

Bicycle and Pedestrian Advisory Committee Bylaws

*Adopted by the ACTIA Board on June 26, 2003;
Amended on September 25, 2003 and May 27, 2004;
Amended by BPAC on: June 28, 2007;
Amended by BPAC on: June 12, 2008*

These Bylaws outline the purpose, membership, responsibilities, and operating procedures of the Alameda County Transportation Improvement Authority's **Bicycle and Pedestrian Advisory Committee** (herein "BPAC"). The following sections are included:

1. Purpose
2. Definitions
3. Roles & Responsibilities
4. Meetings
 - a. Brown Act
5. Members
 - a. Appointment Process
 - b. Term
 - c. Attendance Requirement
 - d. Vacancies
6. Officers
7. Quorum
8. Staffing
9. Public Statements
10. Conflict of Interest
11. Stipend
12. Conflict with Governing Documents

1. Purpose

To involve concerned citizens in the development and implementation of ACTIA'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 funding and programming in Alameda County.

2. Definitions

Alameda County Transportation Improvement Authority (herein "ACTIA") was established to implement the re-authorized ½ cent transportation sales tax.

The *Measure B Bicycle and Pedestrian Countywide Discretionary Fund* (herein "Discretionary Fund") is a grant program developed to expand and enhance bicycle and pedestrian transportation in Alameda County, focusing on projects and programs with countywide significance or demonstration programs/projects that could be applied

countywide. The program is funded by a portion of the 5% Measure B set-aside for bicycle and pedestrian projects.

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

3. Roles & Responsibilities

The roles of the BPAC are to:

- 1) Advise ACTIA staff and the ACTIA Board on the implementation of the Discretionary Fund, including the:
 - a) Development of the weighting for the criteria used in ranking the applications.
 - b) Recommendation of the Grant Awardees in each funding cycle, which will include considering all of the equity criteria (modal, geographic, and project type).
 - c) Evaluation of the Program Guidelines after each funding cycle.
 - d) Review of progress of funded projects and determination of whether projects are in compliance with Program Guidelines.

- 2) Serve as a review committee for other Alameda County public agencies, upon request, on bicycle and pedestrian issues. The BPAC’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 ACTIA Board. The BPAC will consider requests for their input on a case-by-case basis. If a quick decision is needed on whether to provide input or not, ACTIA staff will consult with the BPAC Chair to make this decision. This role may include, but is not limited to:
 - a) Providing input to Alameda County Transportation Authority (ACTA) and ACTIA Project Sponsors.
 - b) Providing input to the Alameda County Congestion Management Agency on the update of the Alameda Countywide Bicycle Plan.
 - c) Serving as the Alameda County Bicycle Advisory Committee (BAC) for TDA (Transportation Development Act) Article 3 Funding.
 - d) Serving as the Alameda County Bicycle and Pedestrian Advisory Committee (BPAC) for Regional Bicycle and Pedestrian Funding, and the review of Routine Accommodation checklists completed for projects applying for funding from the Metropolitan Transportation Commission.

As individual members, the BPAC is encouraged to 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 ACTIA outreach presentations, or disseminating information at a local library, community center or other public location.

Additionally, the BPAC will receive regular updates on Measure B funded projects and programs that have bicycle and pedestrian components. These updates will be purely informational.

Lastly, the BPAC is encouraged, but not required, to participate in the Pedestrian and Bicycle Working Group meetings. This group, which has an open membership, consists of agency and non-profit staff working to improve the bicycling and walking environment in Alameda County. This group meets approximately four (4) times per year.

4. Meetings

The BPAC will meet up to eight (8) times per year at times that coincide with the various funding cycles and requests for input from public agencies.

The rules contained in the latest edition of “Roberts Rules of Order Newly Revised” shall govern the proceedings of the BPAC to the extent that they are not inconsistent with these Bylaws.

4. a) Brown Act

All meetings of the BPAC will comply with the requirement of the Brown Act. Notice of meetings and agendas will be given to all BPAC members and any member of the public requesting such notice in writing and shall be posted at the ACTIA office at least 72 hours prior to each meeting. All meetings of the BPAC shall be open to the public, except for closed sessions permitted by the Brown Act. Members of the public may address 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 BPAC.

5. Members

The BPAC will consist of eleven (11) voting members, each appointed by an ACTIA Board member. All members must live in Alameda County and be interested in improving the safety and convenience of bicycling and/or walking in Alameda County. Although members may be appointed based on their organizational affiliations, they are appointed as individuals. Members should attempt to represent their constituencies (and not just their individual organizations).

Public agency employees who are responsible for bicycle and pedestrian projects and/or programs, and who work for an agency that is eligible and likely to submit an application for the Discretionary Fund, may not serve on the BPAC. Any public agency or non-profit employee appointed to the BPAC shall recuse themselves from evaluating and voting to fund a project/program application from their agency or non-profit organization.

5. a) Appointment Process

Each ACTIA Board member will appoint one member of the BPAC. While each Board member will appoint the person of their choosing, the Board will work together toward their goal of creating a BPAC which is diverse and balanced in the following ways:

- A balance between pedestrian and bicycle representatives.
- Representation by people who have interest, experience and/or expertise in:
 - Bicycle advocacy/safety
 - Pedestrian advocacy/safety

- Public health aspects of biking and/or walking
- Improving connections between transit and biking/walking
- Walking/biking needs of seniors and/or disabled
- Walking/biking needs of school-aged children
- Multi-use paths (primarily paved pathways such as Bay Trail and Iron Horse Trail)

Staff will work with the ACTIA Board to create a balanced and diverse BPAC. 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. In addition, the BPAC should represent Alameda County's diversity in age, income level, gender, ethnicity, and bicycling experience, to the greatest extent feasible.

The BPAC appointments will be brought to the Board for confirmation.

5. b) Term

Each member will be appointed for a two (2) year term, regardless of the remaining length of the term of the appointing ACTIA Board member. A member may be appointed to successive terms.

5. c) Attendance Requirement

Members must attend a minimum of half of the BPAC meetings per fiscal year or the position will be vacated and a replacement will be found. If there are an odd number of meetings in a year, then the minimum attendance will be half of the total, rounded up to the whole number.

Attendance at the Pedestrian and Bicycle Working Group meetings is voluntary and will not be included in the accounting of BPAC attendance requirements.

5. d) Vacancies

Vacancies that occur between the appointment periods (every two years) will be filled by the ACTIA Board member who made the original appointment, or, if the original appointing Board member has been replaced on the Board, then by the new Board member.

6. Officers

The BPAC shall annually elect a Chair and Vice-Chair. An individual receiving a majority of votes by a quorum of the BPAC shall be deemed to have been elected and will assume office at the meeting following the election. Officers shall be eligible for re-election for two subsequent one year terms.

The Chair shall preside at all meetings of BPAC and may represent the BPAC before the ACTIA Board to report on BPAC activities. The Vice Chair shall assume all duties of the Chair in the absence of, or upon the request of the Chair.

7. Quorum

For purposes of decision making, a quorum shall consist of at least half (50%) plus one (1) 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% plus one member present. Items may be discussed and information may be distributed on any item even if a quorum is not present.

8. Staffing

ACTIA will provide all staffing to the BPAC including: preparation and distribution of the BPAC's agendas and minutes, preparation of reports to the ACTIA Committees and Board, tracking of attendance and stipend administration.

9. Public Statements

No BPAC member may speak for BPAC without authorization by affirmative vote from BPAC.

10. Conflict of Interest

A conflict of interest exists when any BPAC member has, or represents, a financial interest in the matter before the BPAC. Such direct interest must be significant or personal.

In the event of a conflict of interest pursuant to ACTIA's Conflict of Interest Code and state statutes, the BPAC 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 BPAC.

11. Stipend

BPAC members shall receive a \$25.00 per diem per meeting to cover the costs of attending the meeting. Payment of the per diem shall be made after the attendance sheets and per diem forms are turned in to ACTIA for accounting processing. BPAC members are allowed per diems for up to two meetings a month.

12. Conflict with Governing Documents

In the event of any conflict between these Bylaws and the July 2000 Alameda County Transportation Expenditure Plan, State Law or any action lawfully taken by the ACTIA Board, the Expenditure Plan, State Law or the lawful action of the ACTIA Board shall prevail.