

## **ORDINANCE NO. XXXX**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO AMENDING CHAPTER 2.XX OF THE CUPERTINO MUNICIPAL CODE TO ESTABLISH THE COMPLETE STREETS COMMISSION**

Whereas, Ordinance No. 1895, establishing the Cupertino Bicycle Pedestrian Commission, was enacted by City Council on June 3, 2002; and

Whereas, current transportation concerns are requiring increased emphasis on multi-modal transportation (“Complete Streets”) solutions and traffic enforcement in order to address issues of traffic congestion, environmental sustainability and cut-through traffic; and

Whereas, an expansion of the goals of the existing Bicycle Pedestrian Commission has been determined to be the most effective means of addressing these concerns; and

Whereas, renaming the Bicycle Pedestrian Commission to the Complete Streets Commission accurately captures the expanded roles and responsibilities of the Commission; and

Whereas, in order to provide for a greater diversity of viewpoints and experience among Commissioners, it is determined that the Commission should be increased to seven members.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Chapter 2.92 of the Municipal Code of Cupertino is hereby amended as follows:

#### **Chapter 2.92 COMPLETE STREETS COMMISSION**

##### **2.92.010 Established-Composition.**

The Complete Streets Commission of the City is established. The Complete Streets Commission shall consist of seven members, none of whom shall be officials or employees of the City, nor cohabit with as defined by law, nor be related by blood or marriage to any member of the Commission, the City Manager or any staff person(s) who may be assigned by the City Manager to assist this Commission. All members shall be City of Cupertino residents. Members of the Complete Streets Commission shall be appointed by the City Council.

##### **2.92.020 Members--Terms.**

- A. Commissioners serve at the pleasure of the City Council. The term of office of the members of the Complete Streets Commission shall be for four years and shall end on January 15th of the year their term is due to expire. No commissioner shall serve more than two consecutive terms, except that a commissioner may serve more than two

consecutive terms if he or she has been appointed to the Commission to fill an unexpired term of less than two years.

B. The appointment, reappointment and rules governing incumbent members of the Commission are governed by Resolution No. 02-064 of the Cupertino City Council.

**2.92.030 Members--Vacancy or removal.**

Any appointee member may be removed by a majority vote of the City Council. If a vacancy occurs other than by expiration of a term, it shall be filled by the City Council's appointment for the unexpired portion of the term.

**2.92.040 Chairperson.**

The Commission shall elect its chairperson and vice-chairperson from among its members and shall appoint a secretary. Terms of the chair and vice-chair shall be for one year and shall be complete on January 15th.

**2.92.050 Meetings--Quorum.**

- A. The Complete Streets Commission shall establish a regular place of meeting and rules of conduct thereof and shall hold at least one regular meeting each month, unless a regular meeting is cancelled by direction of the Commission Chairperson.
- B. A majority of the Complete Streets Commission shall constitute a quorum for the purpose of transacting the business of the Commission.

**2.92.060 Majority vote required.**

A majority vote is required to approve a recommendation on any matter that is presented to the Commission that requires a vote.

**2.92.070 Records required.**

The Commission shall keep an accurate record of its proceedings and transactions and shall render such reports to the City Council as may be required.

**2.92.080 Powers and functions.**

- A. The powers and functions of the Complete Streets Commission shall be to review, monitor and suggest recommendations for City transportation matters including, but not limited to, multi-modal transportation solutions and policies, traffic congestion, traffic calming, and transportation-related capital improvements within Cupertino.
- B. To fulfill their mission, the Commission may involve itself in the following activities:
  - 1. To help create multi-modal transportation solutions and policies that enable safe, attractive, comfortable, and independent access and travel for pedestrians, bicyclists, transit users, and motorists of all ages and abilities, and meet the regional requirements for functions and role of a Bicycle and Pedestrian Advisory Committee;
  - 2. To advise the City Council on projects and priorities for transportation-related capital improvements;
  - 3. To advise the City Council on City policies related to traffic congestion and traffic calming;

4. To provide for community engagement and serve as a conduit for community input;
5. Any other activity that may be deemed appropriate and necessary.

**2.92.090 Compensation--Expenses.**

Members of the Complete Streets Commission shall serve without compensation, but all necessary expenses reasonably incurred by them while acting in their official capacity shall be paid by appropriate action of the City Council.

**2.92.100 Procedural Rules.**

The Commission may adopt from time to time such rules of procedure as it may deem necessary to properly exercise its powers and duties. Such rules shall be kept on file with the Chairperson of the Commission, the Mayor, and the City Clerk, and a copy thereof shall be furnished to any person on request.

**2.92.110 Effect.**

Nothing in this chapter shall be construed as restricting or curtailing any powers of the City Council or City officers.

This ordinance shall take effect thirty (30) days after its passage.

INTRODUCED at a regular meeting of the City Council of the City of Cupertino this 2<sup>nd</sup> day of June, 2020, and ENACTED at a regular meeting of the City Council of the City of Cupertino this X day of XXXX, 2020, by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

<div>SIGNED:</div> <div>_____</div> <div>_____</div> <div>Steven Scharf, Mayor</div> <div>City of Cupertino</div>	<div>_____</div> <div>Date</div>
<div>ATTEST:</div> <div>_____</div> <div>Kirsten Squarcia, City Clerk</div>	<div>_____</div> <div>Date</div>

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APPROVED AS TO FORM:  _____ Heather Minner, City Attorney	_____ Date
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