

Date: November 28, 2007Committee Meeting Date: December 13, 2007Board Meeting Date: N/A**BOARD MEMORANDUM****ACTION ITEM**

TO: Technical Advisory Committee
Santa Clara Valley Transportation Authority
Board of Directors

THROUGH: Michael T. Burns
General Manager *Michael T. Burns*

FROM: Jim Lawson
Government Affairs Manager *Jim Lawson*

SUBJECT: Election Process for Advisory Committee Chairperson and Vice Chairperson

RECOMMENDATION:

Appoint a nominating subcommittee to identify Committee members interested in serving as the chairperson or vice chairperson for 2008.

BACKGROUND:

VTA has five advisory committees providing input to the Board of Directors: Bicycle & Pedestrian Advisory Committee (BPAC); Citizens Advisory Committee (CAC), Committee for Transit Accessibility (CTA); Policy Advisory Committee (PAC), and Technical Advisory Committee (TAC).

The bylaws for these committees specify that each committee shall elect from its membership a chairperson and a vice chairperson. The duties of the chairperson are to preside at all meetings of the committee and represent the committee before the Board of Directors. The duty of the vice chairperson is to perform the duties of the chairperson when the chairperson is absent. The chairperson and vice chairperson positions serve for a one-year term and are eligible for election to successive terms. For the PAC and TAC, only members, not alternates, are eligible to serve in these positions.

The advisory committees bylaws also specify that the chairperson and vice chairperson elections for four committees (BPAC, CAC, PAC, and TAC) are held the first meeting of the calendar year (usually January), and those for CTA are held the last meeting of the calendar year (typically December).

DISCUSSION:

The election process for chairperson and vice chairperson is comprised of three distinct steps. The first step is the appointing of the nominating subcommittee. The second is presentation of the nominating subcommittee's report. The final step is conducting elections to select the chairperson and vice chairperson. Each of these components is conducted during the committee meeting.

Appointing the Nominating Subcommittee

The chairperson requests volunteers to serve on the nominating subcommittee, which is typically comprised of two to four members. For PAC and TAC, only members, not alternates, are eligible to serve on the nominating subcommittee. If there are no volunteers or an insufficient number, it is the chairperson's prerogative to appoint committee members to serve on it. It is required that each committee votes to approve the appointment of members to the nominating subcommittee. This step normally takes place two meetings prior to conducting the elections.

The nominating subcommittee identifies members interested in serving as the chairperson or vice chairperson. This is done by soliciting nominations from members, either for themselves or other members, and is done at a time other than during the committee meeting. Additionally, it is the nominating subcommittee's responsibility to determine that members who have been nominated are willing to serve. For PAC and TAC, only members, not alternates, are eligible for election to the chairperson and vice chairperson positions.

Report from the Nominating Subcommittee

At the meeting immediately preceding the elections, the nominating subcommittee provides a verbal report to the committee identifying committee members who have confirmed their willingness to serve. This establishes the initial list of candidates for the elections to be held at the next meeting. The nominating subcommittee is automatically discharged when its report is presented to the committee. No committee action is required other than receiving the report.

Election of Chairperson and Vice Chairperson

These elections, which are held at the bylaw-specified meeting whenever possible, are conducted for the chairperson and vice chairperson positions individually and in sequence. Immediately preceding the vote, the chairperson shall ask whether there are any nominations from the floor, then close the nominating process to establish the final list of candidates for each position.

For all advisory committees except CTA and PAC, the affirmative vote of a majority of the total authorized membership is required to elect the chairperson and vice chairperson. CTA requires the affirmative vote of nine members or a majority of the members present, whichever is greater, and PAC requires the affirmative vote of the majority of the quorum present.

For CTA, the term for the newly elected chairperson and vice-chairperson commences at the next meeting whereas for the other four advisory committees it begins at the same meeting as the elections and immediately following completion of the voting for each office.

Because the November TAC meeting did not have a quorum, the Committee could not complete the first step of the election process, which is appointing of the nominating subcommittee. Due to this, the Committee is being asked to appoint members to establish the Nominating Subcommittee at its December 13, 2007 meeting.

Also, because the Committee was not able to complete the first step of the three-step election process at the designated meeting, staff recommends the following modified plan to ensure the election process is completed at TAC's January 2008 meeting:

- The Committee will appoint members to establish the Nominating Subcommittee at its December 2007 meeting.
- By early January 2008, one member of the Nominating Subcommittee will provide VTA staff with a very brief written report on its finding. Staff will then email this report to TAC members the week prior to the January TAC meeting. This will provide TAC members time to deliberate.
- The Nominating Subcommittee's report will be included in the agenda packets for the January meeting and will also be verbally provided, for the record, at that meeting.
- Elections for the chairperson and vice chairperson will be held on schedule at the January meeting, following the verbal report of the Nominating Subcommittee. Nominations from the floor will also be accepted at this time.

Prepared by: Stephen Flynn, Sr. Management Analyst