Los Angeles County
Metropolitan Transportation
Authority
One Gateway Plaza
3rd Floor Board Room
Los Angeles, CA

Metro

Board Report

File #: 2021-0509, **File Type:** Policy **Agenda Number:** 34.

REVISED
EXECUTIVE MANAGEMENT COMMITTEE
SEPTEMBER 16, 2021

SUBJECT: METRO ADVISORY BODY COMPENSATION POLICY

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

A. APPROVING the Metro Advisory Body Compensation Policy (ABCP) (Attachment B); and

B. DELEGATING authority to the CEO, or CEO's designee, to compensate Metro advisory body members pursuant to Metro's ABCP Administrative Policy or as otherwise approved by the Metro Board.

ISSUE

During the Metro Board Meeting on February 25, 2021, Directors Mitchell, Garcetti, Solis, Kuehl, and Dupont-Walker requested a report to the Board with a review of compensation for Metro's advisory bodies and a policy for the reasonable compensation of their members (see Attachment A).

BACKGROUND

Metro hosts a diverse range of councils, committees, and other advisory groups, most of whom have members who are not compensated for their time or expertise. The Advisory Body Compensation Policy offers a compensation model for participation by public members in Metro's advisory bodies across its portfolio. Metro recognizes that our planning and decision-making processes could perpetuate practices that harm our most marginalized and vulnerable users without the participation of advisory group members with diverse and important cultural, geographic, or historically marginalized experiences. The time, expertise, and responsibility that public members bring to Metro advisory bodies are valuable to the agency and should be duly compensated through a standardized process.

The ABCP was developed by the Office of Equity and Race in partnership with the Offices of Communications, Ethics, Planning, and County Counsel to ensure the Policy is holistic and comprehensive in its application. Lead departments, offices, or units of existing advisory bodies were

also consulted in the development of the ABCP.

DISCUSSION

The Advisory Body Compensation Policy was developed after a review of best practices. Staff conducted a literature review of national and local government agencies that have developed compensation policies for advisory bodies, including the cities/towns of Seattle, Los Angeles, Boulder, Chicago, Mill Valley, and Palm Beach, the county of Los Angeles, and Oregon Metro. Compensation frameworks of Oregon Metro, Palm Beach (town), and Los Angeles County emerged as the most compelling and relevant case studies and were used to develop the framework for ABCP.

All compensation policies reviewed recognize that compensation for advisory members acknowledges the unique expertise that public members bring forth to advisory bodies through lived experience and cultural expertise that an Agency would otherwise not have if members of the public were not on advisory bodies.

Defining Advisory Bodies

Advisory bodies are groups, regardless of name, that provide input to Metro on program, project, and other issues, and develop recommendations, when requested, to enhance projects, programs, or other provisions. Below is a list of factors for determining whether a body is an eligible advisory body under the ABCP. An eligible advisory body does not need to fulfill every qualifier listed below to be eligible for the ABCP, nor is the list intended to be inclusive of all roles that advisory bodies may play at Metro.

Advisory bodies are groups that:

- Have defined roles, responsibilities, and membership
- Have members who offer specific or unique perspective, knowledge, skills, or experience which Metro may not have or otherwise adds value to Metro's work
- Provide input and recommendations to Metro on projects, scopes of work, programs, policies, budgets, and other provisions
- Review and evaluate the various transportation proposals and alternatives within Los Angeles County
- Provide technical input and assistance to Metro on issues affecting local transit systems or transportation programs in Los Angeles County
- Assist Metro in improving and promoting bus and rail services to specific populations
- Assist Metro in improving and promoting transportation related projects and programs to specific populations
- Provide independent oversight and enhanced level of accountability for expenditures of sales tax revenues made under the adopted expenditure plan(s)

Eligibility for Advisory Body Compensation Policy

Members of any formal advisory body, which has been created or sanctioned by Metro now or in the future, are eligible for compensation as of the effective date unless determined ineligible by preceding legislation or charters or bylaws.

Metro currently has 16 advisory bodies, with the five service councils, Measure M Oversight Committee, and the Public Safety Advisory Committee (as of July 2021) being the only groups currently receiving or approved to receive compensation. All advisory bodies created or sanctioned by Metro in the future will be eligible for compensation under the ABCP, unless determined ineligible by legislation or provisions in the ABCP. See Attachment C ~~B~~ for eligibility determinations for existing advisory bodies.

Advisory Body Member Tiers

The ABCP has three tier categories for compensation: 1) Advise, 2) Advise and Prepare, and 3) Advise and Collaborate. The level of responsibility and roles of the advisory member increase with each tier, along with the compensation rate. Tiers focus on the advisory body member's potential time commitment, roles, and responsibilities while serving on the advisory body.

- The Advise tier applies to advisory body members who largely play an advisor for Metro staff with minimal responsibilities outside of attending meetings.
- The Advise and Prepare tier applies to body members responsible for one to two hours of preparation for meetings on top of attending meetings.
- The Advise and Collaborate tier applies to members whose responsibilities include collaboration with other members, Metro staff, and/or other community members or external partners, to develop a shared vision and outcomes.

Advisory Body Compensation Structure

The ABCP compensation structure includes three tiers of compensation, starting at $100 per meeting, with a maximum of $200 per meeting. Alternates encouraged to attend and/or participate in their body meetings will be paid $25 less than the assigned compensation tier for their advisory body. Participation in any subcommittee meetings will be compensated at a rate of $50 per meeting and count toward the annual cap rate for their compensation tier or advisory body membership type. All compensation is subject to increases based upon the Consumer Price Index (CPI). See the table below for a full outline of the compensation fee structure by compensation tier.

The ABCP includes an annual cap on compensation totals for advisory body member participation for

each fiscal year. A cap, or maximum, serves to manage budget and workload for each advisory body, but does not preclude a department from providing additional compensation with justification. All advisory members will be compensated only for meetings attended, regardless of the advisory body meeting schedule.

Metro Advisory Body Compensation Structure*				
Compensation T	**Regular Compensation Rate**	**Maximum Compensation Per Fiscal Year**	**Alternate Rate**	**Maximum Compensation Per Fiscal Year**
Advise	$ 100 per meeting	$3,100	$75 per meeting	$2,500
Advise and Prep	$ 150 per meeting	$4,300	$125 per meeting	$3,700
Advise and Collaborate	$ 200 per meeting	$5,500	$175 per meeting	$4,900
Subcommittee Participation On	$ 50 per meeting	$1,200	$50 per meeting	$1,200

*CPI annual increases can occur.

Advisory Body Member Compensation Eligibility

All public members serving on Metro advisory bodies will be eligible for compensation regardless of immigration status, housing status, ability, or any other status that may be a barrier to participation. The ABCP excludes Metro employees and any public agency, Councils of Government, or elected office staff who serve on advisory bodies as part of their professional role. Members who 1) work for a contractor or organization holding an active contract with LACMTA and 2) participate or are listed in the contract activities, while serving on an advisory body are not eligible for advisory body compensation for the contract duration. This applies to all contractors, including non-profit organizations and community-based organizations. Further, the ABCP only applies to members of the public who are formal members of Metro created and sanctioned advisory bodies. Application of the ABCP to future advisory bodies will be determined on a case-by-case basis.

The ABCP includes potential compensation alternatives for those who may not be able to accept compensation in the form of a check or direct deposit, which will be finalized in the forthcoming Implementation Guidelines.

Compensation Agreement

Receiving compensation from Metro is entirely voluntary and is not required. Members of the public can choose to opt in or out of receiving compensation from Metro via the Compensation Agreement which all advisory body members will be required to sign.

FINANCIAL IMPACT

The financial impact to the FY22 budget will be determined by individual departments, in consultation with the Office of Equity and Race and Community Relations, as they implement the ABCP. Overall, the financial impact is estimated to range from $331,200 to $1,518,000 per fiscal year, inclusive of all existing advisory bodies eligible. The actual amount will depend on the final determination of the tier level for each existing advisory body and the determination of eligibility for new advisory bodies.

EQUITY PLATFORM

The Advisory Body Compensation Policy is one tool in a growing toolkit, that helps reduce barriers and support participation in Metro's decision-making and planning processes. The ABCP helps advance equitable outcomes that uplift the lived experiences of historically marginalized and vulnerable users by providing compensation and alleviating a financial barrier to participation for members who do not have the ability to donate their time to Metro. All public members, regardless of immigration status, housing status, ability, or any other status that may be a barrier to participation, are eligible for the ABCP.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This recommendation supports strategic plan goals #4.1 and #3.3 by helping Metro collaborate with the public, foster trust with everyday stakeholders in its planning processes and creates an opportunity for robust community engagement opportunities that reflect the communities Metro serves.

NEXT STEPS

The Office of Equity and Race will develop Implementation Guidelines to accompany the ABCP and support staff implementing the ABCP to their advisory bodies. Training will also be provided to all Metro staff who lead an advisory body to ensure comprehensive application of the ABCP.

ATTACHMENTS

Attachment A - 2021-0187 Board Motion
Attachment B - Advisory Body Compensation Policy
Attachment ~~B~~ C - ~~Existing~~ Advisory Body Compensation Charts

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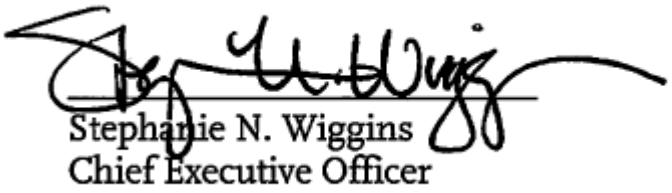

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File #: 2021-0187, **File Type:** Motion / Motion Response **Agenda Number:**

REGULAR BOARD MEETING
MARCH 25, 2021

Motion by:

DIRECTORS MITCHELL, GARCETTI, SOLIS, KUEHL, AND DUPONT-WALKER

Related to Item 26: Transit Law Enforcement Services

Metro's efforts to reimagine public safety requires the expertise of its riders. Members of the newly formed Public Safety Advisory Committee (PSAC) will provide their time in meetings and reflection outside of meetings to make recommendations about the future of public safety. Metro should ensure that members of this committee are appropriately compensated for their time, as it should with other areas of expertise.

Related to discussions on whether to amend Metro's existing Transit Law Enforcement Services contract, the Chief Executive Officer has recommended that even greater expectation be placed on PSAC members to meet over the next six months and present a set of recommendations on Transit Law Enforcement Services. The justification for compensation and appropriate resourcing is stronger than ever. We stress the urgency of this action, as PSAC intends to hold its first meeting in April 2021.

Moreover, PSAC is but one of many advisory committees that Metro convenes to seek expertise from its ridership and broader community. Compensating advisory committee members - in some way - means that more people can participate, including people who are most reliant on Metro services. This aligns with Metro's efforts to fix racial and income inequities across the region. Metro must prioritize compensating expertise across the Agency, in accordance with its values. For these reasons, Metro should take a broader reevaluation of if and how advisory committees should be compensated, including but not limited to stipends, reimbursements, and other potential forms of compensation.

SUBJECT: AMENDMENT TO TRANSIT LAW ENFORCEMENT SERVICES

RECOMMENDATION

WE, THEREFORE, MOVE that the Board direct the Chief Executive Officer to:

A. Report to the Operations Committee in April 2021 on a plan to reasonably compensate members of the Public Safety Advisory Committee, including but not limited to options for stipend,

reimbursement, and other forms of compensation;

B. Report to the Board in June 2021 with a review of compensation for Metro's advisory committees and a policy for the reasonable compensation of their members; and

C. Include in each monthly Transit Public Safety report updates on the progress and activities of the Public Safety Advisory Committee

Los Angeles County
Metropolitan Transportation Authority

Metro

GENERAL MANAGEMENT
Advisory Body Compensation Policy (ABCP)

(GEN 62)

POLICY STATEMENT

Pursuant to the Board Approved Equity Platform (March 2018), Los Angeles County Metropolitan Transportation Authority (LACMTA) is committed to incorporating equity into all facets of LACMTA's decision-making and genuinely engaging impacted communities in it's processes, while continuously pursuing equitable outcomes in everything it does. This commitment includes investing resources to remove barriers and eliminate disparities in the participation of Black, Indigenous, People of Color (BIPOC) and other marginalized people in decision-making processes. This includes but is not limited to households with low-incomes, people with disabilities, immigrants, people with limited English proficiency, members of the lesbian, gay, bisexual, transgender and queer community, older adults, and youth. LACMTA acknowledges the systemic barriers and financial and emotional costs faced by BIPOC and other marginalized people in participating in LACMTA's decision-making processes. The Advisory Body Compensation Policy ("Policy") offers a compensation model designed to support and sustain participation by members of the public in advisory bodies across LACMTA's portfolio.

PURPOSE

The Advisory Body Compensation Policy applies to LACMTA-established or sanctioned advisory bodies and is intended to determine when and how to compensate members of the public who serve on advisory committees.

APPLICATION

This policy applies to members of LACMTA-created or sanctioned advisory bodies.

Advisory body members are independent, and no language in the Policy will be construed to create the relationship of agent or employee, as between an advisory body member and LACMTA. Advisory body members will not be, or be construed to be, the employees or agents of LACMTA.

_____	_____	_____
APPROVED: County Counsel or N/A	Department Head	ADOPTED: CEO

Effective Date: _____

Date of Last Review: _____

GENERAL MANAGEMENT
Advisory Body Compensation Policy (ABCP)

(GEN 62)

1.0 GENERAL

The Office of Equity and Race will administer this policy by serving as a resource for departments through implementation, overseeing eligibility determinations, overseeing, and tracking compensation tier determinations in coordination with Community Relations, and leading policy review and updates, as necessary.

The department, office, or unit responsible for administering an advisory body will be responsible for ensuring a compensation tier determination is made, budgeting for, funding, and ensuring payment of compensation for that advisory body, submitting five-year reviews to the CEO, and otherwise implementing the policy, as necessary.

2.0 PROCEDURES

These procedures establish administrative guidelines for determining compensation of members of the public serving on advisory bodies.

2.1 Defining Advisory Bodies

Advisory bodies are LACMTA-created or sanctioned groups, regardless of name, that voluntarily provide input to LACMTA on program, project, and other issues, and develop recommendations, when requested, to enhance projects, programs, or other provisions. The primary purpose of advisory bodies is to provide LACMTA with input and/or expertise from the perspective of members of the public or experts in specific fields. Advisory bodies can also bring together members of the public with views that are not often heard by LACMTA. Below is a list of factors for determining whether a body is an eligible advisory body under the Policy. An eligible advisory body does not need to fulfill every qualifier listed below in order to be eligible for the Policy, nor is the list intended to be inclusive of all roles that advisory bodies may play at LACMTA.

Advisory bodies are groups that:

- Have defined roles, responsibilities, and membership
- Have members who offer specific or unique perspective, knowledge, skills, or experience which LACMTA may not have or otherwise adds value to LACMTA's work
- Provide input and recommendations to LACMTA on projects, scopes of work, programs, policies, budgets, and other provisions
- Review and evaluate the various transportation proposals and alternatives within Los Angeles County
- Provide technical input and assistance to LACMTA on issues affecting local transit systems or transportation programs in Los Angeles County

- Assist LACMTA in improving and promoting bus and rail services to specific populations
- Assist LACMTA in improving and promoting transportation related projects and programs to specific populations
  Provide independent oversight and enhanced level of accountability for expenditures of sales tax revenues made under the adopted expenditure plan(s)

Any new advisory body that is created or sanctioned by LACMTA will need to pose a unique or different value than existing advisory bodies and be reviewed for eligibility under the Policy.

2.2 Advisory Body Eligibility

Members serving on any formal advisory body, that has been or is created or sanctioned by LACMTA, are eligible for compensation under the Policy as of the effective date unless determined ineligible by the preceding legislation, charters or bylaws, or provisions in the Policy. Eligibility for the Policy may include informal advisory bodies that have been created by LACMTA and will be assessed on a case-by-case basis. Upon a determination that members of the public are asked to fulfill the same or similar roles as those described in compensation tiers below for informal advisory bodies, they will be eligible for compensation based on the tier that best fits their role. Groups that LACMTA participates in or facilitates but did not create or sanction will not be eligible for compensation under this Policy. Advisory bodies developed for project-based needs will be assessed on a case-by-case basis for eligibility under the Policy. Further information on the eligibility of project-based groups will be outlined in the forthcoming Implementation Guidelines.

2.3 Advisory Body Member Eligibility

All members of the public serving on LACMTA advisory bodies will be eligible for compensation regardless of immigration status, housing status, ability, or any other status that may be a barrier to participation. The Policy currently excludes LACMTA employees and any public agency, Councils of Governments, or elected office staff who serve on advisory bodies as part of their professional role. Members who 1) work for a contractor or organization holding an active contract with LACMTA and 2) participate or are listed in the contract activities, while serving on an advisory body are not eligible for advisory body compensation for the duration of the contract. This applies to all contractors, including non-profit organizations and community-based organizations. Once no longer under contract with LACMTA, an advisory body member may receive compensation. Further, the Policy only applies to members of the public who are formal members of LACMTA created and sanctioned advisory bodies. Application of the Policy to unofficial advisory bodies will be determined on a case-by-case basis.

2.4 Advisory Body Member Tiers

The Policy has three tier categories for compensation: 1) Advise, 2) Advise and Prepare, and 3) Advise and Collaborate. The level of responsibility and roles of the advisory member increase with each tier, along with the compensation rate. Tiers focus on the advisory body member's potential time commitment, roles, and responsibilities while serving on the advisory body.

- The Advise tier applies to advisory body members that largely play the role of an advisor for LACMTA staff with minimal responsibilities outside of attending meetings.
- The Advise and Prepare tier applies to body members responsible for one to two hours of advance preparation for meetings on top of attending meetings.
- The Advise and Collaborate tier applies to members whose responsibilities include collaboration with other members, LACMTA staff, and/or other community members or external partners, to develop a shared vision and outcomes. The Advise and Collaborate tier should be applied when advisory members have a moderate to significant workload outside of advisory committee meetings.

Determination of an advisory body's categorization in a specific tier will be determined by the LACMTA department managing the respective advisory body, in consultation with the Office of Equity and Race and Community Relations.

LACMTA Advisory Body Compensation Policy Tiers	
Tiers	**Roles and Responsibilities**
Advise	-Participate in advisory body meetings once a month or less -Provide feedback on topics discussed at the advisory body meeting -Includes light advance review of materials in preparation for meetings
Advise and Prepare	-Participate in advisory body meetings once a month or less -May participate in advisory subcommittees -Provide feedback on topics discussed at the advisory body meeting -Advise or provide feedback on pieces of LACMTA's scope of work, such as draft community engagement plans -May require 1-2 hours of advance review of materials or other preparation for meetings, including workgroup meetings, community engagement efforts, and other tasks per meetings
Advise and Collaborate	-Participate in advisory body meetings twice a month or more -Participate in advisory subcommittees -May require 2-4 hours of advance review of materials or other preparation for meetings, including readings, workgroup meetings, and other tasks per meeting -Provide input on how LACMTA will design, plan, and execute pieces of LACMTA's scope of work -Provide input on substantial scopes of work from LACMTA, provide expertise on topics that other technical consultants are typically compensated for -Support LACMTA with external outreach or engagement with the public, a particular community or population, an affiliated group, and/or community-based organizations (CBO) on topics addressed in the advisory body

2.5 Advisory Body Compensation Structure

The compensation structure has three tiers which align with the advisory body member tiers. Compensation will be provided on a per meeting basis, with a fiscal year maximum. Payments will be provided by a check or direct deposit, unless an alternate form of compensation is required, as described in section 2.5.6.

2.5.1 Compensation Structure

The Advise tier compensation rate is set on a per meeting attended basis, with each subsequent tier increasing per meeting, up to the CEO-approved maximum. Alternates encouraged to attend and/or that participate in their body meetings will be paid at lower rates than the assigned compensation tier for their advisory body. (See Attachment 1: Advisory Body Compensation Charts, Table 1 for

current rates).

The Policy includes an annual cap on compensation totals for advisory body member participation for each fiscal year. A cap, or maximum, serves to manage budget and workload for each advisory body, but does not preclude a department from providing higher compensation with justification. All advisory members will be compensated only for meetings attended, regardless of the advisory body meeting schedule. Advisory body members are responsible for determining accuracy of their meeting attendance, as discussed in section 2.5.6 below. Compensation will only apply to roles and responsibilities identified by advisory body administrators. Advisory body members will not be compensated for time spent on activities conducted outside of defined roles and responsibilities.

2.5.2 Subcommittee Meeting Rates

Advisory committee members may participate in both regular and subcommittee meetings. Some committees may include alternate and/or non-voting members who may only actively participate in subcommittee meetings. Participation in any subcommittee meetings will be compensated at a designated rate per meeting, regardless of whether the participant is a regular advisory committee member or an alternate/non-voting member, up to the cap rate for their compensation tier or member status. (See Attachment 1: Advisory Body Compensation Charts, Table 1 for current rates). Members of the public who participate in subcommittee meetings but are not regular or alternative members of the general advisory body will not be eligible for compensation under this Policy.

If an advisory body does not have existing subcommittees as of the effective date of the Policy, the body will need to have a process to define subcommittees and require approval from LACMTA staff who facilitate the body for subcommittee participation to be eligible for compensation. Advisory body members will be required to provide a justification for the creation of the subcommittee as well as identify scope. An acceptable justification may include a reason, such as regular body meetings not providing sufficient time to discuss critical topics relevant to the advisory body.

2.5.3 Maximum Compensation

Each compensation tier includes a maximum amount a participant may receive as a committee member in a single fiscal year. After a member's fiscal year maximum is reached, additional participation will be uncompensated until the start of the next fiscal year. Maximum compensation thresholds apply to eligible advisory bodies for each individual member. For example, if a member of the public serves on more than one LACMTA advisory body, that individual is subject to separate capped maximum compensation amounts for each separate advisory

body.

Each department will be responsible for funding and tracking the compensation for advisory bodies they manage. A cap, or maximum, serves to manage budget and workload for each advisory body, but does not preclude a department from providing higher compensation with justification. It will be up to the individual discretion of the lead department, office, or unit to budget for, justify during the tier determination process, and provide compensation beyond the annual maximum compensation amount identified in the Policy. For projects that include advisory bodies in their scope of work, sufficient budget should be allocated for advisory member compensation at the determined tier.

2.5.4 Compensation Tier Determination

Each department, office, or unit responsible for administering an advisory body will submit their proposed compensation tier, maximum budget for the advisory body including any justification if higher than prescribed under the Policy, and documentation of Policy funding in the annual budget to the Office of Equity and Race and Community Relations for review of consistency with the Policy. Once the Office of Equity and Race and Community Relations approve the proposed compensation tier, LACMTA staff will commence payment of the advisory body. If the proposed compensation tier is determined to be inconsistent with the Policy, the lead department, office, or unit will be requested to resubmit for another round of review. If the lead department, office, or unit determines that the body is not eligible for compensation, a justification must be submitted for review and confirmation by the Office of Equity and Race. If the roles and responsibilities of an advisory body change or expand, the lead will be required to submit for another review of the compensation tier for that body. Further guidance on compensation tier determination will be provided in the Implementation Guidelines.

2.5.5 Memorandum of Understanding and Compensation Agreement

Advisory members who serve on a body without existing bylaws and charters must sign a Memorandum of Understanding (MOU) that summarizes the roles and responsibilities for participation on their advisory body and the determined compensation tier. The MOU provided with the Policy is meant to serve as a template for advisory bodies and should be amended to fit application to eligible bodies as necessary. Bodies with existing bylaws and charters will be required to amend their bylaws and charters with the compensation tier determination and updated roles and responsibilities, and payment details as applicable by the Policy.

Receiving compensation from LACMTA is entirely voluntary and is not required.

Members of the public can choose to opt in or out of receiving compensation from LACMTA via the Compensation Agreement which all advisory body members will be required to sign. Compensation Agreements will be valid for the length of the advisory body's established term or one fiscal year for advisory bodies without established terms. Compensation Agreements will require annual review and updates only if needed to reflect any changes in membership or anything that would affect a member's eligibility, the advisory body's tier status determination, or the payment agreement among advisory body members.

If an advisory body member wishes to change their opt-out decision during the fiscal year after a Compensation Agreement was finalized, they will need to request a change with a staff representative of the LACMTA department managing their advisory body to determine budget and administrative feasibility for a mid-year change. Retroactive payment will not apply for the period the member opted out of payment.

All advisory members who receive compensation will also be required to submit a W4 and/or other required documentation if a compensation alternative is needed.

2.5.6 Payment Processing

Advisory body members will be paid within one (1) month of their last meeting, pending confirmed attendance of each meeting. It is the responsibility of advisory body members to clarify or correct inaccurate record of their meeting attendance with the managing LACMTA staff of the advisory body. Compensation alternatives will be available for advisory body members who may require compensation in a form other than check or direct deposit.

Payment will be issued via check or direct deposit unless a member requires a compensation alternative. Members who request a check will have it mailed to the address provided or will be able to pick up checks at LACMTA Headquarters or a Division nearest to them. Office, department, or unit leads must notify advisory body members of the option to pick up checks at nearby LACMTA Divisions if an alternative is requested.

2.6 Compensation Alternatives

2.6.1 Compensation Alternatives Criterion

This Policy seeks to reduce barriers to advisory body participation for all members of the public. Compensation alternatives are available to accommodate advisory body members who may not be able to accept compensation in the form of a check or direct deposit. Reasons for requesting compensation alternatives must be kept private and not impact the participation of an advisory body

member. Compensation alternatives will only be available for advisory members who qualify for any of the following criterion:

- The advisory body member is unbanked and/or unable to open a financial institution account;
- The advisory body member is a minor under the age of 18 years old;
- The advisory body member concurrently receives social or public benefits during their tenure **and** additional forms of income would make them ineligible for these existing benefits; and/or
- The advisory body member does not have a United States Social Security card or number.

If an advisory body member qualifies under one or more of the criterion above, LACMTA may provide potential payment alternatives such as pre-paid cards, gift cards, or an LACMTA-provided TAP Card at an amount equal to the member's determined compensation rate. Some compensation alternatives may still be considered income and may not be a suitable alternative for those who receive social benefits and for whom additional forms of income would make them ineligible for these existing benefits. Additional compensation alternatives are being explored and will be finalized in the forthcoming Implementation Guidelines.

2.6.2 Compensation Alternative Eligibility Review

Eligibility for alternative compensation will be reviewed by an inter-departmental team comprised of representatives from the Office of Equity and Race and Community Relations on an as-needed basis. Eligibility for alternative compensation accommodations would be set for the tenure of an advisory member's service on all LACMTA advisory bodies unless the member requests a re-evaluation due to a change in eligibility. Acceptable changes in eligibility are loss, or a reasonable anticipation of loss, of social or public benefits, an advisory member becoming eligible to receive compensation via check or digital transfer or change in possession of a Social Security number.

2.7 Compliance Oversight

The Policy and all activities will be monitored on an annual basis through an independent review and/or audit performed by LACMTA Management Audit Services to ensure compliance by all LACMTA-created or sanctioned advisory bodies.

2.8 Participation Support

Participation support is a tool for promoting more equitable outcomes for members of the public who may experience barriers to participating in advisory bodies. It includes

resources provided to facilitate public participation in advisory body meetings, such as food, childcare, transportation, translation/live interpretation, and other incentives that facilitate public participation towards equitable outcomes. Participation support is different from compensation and should not be considered a replacement for compensation as established by this Policy.

2.9 ABCP Best Practices

The following best practices are to be implemented with every advisory body that is eligible under the Policy. ABCP best practices are meant to support staff in implementation of the Policy and ensure that implementation is consistent. They are as follows:

- Build advisory body compensation costs into department budgets annually.
- Advise members that compensation received as part of the advisory body constitutes income and could impact any public benefits.
- Determine and clearly communicate compensation tiers and payment methods before any participation begins.
- Issue payment to advisory body members within one (1) month of their last meeting, pending confirmed attendance of each meeting.

The Office of Equity and Race will regularly review the ABCP best practices, incorporating internal and/or external agency practices, as appropriate.

3.0 Sunset Dates

Existing advisory bodies, with the exception of those governed by legislation, will have sunset dates established every five years from the date of their tier determination for a review of the body's scope, role, compensation tier, and accomplishments, to be evaluated by the CEO. Sunset dates will be up to five years after the Policy tier determination date for existing and future advisory bodies.

4.0 DEFINITION OF TERMS

Compensation Alternatives – Payment accommodations, such as general gift cards or pre-paid cards, available to advisory body members who may be unbanked, who concurrently receive social or public benefits during their tenure and where additional forms of income would make them ineligible for these existing benefits, and/or who do not have a United States Social Security card or number.

Compensation Agreement – A signed payment agreement between the advisory body members and LACMTA that outlines requirements to receive payment and allows the advisory body member to opt in or out of receiving payment.

Memorandum of Understanding (MOU) – An agreement made between LACMTA and the advisory member that outlines roles and responsibilities, expectations, compensation tier, payment process and timeline, and schedule.

Social or Public Benefits – Payments received by an individual for membership or eligibility in various government programs including, but not limited to, Social Security, Disability (short-term, Social Security, veterans, workers' compensation, long-term, retirement, etc.), Family and Medical Leave Act (FMLA) or Pregnancy Disability Leave, CalFresh, Women, Infants, & Children (WIC), Medi-Cal or Health Care/Coverage, and/or Unemployment.

Unbanked Populations – Members of the public who may not have a bank account or may be unable to open a financial institution account that can receive direct payment from LACMTA.

5.0 RESPONSIBILITIES

Community Relations reviews compensation tiers for each advisory body and requests for compensation alternatives.

Management Audit Services (MAS) will conduct annual audits of advisory body compliance and compensation.

Office of Equity and Race oversees implementation of the Policy; oversee advisory body eligibility determinations; advises departments, offices, or units on Policy implementation; reviews compensation tier for each advisory body; reviews requests for compensation alternatives

Office, Department or Unit Leading Advisory Body determines and submit compensation tier review for each advisory body it leads; submits requests for compensation alternatives; executes MOUs and Compensation Agreements with advisory body members; budgets appropriate funding for payment of advisory body members from the office, department, or unit’s budget; and submits attendance forms to Payroll for payment of advisory body members.

Payroll issues payment to advisory body members for bodies with completed attendance form

6.0 FLOWCHART

Not applicable.

7.0 REFERENCES

- Metro Equity Platform (2018)

8.0 ATTACHMENTS

1. Advisory Body Compensation Charts
2. Memorandum of Understanding
3. Compensation Agreement

9.0 PROCEDURE HISTORY

XX/XX/21 New policy

Metro

ADVISORY BODY COMPENSATION CHARTS

Advisory body compensation tiers are as follows, subject to CEO approval.

Table 1: Compensation Structure

LACMTA Advisory Body Compensation Structure				
Compensation Tier	**Regular Compensation Rate**	**Maximum Compensation Per Fiscal Year**	**Alternate Rate**	**Maximum Compensation Per Fiscal Year**
Advise	$ 100 per meeting	$3,100	$75 per meeting	$2,500
Advise and Prepare	$ 150 per meeting	$4,300	$125 per meeting	$3,700
Advise and Collaborate	$ 200 per meeting	$5,500	$175 per meeting	$4,900
Subcommittee Participation Only	$ 50 per meeting	$1,200	$50 per meeting	$1,200

LACMTA has 16 advisory bodies as listed below. Six of the 16, including the Service Councils and Measure M Oversight Committee, received compensation and one was approved for compensation prior to the Policy. The table below lists existing advisory bodies and their proposed eligibility under the Policy.

This table will be updated as the Board of Directors or the Chief Executive Officer approve new advisory bodies.

Table 2: Advisory Body Eligibility

Advisory Body	Current Compensation	Eligibility for ABCP	Justification
Office of Extraordinary Innovation Advisory Board	Not currently compensated	Eligible	Fulfill roles and responsibilities in ABCP
Accessibility Advisory Committee	Not currently compensated	Eligible	Fulfill roles and responsibilities in ABCP
Technical Advisory Committee (TAC)	Not currently compensated	Eligible with exception	Majority of advisory body members work for government, city, or other agencies. One member is a member of the public.
Transportation Business Advisory Council (TBAC)	Not currently compensated	Eligible	Fulfill roles and responsibilities in ABCP

Public Safety Advisory Committee	Not currently compensated	Eligible	Compensation approved by LACMTA Board in July 2021
Community Advisory Council (CAC)	Not currently compensated	Eligible	Fulfill roles and responsibilities in ABCP
Policy Advisory Council (PAC)	Not currently compensated	Eligible with exception	Majority of advisory body members work for government, city, or other agencies.
Metro Sustainability Council	Not currently compensated	Eligible	Fulfill roles and responsibilities in ABCP
Independent Citizen's Advisory and Oversight Committee - Prop A and C (ICAOC)	Not currently compensated	Not eligible	Not eligible for compensation per ICAOC Bylaws
Measure M Independent Taxpayer Oversight Committee	$100/meeting	Eligible	Currently receive compensation. Fulfill roles and responsibilities in ABCP
Measure R Independent Taxpayer Oversight Committee*	Not currently compensated	Not eligible	Legislation prohibits compensation
Gateway Cities Service Council*	$100/meeting	Eligible	Currently receive compensation. Fulfill roles and responsibilities in ABCP
San Fernando Valley Service Council*	$100/meeting	Eligible	Currently receive compensation. Fulfill roles and responsibilities in ABCP
San Gabriel Valley Service Council*	$100/meeting	Eligible	Currently receive compensation. Fulfill roles and responsibilities in ABCP
South Bay Service Council*	$100/meeting	Eligible	Currently receive compensation. Fulfill roles and responsibilities in ABCP
Westside/Central Service Council*	$100/meeting	Eligible	Currently receive compensation. Fulfill roles and responsibilities in ABCP

*Advisory bodies approved by the Board of Directors

Advisory Body Compensation Policy

Executive Management Committee– September 16, 2021

KeAndra Cylear Dodds, Executive Officer, OER

Metro

CHIEF EXECUTIVE OFFICE

Agenda

- The Why
- Defining Advisory Bodies
- Roles and Responsibilities
- Compensation Tiers and Rates
- ABCP Eligibility
- Compensation Alternatives
- Application to Existing Bodies

Why Compensate Advisory Bodies?

- Compensating advisory members for their **time and expertise**
- Helps advance equitable outcomes that uplift the lived experiences of our historically marginalized and most vulnerable users
- Without the participation of community members with cultural, geographic, or historically marginalized experiences, our planning process could perpetuate harm

Defining Advisory Bodies

- Have defined roles, responsibilities, and membership
- Have members who offer specific or unique perspective, knowledge, skills, or experience which LACMTA may not have or otherwise adds value to LACMTA's work
- Provide input and recommendations to LACMTA on projects, scopes of work, proposals, programs, policies, budgets, and other provisions
- Provide technical input and assistance to LACMTA on issues affecting local transit systems or transportation programs in LA County
- Assist LACMTA in improving and promoting bus and rail services to specific populations
- Assist LACMTA in improving and promoting transportation related projects and programs to specific populations
- Provide independent oversight and enhanced level of accountability for expenditures of sales tax revenues made under the adopted expenditure plan(s)

LACMTA Advisory Body Compensation Policy Tiers

Tiers	Roles and Responsibilities
Advise	-Participate in advisory body meetings once a month or less -Provide feedback on topics discussed at the advisory body meeting -Includes light advance review of materials in preparation for meetings
Advise and Prepare	-Participate in advisory body meetings once a month or less -May participate in advisory subcommittees -Provide feedback on topics discussed at the advisory body meeting -Advise or provide feedback on pieces of LACMTA's scope of work, such as draft community engagement plans -May require 1-2 hours of advance review of materials or other preparation for meetings, including workgroup meetings, community engagement efforts, and other tasks per meetings
Advise and Collaborate	-Participate in advisory body meetings twice a month or more -Participate in advisory subcommittees -May require 2-4 hours of advance review of materials or other preparation for meetings, including readings, workgroup meetings, and other tasks per meeting. -Provide input on how LACMTA will design, plan, and execute pieces of LACMTA's scope of work -Provide input on substantial scopes of work from LACMTA, provide expertise on topics that other technical consultants are typically compensated for -Support LACMTA with external outreach or engagement with the public, a particular community or population, an affiliated group, and/or community-based organizations (CBO) on topics addressed in the advisory body

LACMTA Advisory Body Compensation Structure

Compensation Tier	Regular Compensation Rate	Maximum Compensation Per Fiscal Year	Alternate Rate	Maximum Compensation Per Fiscal Year
Advise	$ 100 per meeting	$3,100	$75 per meeting	$2,500
Advise and Prepare	$ 150 per meeting	$4,300	$125 per meeting	$3,700
Advise and Collaborate	$ 200 per meeting	$5,500	$175 per meeting	$4,900
Subcommittee Participation Only	$ 50 per meeting	$1,200	$50 per meeting	$1,200

ABCP Eligibility for Members

- **All members of the public**, regardless of immigration status, housing status, ability, or any other status that may be a barrier to participation

- Excludes LACMTA employees and any public agency, Council of Governments, or elected office staff who serve on advisory bodies as part of their professional role

- Excludes members who work for an organization or contractor holding an **active contract** with LACMTA and **participate** in contract activities while serving on an advisory body
  - Exclusion applies to contractors, including non-profit organizations and community-based organizations

Compensation Alternatives

Criterion for Compensation Alternative Eligibility

- Member is unbanked and/or unable to open a financial institution account;
- Member is a minor under the age of 18 years old;
- Member concurrently receives social or public benefits during their tenure **and** additional forms of income would make them ineligible for these existing benefits; and/or
- Member does not have a United States Social Security card or number.

Proposed Eligibility for Existing Bodies

Advisory Body	Current Compensation	Eligibility for ABCP
Office of Extraordinary Innovation Advisory Board	None	Eligible
Accessibility Advisory Committee	None	Eligible
Technical Advisory Committee (TAC)	None	Eligible with exception
Transportation Business Advisory Council (TBAC)	None	Eligible
Public Safety Advisory Committee	$200/meeting	Eligible
Community Advisory Council (CAC)	None	Eligible
Policy Advisory Council (PAC)	None	Eligible with exception
Metro Sustainability Council	None	Eligible
Independent Citizen's Advisory and Oversight Committee - Prop A and C (ICAOC)	None	Not eligible

Proposed Eligibility for Existing Bodies (cont)

Advisory Body	Current Compensation	Eligibility for ABCP
Measure M Independent Taxpayer Oversight Committee	$100/meeting	Eligible
Measure R Independent Taxpayer Oversight Committee	None	Not eligible
Gateway Cities Service Council	$100/meeting	Eligible
San Fernando Valley Service Council	$100/meeting	Eligible
San Gabriel Valley Service Council	$100/meeting	Eligible
South Bay Service Council	$100/meeting	Eligible
Westside/Central Service Council	$100/meeting	Eligible

Next Steps

- Develop Implementation Guidelines
- Facilitate staff training on the Policy
- Support all existing bodies with developing compensation tier and policy application