



Bicycle and Pedestrian Advisory Committee Bylaws

Article 1: Definitions

1.1 Alameda County Transportation Commission (Alameda CTC). The Alameda CTC or “Commission” is a joint powers authority resulting from the merger of the Alameda County Congestion Management Agency (“ACCMA”) and the Alameda County Transportation Improvement Authority (“ACTIA”). The 22-member Commission is comprised of the following representatives:

1.1.1 All five Alameda County Supervisors.

1.1.2 Two City of Oakland representatives.

1.1.3 One representative from each of the other 13 cities in Alameda County.

1.1.4 A representative from Alameda-Contra Costa Transit District (“AC Transit”).

1.1.5 A representative from San Francisco Bay Area Rapid Transit District (“BART”).

1.2 Alameda County Transportation Improvement Authority (ACTIA). The governmental agency previously responsible for the implementation of the Measure B half-cent transportation sales tax in Alameda County, as approved by voters in 2000 and implemented in 2002. Alameda CTC has now assumed responsibility for the sales tax.

1.3 Appointing Party. A person or group designated to appoint committee members.

1.4 Bicycle and Pedestrian Advisory Committee (BPAC or “Committee”). The Alameda CTC Committee that reviews all competitive applications submitted to Alameda CTC for the Bicycle and Pedestrian Safety funds, along with the development and updating of the Alameda Countywide Pedestrian and Bicycle Plans. Serving as the countywide BPAC, the Committee also provides input on countywide educational and promotional programs, and other projects of countywide significance.

1.5 Brown Act. California’s open meeting law, the Ralph M. Brown Act, California Government Code, Sections 54950 *et seq.*

1.6 Citizens Advisory Committee (CAC). The Alameda CTC Committee that serves as a liaison group between the Alameda CTC and the members’ respective communities. Appointed by the ACTIA Board or the Commission, the CAC keeps the Commission informed of the progress of Measure B programs and projects, and discusses and brings local community transportation concerns to the Commission, as well as provides feedback to members’ respective communities.

1.7 Citizens Watchdog Committee (CWC). The Alameda Committee of individuals created by the ACTIA Board, as required by Measure B, with the assistance of the League of Women Voters and other citizens groups, and continued by the Commission. The Committee reports directly to the public and is charged with reviewing all expenditures of the agency. Citizens Watchdog Committee members are private citizens who are not elected officials at any level of government, nor individuals in a position to benefit in any way from the sales tax.

1.8 Expenditure Plan. The plan for expending Transportation sales tax (Measure B) funds, presented to the voters in 2000, and implemented in 2002.

1.9 Fiscal Year. July 1 through June 30.

1.10 Measure B. The measure approved by the voters authorizing the half-cent sales tax for transportation services now collected and administered by the Alameda CTC and governed by the Expenditure Plan. The sales tax authorized by Measure B will be in effect for 20 years, beginning on April 1, 2002 and extending through March 31, 2022.

1.11 Measure B Bicycle and Pedestrian Countywide Discretionary Fund (“Discretionary Fund”). A grant program developed to expand and enhance bicycle and pedestrian transportation in Alameda County, focusing on projects, programs and plans with countywide significance or demonstration programs/projects that could be applied countywide. The program is funded by a portion of the 5 percent Measure B set-aside for bicycle and pedestrian projects.

1.12 Measure B Bicycle and Pedestrian Countywide Discretionary Fund Program Guidelines (“Program Guidelines”). Guidelines that lay out how the Discretionary Fund will be allocated and administered.

1.13 Measure B Program. Transportation or transportation-related program specified in the Expenditure Plan for funding on a percentage-of-revenues basis or grant allocation.

1.14 Measure B Project. Transportation and transportation-related construction projects specified in the Expenditure Plan for funding in the amounts allocated in the Expenditure Plan.

1.15 Organization Meeting. The annual regular meeting of the BPAC in preparation for the next fiscal year’s activities.

1.16 Paratransit Advisory and Planning Committee (PAPCO). The Alameda CTC Committee that meets to address funding, planning, and coordination issues regarding paratransit services in Alameda County. Members must be an Alameda County resident and an eligible user of any transportation service available to seniors and people with disabilities in Alameda County. PAPCO is supported by a Technical Advisory Committee comprised of Measure B-funded paratransit providers in Alameda County.

1.17 Planning Area. Geographic groupings of cities and of Alameda County for planning and funding purposes. North County: Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont; Central County: Hayward, San Leandro, unincorporated county (near Hayward); South County: Fremont, Newark, Union City; East County: Dublin, Livermore, Pleasanton, the unincorporated area of Sunol.

1.18 Programmatic Funding. Measure B funds distributed on a monthly basis based on a distribution formula. Approximately 10.45 percent of net Measure B revenues are distributed to mandated and non-mandated specialized transportation services based on a formula developed by PAPCO and approved by the Commission.

Article 2: Purpose and Responsibilities

2.1 Committee Purpose. The BPAC purpose is to involve interested community members in the development and implementation of Alameda CTC's "Measure B Bicycle and Pedestrian Countywide Discretionary Fund" grant program, with the goal of creating a more successful program; and to contribute to the coordination and streamlining of bicycle and pedestrian planning, funding, and programming in Alameda County.

2.2 Committee Roles and Responsibilities. The roles and responsibilities of the Committee are to:

2.2.1 Advise Alameda CTC staff and the Alameda CTC on the implementation of the Discretionary Fund, including the:

2.2.1.1 Development of the scoring criteria and its weighting used to evaluate the applications.

2.2.1.2 Recommendation to Alameda CTC on Grant Awardees in each funding cycle, which includes considering all equity criteria (modal, geographic, and project type).

2.2.1.3 Evaluation of the Program Guidelines after each funding cycle.

2.2.1.4 Review of the progress of funded projects.

2.2.2 Advise Alameda CTC staff and the Alameda CTC on the development and updates of the Countywide Pedestrian and Bicycle Plans.

2.2.3 Review the implementation of the pass-through Bicycle and Pedestrian Safety funds.

2.2.4 Serve as a review committee for other Alameda County public agencies, on request, on bicycle and pedestrian issues. The Committee's input will be provided directly to the public agency staff, will be strictly advisory, and will not be taken as a recommendation to the Alameda CTC. The Committee will consider requests for input on a case-by-case basis. If a quick decision is needed on

whether to provide input or not, Alameda CTC staff will consult with the Committee chair to make this decision. This role may include, but is not limited to:

2.2.4.1 Providing input to Alameda CTC Project Sponsors.

2.2.4.2 Serving as the Alameda County Bicycle Advisory Committee (BAC) for Transportation Development Act (TDA) Article 3 Funding.

2.3 Additional Responsibilities. BPAC members are encouraged to do the following:

2.3.1 Perform outreach regarding BPAC activities and Measure B funds. Examples of outreach may include attending a transportation fair, attending a meeting or event related to a grant-funded project, accompanying staff to Alameda CTC outreach presentations, or disseminating information at a local library, community center, or other public location.

2.3.2 Participate in trainings and information-sharing events sponsored by the Alameda CTC, such as the Pedestrian and Bicycle Working Group meetings. This group, which has an open membership, consists of agency and nonprofit staff working to improve the bicycling and walking environment in Alameda County.

Article 3: Members

3.1 Number of Members. The BPAC consists of 11 members. The intent is to have the BPAC represent both bicycling and pedestrian interests, to include representatives from all areas of the county, and to represent the variety of interests in bicycling and walking needs including the needs of seniors and children. In addition, the BPAC should represent Alameda County's diversity in age, income level, gender, ethnicity, and bicycling experience, to the greatest extent feasible.

3.2 Appointment. The Commission will make appointments in the following manner:

3.2.1 One appointee per County Supervisor (five total).

3.2.2 One appointee for each supervisorial district, selected by the Mayors' Conference (five total).

3.2.3 One appointee representing transit agencies. Alameda CTC will lead the recruitment for this appointee, including noticing the general managers of all transit agencies that receive Measure B funding. Alameda CTC staff will bring a final appointment recommendation to the Commission for approval.

3.3 Membership Qualification. Each member must be an Alameda County resident and be interested in improving the safety and convenience of bicycling and/or walking in the county. Public agency employees who are responsible for bicycle and pedestrian projects and/or programs and who work for an eligible agency likely to submit an application for the Discretionary Fund may not serve on

the Committee. Any public agency or nonprofit employees appointed to the Committee shall recuse themselves from evaluating and voting to fund a project/program application from their agency or nonprofit organization.

3.4 Membership Term. Appointments shall be for two-year terms. There is no maximum number of terms a member may serve. Members shall serve until the Commission appoints their successors.

3.5 Attendance. Members will actively support committee activities and regularly attend meetings. Accordingly, members who miss more than half of the BPAC meetings per fiscal year, except as noted in Article 3.5.1, may be removed from the Committee. If an odd number of meetings occurs in a year, then the minimum attendance will be half of the total number of meetings, rounded up to the whole number. A member removed from the Committee may be reappointed by a Commissioner.

3.5.1 Attendance Exception. During a Discretionary Fund grant cycle evaluation period, when regular attendance is critical to making a solid funding recommendation, members must attend a minimum of 75 percent of the BPAC meetings or the position will be considered vacated.

3.6 Termination. A member's term shall terminate on the occurrence of any of the following:

3.6.1 The member voluntarily resigns by written notice to the chair or Alameda CTC staff.

3.6.2 The member fails to continue to meet the qualifications for membership, including attendance requirements.

3.6.3 The member passes away or otherwise becomes incapable of continuing to serve.

3.6.4 The member appointment is terminated by the Commission.

3.7 Vacancies. An appointing party shall have the right to appoint (subject to approval by the Commission) a person to fill the vacant member position. Alameda CTC shall be responsible for notifying an appointing party of such vacancy and for urging expeditious appointment of a new member, as appropriate.

Article 4: Officers

4.1 Officers. The BPAC shall annually elect a chair and vice chair. Each officer must be a duly appointed member of the BPAC.

4.1.1 Duties. The chair shall preside at all meetings and will represent BPAC before the Commission to report on BPAC activities. The vice chair shall assume all duties of the chair in the absence of, or on the request of the chair. In the absence of the chair and vice chair at a meeting, the members shall, by consensus, appoint one member to preside over that meeting.

4.2 Office Elections. Officers shall be elected by the members annually at the Organizational Meeting or as necessary to fill a vacancy. An individual receiving a majority of votes by a quorum shall be deemed to have been elected and will assume office at the meeting following the election. In the event of multiple nominations, the vote shall be by ballot. Officers shall be eligible for re-election indefinitely.

Article 5: Meetings

5.1 Open and Public Meetings. All BPAC meetings shall be open and public and governed by the Brown Act. Public comment shall be allowed at all BPAC meetings. The time allotted for comments by a member of the public in the general public comment period or on any agenda item shall be limited at the discretion of the chair.

5.2 Regular Meetings. BPAC will hold up to eight meetings per year, coinciding with the various funding cycles, the updates to the Countywide Bicycle and Pedestrian Plans, and requests for input from public agencies. Annually, at the Organizational Meeting, the Committee shall establish the schedule of regular meetings for the ensuing year. Meeting dates and times may be changed and additional regular meetings scheduled during the year.

5.3 Quorum. For purposes of decision making, a quorum shall consist of at least half (50 percent) plus one of the total number of members appointed at the time a decision is made. No actions will be taken at meetings with less than 50 percent plus one member present. Items may be discussed and information may be distributed on any item even if a quorum is not present.

5.4 Special Meetings. Special meetings may be called by the chair or by a majority of the members on an as-needed basis. Attendance at special meetings is not counted as part of members' attendance requirement. Agenda item(s) for special meeting(s) shall be stated when the meeting is called, but shall not be of a general business nature. Specialized meetings shall be concerned with studies, emergencies, or items of a time-urgent nature. Agenda item(s) of a regular meeting may be tabled for further discussion and action at a special meeting, the time and location to be announced in the tabling motion. Notice of such meetings shall be given to all members at least 72 hours prior to such meetings and shall be published on the Alameda CTC's website and at the Alameda CTC office, all in accordance with the Brown Act.

5.5 Agenda. All meetings shall have a published agenda. Action may be taken only on items indicated on the agenda as action items. Items for a regular meeting agenda may be submitted by any member to the chair and committee staff. The Commission and/or Committee staff may also submit items for the agenda. Every agenda shall include provision for members of the public to address the BPAC. The chair and the vice chair shall review the agenda in advance of distribution. Copies of the agenda, with supporting material and the past meeting minutes, shall be mailed to members and any other interested parties who request it. The agenda shall be posted on the Alameda CTC website and office and provided at the meeting, all in accordance with the Brown Act.

5.6 Roberts Rules of Order. The rules contained in the latest edition of “Roberts Rules of Order Newly Revised” shall govern the proceedings of the BPAC and any subcommittees thereof to the extent that the person presiding over the proceeding determines that such formality is required to maintain order and make process and to the extent that these actions are consistent with these bylaws.

5.7 Place of Meetings. BPAC meetings shall be held at the Alameda CTC offices, unless otherwise designated by the Committee. Meeting locations shall be within Alameda County, accessible in compliance with the Americans with Disabilities Act of 1990 (41 U.S.C., Section 12132) or regulations promulgated there under, shall be accessible by public transportation, and shall not be in any facility that prohibits the admittance of any person, or persons, on the base of race, religious creed, color, national origin, ancestry, or sex, or where members of the public may not be present without making a payment or purchase.

Article 6: Subcommittees

6.1 Establishment. The Committee may establish subcommittees when and as necessary or advisable to make nominations for office of BPAC, to develop and propose policy on a particular issue, to conduct an investigation, to draft a report or other document, or for any other purpose within the authority of the BPAC.

6.2 Membership. BPAC members will be appointed to subcommittees by the BPAC, on a voluntary basis, or by the chair. No subcommittee shall have fewer than three members, nor will a subcommittee have sufficient members to constitute a quorum of the BPAC.

Article 7: Records and Notices

7.1 Minutes. Minutes of all meetings, including actions and the time and place of holding each meeting, shall be kept on file at the Alameda CTC office.

7.2 Attendance Roster. A member roster and a record of member attendance shall be kept on file at the Alameda CTC office.

7.3 Brown Act. All meetings of the BPAC will comply with the requirements of the Brown Act. Notice of meetings and agendas will be given to all members and any member of the public requesting such notice in writing and shall be posted at the Alameda CTC office at least 72 hours prior to each meeting. Members of the public may address the BPAC on any matter not on the agenda and on each matter listed on the agenda, pursuant to procedures set by the chair and/or the Committee.

7.4 Meeting Notices. Meeting notices shall be in writing and shall be issued via U.S. Postal Service, personal delivery, and/or email. Any other notice required or permitted to be given under these bylaws may be given by any of these means.

Article 8: General Matters

8.1 Per Diems. Committee members shall be entitled to a per diem stipend for meetings attended in amounts and in accordance with policies established by the Alameda CTC.

8.2 Conflicts of Interest. A conflict of interest exists when any Committee member has, or represents, a financial interest in the matter before the Committee. Such direct interest must be significant or personal. In the event of a conflict of interest, the Committee member shall declare the conflict, recuse him or herself from the discussion, and shall not vote on that item. Failure to comply with these provisions shall be grounds for removal from the Committee.

8.3 Amendments to Bylaws. These bylaws will be reviewed annually, and may be amended, repealed, or altered, in whole or in part, by a vote taken at a duly-constituted Committee meeting at which a quorum is present.

8.4 Public Statements. No member of the Committee may make public statements on behalf of the Committee without authorization by affirmative vote of the Committee, except the chair, or in his or her place the vice chair, when making a regular report of the Committee activities and concerns to the Alameda CTC.

8.5 Conflict with Governing Documents. In the event of any conflict between these bylaws and the July 2000 Alameda County Transportation Expenditure Plan, California state law, or any action lawfully taken by the Alameda CTC, the conflicting provision in the Expenditure Plan, state law, the lawful action of ACTIA or the Alameda CTC shall prevail.

8.6 Staffing. Alameda CTC will provide all staffing to the Committee including preparation and distribution of meeting agendas, packets, and minutes; preparation of reports to the Alameda CTC Committees and Commission; tracking of attendance; and stipend administration.