

**Board Report**

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**File #:** 2016-217, **File Type:** Policy**Agenda Number:** 36

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**EXECUTIVE MANAGEMENT COMMITTEE  
MARCH 17, 2016****SUBJECT: TRANSPORTATION BUSINESS ADVISORY COUNCIL APPOINTMENTS****ACTION: APPROVE BUSINESS ORGANIZATIONS FOR THE TRANSPORTATION BUSINESS  
ADVISORY COUNCIL MEMBERSHIP****RECOMMENDATION**

APPOINT the current **16 organizations that will form the Transportation Business Advisory Council membership.**

**ISSUE**

The Transportation Business Advisory Council (TBAC) was created in 1992 by Assembly Bill 152, and was codified into law as Public Utilities Code Section 130051.19(c). The purpose of TBAC is to advise Metro on matters regarding women and minority business enterprises.

Per its by-laws, TBAC member organizations are selected through its membership committee and approved by the general membership. This member selection process, however, is contrary to Public Utilities Code Section 130051.19(c) which provides that “Members of the council shall be selected by the authority...” The term “authority,” although not expressly defined in the statute, has been generally interpreted to mean the Metro Board of Directors. Accordingly, to comply with Section 130051.19(c), TBAC members shall be selected by the Metro Board of Directors.

**DISCUSSION**

Public Utilities Code section 130051.19(c), which created TBAC, states the following:

“The authority shall establish a Transportation Business Advisory Council to advise it on matters regarding the disadvantaged business enterprise program to enable the authority to meet or exceed women and minority business enterprise participation goals. Members of the council shall be selected by the authority, and shall include representatives of professional organizations and other groups which advocate on behalf of greater participation of women and minority business enterprises in public contracts. The chairperson of the authority or his or her designee shall meet with the council, and the authority shall provide adequate staff support for the council, and shall consider all recommendations made by the council.”

TBAC member organizations shall be appointed by the Metro Board in order to comply with the forgoing statute. The process for TBAC member selection currently in use does not provide for selection by the Metro Board. Accordingly, staff is requesting that the 16 business organizations that have previously served on TBAC be appointed by the Metro Board for a three-year term. All 16 organizations listed below have participated in TBAC and have submitted applications, along with supporting documents, affirming that they are located in Los Angeles County and advocate on behalf of small, disadvantaged, minority, or women business enterprises.

1. American Indian Chamber of Commerce of California
2. Los Angeles Chapter - Elite SDVOB Network
3. Arab American Association of Engineers & Architects
4. Los Angeles Chapter - National Organization of Minority Architects
5. Asian American Architects & Engineers Association
6. National Association of Minority Contractors
7. Black Business Association
8. National Association of Women Business Owners - Los Angeles
9. Filipino American Society of Architects & Engineers
10. National Association of Women In Construction - Los Angeles
11. Hispanic Engineers Business Corp.
12. Regional Hispanic Chamber of Commerce
13. Los Angeles Latino Chamber of Commerce
14. Society of Hispanic Professional Engineers - Los Angeles Chapter
15. Los Angeles Chapter of the DVBA
16. Women's Business Enterprise National Council - West

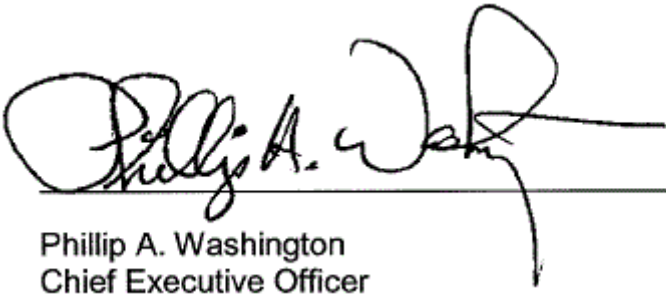
## **NEXT STEPS**

As stated in Public Utilities Code 130051.19(c), TBAC members shall be selected by the Metro Board of Directors. The Metro Board may choose to appoint the current 16 TBAC member organizations (listed above) who have been accepted as members by the TBAC Board, or select another process to appoint TBAC members. Should the Board of Directors appoint the current 16 organizations to TBAC, staff will come back to the Board in 3 years for appointment renewals/new members.

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