

To: Board of Directors

Date: 08/28/2019

From: Ruby Horta, Director of Planning, Marketing & Innovation

Reviewed by: *WC.*

SUBJECT: Citizens' Advisory Committee Bylaws Amendment

Background:

The Operations and Scheduling (O&S) Committee reviewed the Citizens' Advisory Committee (CAC) bylaws at the August 2019 committee meeting. At the August Board members, Board members were encouraged to fill the vacancies in their respective jurisdictions. Subsequent to the meeting, the legal team provided some additional feedback and recommended the bylaws be amended.

The proposed amendment states the basic rule that members shall not engage in any activity for compensation that is in conflict with their duties as members of the CAC. This is the guiding standard for public officials, generally. Per our legal team's recommendation, staff also proposes that the members fill out an Annual Statement of Economic Interest disclosure form that has been modeled after the FPCC's Form 700, tailored to relate to their responsibilities as members of the CAC. This form would be filed with CCCTA, and not filed with the State.

Financial Implications:

None.

Recommendation:

The A&F Committee and staff recommend that the Citizens' Advisory Committee bylaws be amended, as presented in Attachment 1.

Action Requested:

The A&F Committee and staff request Board approval of Advisory Committee Role and Function amendment.

Attachments:

Attachment 1: Citizens' Advisory Committee Role and Function Amendment

Attachment 1

Central Contra Costa Transit Authority Advisory Committee

Role and Function

Approved June 16, 2011
Amended September 19, 2019

Purpose

The primary purpose of the Central Contra Costa Transit Authority Advisory Committee will be to review, analyze and advise the County Connection Board of Directors on issues and policies relating to fixed-route and paratransit service. The Advisory Committee will be asked to consider and make recommendations on finance and planning documents that include but are not limited to the following:

- CCCTA Ten Year Short Range Transit Plan
- Annual operating and capital budget
- Annual marketing plan
- Other issues such as operations, scheduling, administration, finance, and legislation.

Composition

The Advisory Committee shall be comprised of eleven (11) members from Central Contra Costa County. Each member jurisdiction will be requested to recommend one member from that jurisdiction for appointment by the CCCTA Board of Directors. Each member jurisdiction may also recommend an alternate member from that jurisdiction for appointment by the CCCTA Board of Directors. The following criteria should be considered:

- Representative should be active in community participation and involvement
- Representative should reside in the appointed community
- Representative should be a current or former user of fixed-route and/or paratransit service, or an advocate for transit users in their communities.

Term

- Members will be appointed for a two-year term, with no limit on the number of terms served.
- If during his/her term, a representative resigns, is removed, or unable to continue to serve, the recommending jurisdiction will be requested to appoint a successor, to be approved by the CCCTA Board of Directors to serve the balance of the term.
- If a member misses three or more consecutive meetings without cause, the Advisory Committee may request that member resign or be removed by the CCCTA Board after consultation with the affected jurisdiction.

Officers

- The Advisory Committee will elect officers who will serve one-year terms. Officers will include a chair and a vice chair.

Meetings

- The Advisory Committee will meet every other month. However, if the Committee wishes to have a special meeting, any member may request that the Chair ask the staff liaison to schedule such a meeting.
- A majority of those present shall be required to adopt an action.

Charge

The Advisory Committee is charged with the responsibility of acting as ADVISORS to the CCCTA Board of Directors, and of collecting and reporting service issues and concerns received from the jurisdictions. Members may volunteer, or be appointed by the Chair to attend scheduled CCCTA Committee meetings, participate in Advisory Committee subcommittees, or undertake other duties for the Advisory Committee.

Furthermore, the Committee is charged with the responsibility of acting as DISSEMINATORS of information in their community, and of assisting in the education of their jurisdictions regarding the fixed-route and accessible services that are available.

In fulfilling these responsibilities the Committee will:

- Make formal recommendations in the form of written communications and reports to the CCCTA Board of Directors, and where appropriate, supplement with oral comments
- Appoint a member to serve as the Committee liaison to the Contra Costa County Paratransit Coordinating Council
- Act as a forum for fixed-route, accessible services, and LINK paratransit users to express concerns or ideas about the services to the Authority.

In fulfilling this charge, individual members may be expected to:

- Network with other interested citizens and groups in the community.
- Maintain a working relationship with the Board representative from his/her jurisdiction
- Assist CCCTA staff at community or business events

Conflict of Interest Regulations

An Advisory Committee member shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties, functions or responsibilities on the Citizens Advisory Committee (CAC). Such member shall not perform any work, service, or counsel for compensation outside of his or her responsibilities where any part of his or her efforts will be reviewed by the CAC.

Members of the CAC shall comply with the provisions of the California Political Reform Act (Government Code Section 87100, *et seq.*) and doctrine of common law conflicts of interest. Each member shall file an Annual Statement of Economic Interest. Individual members shall disclose and disqualify themselves from participating in any decision in which they have a financial interest under the standards of the California Political Reform Act.

RESOLUTION NO. 2020-08__

**BOARD OF DIRECTORS, CENTRAL CONTRA COSTA TRANSIT AUTHORITY
STATE OF CALIFORNIA**

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APPROVING AMENDMENT TO CITIZENS' ADVISORY COMMITTEE BYLAWS

WHEREAS, the County of Contra Costa and the Cities of Clayton, Concord, the Town of Danville, Lafayette, Martinez, the Town of Moraga, Orinda, Pleasant Hill, San Ramon and Walnut Creek (hereinafter "Member Jurisdictions") have formed the Central Contra Costa Transit Authority ("County Connection"), a joint exercise of powers agency created under California Government Code Section 6500 *et seq.*, for the joint exercise of certain powers to provide coordinated and integrated public transportation services within the area of its Member Jurisdictions;

WHEREAS, the Role and Function of the Citizens' Advisory Committee {"Bylaws"} was adopted on November 20, 1986, and has been revised periodically over time;

WHEREAS, the Operations and Scheduling Committee reviewed the Citizens' Advisory Committee Bylaws at its August 2019 meeting and encouraged Board members to fill the vacancies on the Committee from their respective jurisdictions; and

WHEREAS, following further review of the Bylaws, the Administration and Finance Committee recommends the inclusion of a conflict of interest standard consistent with the California Political Reform Act and common law, that members shall not engage in any activity for compensation that is in conflict with their duties as members of the Citizens' Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED that the Central Contra Costa Transit Authority Board of Directors hereby approves amendment of the Citizens' Advisory Committee Bylaws as presented in Attachment 1 to this resolution.

Regularly passed and adopted this 19th day of September 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Candace Andersen, Chair, Board of Directors

ATTEST:

Lathina Hill, Clerk to the Board