



Countywide Bicycle and Pedestrian Advisory Committee Bylaws

Article 1: Definitions

1.1 2000 Transportation Expenditure Plan. The plan for expending transportation sales tax (Measure B) funds, presented to the voters in 2000, and implemented in 2002.

1.2 2014 Transportation Expenditure Plan. The Plan for expending transportation sales tax (Measure BB) funds, presented to the voters in 2014, and implemented in 2015.

1.3 Alameda County Transportation Commission (Alameda CTC). Alameda CTC 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 Alameda CTC Commission ("Commission") is comprised of the following representatives:

1.3.1 All five Alameda County Supervisors.

1.3.2 Two City of Oakland representatives.

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

1.4.4 A representative from Alameda-Contra Costa Transit District ("AC Transit").

1.4.5 A representative from San Francisco Bay Area Rapid Transit District ("BART").

1.4 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 administration of the sales tax.

1.5 Alameda County Congestion Management Agency (ACCMA). The governmental agency which previously served as the state legislatively required congestion management agency with responsibilities to coordinate transportation planning, funding, and other activities in a congestion management program.

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

1.7 Alameda Countywide Bicycle and Pedestrian Advisory Committee (BPAC or "Committee"). The Alameda CTC Committee that involves interested community members in the Alameda CTC's policy, planning, and implementation efforts related to bicycling and walking.

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

1.9 Discretionary Funding Guidelines. Document that specifies eligible projects and programs, selection criteria, and weighting for a Measure B, Measure BB or VRF funding cycle.

1.10 Fiscal Year. July 1 through June 30.

1.11 Independent Watchdog Committee (IWC or "Committee"). The Alameda CTC Committee of individuals created by the Commission as required by Measure BB, with the assistance of the League of Women Voters and other citizens groups. This Committee was originally created by the ACTIA Board and called the Citizens Watchdog Committee as required by Measure B, and was continued by the Commission subsequent to the passage of Measure BB as the Independent Watchdog Committee. The Committee is the same committee as the Citizens Watchdog Committee required by Measure B. The Committee reports directly to the public and is charged with reviewing all Measure B expenditures and Measure BB expenditures and performance measures of the agency, as appropriate. IWC members are private citizens who are not elected officials at any level of government, nor individuals in a position to benefit personally in any way from the sales tax.

1.12 Measure B. The measure approved by Alameda County voters authorizing the half-cent sales tax for transportation services now collected and administered by the Alameda CTC and governed by the 2000 Expenditure Plan. Collections for 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.

1.13 Measure BB. The measure approved by Alameda County voters authorizing the sales tax for transportation services collected and administered by the Alameda CTC and governed by the 2014 Transportation Expenditure Plan. Measure BB augments the half-cent Measure B sales tax by a half-cent, beginning April 1, 2015 through March 31, 2022. The full one-cent sales tax authorized by Measure BB will begin April 1, 2022 and will extend through March 31, 2045.

1.14 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.

1.16 Measure B Program. Transportation or transportation-related program specified in the 2000 Transportation Expenditure Plan for funding transportation programs and projects on a percentage-of-revenue or grant allocation basis.

1.17 Measure BB Program. Transportation or transportation-related program specified in the 2014 Transportation Expenditure Plan for funding transportation programs and projects on a percentage-of-revenues or grant allocation basis.

1.18 Measure B Project. Transportation or transportation-related capital projects specified in the 2000 Transportation Expenditure Plan for funding in the amounts allocated in the 2000 Transportation Expenditure Plan.

1.19 Measure BB Project. Transportation and transportation-related capital projects specified in the 2014 Transportation Expenditure Plan for funding in the amounts allocated in the 2014 Transportation Expenditure Plan.

1.20 Measure B and Measure BB Direct Local Distribution (DLD) Funds. Measure B and Measure BB revenues allocated directly to local jurisdictions or transit operators.

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

1.22 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 and Measure BB-funded paratransit providers in Alameda County.

1.23 Planning Area. Geographic groupings of cities and 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.

1.24 Vehicle Registration Fee (VRF). A \$10 fee imposed on each annual motor vehicle registration or vehicle registration renewal Alameda County. Measure F approved by Alameda County voters in 2010, is collected and administered by the Alameda CTC.

1.25 VRF Pedestrian and Bicyclist Access and Safety Program. A program to improve the safety of bicyclists and pedestrians by reducing conflicts with motor vehicles and reducing congestion in areas such as schools, downtowns, transit hubs, and other high activity locations. It will also seek to improve bicyclist and pedestrian safety on arterials and other locally-maintained roads and reduce occasional congestion that may occur with incidents.

1.26 VRF Project. Transportation or transportation-related capital project that receives VRF funding.

1.27 VRF Program. Transportation or transportation-related program that receives VRF funding.

Article 2: Purpose and Responsibilities

2.1 Committee Purpose. The BPAC purpose is to involve interested community members in the Alameda CTC's policy, planning, and implementation efforts related to bicycling and

walking, with the goal of increasing the safety and convenience of walking and bicycling conditions in Alameda County in order to increase the proportion of trips made by walking and bicycling.

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 development and update of the Countywide Pedestrian and Bicycle Plans.

2.2.2 Review and provide input on Measure B, Measure BB and VRF discretionary funding guidelines that can be used for bicycle and pedestrian capital projects, programs, and plans/studies.

2.2.3 Review and provide input on the Metropolitan Transportation Commission (MTC) Complete Streets Checklists for Alameda County projects.

2.2.4 Review and provide input to Alameda CTC and sponsor agency partners in early phases of project development, as described in *Alameda CTC Countywide BPAC Project Review Guidelines* document.

2.2.5 Review the implementation of the Measure B direct local program distribution Bicycle and Pedestrian Safety funds.

2.2.6 Review and provide input on the progress and outcomes of Measure B, Measure BB and VRF funded bicycle and pedestrian projects and programs.

2.2.7 Annually monitor implementation of the Countywide Pedestrian and Bicycle Plans.

2.2.8 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:

2.2.8.1 Providing input to Alameda CTC Project Sponsors.

2.2.8.2 Serving as the Countywide 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 Alameda CTC bicycle and pedestrian activities. 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 and Measure BB 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 directly 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 successor.

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 may be removed from the Committee.

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 becomes incapable of continuing to serve.

3.6.4 The appointing party or the Commission removes the member from the Committee.

3.7 Vacancies. An appointing party shall have the right to appoint a person to fill the vacant member position, subject to the ability of the person to meet the requirements to serve on the committee and approval of the Commission. 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 up to 3 minutes per speaker at the discretion of the chair. The number of BPAC meetings, including regular meetings, sub-committee meetings and special meetings, will be limited to the number of meetings approved in Alameda CTC's annual overall work program and budget, as approved by the Commission.

5.2 Regular Meetings. BPAC will hold regular meetings on a quarterly basis. 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; however, no action can be taken, until the Committee achieves a quorum; however, no action can be taken, until the Committee achieves a quorum.

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 Alameda CTC staff. The Commission and/or Alameda CTC 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 upon request. The agenda shall be posted on the Alameda CTC website and the Alameda CTC 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.

5.8 Meeting Conduct. BPAC members shall conduct themselves during meetings in a manner that encourages respectful behavior and provides a welcoming and safe environment for each member and staff member characterized by an atmosphere of mutual trust and respect. Members shall work with each other and staff to respectfully, fairly, and courteously deal with conflicts if they arise.

Article 6: Subcommittees

6.1 Establishment. The Committee may establish subcommittees subject to the approved Alameda CTC overall work program and budget as approved by the Commission to conduct an investigation or to draft a report or other document 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, in compliance with the Brown Act and time limits, up to three minutes per speaker, set at the discretion of the chair.

7.4 Meeting Notices. Meeting notices shall be in writing and shall be issued via U.S. Postal Service, personal delivery, Alameda CTC website, 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 financial interest must be significant or personal. In the event of a conflict of interest, the Committee member shall declare the conflict, recuse himself 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 Bylaws. Bylaws governing the meetings and activities of the BPAC are approved by the Alameda CTC.

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 2000 Transportation Expenditure Plan, the 2014 Transportation Expenditure Plan, California state law, or any action lawfully taken by ACTIA or the Alameda CTC, the conflicting provision in the Transportation Expenditure Plans, state law, the lawful action of ACTIA or the Alameda CTC shall prevail.

8.6 Staffing. Alameda CTC will provide 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.