



Governance Structures, Rules, Procedures, and Ex Officio Membership

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Presentation Topics

- Governance Arrangements and Leadership Team Structures
- Rules and Procedures
- Establishing a Quorum
- Ex Officio Membership
- Accountability Mechanisms
- Forming a Charter



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Potential Governance Arrangements

1. Leadership Team

- 2-3 Chairs

2. Minimalist Structure

- 1 Chair, 1 Vice Chair

3. Expanded Structure

- 1 Chair, 3-5 Vice Chairs





Leadership Team | 2-3 *Co-Chairs*

- **Strengths:**

- Greater workload support
- Potential for broader representation



- **Drawbacks:**

- Less-clear point of leadership
- Overlapping duties may be inefficient
- Potential for inconsistent messaging to public and staff





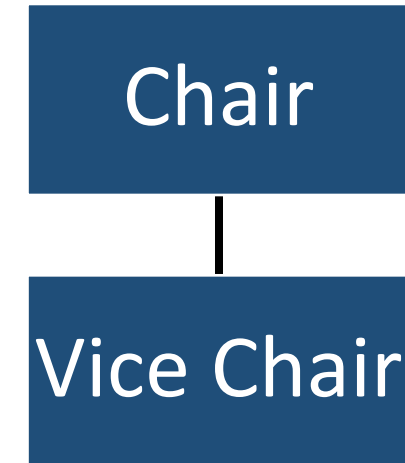
Minimalist Structure | *1 Chair, 1 Vice Chair*

- **Strengths:**

- Clear point of leadership
- Clearer articulation of group priorities

- **Drawbacks:**

- Less capacity support for chair
- Fewer opportunities for representation

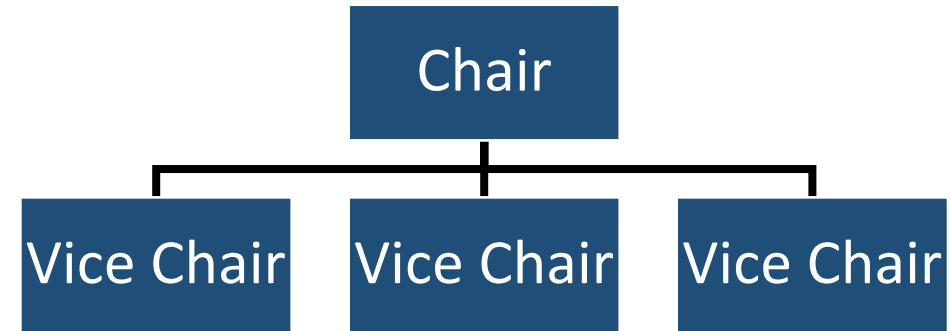




Expanded Structure | *1 Chair, 3-5 Vice Chairs*

- **Strengths**

- Clear point of leadership
- Increased capacity
- Potential for increased representation



- **Drawbacks**

- Requires several volunteers and commitment





Voting Majorities



Majority Matters

- “Members present” vs “all members”
- Simple majority (50%+1) vs supermajority ($\geq 66\%$)
- Different majorities can be used for different circumstances



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Rules and Procedures



- **Consensus Decision-making**

- “Consensus advice is more powerful to decision-makers” (Oregon DOT)
- “Modified consensus” (CARB Environmental Justice Advisory Committee)

- **Moderating meetings**

- Staff is exploring options to use a professional facilitator
- Standard Procedures: *Robert’s Rules of Order*

- **Bagley-Keene**

- Must provide 10 days prior notice of meetings if quorum is present



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Quorum

- Minimum number of members needed to conduct official proceedings, per Bagley-Keene requirements
- Government Code Section 11123.5 (e) states, “a quorum of the members of the state body shall be in attendance at the primary physical meeting location.”
- After June 30, 2023, a quorum of the EAC must be present in person to conduct an official EAC meeting.



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Quorum Continued

- Charter can decide what constitutes a quorum; usually it's a simple majority.
 - 50 percent of members + one member
- Through the EAC charter, the EAC may determine that a quorum can be reached with a smaller number of members, if travel to meetings and/or in-person attendance creates barriers to participation.



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Ex Officio Members

- A member who is appointed or automatically given membership because they represent an official office or agency.
 - For example, Sen. Josh Newman is an ex-officio member of the CTC.
- Subject matter experts within partner agencies can offer expert feedback, serve as thought partners, and increase and promote communication between the Committee and local and regional agencies.
- Process for choosing ex-officio members can be determined in partnership with regional transportation partners.
- The direction to identify 2 ex-officio members is part of adopted Committee scope.



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Ex Officio Members
Staff recommends that
the EAC consider
approving the
moderators of the
following bodies as ex
officio members

- Regional Transportation Planning Agency (RTPA) Group
 - Work in close partnership with Caltrans, CalSTA, and the Commission
 - Develop and implement of planning and funding program guidelines + funding and delivery of transportation projects
- Rural Counties Task Force (RCTF)
 - Rural agencies work in close partnership with state transportation agencies on the planning, funding, and delivery of transportation infrastructure projects



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Ex Officio Members

- There may be other partners such as transit agencies or transportation focused organizations that the EAC may consider in lieu of, or in addition to the RTPA or RCTF ex officio membership.
- Staff encourages the EAC to discuss options and decide whether to vote on membership at the **June** meeting or postpone action until the **Fall**.



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Accountability Mechanisms



- A process of follow-up and accountability will be established for interagency staff to demonstrate how discussion topics and/or recommendations made by the EAC have been considered by each agency
- Staff will report back with whether recommendations were incorporated, with clear communication on why or why not

• Report-back Mechanisms

- Commission Annual Report to the Legislature
 - Mechanism to highlight EAC work and policy recommendations

• Internal Accountability Mechanisms

- Roles and responsibilities for Committee leadership
- Participation Expectations
- Meeting Etiquette



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Forming a Charter

- The charter is a formal document that articulates a body's procedures and values.
- The charter will detail the committee's:
 - Governance Structures
 - Rules and Procedures
 - Compensation Details





Discussion and Next Steps

- Over the summer, a subcommittee of interested EAC members will develop a draft charter.
 - If there are more than 2 members interested, these meetings will be publicly noticed
- Members will be compensated for time spent on this activity.
- The draft charter will be considered for approval by the full committee at a future EAC meeting.



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Thank you!

Comments or Questions?



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