

BICYCLE & PEDESTRIAN ADVISORY COMMITTEE BY-LAWS

1. **Purpose and Intent.** The membership and duties of the Bicycle and Pedestrian Advisory Committee (“the Committee”) are established by the City Council. These by-laws set forth the procedural rules for the conduct of Committee meetings.

2. **Meetings.** The Committee shall conduct its business in accordance with these by-laws, the Ralph M. Brown Act (Government Code Section 54950 *et seq.*) and the Code of Conduct adopted by the City Council by way of Resolution No. 01-2604.
 - 2.1 **Regular Meetings.** The Committee shall hold regular meetings on the second Wednesday of every other month, except that no meeting shall be held if a regular meeting day falls on a legal holiday. Regular meetings shall be held at the San Bruno City Hall. The meeting time shall be at 6:00 p.m. unless a majority of the members agree to alter the time.

 - 2.2 **Special Meetings.** Special meetings may be called at any time by the Chair or by a majority of the Committee, by delivering written notice to each Committee Member and by posting the notice in the designated posting locations. Such notice may be delivered by any means and must be received at least twenty-four hours before the time of such meeting as specified in the notice, unless notice is waived in writing. The notice shall specify the time and place of the special meeting and the business to be transacted, and no other business shall be transacted at that meeting other than that contained in the notice.

 - 2.3 **Adjourned Meetings.** All meetings may be adjourned to another specified time, place and date, but not beyond the next regular meeting. If all members are absent from any regular or adjourned regular meeting the Chair may declare the meeting adjourned to a stated time and place, and shall cause a written notice of the adjournment to be given in the same manner as provided in paragraph 2.2 above for special meetings. A copy of the notice of adjournment shall be conspicuously posted on or near the door of the place where the meeting was held within 24 hours after the time of the adjournment.

2.4 Study Sessions. The Committee may, from time to time, as part of a regular, adjourned or special meeting, meet in study session to focus on a particular matter within its jurisdiction. Action shall not be taken during a study session.

2.5 Public Meetings. All meetings and study sessions of the Committee shall be open to the public. Closed sessions may be held only when specifically authorized by the Brown Act.

2.6 Cancellation of Regular Meetings. The Committee may cancel an upcoming regular meeting for lack of a quorum. Notice of the cancellation shall be posted in lieu of an agenda.

3. Organization of the Committee.

3.1 Establishment. There is established a bicycle and pedestrian advisory committee. The Committee shall consist of seven members, six of which must be residents of the city. One non-resident member shall be allowed if they work within the city. One youth member with a minimum age of 16 years shall be allowed. Members of the Committee shall be appointed by the City Council, subject to removal at any time, pursuant to City Council procedures.

3.2 Term. The term of office of each member is four years.

3.3 Compensation. No person shall receive compensation for service as a member of the Committee, except for reimbursement of all such expenses necessarily and legitimately incurred and authorized during the performance of official duties.

3.4 Officers. The Committee shall elect from its membership a Chair, who shall preside over Committee meetings. The Committee shall also elect a Vice-Chair, who shall preside in the absence of the Chair. The Chair and Vice-Chair are sometimes referred to herein as the “presiding officer.” The Chair shall have the following powers:

3.4.1 To call to order the Committee meeting and to conduct the order of business as set forth in the agenda.

3.4.2 To adjust the agenda, if needed, at the time of the meeting with the approval of the Committee;

3.4.3 To move, second, debate and vote;

- 3.4.4 To rule motions in or out of order;
- 3.4.5 To determine whether a speaker from the audience has exceeded his or her time or is otherwise out of order;
- 3.4.6 To rule on questions of parliamentary procedure based generally on Robert's Rules of Order;
- 3.4.7 To sign all documents necessitating his or her signature;
- 3.4.8 To call a brief recess during a meeting;
- 3.4.9 To appoint Committee Members to subcommittees with the approval of the Committee; and

The presiding officer's determination as to any of the above matters may be overruled by a majority of the Committee Members present.

- 3.5 **Organizational Meeting.** At its meeting in November, the members of the Committee shall elect a Chair and Vice-Chair from among its members. The Committee may also have the option of altering the meeting time with a majority vote.
- 3.6 **Term of the Chair and Vice-Chair.** The term of office of the Chair and Vice Chair shall be one year. A Committee Member may serve more than one consecutive term as Chair or Vice-Chair. Nothing shall prevent the Committee from removing and replacing the Chair or Vice-Chair at any time during their respective terms, provided that the item is properly on the agenda of the meeting.
- 3.7 **Vacancy in the Office of Chair or Vice-Chair.** A vacancy in the office of Chair or Vice-Chair shall be filled for the remainder of the un-expired term by election at the next meeting provided the election has been noticed on the agenda. If the Chair is absent, the Vice-Chair shall act as Chair.
- 3.8 **Vacancy of a Committee Member's Seat.** In the event of an unscheduled vacancy of any Committee Member's seat prior to the expiration of his or her term, the City Council may appoint a member from a pool of applicants to serve the remainder of the un-expired term. The newly appointed member shall take and subscribe to the oath of office administered by the City Clerk before the next regular meeting after his or her appointment by the City Council.

3.9 Quorum. A majority of the total membership of the Committee shall constitute a quorum for the transaction of business. Where there is not a quorum present, the Chair, Vice Chair, or Secretary of the Committee shall announce that no meeting will be held due to lack of a quorum, and shall announce the date of the next regular or adjourned meeting. When a member of the Committee is disqualified due to a financial conflict of interest, his or her presence shall not be considered in determining the presence of a quorum. Any decision of the Committee shall require a vote of the majority of the Committee present and qualified to vote.

3.10 Subcommittees. The Committee may from time to time establish either standing or ad hoc subcommittees consisting of any number less than a quorum of its membership for the purposes of studying a specific area of concern. Standing subcommittees (which have a regular meeting schedule or continuing subject matter jurisdiction) are subject to all of the requirements of the Brown Act. The Committee may refer matters to a subcommittee to report back to the full Committee at a future date. The subcommittee report will be considered advisory and its recommendations are subject to action by the full Committee.

3.11 Absences From Meetings. If a member of the Bicycle & Pedestrian *Advisory* Committee is absent for any reason from more than two regular meetings in any twelve-month period, the office of such member shall be vacated and the Chair shall immediately notify the Secretary who shall notify the City Council that said office is vacant. Upon such notification, a successor for the remainder of the term of such member shall be appointed by the City Council.

3.12 Oath of Office. Newly appointed Committee Members shall take and subscribe to the oath of office as provided for in Section 3.8 before assuming their duties.

4. Powers and Duties.

4.1 Serve in an advisory capacity to the city council and city manager;

4.2 Provide input and recommendations on the development of a comprehensive and ongoing plan to promote and encourage bicycle use and safety for commuting and recreation; enhance and foster pedestrian accessibility and safety; and publicize and encourage citizen participation in bicycle and pedestrian related projects;

4.3 Provide other assistance as requested by the city council or the city manager.

5. **The Committee Agenda.**

5.1 **Preparation of the Agenda.** The Secretary of the Committee shall formulate and prepare the agenda for Committee meetings.

5.2 **Posting of the Agenda.** The City Clerk shall cause to be posted an agenda for each regular meeting in the designated posting locations not less than 72 hours prior to the meeting. Agendas for adjourned meetings shall be posted in the same fashion, unless the business to be undertaken is limited to the items on the agenda of the meeting at which the adjournment occurs and the meeting is adjourned to a date within five days of the adjournment. Agendas of special meetings shall be posted and provided along with the notice of the meeting as provided in paragraph 2.2 above.

5.3 **Order of Business.** Items shall be placed on the agenda substantially according to the following "Order of Business." Upon review of the agenda at the beginning of any meeting, the Committee may change the order of business in order to promote the efficiency of the meeting. The Order of Business for each regular Committee meeting shall be as follows:

1. Call to Order/Roll call
2. Approval of Minutes
3. Public Comments on Matters Not on the Agenda
4. Conduct of Business
5. Adjournment

5.4 **Description of Matters on the Agenda.** All items of business to be transacted shall be described briefly on the agenda in sufficient detail so that a reasonable person can determine the general nature of the matter under consideration. Not every recommendation or conceivable action or alternative need be listed.

5.5 **Adding Items of Business to the Agenda.** The Committee shall not discuss or take action on any item of business not listed on the posted agenda except:

5.5.1 Upon a majority determination of the existence of an "emergency" as that term is defined in the Brown Act.

5.5.2 Upon a determination by a two-thirds vote of the members present, or if less than two-thirds of the membership is present, upon a unanimous vote, that there is an immediate need to take action and that the need to take action came to the attention of the City subsequent to the posting of the agenda. If the Committee makes this determination, the minutes of the meeting shall reflect what circumstances gave rise to the need to take action after the posting of the agenda.

5.5.3 Where the item upon which action is to be taken was included on a properly posted agenda for a prior meeting of the Committee occurring not more than five calendar days prior to the date of the meeting at which the item is to be considered, and the item was continued to an adjourned meeting.

5.6 **Adding Items of Business to a Future Agenda.** Any member of the Committee may during Items from Committee Members request that an item of business within the Committee's subject matter jurisdiction be added to a future agenda. Such requests are subject to approval of the Committee.

5.7 **Public Comments.** Members of the public shall be permitted to speak on each item of business on the agenda when the item is taken up and before the Committee takes action on the item. Each speaker shall have a three (3) minute period to speak; time cannot be ceded to another speaker. In order to facilitate the conduct of the meeting, the Chair or the Committee may lengthen or shorten the two or three minute period for all speakers on a particular agenda item based on the number of persons in attendance wishing to speak or the complexity of the matter under consideration. The "Public Comments" item shall be limited to items not on the agenda but within the subject matter jurisdiction of the Committee. An individual may speak only once during "Public Comments."

5.8 **Notification.** Upon written request on an annual basis and payment of the fee required by the City's fee resolution, if any, the Secretary will mail Committee agendas or agenda packets to any person.

6. **Minutes.** The Secretary shall keep the minutes of meetings in accordance with the following Committee policy:

- 6.1 Minutes shall contain a record of all proceedings, motions, and actions, but shall only contain a summary of the discussion, not a verbatim transcription. The minutes shall accurately reflect what occurred at the meeting.
 - 6.2 All motions, whether carried or not, shall be recorded, disclosing the author of the motion and the second.
 - 6.3 Minutes of public hearings shall list when available the names and City of residence of all persons who speak during the hearing, and the position they took on the matter. The minutes need not include detailed or verbatim transcriptions of public comments
 - 6.4 The Committee shall issue copies of the minutes of each Committee meeting to the city manager, the city clerk, and the city council.
7. **Annual Report.** The Committee shall provide a report to the city council concerning the Committee's actions, activities, and achievements during the proceeding year, its goals for the subsequent year and any recommendations for improvement in providing service to the city. A summary of the annual report shall be presented orally at a regular city council meeting.
8. **Secretary.** The Community Development Director or his/her designee shall serve as the Secretary for the Committee. The Secretary shall:
 - 8.1 Keep the minutes of all meetings of the Committee;
 - 8.2 Give or serve all notices required by law or by these rules;
 - 8.3 Formulate and prepare the agenda for all meetings of the Committee;
 - 8.4 Be custodian of Committee records;
 - 8.5 Inform the Committee of correspondence relating to business of the Committee and attend to such correspondence;
 - 8.6 Handle funds allocated to the Committee, as directed by the applicable Department Director, and in accordance with its directives, the law, and City regulations; and
 - 8.7 Sign official documents of the Committee.
9. **Conduct of Committee Meetings.**

- 9.1 Action by the Committee.** The Committee shall proceed by way of motion. Any member, including the Chair, may make a motion and any member may second the motion except that the same person who made the motion cannot second it. A member may make only one motion at a time and a motion or second may be withdrawn by the maker at any time before a vote.
- 9.2 Adoption by Majority Vote.** A motion shall be adopted by an affirmative vote of a majority of the Committee present provided a quorum is determined to exist. Committee Members have a duty to vote "aye", or "nay" on each motion. Abstentions shall be cast only if the Committee Member declares:
- 9.2.1** The existence of a conflict of interest or other disqualification from voting; or
 - 9.2.2** A lack of sufficient information upon which to base a vote due to absence from a previous meeting.
 - 9.2.3** Abstentions are not counted in the vote tally.
- 9.3 Rules for Committee Members.**
- 9.3.1** Members of the Committee shall conduct themselves in an orderly and businesslike manner to ensure that the business of the City shall be attended to efficiently and thoroughly and to ensure that the integrity of the deliberative process of the Committee is maintained at all times. Members of the Committee shall maintain a polite, respectful and courteous manner when addressing one another, City staff and members of the public during meetings. Committee Members shall speak clearly so that they can be heard by the audience.
- a) Communication with Committee Members
- 1. Committee Members should request the floor of the Presiding Officer before speaking.
 - 2. A Committee Member who is speaking shall attempt to avoid repetition and shall limit their comments to the subject matter at hand. Committee Member should express their views without engaging in lengthy debates.
 - 3. When one Committee Member is speaking, other Committee Member shall not interrupt or otherwise disturb the speaker.

- b) Communication with Members of the Public Addressing the Committee.
 - 4. Committee Members may question a person addressing the Committee at the conclusion of the person's comments or upon expiration of the person's time to speak. Such questions shall be directed to the person through the Presiding Officer.
 - 5. Committee Members shall not engage the person addressing the Committee in a dialogue with the Committee or City staff, but shall confine communication to a question and answer format conducted through the Presiding Officer.
 - 6. If a member of the audience has addressed the Committee on matters that are not on the agenda, Committee Members shall refrain from discussion of the matter. If a Committee Member so wishes, the Committee Member may, if appropriate, during the "Conduct of Business" from Committee Members portion of the meeting, direct the Secretary to place the matter on the next agenda, subject to the approval of the Committee.

9.3.2 Rules for City Staff.

- a) Decorum. City staff shall not engage in public dialogue or debate with members of the public during public meetings. When addressed by the Committee, staff shall respond in a polite and respectful manner.
- b) Role for the Secretary. The Secretary's duties during the Committee meetings include keeping a record of concerns raised by the Committee regarding staff matters and directions for future staff action.

9.3.3 Rules for the Public.

- a) Members of the Audience. Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the Committee meeting infeasible. A member of the audience repeatedly or continuously engaging in any such conduct shall, at the discretion of the Presiding Officer or a majority of the Committee, be subject to ejection from that meeting.

b) Persons Addressing the Committee.

1. Any person wishing to speak in connection with any item of business on the agenda shall first complete a speaker request slip and submit the slip to the Secretary.
2. No person shall address the Committee without first being recognized by the Presiding Officer.
3. Each person addressing the Committee shall do so in an orderly manner and shall not make repetitious, slanderous or irrelevant remarks, or engage in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of the Committee meetings. Any person who so disrupts the meeting may, at the discretion of the Presiding Officer or a majority of the Committee, be subject to ejection from that meeting.

9.3.4 Enforcement.

a) The Chair shall follow the following procedure to maintain decorum:

1. Warning. The Presiding Officer shall request that a person who is disrupting the meeting cease such conduct. If after receiving a warning from the Presiding Officer, the person persists in the violation, the Presiding Officer shall order the person to leave the Committee meeting. If the person does not leave the meeting, the Presiding Officer may order a law enforcement officer to remove the person from the Committee chambers.
2. Removal. A law enforcement officer shall carry out the orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum. Upon instruction of the Presiding Officer, it shall be the duty of the law enforcement officer to remove from the Committee meeting any person who is disturbing the proceedings of the Committee.
3. Motion to Enforce. If the Presiding Officer fails to enforce the rules of order and decorum set forth above, any member of the Committee may move to require the Presiding Officer to do so, and an affirmative vote of a majority of the Committee shall require the Presiding Officer to do so. If the Presiding Officer fails to carry out the will of the majority of the Committee, the majority may designate another member

of the Committee to act as Presiding Officer for the purpose of enforcing the rules of order and decorum established above.

4. Clearing the Room. If a meeting of the Committee is disturbed or disrupted in such a manner as to make infeasible or improbable the restoration of order, the Presiding Officer or a majority of the Committee may exercise the authority granted in California Government Code Section 54957.9 by ordering the meeting room cleared and continuing in session in the manner authorized by Section 54957.9 of the Government Code. Members of the press shall be permitted to remain unless they have participated in the disruption.

- 9.4 **Adjournment of Meetings**. Committee meetings shall adjourn not later than two and one half hours after it begins, or as soon thereafter as the Committee completes the item of business on the table at that hour, in which event items of business not yet addressed shall be continued to the next regular meeting or to an adjourned meeting. The Committee may by majority vote extend the meeting beyond two and one half hours in order to complete more of its agenda.

10. **General**.

- 10.1 The Committee and its activities are completely distinct from the Community Development Department.
- 10.2 No Committee Members shall use any public resources including Community Development Department, City, and/or Committee letterhead and paper in any private activity.
- 10.3 The Community Development Director shall approve and release any and all publicity releases, public information, pamphlets and other public relations. The purpose is to ensure that no release or programs will conflict with policies or programs of the City.

11. **Robert's Rules of Order**. If a matter arises that is not covered by these rules, the Brown Act or the San Bruno Municipal Code, the procedures of the Committee shall be governed by the latest revised edition of Robert's Rules of Order to the extent not inconsistent with laws governing public agencies.

12. **Amendments to By-Laws.** These by-laws may not be amended unless the proposed amendment has been presented to and approved by the City Council.