



Citizens Watchdog Committee Bylaws

Article 1: Definitions

1.1 Alameda County Transportation Commission (Alameda CTC). 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 At-Large Member. One of the 10 CWC members representing supervisorial districts as described in Section 3.1.1 below.

1.5 Bicycle and Pedestrian Advisory Committee (BPAC). 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.

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

1.7 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.

1.8 Citizens Watchdog Committee (CWC or "Committee"). The Alameda CTC 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.

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

1.10 Executive Director. The chief executive staff member of Alameda CTC who reports directly to the Commission.

1.11 Fiscal Year. July 1 through June 30.

1.12 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 began on April 1, 2002 and extends through March 31, 2022.

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 capital projects specified in the Expenditure Plan for funding in the amounts allocated in the Expenditure Plan.

1.15 Organizational Meeting. The annual regular meeting of the CWC in preparation for the next fiscal year's activities.

1.16 Organizational Member. One of the seven CWC members representing organizations as described in Section 3.1.2 below.

1.17 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.

1.18 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.

Article 2: Purpose and Responsibilities

2.1 Committee Purpose. The Committee is appointed pursuant to Measure B to review all expenditures of the Measure B half-cent transportation sales tax measure and to report directly to the public.

2.2 Committee Roles and Responsibilities from Expenditure Plan. As defined by the Measure B Expenditure Plan, the roles and responsibilities of the Committee are to:

2.2.1 Hold public hearings and issue reports, on at least an annual basis, to inform Alameda County residents how the funds raised by the Measure B Tax are being spent.

2.2.2 Have full access to the Agency's independent auditor and will have authority to request and review specific information and to comment on the auditor's reports.

2.2.3 Publish an annual report and any comments concerning the audit report in local newspapers and to make copies of the report available to the public at large.

2.3 Additional Responsibilities. Additional CWC member responsibilities are to:

2.3.1 Communicate from time to time to the Alameda CTC by resolution suggestions and concerns pertinent to the administration and expenditure of Measure B funds.

2.3.2 Communicate as necessary to recommend that an appointing party appoint a new member when there is a vacancy or upcoming end of term.

Article 3: Members

3.1 Number of Members. The CWC will consist of 17 members.

3.1.1 Ten members shall be at-large, two each representing the five supervisorial districts in Alameda County, one of the two nominated by a member of the Board of Supervisors and one of the two selected by the Alameda County Mayors' Conference.

3.1.2 Seven of the members shall be nominated by the seven organizations specified in the Expenditure Plan: Alameda County Economic Development Alliance for Business, Alameda County Labor Council, Alameda County Taxpayers' Association, Alameda County Paratransit Advisory and Planning Committee, East Bay Bicycle Coalition, League of Women Voters, and Sierra Club.

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

3.2.1 Each member of the Alameda County Board of Supervisors shall select one At-Large Member to represent his or her supervisorial district.

3.2.2 The Alameda County Mayors' Conference shall select one At-Large Member to represent each of the five supervisorial districts.

3.2.3 Each organization listed in Section 3.1.2 above shall, subject to approval by the Commission, select one organizational member.

3.3 Membership Qualification. Each CWC member shall be an Alameda County resident. A CWC member shall not be an elected official at any level of government; or be a public employee of any agency that oversees or benefits from the proceeds of the Measure B Tax; or have any economic interest in any project or program.

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, more than three absences during a fiscal year may be cause for removal from the Committee. However, a member removed from the Committee may be reappointed by an appointing party.

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 CWC shall annually elect a chair and vice chair. Each officer must be a duly appointed member of the CWC.

4.1.1 Duties. The chair shall preside at all meetings and will represent the CWC before the Commission to report on CWC activities. The chair shall serve as an ex-officio member of all subcommittees except a nominating subcommittee (when the CWC discusses the chair position). The vice chair shall assume all duties of the chair in the absence of, or on the request of the chair.

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 CWC meetings shall be open and public and governed by the Brown Act. Public comment shall be allowed at all CWC 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 at the discretion of the chair.

5.2 Regular Meetings. The CWC shall have a regular meeting at least once per quarter. Prior to each Organizational Meeting, the outgoing chair shall cause all members to be canvassed as to their available meeting times and shall recommend the day and time that best accommodates the schedules of all members, giving due regard to accommodating the schedule of any continuing member who has missed meetings due to a conflict in the prior year. Annually, at the Organizational Meeting, CWC 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 by action of CWC.

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. Members will not take actions 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 requesting the same in writing given to the chair, with copies to the vice chair and the Executive Director, specifying the matters to be considered at the special meeting. The chair or vice chair shall cause notice of a special meeting stating the matters to be considered to be given to all CWC members and posted and published in accordance with the Brown Act.

5.5 Public Hearing. At least annually, prior to publication of CWC's annual report, CWC shall conduct a public hearing on a draft of the CWC annual report. Each public hearing shall be conducted as part of a regular meeting.

5.6 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 Committee. 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.

5.7 Roberts Rules of Order. The rules contained in the latest edition of "Roberts Rules of Order Newly Revised" shall govern the proceedings of the CWC 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.

5.8 Place of Meetings. CWC 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 CWC may establish subcommittees when and as necessary or advisable to make nominations for office of the CWC, 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 CWC.

6.2 Membership. CWC members will be appointed to subcommittees by the CWC 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 CWC.

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 CWC 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 CWC on any matter not on the agenda and on each matter listed on the agenda, pursuant to procedures set by the chair and/or 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. This does not include presentations about the Committee to city councils, which all Committee members have a responsibility to make.

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 ACTIA or the Alameda CTC, the Expenditure Plan, state law or 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.

8.7 Financial Interest. Each Committee member shall in a timely manner prepare and file with Alameda CTC a statement of financial interest in the form required by law.