



Agenda Report

21-1332

Agenda Date: 1/25/2021

REPORT TO BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE

SUBJECT

Update on Governance Item/Revise BPAC Bylaws (Liw)

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) and ensure that the BPAC is consistent with other boards, commissions, and committees (Commissions). In addition, in October 2019, member Kratz requested an annual work plan topic (Attachment 1) to discuss changes to the BPAC bylaws.

In response, staff prepared changes to amend the City Code and BPAC Policy guidelines. At the October 26, 2020 BPAC meeting, staff presented proposed changes to the City Code and BPAC Policy guidelines (Attachment 2) and BPAC members provided numerous comments. BPAC voted to table the item and form an adhoc subcommittee (Subcommittee) comprised of three BPAC members to review the proposed changes to the City Code and BPAC Policy guidelines and to draft changes and comments to present to staff and the full BPAC.

At the December 7, 2020 Governance and Ethics Committee meeting (Item 20-991, Attachment 3), staff provided an update to the Committee on formalizing the BPAC and requested deferral of the item based on the upcoming BPAC subcommittee review of the proposed changes to the City Code and BPAC Policy Guidelines. The Committee accepted staff's recommendation for deferral and directed staff to return to the Committee in March 2021 for further updates. At the December 10, 2020 BPAC meeting (Attachment 4), Subcommittee members provided individual reports to staff and the full BPAC. The Subcommittee stated they could not come to full agreement on all of their proposed changes or comments.

DISCUSSION

Staff reviewed and considered all of the BPAC comments from the October 26, 2020 and December 10, 2020 BPAC meetings and recommends further changes to formalize BPAC and ensure the BPAC is consistent with other Commissions. These changes include:

- City Code amendment with final changes (Attachment 5)
- BPAC Policy Guidelines amendment with final changes (Attachment 6)
- Compliance with Charter, Code, and Clerk rules for Commissions
 - Committee action must be supported by a majority (5 of 9)
 - Members must be qualified electors of the City, defined as a United States citizen, 18 years of age or older, and living within the city limits of Santa Clara. An appointee may not hold any paid office or employment in the City. The person does not need to be a registered voter.

- Members are limited to two consecutive terms
- Membership terms will expire in June instead of December
- Membership applications are to be administered by the City Clerk and applicants are to be interviewed and appointed by City Council

Below is a table summarizing the existing and proposed procedures for BPAC.

Item	Existing	Proposed	Other Commissions
Purpose	BPAC Policy guideline	City Code Chapter 2.120	City Code Chapter 2.120
Membership and meeting rules	BPAC Policy guideline	BPAC Policy guideline revised to reference City Charter Article X	City Charter Article X
Filling membership vacancies	BPAC Policy guideline	BPAC Policy guideline revised to reference City Clerk procedures	City Clerk procedures
New member application administration	Public Works	City Clerk	City Clerk
New member interviews and voting	BPAC	City Council	City Council
New member appointment	City Council	City Council	City Council

The City Code and Policy Guidelines amendments presented in this report are the final changes proposed. Staff recommends BPAC approve the changes and staff will present the recommendations to the Governance and Ethics Committee in March 2021.

RECOMMENDATION

BPAC to recommend amendments to the City Code and BPAC Policy Guidelines for Governance and Ethics Committee approval.

Written by: Jonathan Yee, Transportation Manager, Public Works

Reviewed by: Carol Shariat, Principal Transportation Planner, Public Works

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

ATTACHMENTS

1. Annual Work Plan Topic Request Form - BPAC Bylaws
2. October 26, 2020 BPAC Report on Governance
3. December 7, 2020 Governance and Ethics Committee Report on BPAC Governance
4. December 10, 2020 BPAC Subcommittee Report on Governance
5. Recommended City Code Amendment
6. Recommended BPAC Policy Guidelines Amendment