

# **IRON HORSE CORRIDOR MANAGEMENT PROGRAM ADVISORY COMMITTEE**

## **BYLAWS**

Adopted September 11, 2001

Revised May 27, 2003

Revised April 27, 2012

Revised January 25, 2013

### **1. PURPOSE**

The Iron Horse Corridor Management Program Advisory Committee was authorized by the Board of Supervisors on July 22, 1997, to assist Contra Costa County in developing a management program for the former Southern Pacific Railroad right-of-way known as the Iron Horse Corridor. The Corridor extends approximately 18 miles from near Mayette Avenue in Concord to the Alameda County line.

The Board of Supervisors directed that the Advisory Committee participate in the development of the management program, and that the management program would include the following six elements: 1) mapping of existing and committed uses within the right-of-way, 2) inventory of all existing license agreements, easements, contracts and conditions for uses within the right-of-way, 3) establishment of criteria and standards to ensure the continued operation of the right-of-way as a joint use facility, 4) landscaping program consistent with existing and committed uses, 5) public information program and 6) funding mechanisms to cover program costs, including installation and maintenance of landscaping.

On October 17, 2000, the Board of Supervisors expanded the Advisory Committee's role to continue to work on implementing and monitoring the Landscape Element of the Management Program and to assist in completion of the Joint Use Criteria and Standards, Public Information and Finance Elements of the Management Program.

### **2. COMMITTEE MEMBERSHIP**

#### **2.a Structure of committee**

The Advisory Committee includes seats for one representative from each jurisdiction or unincorporated community along the corridor (Alamo, City of Concord, City of San Ramon, Town of Danville, City of Walnut Creek, and City of Pleasant Hill); a District II seat; a District IV seat; and a seat for the East Bay Regional Park District.

#### **2.b Manner of appointment**

The District II and District IV members of the Contra Costa County Board of Supervisors recommend appointments which require approval of the full Board of Supervisors except for the seat held by the East Bay Regional Park District, which appoints its own representative.

### 2.c Duration of terms

Initial appointments to the Advisory Committee were made without any duration of terms.

Under these bylaws, all seats will be two-year seats, with staggered terms such that half of the seats will expire one year, the other half will expire the next year, and so on.

Effective February 1, 2002, five of the nine seats will begin their new two-year terms starting on that date. Appointments will be made by the Supervisors in January 2002 for these new two-year terms, or at the discretion of the Supervisors.

### 2.d Alternate members

Advisory Committee members may request the appropriate Supervisor appoint an alternate for them, for the purpose of attending meetings when the regular member cannot. Such appointment of alternates is optional.

Each regular member may recommend a specific person to be their alternate, and make this recommendation to the appropriate Supervisor for appointment.

### 2.e Relinquishing a seat

If a regular or alternate member of the Advisory Committee chooses to relinquish their seat, they shall communicate this in a letter to the Supervisor who appointed them. Steps then will be taken by the Supervisor's office to appoint a replacement.

## **3. COMMITTEE OFFICERS**

The Advisory Committee shall have a Chair and Vice Chair. Staff may serve as Secretary.

The Chair and Vice Chair shall be elected by the Advisory Committee.

At the first meeting of calendar year 2002, both officers will be elected for a one-year term. The terms of office shall extend from the first meeting of one year to the first meeting of the next year.

### 3.a Chair's responsibilities

The chair shall run meetings and work with County staff in developing the agenda for each meeting. The chair also may represent the Advisory Committee either in person or in writing, relative to other planning efforts that may relate to the work of the Advisory Committee in assisting with management of the Iron Horse Corridor.

### 3.b Vice Chair

The vice chair shall perform the duties of chair when the chair is unavailable to perform those duties.

### 3.c Secretary

The secretary will take notes for the “record of meeting”, an abbreviated form of minutes which records the action taken on each agenda item. The “record of meeting” is included in the agenda packet for the following meeting, when the Advisory Committee is asked to approve it or recommend revisions to it (per the Contra Costa County Better Government Ordinance).

Upon completion of the “record of meeting” after each meeting, the secretary shall transmit a copy to the chair and a copy to the staff person for review and editing as needed.

### 3.d Temporary appointments

In the absence of both the chair and vice chair, the Advisory Committee shall elect a member to serve as temporary chair for that meeting.

## 4. QUORUM

At least five (5) members must be present to have a meeting and conduct Advisory Committee business. Alternates who are attending in place of a regular member are counted as members for purposes of constituting a quorum.

## 5. VOTING

### 5.a Basic voting

Each committee member gets one vote.

### 5.b Voting by alternate members

If an alternate member is attending in place of a regular member, the alternate has a vote.

If a regular member is present and their alternate chooses to attend the meeting as well, the alternate cannot vote. In such cases the alternate attends as a member of the public.

### 5.c Majority vote

As long as a quorum is present, an item can be passed by the affirmative votes of a majority of those present at the meeting.

### 5.d Preparing an item for a vote

Before an item can be voted on, there must be a motion and a second. The motion should state the desired action clearly and concisely. Any member may make a motion or second a motion.

Following the motion and second, the chair may allow questions or further discussion if the chair believes this will help the Advisory Committee in making its decision about the item.

The chair shall then call for a vote. All votes will be taken by voice vote.

## **6. CONDUCT OF MEETINGS**

### **6.a Open meetings**

All meetings shall be open to the public and duly noticed in advance, in accordance with the Brown Act and the Contra Costa County Better Government Ordinance.

All meetings shall be held in facilities that meet the accessibility requirements of the Americans with Disabilities Act.

All agendas shall include Agenda Item 2, "Public Comment," during which members of the public may raise issues that are not on the agenda. The chair shall inform any public member wishing to speak that they must limit their comments to two minutes or less. Staff shall keep time.

If issues are raised during Agenda Item 2, "Public Comment," the Advisory Committee cannot take any action on the issue. The Advisory Committee may choose to place the issue on a future agenda. This action may be taken by consensus without a formal vote. The Advisory Committee may choose not to place the item on a future agenda, if the Committee believes it is not necessary to agendize the item.

### **6.b Conduct of discussion at meetings**

Discussion of each agenda item will be conducted among the Advisory Committee members first, then by members of the public. The chair has the discretion to invite public comment earlier if the chair believes it will help inform the committee discussions.

The chair has the responsibility to ensure that the discussion stays focused on the agenda item at hand. The chair shall intervene when discussion strays from the agenda item.

Staff has the responsibility to assist the chair in keeping the discussion focused. Staff also may intervene when the discussion strays from the agenda item.

All committee members are expected to keep their remarks focused on the agenda item at hand, as a courtesy to others and to ensure efficient conduct of meetings.

## **7. SCHEDULE OF MEETINGS**

The Advisory Committee will meet at least quarterly and more frequently at times, depending on need and availability of staff.

At the close of each meeting, the Advisory Committee and staff shall schedule the next meeting, or review the next meeting date if it already has been set.

## **8. PREPARATION AND DISTRIBUTION OF AGENDAS**

### **8.a Developing the agenda for the next meeting**

Agendas will be developed in consultation between the chair and staff. Prior to developing the full agenda packet, staff will submit a draft agenda to the chair for review. Changes may be made based on subsequent discussions between the chair and staff.

Staff is responsible for preparing and distributing the full agenda packets, which include the final agenda and relevant background or supporting material. Agenda packets also shall include copies of any correspondence received that is relevant and necessary for the committee to complete its adopted work program (see Item 9, Adoption of Work Program).

If some background or supporting material is unavailable in time for the distribution of the agenda packets, staff may bring this material to the meeting in the form of handouts.

### **8.b Requesting an item be placed on the agenda for a future meeting**

There are two ways in which committee members may request an item be placed on the agenda for a future meeting – the request may be made during a meeting, or it may be made between meetings, using the following procedures. All requests must use one of these two procedures, as described in 8.b.1 and 8.b.2.

#### **8.b.1 Making the request during a meeting**

If a committee member wishes to request that an item be placed on a future agenda, he or she may make this request during Agenda Item 2, “Public Comment”, after members of the public have had the opportunity to speak.

The chair also may entertain such requests at other appropriate times during the meeting.

When such requests are made, the Advisory Committee may place the item on a future agenda by consensus, without taking a formal vote.

The Advisory Committee has the discretion to choose not to agendize the item if they believe the item is not relevant to the committee’s adopted work program (see Item 9, Adoption of Work Program).

#### 8.b.2 Making the request between meetings

Between meetings, a committee member may request an item be placed on a future agenda by contacting both the chair and staff in writing, sending the same communication to both parties. Electronic mail is acceptable for such requests.

The chair and staff will discuss the request and jointly determine whether to place the item on the agenda for the next meeting, or another meeting further in the future, or not to agendize the item at all. The chair and staff will make this determination based on their views as to the relevance and timeliness of the issue as dictated by the adopted work program.

### **9. ADOPTION OF WORK PROGRAM**

The Advisory Committee shall adopt a work program that describes the tasks to be accomplished, the sequence of these tasks, and the timeframe for completing them.

The work program shall be reviewed and updated at least annually, and more frequently when staff or the Advisory Committee believes it is necessary to do so.

### **10. AMENDMENT OF BY-LAWS**

These by-laws may be amended at any meeting of the Advisory Committee by a simple majority vote (five votes), provided that the proposed amendment has been included in the agenda packet in advance of the meeting and an opportunity for discussion is provided at the meeting.

### **11. COMMITTEE MEMBERS' ATTENDANCE AT MEETINGS**

Members of the Committee are required to be diligent and prompt in attending meetings. Members shall serve without compensation.

When a member or his/her alternate cannot attend a regular or special meeting, the member shall notify the Committee Chair or staff either verbally, in writing or by e-mail at least 24 hours prior to the meeting time. Three absences from regularly scheduled meetings by a member during any twelve-month period shall require the Committee to consider whether to request the appropriate Supervisor declare the member's seat vacant and appoint a new member in his or her place.