

**CITY OF MILPITAS
ECONOMIC DEVELOPMENT COMMISSION
BYLAWS**

This Economic Development Commission was established by the Milpitas City Council on February 18, 2003.

Section 1. Purpose

The purpose of the Economic Development Commission is to advise the City Council on business issues and to design, develop, and implement a comprehensive economic development program for the City of Milpitas.

Section 2. Charged

1. Promote and cultivate retention and expansion of businesses as well as attraction of new businesses.
2. Ensure City-wide economic development sustainability and a viable financial base for the City.
3. Maintain a successful business climate.
4. Maintain a diverse job base and workforce development.
5. Cultivate relationships with business organizations and City commissions in order to gain economic development opportunities for the City.

Section 3 Membership

The Economic Development Commission is composed of eleven (11) regular members and two (2) alternate members appointed by the Mayor and approved by the City Council. Commission members and alternates need not be Milpitas residents, but must represent a business located in Milpitas. The Commission shall be comprised of one representative from each of the following organizations and areas:

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|----------------------------------|-------------------------------------|
| Chamber of Commerce | Commercial/ Residential Real Estate |
| Milpitas Unified School District | Commercial Real Estate |
| Technology | Hotels/Accommodations |
| Restaurants | |

And two representatives from each of the following organizations and areas:

- Retail Business/Commercial Business
- Resident

In addition, the City Council may appoint a Council liaison to serve on the Milpitas Economic Development Commission in a non-voting capacity.

Section 4. Term of Office and Removal

The term of office for the Economic Development Commission members will be 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 the Economic Development Commission may be removed from office by a majority vote of the City Council at a regularly scheduled Council meeting.

Members and alternates may apply for reappointment by submitting a letter or email of interest 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 or email to the Mayor with a copy to the Commission Chair.

Section 5. Vacancies

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

Section 6. 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 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 7. Meetings

The Economic Development Commission shall hold regular meetings on the 2nd Monday of each month, at 4:00 p.m. The Commission shall not meet during the months of July and December. 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 Economic Development Commission may be called by a majority of the members, Chair through staff, staff, or 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 or rules of parliamentary procedure for the orderly conduct of meetings.

Section 8. Quorum

Any six (6) members of the Commission shall constitute a quorum for the transaction of business.

Section 9. Voting and Seating of Alternates

Voting authority is extended to nine regular 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 10. Duties of Commission to be Advisory Only

It is intended that the Economic Development 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 jurisdictions.

Section 11. Assistance of Staff

The City Manager of the City of Milpitas shall provide the Economic Development Commission with such information and staff assistance as the Economic Development Commission 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 Economic Development Commission and submit such reports as said Economic Development Commission may request and as deemed necessary or desirable, subject to limitations imposed by the City Council.

Section 12. Amendments

These By-laws and operating procedures may be amended by simple majority of those voting at any legal Economic Development Commission meeting, subject to approval by City Council.

PASSED AND ADOPTED by the Milpitas Economic Development Commission, the 9th day of June, 2003.

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 17th day of March, 2009.