



# City of Santa Clara

1500 Warburton Avenue  
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## Agenda Report

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20-1188

Agenda Date: 12/10/2020

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### REPORT TO BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE

#### **SUBJECT**

Subcommittee Report on Governance Item (Chair Hardy)

#### **BACKGROUND**

At the September 14, 2020 Governance and Ethics Committee meeting (item 20-313), the Committee provided direction to staff to formalize the Bicycle and Pedestrian Advisory Committee (BPAC). As a result, the Committee recommended staff to obtain input from BPAC to draft an ordinance to update the City Code and to also update the BPAC Policy Guidelines.

At the October 26, 2020 meeting, staff presented BPAC with recommendations to amend the City Code and BPAC Policy guidelines. BPAC voted to table the item and form a subcommittee regarding formalizing BPAC.

#### **DISCUSSION**

It is recommended for BPAC to review and discuss the subcommittee's recommendations.

Reviewed by: Jonathan Yee, Transportation Manager, Public Works

Approved by: Michael Liw, Assistant Director/City Engineer, Public Works

#### **ATTACHMENTS**

1. Draft City Code, October meeting and Subcommittee recommendations
2. Draft BPAC Policy Guidelines, October meeting and Subcommittee recommendations

(i) To perform such other related functions as may be assigned to them by the City Council. (Ord. 947; Ord. 1837 § 1, 5-6-08. Formerly § 2-91).

**2.120.030 Meetings.**

Each board or commission of the City with members thereon appointed by the City Council shall hold regular meetings at the times and on the days indicated by resolution of the City Council except when such day falls on a City holiday, and shall hold such special meetings as it may require. The times and days for holding regular meetings are subject to amendment from time to time by resolution of the City Council. A copy of the applicable resolution(s) is and will be available for public inspection in the office of the City Clerk. (Ord. 1298 § 2, 10-15-74; Ord. 1300 § 1, 11-12-74; Ord. 1569 § 1, 5-26-87. Formerly § 2-91.1).

**2.120.040 Utilization of City personnel.**

The various boards and commissions may utilize the services of the appropriate City departmental personnel in carrying out their respective functions, subject to the administrative control of the City Manager. (Ord. 947. Formerly § 2-92).

**2.120.150 Bicycle and Pedestrian Advisory Committee**

The Bicycle and Pedestrian Advisory Committee shall consist of nine members. Eight members shall not hold any paid office or employment in the City government and one member is a Council Member serving as Chair. The Bicycle and Pedestrian Advisory Committee shall have the following powers, functions, and duties:

(a) Act in an advisory capacity to Council on matters pertaining to modifying or expanding the City's public recreational and commuter bikeway and pedestrian walkway system.

(b) Recommend to Council on the priority of bicycle and pedestrian projects for which the City will seek funding under Article 3 of the Transportation Development Act, and other state, federal, and local funding programs.

(c) Review and advise Council on comprehensive bicycle and pedestrian master plans.

(d) Recommend roadway modification projects incorporate complete street elements consistent with the City's complete streets policy.

(e) Support educational, recreational, and cultural activities for bicyclists and pedestrians

**From Member Bruce Donoghue****2.120.150 Bicycle and Pedestrian Advisory Committee.**

The Bicycle and Pedestrian Advisory Committee (BPAC) shall consist of nine members. Eight members shall not hold any paid office or employment in the City government, and one member is a Council Member serving as Chair. The BPAC shall have the following powers, functions, and duties:

- (a) Act in an advisory capacity to Council on matters pertaining to maintaining, modifying, expanding and increasing the safety of the City's public bicycle and pedestrian facilities.
- (b) Recommend to Council the priority of bicycle and pedestrian projects for which the City will seek funding under Article 3 of the Transportation Development Act, and other State Federal and local funding programs.
- (c) Aid in development of, review, and advise Council on comprehensive bicycle and pedestrian master plans.
- (d) Support, adhere to, and recommend roadway modifications per City policies including Complete Streets, Vision Zero, Climate Change, and Greenhouse Gas Reduction.
- (e) Recommend, support, and encourage educational, recreational, and cultural activities for bicyclists and pedestrians.
- (f) The Chair shall transmit an Advisory Resolution to the City Clerk for placement on the Council's next meeting agenda. The Chair shall report the Council's actions to the Committee.

Footnote: Article X of the City Code shall be amended to include reference to Committees. (eg The Title, 2.120.010, 2.120. 2.120.020, and General Index)

2.120.150 Bicycle and Pedestrian Advisory Commission

The Bicycle and Pedestrian Advisory Commission (BPAC) shall consist of nine members. Eight members shall not hold any paid office or employment in the City government, and one member is a Council Member. The commission shall elect its chair annually among all members. The BPAC shall have the following powers, functions, and duties:

- (a) Act in an advisory capacity to Council & Staff on matters pertaining to maintaining, modifying, expanding, and increasing the safety of the City's public bicycle & pedestrian facilities.
- (b) Recommend to Council & Staff the priority of bicycle and pedestrian projects for which funding will be sought.
- (c) Aid in development of, review, and advise Council & Staff on comprehensive bicycle and pedestrian master plans.
- (d) Reach out to the public, beyond the meeting, where appropriate, and especially in communities of concern.
- (e) Support, adhere to, and recommend roadway modification per City policies, including Complete Streets, Vision Zero, Climate Change, and Greenhouse Gas Reduction.
- (f) Evaluate proposed public and private projects that affect bicycle and pedestrian facilities, beginning with the initial scope of work.
- (g) Support educational, recreational, and cultural activities for bicyclists and pedestrians.
- (h) Make budget recommendations on funds assigned for commission review.
- (i) Encourage utilitarian, recreational, and commuter bicycling and walking in the City by promoting safe, convenient, well-designed facilities.
- (j) Encourage private bicycle and pedestrian facilities, including bicycle and scooter share programs.
- (k) Provide information to and promote good public relations with the general public/
- (l) By its existence, enable the city to qualify for TDA grant money (<https://bikesiliconvalley.org/2010/12/alphabet-soup-the-abcs-of-bac-bpac-mtc-and-tda/>).
- (m) Review crash data provided by the police department to determine if safety improvements are needed. Advise Council & Staff accordingly.
- (n) Conduct surveys, or have surveys conducted, to determine pedestrian and bicycling activity on public streets and publicly accessible private property.

## **City of Santa Clara Bicycle and Pedestrian Advisory Committee Policy Guidelines**

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991. On March 25, 2014 the Bicycle Advisory Committee was changed to the Bicycle and Pedestrian Advisory Committee (BPAC) by the Santa Clara City Council.

### **Section 1. Purpose**

The purpose and responsibilities of the BPAC are described in Section 2.120.150 of the City Code. Its intent shall be to encourage recreational and commuter bicycling and walking in the City by promoting safe, convenient, well-designed facilities, and by evaluating local bicycle and pedestrian related projects.

It is intended that the BPAC shall be an advisory committee to the City Council as provided in Article X of the City Charter and Chapter 2.120 of the City Code. 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, which are under their jurisdictions.

### **Section 2. Membership**

The BPAC is comprised of nine (9) members, which consists of eight (8) regular members and one (1) Chairperson or alternate that is the Mayor or Councilperson designated by City Council.

Members must meet requirements of Article X of the City Charter and Chapter 2.120 of the City Code.

Applications for BPAC membership shall be in a format determined by the City of Santa Clara City Clerk's Office.

Voting for BPAC membership shall be in accordance with the City of Santa Clara Voting Guidelines for the Appointment of Applicants to Boards and Commissions.

The eight (8) regular members shall be citizens at large with a representative from the following groups strongly encouraged to be members: Santa Clara Unified School District and the Silicon Valley Bicycle Coalition. BPAC members must either reside or work in the City of Santa Clara.

**Section 3. Term of Office, Removal, and Vacancies**

The term of office and removal of members are described in Article X of the City Charter.

**Section 4. Meetings**

Meetings must meet requirements of Article X of the City Charter and Chapter 2.120 of the City Code.

The BPAC shall hold meetings on the fourth Monday in January, March, June, August and October at 4:00 p.m. at City Hall. The actual date of meeting can be changed. Additional meetings can be recommended by a quorum of the committee and approved by the City Manager. All meetings shall be open to the public and notices and agendas shall be posted at City Hall as required by law.

**Section 5. Assistance of Staff**

The BPAC may utilize City personnel as described in Section 2.120.040 of the City Code. The BPAC's requests may from time to time be prioritized subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to staff the BPAC.

**Section 6. Amendments**

Amendments to the guidelines may be recommended by a quorum of the BPAC membership at any legal BPAC meeting, subject to approval by City Council.

PASSED AND RECOMMENDED FOR ADOPTION by the Bicycle Advisory Committee this \_\_\_day of \_\_\_\_\_.

PASSED AND ADOPTED by the Santa Clara City Council this \_\_\_ day of \_\_\_\_\_.

City of Santa Clara  
Bicycle and Pedestrian Advisory Committee  
Policy Guidelines

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991. On March 25, 2014 the Bicycle Advisory Committee was changed to the Bicycle and Pedestrian Advisory Committee (BPAC) by the Santa Clara City Council.

Section 1. Purpose

The purpose of the BPAC is to be an advisory committee to the City Council as provided in 2.120.150 of the City Code. The intent shall be to encourage recreational and commuter bicycling and walking in the City by promoting safe, convenient, well-designed facilities, and to evaluate local bicycle and pedestrian related projects. It is intended that BPAC shall be an advisory committee 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 jurisdiction.

In order to fulfill this purpose, the specific responsibilities of the BPAC are:

- to act in an advisory capacity to Council on matters pertaining to maintaining, modifying, expanding, and increasing the safety of the City's public bicycle & pedestrian facilities,
- to recommend to Council the priority of bicycle and pedestrian projects for which the City will seek funding under Article 3 of the Transportation Development Act and other State, Federal, and Local funding programs.
- to aid in development of, review, and advise Council on comprehensive bicycle and pedestrian master plans.
- to support, adhere to, and recommend roadway modification per City policies, including Complete Streets, Vision Zero, Climate Change, and Greenhouse Gas Reduction.
- to recommend, support, and encourage educational, recreational, and cultural activities for bicyclists and pedestrians.
- to reach out to the public, beyond the meeting, where appropriate, and especially in Communities of Concern as described in the Pedestrian Master Plan.
- to evaluate proposed public and private projects that affect bicycle and pedestrian facilities, beginning with the initial scope of work,
- to make budget recommendations on funds assigned for Committee review.
- to encourage utilitarian, recreational, and commuter bicycling and walking in the City by promoting safe, convenient, well-designed facilities,
- to encourage private bicycle and pedestrian facilities, including bicycle and scooter share programs,
- to provide information to and promote good public relations with the general public,
- to, by its existence, enable the city to qualify for Transportation Development Act grant funds under Resolution #875 and its updates and review audits, and expenditures of these funds.
- to review bicycle and pedestrian accident data provided by the Police Department to determine if safety improvements are needed and to advise the Council accordingly.
- to conduct surveys, or have surveys conducted, to determine pedestrian and bicycling activity on public streets and publicly accessible private property.

## Section 2. Membership

The BPAC is comprised of nine (9) members, which consist of eight regular members and one (1) Chairperson or alternate that is a Councilperson or the Mayor as designated by the City Council. The other eight (8) members shall be comprised of a minimum of seven (7) members who live in the City; the balance may be those who work or live in the City.

Applications for BPAC membership shall be in a format determined by the City of Santa Clara City Clerk's Office. Representatives from the Santa Clara Unified School District, Santa Clara institutions of higher learning, and the Silicon Valley Bicycle Coalition are encouraged to apply. While Committee member appointment is by the City Council, the Committee shall interview all applicants and provide to the Council a numerical ranking of all candidates.

## Section 3. Term of Office, Removal, and Vacancies

The term of office is four (4) years. Each member may serve a maximum of two consecutive or non-consecutive 4-year terms.

If a member misses three consecutive meetings without Committee permission, or otherwise can no longer serve, this vacancy will be filled, as above in Section 2 of these Guidelines, for the remainder of the term of service. This partial term does not count toward the non-consecutive number of 4 year terms.

The committee members shall follow the City of Santa Clara Code of Ethics and Values as codified within the Guide for Boards, Commissioners, and Committee Applicants.

## Section 4. Meetings

The BPAC shall hold meetings on the fourth Monday in January, March, June, August and October at 4:00 p.m. at City Hall. The date of the meeting may be changed, and it can be held online if circumstances so warrant. Additional meetings can be recommended by a quorum (5) of the Committee and approved by the City Manager. All meetings shall be open to the public, and notices and agendas shall be posted on the City's BPAC website and at City Hall as required by law.

Every action taken by the Committee requires at least 5 votes of the Members in favor of the action.

A quorum of the Committee (5 members) is required to hold a meeting. The Chair or alternate must be in attendance

Each meeting shall be recorded and posted on the City's web site.



**Section 5. Assistance of Staff**

The BPAC may utilize appropriate City personnel subject to the control of the City Manager. The BPAC's requests may from time to time be prioritized subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to attend BPAC meetings, make presentations, and answer questions as their schedules permit.

**Section 6. Amendments**

Amendments to these guidelines may be recommended by a quorum of the BPAC membership at any legal BPAC meeting, subject to approval by City Council.

City of Santa Clara  
Bicycle and Pedestrian Advisory Commission  
Policy Guidelines

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991. On March 25, 2014 the Bicycle Advisory Committee was changed to the Bicycle and Pedestrian Advisory Committee (BPAC) by the Santa Clara City Council. On <month day, 2020>, the Bicycle and Pedestrian Advisory Committee was changed to the Bicycle and Pedestrian Advisory Commission by the Santa Clara City Council.

Section 1. Purpose

The purpose of the BPAC is to be an advisory commission to the City Council and to staff as provided in portions of Article X of the City Charter and Chapter 2.120 of the City Code. Nothing herein contained shall be construed as a limitation on the authority of the City Council or the administrative staff to perform functions which are under their jurisdictions or as authority to staff to overrule the expressed legal intentions of the commission.

In order to fulfill this purpose, the specific responsibilities of the BPAC are:

- to act in an advisory capacity to Council & Staff on matters pertaining to maintaining, modifying, expanding, and increasing the safety of the City's public bicycle & pedestrian facilities,
- to recommend to Council & Staff the priority of bicycle and pedestrian projects for which funding will be sought,
- to aid in development of, review, and advise Council & Staff on comprehensive bicycle and pedestrian master plans,
- to reach out to the public, beyond the meeting, where appropriate, and especially in communities of concern,
- to support, adhere to, and recommend roadway modification per City policies, including Complete Streets, Vision Zero, Climate Change, and Greenhouse Gas Reduction,
- to evaluate proposed public and private projects that affect bicycle and pedestrian facilities, beginning with the initial scope of work,
- to support educational, recreational, and cultural activities for bicyclists and pedestrians,
- to make budget recommendations on funds assigned for commission review,
- to encourage utilitarian, recreational, and commuter bicycling and walking in the City by promoting safe, convenient, well-designed facilities,
- to encourage private bicycle and pedestrian facilities, including bicycle and scooter share programs,
- to provide information to and promote good public relations with the general public,
- to, by its existence, enable the city to qualify for TDA grant money (<https://bikesiliconvalley.org/2010/12/alphabet-soup-the-abcs-of-bac-bpac-mtc-and-tda/>),
- to review crash data provided by the police department to determine if safety improvements are needed and to advise Council & Staff accordingly, and
- to conduct surveys, or have surveys conducted, to determine pedestrian and bicycling activity on public streets and publicly accessible private property.

**From Member Diane Harrison****Section 2. Membership**

The BPAC is comprised of nine (9) members, one of whom is a councilperson or the mayor. The other eight (8) members shall be comprised of a minimum of four (4) members who live in the City; the balance may be those who work or live in the City. The commission shall elect its chair annually from among these members, as per article X, section 1003.

Applications for BPAC membership shall be in a format determined by the City of Santa Clara City Clerk's Office and will take place in June in order to conform with a term beginning July 1st, as per article X, section 1002. Representatives from the Santa Clara Unified School District, Santa Clara institutions of higher learning, and the Silicon Valley Bicycle Coalition are encouraged to apply. While commission member selection is by the City Council, as per the City of Santa Clara Voting Guidelines for the Appointment of Applicants to Boards and Commissions, the BPAC shall recommend qualified members.

**Section 3. Term of Office, Removal, and Vacancies**

As per section 1002 of the city charter, the term of office is four (4) years. As per the Guide for Board & Commissions Applicants, each member may serve a maximum of two consecutive 4-year terms, but may re-apply after a lapse of two or more years. Terms shall be staggered such that at least two (2) and no more than five (5) seats are up for election each year.

As per article X, section 1004, if a member misses three consecutive meetings, without commission permission, or otherwise can no longer serve, the vacancy will be filled, as above in section 2 of these by-laws, for the remainder of the term of service. This partial term does not count toward the term limit.

**Section 4. Meetings**

The BPAC shall hold meetings on the third Wednesday of each month at 4:00 p.m. at City Hall. As per section 2.120.030 of the city code, the date of the meeting may be changed, and it can be held online if circumstances so warrant. Additional meetings can be recommended by a quorum (5) of the commission and approved by the City Manager. All meetings shall be open to the public, and notices and agendas shall be posted on the City's website and at City Hall as required by law.

As per section 1003 of article X, the members shall select their chair for the year at the July meeting. Every action taken by the commission requires at least 5 votes in favor of the action. Each meeting will be recorded

**Section 5. Assistance of Staff**

The BPAC may utilize City personnel as described in Section 2.120.040 of the City Code. The BPAC's requests may from time to time be prioritized subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to attend BPAC meetings, make presentations, and answer questions as their schedules permit.

Section 6. Amendments

Amendments to these guidelines may be recommended by a quorum of the BPAC membership at any legal BPAC meeting, subject to approval by City Council