

CITY OF MILPITAS

BICYCLE PEDESTRIAN ADVISORY COMMISSION

BYLAWS

This Bicycle Pedestrian Advisory Commission was established by the Milpitas City Council on June 19, 1990.

Section 1. Purpose

The purpose of the Milpitas Bicycle Pedestrian Advisory Commission (BPAC) is to serve as an advisory body to the City Council on matters having to do with modifying or expanding the City's non-motorized transportation systems. Its intent shall be to provide information that will ultimately result in safe and convenient routes throughout the City that connect to other cities. The Commission will promote safety education and awareness of all forms of non-motorized transportation modes with the intent of promoting all forms of alternative transportation.

Section 2. Membership

The Bicycle Pedestrian Advisory Commission is composed of five (5) regular members and two (2) alternate members appointed by the Mayor and approved by the City Council. All members and alternates shall be Milpitas residents or residents within the boundaries of the Milpitas Unified School District. In addition, the City Council may appoint a Council liaison to serve on the Commission in a non-voting capacity.

Section 3. Term of Office and Removal

The term of office for Commission members is three years, or until reappointed or a successor is appointed. The term of office for alternates is two years, or until reappointed or a successor is appointed. Members and alternates are expected to attend all meetings. When any member or alternate has three or more unexcused absences in a 12-month period, the Commission shall forward this information to the City Council for review and possible removal of the member or alternate from the Commission. Any member or alternate of BPAC may be removed from office by a majority vote of the City Council at a regularly scheduled City Council meeting.

Members and alternates may apply for reappointment by submitting a letter or e-mail of interest by mail or electronic transmittal to the Mayor with a copy to the Commission Chair one month prior to the expiration of his/her term of office. Any member or alternate of the Commission who wishes to resign should submit a letter of resignation by mail or electronic transmittal to the Mayor with a copy to the Commission Chair.

Section 4. Vacancies

Vacancies will be filled for the unexpired portion of the term in the same manner as the original appointment.

Section 5. Officers

A Chair or Vice Chair will be selected annually at the first meeting of the calendar year from the appointed members for a term of one year. The Chair will call for meetings and preside over all sessions. In the absence of the Chair, the Vice Chair will preside. In the absence of both the Chair and Vice Chair, the member with the longest continuous service on the Commission will preside.

Section 6. Meetings

The BPAC shall hold regular meetings on a bi-monthly basis in which the commission shall hold meetings six (6) times each year on dates as determined by the Commission. All meetings shall be open to the public. Should a scheduled meeting occur on a holiday, the meeting will be deferred to the same day of the following week or to a date agreed upon by a majority of Commissioners. Special meetings of BPAC may be called by a majority of the members, the Chair, or the City Council. Notice of any special meeting shall be given as required by law. Except as otherwise provided by these Bylaws, BPAC will follow the latest edition of Roberts Rules of Order for the orderly conduct of meetings.

Section 7. Quorum

Any three (3) members of the Commission shall constitute a quorum for the transaction of business.

Section 8. Voting and Seating of Alternates

Voting authority is extended to five (5) members. An alternate member shall vote only if seated in the absence of a regular member. In the event that a regular member is absent, alternate members shall be seated in order of their alternate position. If a member arrives after an alternate has been seated, the alternate shall remain as the voting member until the end of the meeting.

Section 9. Duties of Commission to be Advisory Only

It is intended that the Commission shall be an advisory body to the City Council. Nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel under their jurisdiction.

Section 10. Assistance of Staff

The City Manager of the City of Milpitas shall provide BPAC with such information and staff assistance as BPAC may from time to time request subject to the limitations imposed by the City Council. The staff member designated by the City Manager shall attend meetings of the BPAC and submit such reports as said BPAC may request and as deemed necessary or desirable, subject to limitations imposed by the City Council.

Section 11. Amendments

These Bylaws and operating procedures may be amended by simple majority of those voting at any regular BPAC meeting, subject to approval by City Council.

PASSED AND ADOPTED by the Bicycle Pedestrian Advisory Commission the 4th day of April, 2002.

PASSED AND ADOPTED by the Milpitas City Council on the 19th day of August, 2003.

PASSED AND ADOPTED by the Milpitas City Council on the 16th day of January, 2007.

PASSED AND ADOPTED by the Milpitas City Council on the 2nd day of June, 2009.

PASSED AND ADOPTED by the Milpitas City Council on the 5th day of March, 2013.