CITY OF MILLBRAE
ECONOMIC VITALITY ADVISORY COMMITTEE
BYLAWS

MISSION STATEMENT

"Enhancing the quality of life in our community, providing great services, encouraging community engagement, fostering economic growth, and embracing cultural diversity in a safe environment"

ORGANIZATION AND OFFICERS

A. Organization

The Economic Vitality Advisory Committee shall consist of nine (9) regular members appointed by the City Council and shall be organized and exercise such powers as prescribed by the Millbrae Municipal Code (Commissions) or by Resolution of the City Council (Committees).

B. Officers

1. Selection

a. A Chair and Vice-Chair shall be elected annually from among the membership in June to serve at the pleasure of the Committee. The Chair and Vice Chair shall assume office at the first Committee/Commission meeting of the new fiscal year.

b. The Vice-Chair shall succeed the Chair to complete the term if the Office of Chair is vacated before the term is completed. A new Vice-Chair shall be elected at the next regular meeting and shall complete the term of that office.

c. In the event that the Office of Vice-Chair is vacated before the term is completed, a new Vice-Chair shall be elected to complete the term of that office.

d. In the absence of the Chair and Vice-Chair, the senior member in length of service shall call the Committee/Commission to order, whereupon a chair pro tem shall be elected from the members present to preside.

e. Secretary to the Committee shall be a City staff member appointed by the City Manager.

2. Responsibilities

The responsibilities and powers of the officers of the Planning Commission shall be as follows:

a. Chair

(1) Preside at all meetings of the Committee/Commission.
(2) Call special meetings of the Committee/Commission in accordance with legal requirements and these Bylaws.
(3) Sign documents of the Committee/Commission.
(4) See that all actions of the Committee/Commission are properly taken.
(5) Assist staff in determining agenda items.

b. Vice-Chair

During the absence, disability or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and responsibilities of the Chair.

c. Secretary

The Secretary shall keep Committee/Commission records, prepare agendas, prepare minutes and otherwise provide staff assistance to the Committee/Commission in the performance of its duties.

C. Duties and Powers

1. The Committee/Commission shall have the power to recommend to the City Council and/or shall advise the City Council on those matters falling within its charged responsibilities by Ordinance or Resolution of the City Council.

2. If any Committee/Commissioner should be absent for three consecutive regular meetings without permission of the Committee/Commission expressed in its official minutes, he/she shall relinquish his/her seat on the Committee/Commission. In all other cases of excessive absenteeism, tardiness, or other unacceptable conduct, a simple majority of the Committee/ Commission shall be sufficient to recommend disciplinary action be taken by the City Council up to and including removal from the Committee/Commission.

MEETINGS

A. Rules of Order

Except as otherwise provided in these Bylaws, "Robert's Rules of Order, Newly Revised," shall be used as a guide to the conduct of the meetings of the Committee/Commission provided, however, that the failure of the Commission to conform to said Rules of Order shall not, in any instance, be deemed to invalidate the action taken.

B. Public Meetings

All meetings shall be in full compliance with the provision of state law and these Bylaws.

C. Regular Meetings

1. Regular meetings shall be held fourth Wednesday of each month, at 8 a.m. in the Millbrae Library Room B, 1 Library Avenue unless otherwise determined by the Committee/Commission.

2. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to another business day, or canceled by motion adopted by the Committee/Commission.

D. Adjourned Meetings

In the event it is the wish of the Committee/Commission to adjourn its meeting to a certain hour on another day, a specific date, time and place must be set by the Committee/ Commission prior to the regular motion to adjourn.

E. Special Meetings

Special meetings of the Committee/Commission may be held at any time upon the call of the Chair or by a majority of the voting members of the Committee/Commission or upon request of the City Council following at least 24 hours notice to each member of the Committee/Commission and to the press. The time and place of the special meeting shall be determined by the convening authority.

F. Study Sessions/Workshops/Site Visits

1. The Committee/Commission may be convened as a whole, or at its own discretion, as a committee of the whole, in the same manner as prescribed for

regular meetings, for the purpose of holding one or more Study Sessions. When convened as a whole, a quorum shall be required. When convened as a sub-committee of the whole, a quorum shall not be required. In either case, no official action shall be taken.

2. The Committee/Commission may convene in whole or in part, in either manner prescribed for regular or special meetings, for the purpose of holding a Workshop on any topic of its choosing. When so convened, a quorum shall not be required and no official action may be taken.

3. All such meetings shall be open to the public; however, unless the Committee/Commission invites evidence or comments to be given, participation by interested members of the public shall not take place.

G. Agenda

1. An agenda for each meeting of the Committee/Commission shall be prepared by the staff with the cooperation and input of the Chair.

2. The agenda shall contain a brief description of each item of business to be discussed and/or acted upon.

3. A copy of the agenda shall be delivered to the members of the Committee/Commission and be posted on the City Hall Bulletin Board and Council Chambers Bulletin Board, which locations are freely accessible to members of the public, for a period of at least 72 hours prior to the time set for holding any regular meeting and at least 24 hours prior to the time set for holding any special meeting of the Committee/Commission.

H. Application of the Rules of Order

1. General Meeting Conduct

a. All meetings shall be conducted in a courteous, professional, and efficient manner and all persons in attendance shall comport themselves in a manner befitting the proceedings.

b. Speaking without the Chair's permission or speaking out of turn in the course of any discussion is not acceptable and may be ruled out of order.

c. Obscene language or gestures, excessively loud tones, personal attacks, or any other threatening speech or actions are not acceptable and shall be ruled out of order.

d. Repetitive or unduly argumentative testimony or discussion is not acceptable and may be ruled out of order.

2. The Order of Business Shall Be as Follows:

a. The Chair shall call the Committee/Commission to order at the hour appointed for the meeting.

b. Members present, absent, or excused shall be recorded.

c. The agenda shall be approved as submitted or revised.

d. The minutes of any preceding meeting shall be considered for approval.

e. Any member of the audience may comment on any matter which is not listed on the agenda.

   If the matter requires Committee/Commission action, it shall be either:

   (1) Added to the Agenda for the meeting at which it was brought up by a member of the public only if the Committee/Commission determines by a two-thirds vote (or if less than two-thirds of the members are present, then by a unanimous vote of the members present) that the need to take emergency action arose after the Agenda was posted and the Committee/Commission believes it is necessary to take action immediately; or

   (2) The item automatically shall be referred to staff for investigation and placement on a future Agenda without any action.

f. The public shall be advised of the procedures to be followed in the meeting.

g. The Committee/Commission shall then hear and act upon those proposals scheduled for consideration or public hearing, together with such other matters of business that require Committee/Commission consideration.

h. Adjournment.

I. Procedure for Public Hearing and/or consideration of Agenda items.

1. The Chair shall announce the subject (when applicable, of the public hearing, as advertised).

2. If a request is made for continuance, a motion may be made and voted upon to continue the item or public hearing to a definite time and date.

3. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions of the Commission.

4. **Order of Testimony**. Following the staff presentation and any Committee/Commission questions, the order of testimony (when a Public Hearing) shall be as follows:

   a. Applicant's statement.

   b. Proponent statement(s).

   c. Opponent statement(s).

   d. If necessary, a rebuttal from the applicant.

   e. Public testimony portion of the Public Hearing closed.

   f. The Committee/Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain. A motion need not be on the table in order for the Committee/Commission to discuss the matter.

5. **Rules of Testimony.**

   a. Persons presenting testimony to the Committee/Commission are requested to give their name for the record.

   b. If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesperson should be selected to speak for the entire group. The spokesperson will have the opportunity of speaking for a reasonable length of time and of presenting a complete case.

   c. To avoid unnecessary cumulative evidence, the Chair may limit the number of witnesses or the time of testimony on a particular issue.

   d. Irrelevant and off-the-subject comments will be ruled out of order.

   e. The Chair shall not permit any complaints regarding the staff, individual Committee or Commission members or any other specific person. Complaints should be submitted in writing for possible inclusion on a future agenda.

   f. No person shall address the Committee/Commission without first securing the permission of the Chair to do so.

   g. All comments shall be addressed to the Committee/Commission. All questions shall be placed through the Chair.

J. Motions

1. A motion to adjourn shall always be in order except during the roll call.

2. The Chair or other presiding officer, may make and second motions and debate from the Chair subject only to such limitations of debate as are imposed on all members of the Committee/Commission.

3. The Chair may entertain (or make) a motion at any point during Committee/Commission discussion of the matter. Discussion should enable each Committee or Commission member to state his/her position including specific reasons for the position taken such as what factors were taken into account, which factors were given more weight than others, and why.

4. A motion should precisely state the action it proposes and detail the justification for the action, including all formal findings as may be required for the action.

K. Voting

1. Voting Requirements

a. A quorum shall consist of five (5) members (a majority) members.
b. In order to cast a vote on a particular agenda item, a member must be present during the vote on that item.

c. Certain votes of the Committee/Commission require a majority vote of the entire Commission to carry. When a member of the Committee/Commission abstains from voting on such matters for any reason, the abstention shall be counted with the majority, when one exists.

2. Voting Order

When votes are cast by voice, the Chair shall vote last.

3. Recording of Votes

The minutes of the Committee/Commission's proceeding shall show the vote of each member, including if they were absent or failed to vote, on any matter considered.

4. Disqualification from Voting

In case of a potential, or appearance of a conflict of interest, that member should announce the fact prior to the consideration of such matter by the Committee/Commission. Disqualification from voting shall be announced and the member shall then leave the meeting room and refrain from any official Committee/Commission discussion or action on the matter.

L. Ethics

1. All members are duty-bound to:

    a. Uphold the sworn oath taken when appointed to serve.

    b. Fully comply with all applicable federal, state, and local statutes regarding disclosure of assets, open meeting practices, and other ethics based requirements.

    c. Act in good faith and conscience using professional expertise, personal experience, and common sense based upon the best available information, observation, and testimony and within established legal limits and authority.

2. In recognition of the ever-increasing cultural diversity among the members of the Millbrae community and the changes reflected in the composition of our neighborhoods, the Committee/Commission acknowledges the uniqueness of each individual and supports human dignity by:

    a. Ensuring equal opportunity to all members of the community.

    b. Regarding a diverse community as a resource that enriches everyone through the sharing of different perspectives, experiences, and ideas.

    c. Prohibiting all forms of oppression and exclusion of diverse individuals and/or groups, and encouraging everyone to communicate and behave in a manner that is sensitive to the differences, interests, and viewpoints of others.

    d. Removing barriers to effective teamwork through collaboration, problem-solving, and the constructive resolution of conflicts irrespective of physical, mental, social, cultural, or economic differences.

3. All members shall refrain from using any personal electronic devices during any public meeting of the Committee/Commission, except those devices provided by the City for the express purpose of being used during such public meetings.

M. Review and Amendments Procedure

1. All amendments shall occur by way of Committee/Commission approval of a Resolution adopting the amended Bylaws in their entirety and acceptance by Motion of the City Council.

RESOLUTION NO. 17-

A RESOLUTION ESTABLISHING BYLAWS FOR THE ECONOMIC VITALITY ADVISORY COMMITTEE OF THE CITY OF MILLBRAE, CALIFORNIA

BE IT RESOLVED by the Millbrae City Council that the attached Bylaws be adopted to govern the procedures of the Economic Vitality Advisory Committee.

BE IT FURTHER RESOLVED by the Millbrae City Council that any Resolution adopting Economic Vitality Advisory Committee, bylaws prior to September 27, 2016 are hereby rescinded.

REGULARLY passed and adopted this September 27, 2017, by the following vote:

AYES:	Committee members	Harry Augbright, Vernon Bruce, Matt Fizgibbons, Dan Rogers, Desmond Yuen, John Cesario, Amy Kelly Lauer
NOES:	Committee members	______________
ABSTAIN:	Committee members	______________
ABSENT:	Committee members	Robert Ducote

BY: ______________
Chair

ATTEST: Sonya Ward