as an officer or employee the MTA.