



Legislation Text

File #: 19-278, **Version:** 1

Ordinance amending Title 2 of the South San Francisco Municipal Code to establish the Bicycle and Pedestrian Advisory Committee.

WHEREAS, the City desires to adopt by ordinance a Bicycle and Pedestrian Advisory Committee (“BPAC”) to advise and make recommendations to the City Council on policy, improvements, operation, and maintenance of the City’s bicycle and pedestrian facilities; and

WHEREAS, a majority of boards and commissions within the City serve a term of four years with a three year term limit and a term is defined as two years plus one day; and

WHEREAS, the members of BPAC shall be subject to the same limitation of terms, and definition of a complete term for efficient administration of appointments and consistency among the various boards and commissions; and

WHEREAS, BPAC shall serve as an advisory committee and make recommendations to the City Council on policy, programming, improvements, operation, maintenance, accessibility, and usage of bicycle and pedestrian facilities throughout the City; and

WHEREAS, based on all of the information presented at the April 10, 2019 City Council meeting, both written and oral, including without limitation the public comment, staff reports, minutes, and other relevant materials (hereafter the “Record”), the City Council finds that under CEQA Guidelines Sections 15378 and 15061(b)(3), this Ordinance amendment does not constitute a project under CEQA as it is an organizational structure change that will not result in any direct or indirect physical change in the environment and therefore review under CEQA is not required pursuant to CEQA Guidelines Section 15060.

NOW, THEREFORE, BE IT ORDAINED that based on the entirety of the record before it, as described below, the City Council of the City of South San Francisco does hereby ORDAIN as follows:

SECTION 1. **Amendments**

The City Council hereby makes the findings contained in this Ordinance and adds Chapter 2.82 to the Municipal Code to read as follows. Sections and subsections that are not included in this Ordinance are unaffected by this Ordinance and shall remain in full force and effect.

Chapter 2.82 **Bicycle and Pedestrian Advisory Committee**

Section 2.82.010	Established-Member appointments
Section 2.82.020	Terms
Section 2.82.030	Limitation of terms; Vacancies
Section 2.82.040	Chairperson, chairperson pro tem, and secretary
Section 2.82.050	Meetings
Section 2.82.060	Compensation

Section 2.82.070	Attendance
Section 2.82.080	Committee role and responsibilities
Section 2.82.090	Clerk's duties

Section 2.82.010 Established-Member appointments

The bicycle and pedestrian advisory committee is established. The city council shall appoint the committee members. The committee shall consist of seven (7) members who, at the time of their appointment and continuously through their incumbency, must either reside within the City of South San Francisco or work at least twenty (20) hours per week in South San Francisco. At least four members appointed to the committee shall live in South San Francisco. Members shall have a demonstrated interest in bicycle and pedestrian facilities and planning. In selecting committee members, the city council shall strive to maintain geographic representation of South San Francisco's neighborhoods.

Section 2.82.020 Terms

Except as provided in Section 2.82.030 below, the term of each member of the committee shall be four years and until a successor is appointed and qualified. Terms shall be staggered and shall expire in even-numbered years.

Section 2.82.030 Limitation of terms; Vacancies

Committee members shall be limited to three consecutive terms. For purposes of calculating consecutive terms, service of at least two years plus one day during a term shall be counted as a complete term; all prior continuous service of existing committee member shall be counted. Upon serving the maximum number of consecutive terms, a committee member shall not be eligible for re-appointment to the bicycle and pedestrian advisory committee for a period of two years. If a vacancy occurs on the committee, the city council shall appoint an individual to serve the remaining unexpired term of the former incumbent.

Section 2.82.040 Chairperson, chairperson pro tem, and secretary

- (a) At the first meeting of each calendar year, the committee shall elect a chairperson and a chairperson pro tem. The term of said offices shall be one year. The chairperson pro tem shall serve in the absence of the chairperson.
- (b) The person serving as the planning director or their designee shall serve as the secretary of the committee.

Section 2.82.050 Meetings

- (a) The committee shall meet at such time and place as it may fix by resolution. A majority of the committee members shall constitute a quorum for the transaction of business. All meetings shall be open to the public. Legal notice of an emergency meeting shall be given at least twenty-four hours prior to the time of the meeting. If a meeting is set for the regular meeting place of the committee, or duly noticed for an alternate meeting place, and because of necessity or emergency, the committee is required to meet in another place within the corporate limits of the City, then the secretary shall appear at the regular or alternate meeting place, whichever is the case, at the time set for the meeting, and publicly announce the new meeting place and post a notice of same on the door of the regular meeting place. Notices of all meetings, except regular meetings, shall be served on each committee member and to each person who has requested notice in writing of such meetings, at least twenty-four hours prior to the time specified for the proposed meeting. Notices shall comply with Government

Code Section 54950 et seq., also referred to as the Ralph M. Brown Act.

(b) If the day designated as a regular, adjourned regular, special or study meeting falls upon a legal holiday, the committee shall meet upon the next succeeding day which is not a holiday unless otherwise ordered by the committee.

Section 2.82.060 Compensation

Committee members shall receive for their services compensation in the amount of fifty dollars for each regular meeting actually attended.

Section 2.82.070 Attendance

Committee members may be removed by a majority vote of the City Council following three excused or two unexcused absences during the course of one fiscal year. An absence is considered excused when a committee member notifies the secretary of the intended absence at least twenty-four hours prior to the scheduled meeting time. All other absences are considered unexcused.

Section 2.82.080 Committee role and responsibilities

The bicycle and pedestrian advisory committee shall be an advisory body to the City Council on matters relating to bicycle and pedestrian facilities and transportation. The fundamental responsibility of the bicycle and pedestrian advisory committee shall be to advise and make recommendations to the City Council on policy, programming, improvements, operation, maintenance, accessibility, and usage of bicycle and pedestrian facilities throughout the City. The committee's role includes, but is not limited to, the following:

- (a) Help create multi-modal transportation options that enable safe, attractive, comfortable, and independent access for pedestrians, bicyclists, transit users, and motorists of all ages and abilities.
- (b) Propose, review, prioritize, and recommend bicycle and pedestrian transportation projects for Transportation Development Act, Article 3 grants funds, as well as other state, federal, and private grant programs.
- (c) Participate in the development and review of bicycle and pedestrian plans, policies, and regulations, including the Bicycle and Pedestrian Master Plan, Climate Action Plan, Americans with Disabilities Act (ADA) accessibility plans, or any other relevant plans, policies, and regulations relevant to this body.
- (d) Review the City's existing and future bicycle and pedestrian facilities and make recommendations on operational and capital improvements.
- (e) Review development project applications at the discretion of the City Council.
- (f) Promote bicycle and pedestrian safety and awareness through education and outreach.
- (g) Promote the usage of bicycle and pedestrian mobility as a whole.

Section 2.82.090 Clerk's duties

- (a) The city clerk shall establish and maintain a record of the names, addresses, telephone numbers, dates of appointment and dates of termination of each commissioner, and the names of the chairperson, chairperson pro tem, and the dates of their election and termination of service in those offices.
- (b) The clerk shall give the council written notice of the expiration of a commissioner's term sixty days prior thereto.

SECTION 3. Severability

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 4. Publication and Effective Date

Pursuant to the provisions of Government Code Section 36933, a summary of this Ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this Ordinance is scheduled to be adopted, the City Clerk shall (1) publish the Summary, and (2) post in the City Clerk's Office a certified copy of this Ordinance. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's Office a certified copy of the full text of this Ordinance along with the names of those City Council members voting for and against this Ordinance or otherwise voting.

This Ordinance shall become effective thirty (30) days from and after its adoption.

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