



Briefing Paper on Issues and Challenges of the Massachusetts Port Authority Community Advisory Committee in Executing its Statutory Mission

June 2017

Purpose

This Briefing Paper is prepared as an examination of the Massachusetts Port Authority Community Advisory Committee, its current challenges, and a proposal for statutory modifications.

History

The Massachusetts Port Authority Community Advisory Committee is a state agency established through an enabling act, Chapter 46 of the Acts of 2013 that amended the 1956 legislation that created the Massachusetts Port Authority. The enabling act was subsequently amended through Chapter 10 of the Acts of 2015, which added nine additional communities. The CAC is comprised of representatives of the thirty-five communities that are impacted by Massport's operations and property holdings in Boston, Bedford and Worcester. The CAC's stated mission is to:

“be the voice of communities impacted by Massport operations; we collaboratively offer local, regional, and national solutions through advocacy, information and Authority oversight.”

The members of the CAC include one representative appointed by their respective chief executive officer from the following communities: Arlington, Bedford, Belmont, Beverly, Braintree, Brookline, Cambridge, Canton, Chelsea, Cohasset, Concord, Everett, Hingham, Hull, Lexington, Lincoln, Lynn, Malden, Marblehead, Melrose, Medford, Milton, Nahant, Quincy, Randolph, Revere, Salem, Scituate, Somerville, Swampscott, Watertown, Weymouth, Worcester and Winthrop; and six representatives of Boston, one of whom shall be from East Boston and one of whom shall be from South Boston.

The statutory purpose of the CAC is to:

- Appoint a member to the board of directors of the Massachusetts Port Authority.
- Make recommendations to the authority on annual budgets.
- Hold hearings, which may be held jointly with the authority at the discretion of the CAC and the Massachusetts Port Authority, on matters relating to said authority.
- Review the annual report of the authority and provide comments to the authority and the governor, and examine the authority's records and affairs as deemed appropriate by the CAC.
- Make recommendations to the governor and the general court respecting the authority and its programs.

Since its creation in 2013, the Community Advisory Committee convened and formed itself per its enabling act. To that end it has held quarterly meetings of the Committee as a whole, elected officers and an executive committee, established and voted by-laws, and provided recommendations to the Massachusetts Port Authority on issues related to flight patterns and noise mitigation. The Committee has established sub-committees to work on issues of noise mitigation and environment and health, and created a website to disseminate information to the membership and the public at large.

Current Challenges

In order to fully realize its statutory purpose, the Committee has identified the need to be more effectively structured with staff capacity to manage the Advisory Committee operations, represent the Committee in relations with other organizations and agencies, interact with officials of member communities, and direct the technical analysis of Massport operations. However, in order to carry out these functions, the Advisory Committee requires resources in excess of the \$250,000 that is annually allocated from Massport pursuant to the enabling act. Further, it is expected that costs for operations will increase over time requiring a methodology for periodic increases. Finally, the Committee has identified the possibility that some costs may be extraordinary in nature requiring multi-year expenditures that could be facilitated through carry-over of funds beyond the initial fiscal year allocation. Neither of these opportunities exists within the current enabling act.

In addition to requiring additional resources to engage staff and technical assistance, the Committee has recognized the value of managing its financial resources through its own payroll and accounts payable systems. Under the existing structure and process, all payments are made through the Massport systems for which the CAC pays a \$35,000 annual service fee. Beyond the cost associated with this process, the system is more cumbersome to the ordinary operation of the CAC, and it establishes some level of lesser independence for the CAC in executing its mission.

Lastly, the existing enabling act provides a quorum requirement of 51% of the membership, with 21 of the 40 members being necessary to conduct business at quarterly or special meetings. This quorum level can be difficult to obtain at certain times and on certain issues that relate to only a small number of communities. The effect of this hurdle is the delay of necessary business.

Comparable Organizations

The Massport Community Advisory Committee was created in a manner similar to advisory committees for other Massachusetts public authorities, specifically the MBTA, and the MWRA Advisory Boards. Each of these other organizations have proven to be successful in making positive contributions with their respective authority through valuable analytical and public information projects, as well as community engagement related to authority operations. Each organization also provides a blueprint for the Massport Community Advisory Committee in organizational structure and operational systems, including staffing, budget resources, and financial management. The details regarding each Advisory Board are outlined in the following section.

MBTA Advisory Board

- Established in 1964 through MGL Chapter 161A, Section 7A.
- Responsibilities include:
 - Review and advise on MBTA annual operating budget, multi-year capital budget and annual Capital Investment Program
 - Review substantial changes in services, and/or fare changes
 - Consult with the Authority in establishing and implementing service quality standards for ensuring reliable, high-quality and cost-effective operations
 - Consult with the Authority to maximize revenues, ridership growth and transit oriented development
 - Participate in a process with other organizations regarding capital planning for the region's transportation needs.
- Recent projects have included:
 - Service Level satisfaction surveys
 - Reports on service delivery and capital projects
 - Fare Analyses
 - Budget Analyses
- FY17 Budget
 - \$410,000
 - Revenue calculated at .25% of municipal assessments
- Staffing
 - Generally 3-4 staff
 - Executive Director
 - Transportation Planner
 - Administrative Assistant
 - Finance and Policy Analyst (currently vacant)

MWRA Advisory Board

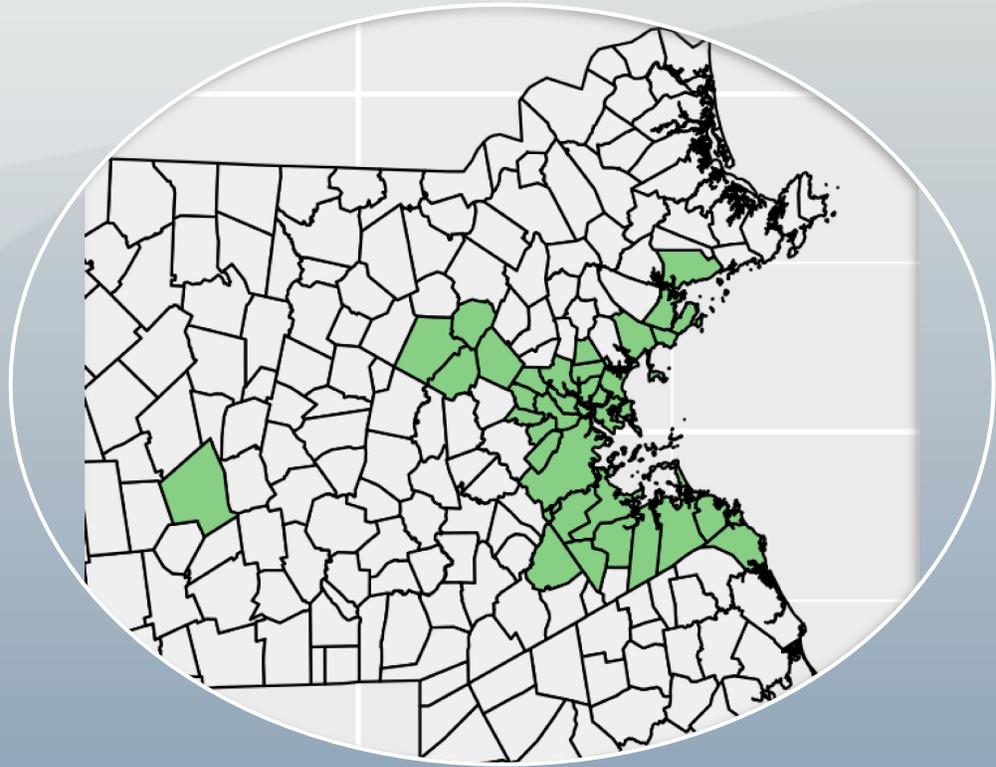
- Established by Chapter 372 of the Acts of 1984, Section 23
- Responsibilities:
 - Appoint three members to MWRA Board
 - Limited water and sewer operation approvals
 - Advise on Finances
 - Review annual report
 - Make Recommendations to Governor and Legislature
 - Public Education regarding issues of clean water and infrastructure investment
- Recent projects
 - Technical Reports on water and wastewater issues
 - Rate Analyses
 - Budget Analyses
- FY17 Budget
 - \$531,000
 - Funding set by MWRA based upon Advisory Board request
- Staffing
 - Generally 5 staff members
 - Executive Director
 - Director of Communications
 - Finance and Policy Analyst
 - Manager of Finance and Policy Analysis
 - Community Specialist

Proposal

Based upon the evaluation of its own current challenges, and the operating systems of its “sister” organizations at the MBTA and MWRA, the Massport Community Advisory Committee proposes that its enabling act be amended as follows:

- Increase the annual Massport allocation to a “not to exceed” \$500,000 in FY18 and each year thereafter, based upon a budget submitted to the Massachusetts Port Authority each year, on a date established by statute. This level of funding would be comparable to the budgets of the MBTA Advisory Board and the MWRA Advisory Board.
 - The additional funding would be utilized to properly staff the Advisory Board with an Executive Director, an Administrative Assistant, and staff and/or technical consulting services as needed, as well as adequate resources for ongoing operational costs.
- Authorize that the annual payment from Massport be made on July 1st of each fiscal year to the Massport CAC in a lump sum based upon the budget submitted to Massport on March 30th of the prior fiscal year. Further, any balance remaining on June 30th of that fiscal year may be carried over, with the approval of the Massport Authority Board of Directors, to be used as a credit towards the following year’s budgetary needs.
- Provide for an increase in the annual Massport allocation to the Massport CAC beginning in Fiscal Year 2021 upon review and approval by the Massport Authority based upon a justification for the increase made by the Massport CAC.

Position Profile



Massachusetts Port Authority Community Advisory Committee

Executive Director

The Massport CAC

The Massachusetts Port Authority Community Advisory Committee (CAC) is a State agency created in 2014 through an enabling act that amended the 1956 legislation that created the Massachusetts Port Authority. The CAC is comprised of representatives of the thirty-five communities that are impacted by Massport's operations and property holdings in Boston, Bedford and Worcester. The CAC's stated mission is to:

“Be the voice of communities impacted by Massport operations; we collaboratively offer local, regional, and national solutions through advocacy, information and Authority oversight.”

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Organizational Structure

In accordance with its enabling act, the Massport CAC has adopted By-Laws to provide a framework for its management and operation in executing its statutory purposes. The By-Laws provide for regular meetings of the CAC on a quarterly basis, or on a special meeting called by the elected chairperson, three members of the elected Executive Committee or by a majority of the membership. At its Annual Meeting, the CAC elects Officers and adopts its annual budget. The Massachusetts Open Meeting Law covers all CAC meetings.

The Officers of the CAC are elected at the Annual Meeting and include a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer. Each Officer has specific responsibilities as outlined within the CAC By-Laws.

The By-Laws provide for an Executive Committee which consists of the elected Officers and three additional At-Large members by vote of the Advisory Committee. The CAC Chairperson chairs the Executive Committee.

The Executive Committee meets on a regular basis between the quarterly meetings of the CAC in order to carry out regular business on behalf of the CAC as so delegated by the membership, and to make recommendations for actions to the CAC.

The Executive Committee may also create, subject to the approval of the CAC, certain sub-committees to advance the organizational mission. Currently, there is an established Aviation Sub-Committee and an Environmental and Health Sub-Committee.

The enabling act, and the CAC By-Laws, do provide for the employment of staff, including an Executive Director, and/or consultants in order to carry out the functions of the organization, and provide day-to-day management and supervision of the business and affairs of the Advisory Committee.

For these purposes, the general operational needs of the CAC, and any required technical expertise the enabling act does provide for annual funding from the Massachusetts Port Authority.

A detailed review of the Massport Community Advisory Committee and its activities, and related materials are available on its website at: <http://massportcac.org>, with informational documents within its online library at: <http://massportcac.org/the-library/>

Challenges and Opportunities

The Community Advisory Committee is still very much in its formative phase having been established in 2014, and its By-Laws adopted in 2016. Accordingly, its challenges primarily relate to institutionalizing the CAC in terms of structure and operation, and its role in meeting its statutory responsibilities of representing the interests of communities impacted by the operations of Massport.

The immediate challenge and opportunity of the Committee is hiring its first Executive Director to assist the Committee in its continued formation and formalizing its operational structure and systems. Such work will include determining other staffing needs, work space and location, administrative support functions, and budgetary requirements. To this end it is crucial that adequate financial resources be programmed to effectively carry out the CAC mission in terms of strategy and tactical initiatives.

The CAC, with an Executive Director in place, is also looking to enhance its visibility within its member communities. In order to carry out its mission the CAC must be more closely tuned to the issues that the Massport affected cities and towns are experiencing as a result of Massport operations.

To be fully effective, the CAC needs to expand its prominence within state government as a resource of perspective related to Massport operations and as a voice for the Massport affected communities. To this extent, the day-to-day role of the new Executive Director in representing the CAC is important as it relates to interaction with Massport, state and federal transportation and regulatory agencies, the Congressional delegation, state legislature, media, and other organizations.

The expanded and formalized function of the CAC is significant as various Massport operations affect member communities and the state at large. Specific operational issues that require the attention of the CAC include:

- Flight patterns to and from Massport airports
- Noise conditions related to flight patterns
- Environmental and health impacts pertaining to Massport operations.
- Expanded utilization of the Boston port and harbor for transportation, shipment, and tourism activity
- Development of Massport owned real estate in numerous communities
- Future initiatives in Worcester and Hanscom Field in Bedford.

The Ideal Candidate

The Community Advisory Committee seeks to hire, as its first Executive Director, an individual with managerial experience and strong communication skills to build the CAC organizational structure and its advisory and advocacy capacity. The successful candidate must be able to demonstrate significant ability in building relationships with various organizations and individuals that interact with the Massport CAC.

The candidate should be competent in all areas of management and operations, including finance, personnel, strategic planning, and organizational development.

The Executive Director must have, or be able to gain, a clear understanding of the operation of state, local and federal government.

Experience in working for a governing body is valued; and the Executive Director should have the ability to provide recommendations to the Advisory Committee, Executive Committee, and other committees, and facilitate consideration of issues by such bodies, but able to acknowledge that decisions by such bodies may not match the recommendation that has been offered.

The Executive Director should be comfortable with the technical aspects of aviation, transportation, environmental protection and land

development, and be able to interact with experts in such areas. The Executive Director must also possess a willingness to dig into the details of complex issues to seek clarity and solutions.

The Executive Director should have a visible public presence. It is important that the Executive Director positively interact with various interests that are related to the Massport CAC including, the Massachusetts Port Authority, officials of the member communities, transportation officials, environmental regulators, and the legislative and executive branches of the state. The Executive Director must also have the ability to effectively balance the range of interests that can at times conflict.

The Executive Director must possess strong interpersonal skills and be able, in all forms, to communicate clearly and effectively with all constituencies, including the media; and understand and utilize forms of social media.

Certain personal and professional qualities are priorities for the Advisory Committee. These qualities include: integrity, accessibility, transparency, ability to actively listen and engage; ability to focus on problems and work towards resolutions; intellectual curiosity and capacity for innovation and creativity in solving problems, ability to remain calm in stressful situations; fairness in all dealings, and concern for communities and their resident's welfare; an ability to delegate; and an ability to facilitate change and help guide others through such change.

The Advisory Committee is seeking a self-motivated professional with a strong commitment for the mission of the Committee. The successful candidate must be creative, collaborative and inclusive, able to respond to political and community pressure with positive and respectful professional strategies.

A Bachelor's degree in public policy, planning, management, law, finance, or similarly relevant discipline is required, with an advanced degree preferred; and seven years of experience in a relevant field with at least five years spent as a director or manager at, or of, a public or quasi-public organization. The successful candidate must possess demonstrated skills, abilities and

knowledge in government, community planning and environmental regulation, and intergovernmental relations.

Compensation

The Massport Community Advisory Committee will offer an employment agreement and compensation package that is competitive with comparable organizations, with a salary range of \$125K+, depending on qualifications.

How to Apply

Interested applicants should provide resumes, in confidence, by _____, 2017 to:

Massport CAC Executive Director Search
Community Paradigm Associates, LLC
One Saddleback, Plymouth, MA 02360

ELECTRONIC SUBMISSION PREFERRED:

Apply@communityparadigm.com

Following the closing date, resumes will be reviewed according to the outlined qualifications. An Executive Committee Screening Committee will interview the most qualified candidates in confidence. Based upon these interviews a selection of finalists will be chosen for further evaluation and reference checks and then forwarded to the Executive Committee. Finalists will be contacted for references and approval of background reviews before their selection is publicly advanced to the Executive Committee.

Questions regarding the position should be directed to Bernard Lynch, Principal, Community Paradigm Associates at:

blynch@communityparadigm.com,
or 978-621-6733

The Massport CAC is an EEO/AA employer.

MASSACHUSETTS PORT AUTHORITY COMMUNITY ADVISORY COMMITTEE

JOB DESCRIPTION

Position: Executive Director

Summary:

Provides professional administration, management, and supervision for the MassPort Community Advisory Committee related to the review and performance of the Massachusetts Port Authority, legislative issues and agenda, and the press and news media. Assures compliance with relevant federal laws and regulations, and Massachusetts General Laws.

Supervision:

Supervision Scope: Performs highly responsible functions requiring the extensive exercise of independent judgment and initiative. Required to cope with situations requiring immediate decisions that affect MassPort Community Advisory Committee finances, operations, and personnel.

Supervision Received: Position reports to the Massport CAC Executive Committee, and works under the general policy direction of the MassPort Community Advisory Committee.

Supervision Given: Directly oversees permanent and temporary staff, and professional consultants.

Work Environment:

- Work is performed under typical office conditions with frequent interruptions.
- Operates computers, printer, and other office equipment, such as calculators, copy machine, fax machine, scanner, and telephone.
- Makes frequent contact, often requiring perceptiveness and discretion, with state and local employees and officials, the general public, vendors, contractors, insurers, and state agencies.
- Has extensive access to confidential information.
- Errors could result in financial loss, adverse public relations, and legal ramifications.

Essential Functions:

The essential functions or duties are intended as illustrations of various types of work that is performed. The omission of specific statements of duties does not exclude the duties from the position if the work is similar, related, or a logical assignment to the position. The position functions as a part of an overall team to ensure effective and efficient operations.

- Function as the Chief Executive/Administrative Officer of the Massachusetts Port Authority Community Advisory Committee.
- Manage all operations, programs, and activities of the MassPort CAC including CAC finances.
- Recruit, train, and manage staff.
- Prepare and submit MassPort CAC operating budget recommendations for approval by the CAC in accordance with operating by-laws.
- Procure and/or negotiate, and manage all purchases, contracts, and leases.
- Draft and recommend policies to the MassPort CAC, and, when adopted, oversee implementation.
- Serve as key spokesperson for the MassPort CAC, including all media relations, and manage the preparation and distribution of all public information and CAC publications.

- Develop strategies pertinent to MassPort CAC policies, and issues pertaining to MassPort operations and facilities.
- Meet with MassPort CAC, its Executive Committee and various committees, and serve as a member of ad-hoc CAC committees, or related outside committees as required.
- Work with executive and legislative branches of government, as well as regulatory agencies to conduct research, draft legislation, and implement policy.
- Represent MassPort CAC before legislative committees, and provide testimony as required.
- Prepare annual report to MassPort CAC; oversee all necessary research, analysis and report preparation.
- Perform such other duties as are required, deemed necessary, or consistent with Executive Director's overall responsibilities.

Recommended Minimum Qualifications:

- **Education and Experience:**
A Bachelor's degree related to public policy, management, planning, law, finance, or similarly relevant discipline is required, with an advanced degree preferred; and seven years of experience in a relevant field with at least five years spent as a director or manager at, or of, a public or quasi-public organization.
- **Knowledge, Ability and Skills:**
 - A working knowledge of relevant Massachusetts statutes, and at least a familiarity with community planning, environmental regulations, and intergovernmental relations
 - Ability to communicate, both orally and in writing, in a tactful and effective manner
 - Ability to deal with unpleasant or tense situations involving officials, staff, and/or the public.
 - Ability to manage and direct personnel.
 - Ability to independently plan work and projects, establish time frames, and comply with deadlines.
- **Physical Requirements:**
 - Minimum physical effort generally required in performing duties under typical office conditions.
 - Periodic interruptions from officials, employees, and customers.
 - The employee is often required to sit and/or stand in one place for an extended period of time.
 - The position requires the ability to operate a keyboard and view computer screens for an extended period of time.
 - May spend extended periods at terminal, at filing cabinets, on telephone, or operating other office machines, requiring eye-hand coordination and finger dexterity.
 - Specific vision abilities required by this position include close vision, distance vision, peripheral visions, depth perception, and the ability to adjust focus.

The Massachusetts Port Authority Community Advisory Committee is an Affirmative Action/Equal Opportunity Employer.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and the requirements of the job change.