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CITY OF MILPITAS
EMERGENCY PREPAREDNESS COMMISSION
(EPC) BYLAWS

The Emergency Preparedness Commission (EPC) was established by the Milpitas City Council on April 23, 1988.

Section 1. Purpose

The purpose of EPC is to serve as an advisory body to the City Council on matters pertaining to emergency preparedness and disaster planning.

Section 2. Membership

The Emergency Preparedness Commission is composed of nine (9) members and two (2) alternates appointed by the Mayor and approved by the City Council. The composition is as follows:

Six at-large representatives who are residents of either the City of Milpitas or residents within the boundaries of the Milpitas Unified School District;
One representative from the Milpitas Industrial Community: an employee from a business in Milpitas with 50 or more employees, dealing with Hazardous Materials and having an Emergency Response Team;
~~One resident from the industrial/commercial/retail sector;~~
One representative from the Milpitas Small Business Community: an employee from a business in Milpitas with less than 50 employees~~One representative from the Milpitas Chamber of Commerce~~;
One representative appointed by the Milpitas Board of Education; and
Two at-large City/School District resident Alternates

NOTE: If available, one representative, who is a Milpitas resident, shall be a Radio Amateur Civil Emergency Service (RACES) representative.

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 (including the industry, commercial/retail, and Board of Education representatives) is three (3) years, or until reappointed or a successor is appointed. The term of office for each alternate is two (2) 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

EPC may be removed from office by majority vote of the City Council at a regularly scheduled Council meeting.

Members may apply for reappointment by submitting a letter of interest or e-mail to the Mayor, with a copy to the Commission Chair, one month prior to the expiration of his/her term of office. Any member of the Commission who wishes to resign should submit a letter of resignation 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 and 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 and Vice Chair must be residents of Milpitas and elected from the six at-large resident representatives. 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 Emergency Preparedness Commission shall hold six regular meetings on the third Thursday nights of January, March, May, July, September and November, at 7:00 p.m. All meetings shall be open to the public. Should a scheduled meeting occur on a holiday, said meeting will be deferred to the same day of the following week or to a date agreed upon by a majority of the Commission. Special meetings of the Commission 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, the Commission will follow the latest edition of Robert's Rules of Order for the orderly conduct of meetings.

Section 7. Quorum

Any five (5) members of the Commission shall constitute a quorum for the transaction of business.

Section 8. Voting

Voting authority is extended to nine (9) regular members. The designee of the School Board representative may vote when seated on behalf of the School Board representative. 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 EPC 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 jurisdictions.

Section 10. Assistance of Staff

The City Manager of the City of Milpitas shall provide the Emergency Preparedness Commission with such information and staff assistance as the Commission may from time to time request, subject to limitations imposed by the City Council. The staff member designated by the City Manager shall attend meetings of the Commission and submit such reports as said Commission 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 EPC meeting, subject to approval by the City Council.

PASSED AND ADOPTED by the Commission, the 17th day of November 2005.

AMENDED AND APPROVED by the Milpitas City Council on the 21st day of February 2006.

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