

**ORDINANCE 06-05**  
**AMENDMENTS TO THE ADMINISTRATIVE CODE REGARDING THE**  
**STRUCTURE, COMPOSITION AND APPOINTMENT OF MEMBERS OF THE**  
**AUTHORITY'S CITIZENS ADVISORY COMMITTEE**

**AN ORDINANCE** amending the Administrative Code regarding the structure, composition and appointment or members of the Authority's Citizens Advisory Committee.

**WHEREAS**, the Measure C Ordinance as amended establishes the Citizens Advisory Committee (CAC) to serve as the Authority's citizens advisory committee; and

**WHEREAS**, the Authority has determined that it is necessary and advisable to restructure the CAC to increase community perspective, participation and involvement in Authority policy determination and implementation; and

**WHEREAS**, at the July 17, 1996 Regular Meeting of the Authority Board, the Board approved and adopted a revised structure, membership and appointment procedure for the CAC (formerly TPAC – the Transportation Partnership Advisory Committee), subject to review and approval of necessary amendments to the Authority's Administrative Code; and

**WHEREAS**, at the September 18, 1996 Regular Meeting of the Authority Board, Ordinance 96-04, incorporating the recommended structure, membership and appointment procedures for the CAC (formerly TPAC) was duly approved and adopted by the Board, amending Chapter 1, Article IV of the Administrative Code, Section 104.3(b)(1) and (2), excluding section 104.3 (b) (3) & (4), which was referred back to staff for further development; and

**WHEREAS**, at its October 19, 1996 Regular Meeting of the Authority Board, Ordinance 96-04 (Revision 1) was duly approved and adopted by the Board, including section 104.3 (b)(3) & (4) of Chapter 1, Article IV of the Administrative Code; and

**WHEREAS**, at the June 21, 2006 Regular Meeting of the Authority Board, Ordinance 06-01 was duly approved and adopted by the Board, Amending and Restating Sales Tax Ordinance 88-01, as Amended, to Make Non-Substantive Changes and Conform to Existing Conditions, among which changes included changing the name of the Authority's citizen advisory committee from the TPAC to the CAC; and

**WHEREAS**, at its meeting on September 27, 2006, the CAC has reviewed and unanimously approved proposed bylaws to govern the CAC's operations; and

**WHEREAS**, it is necessary and advisable to further amend the Administrative Code to reflect revisions to the Authority citizen advisory committee's name structure, composition, and

incorporation of proposed bylaws as recommended to the Board at its October 18, 2006 meeting.

**NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:**

1. Section 104.3, subdivision (b) of Article IV of Chapter 1 of the Administrative Code is amended to read in full as follows:

(b) **Citizens Advisory Committee.** The CAC is a citizens' advisory committee to the Authority. The purpose of the citizens' advisory committee is to provide citizen perspective, participation and involvement in Authority policy development and implementation.


- (1) Membership. Each of the Cities and the County shall appoint one member to the CAC. In addition, three (3) members shall be appointed by the Authority as "at large" members. Members shall be selected to reflect community and business organizations and interests within the County. Members shall not serve in a representative capacity with respect to their appointing authorities.
- (2) Terms of membership. Members shall be appointed for four (4) year terms. There shall be no limit on the number of consecutive terms which a member may serve. At the discretion of the respective appointing body, CAC members are subject to re-call at anytime.
- (3) Subcommittees, select committees and ad hoc committees. The CAC may create such subcommittees, select committees and ad hoc committees, and shall fix the membership and duties thereof, as it determines necessary or advisable to carry out its functions. Except as otherwise provided herein, such subcommittees, select committees and ad hoc committees shall be advisory only, and their recommendations and reports shall be made to the CAC.
- (4) Growth Management Compliance Checklist Review Subcommittee. A Growth Management Compliance Checklist Review subcommittee may be created, and its members appointed from the CAC membership by the full membership of the CAC. The subcommittee, if constituted, shall be charged with responsibility for reviewing and making recommendations to the Authority and any appropriate standing committee of the Authority with respect to Growth Management checklists which have been submitted to the Authority by the Cities and the County in accordance with requirements of Ordinance 88-01 (as amended). In the interest of meeting timetables established by the Authority for review of Growth Management Checklists by the subcommittee, the report and recommendations of the Growth Management Compliance Checklist Review subcommittee may be submitted directly by the subcommittee to the Authority and/or any appropriate Authority standing committee. In such event, the report and recommendation

need not be reviewed or approved by the full membership of the CAC. In the event the full membership of the CAC reviews reports and recommendations made by the subcommittee, such review shall comply with the Authority timetable for review of the Checklists.

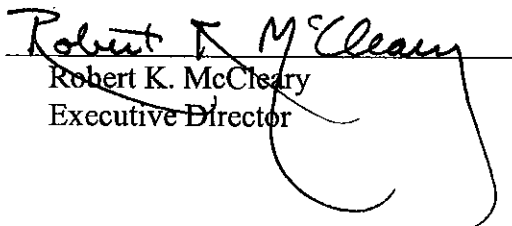
- (5) **CAC Bylaws.** The CAC may develop and adopt bylaws setting forth procedures for meetings, election of officers, attendance requirements, and other matters as necessary to facilitate CAC functions. Initial adoption of the bylaws, and subsequent approval of any amendments to the bylaws, requires a two-thirds (2/3) vote of the CAC members present and voting at any regular meeting of the CAC, and subsequent approval by the full Authority Board.
2. Ordinance 96-04 is hereby rescinded;
3. Ordinance 96-04 (Rev. 1) is hereby rescinded.

Passed and adopted by the Contra Costa Transportation Authority on October 18, 2006, 2006 by the following vote:

Abelson, Abrams, Alegria, Freitas, Gioia, Glover, Hudson,  
AYES: Tatzin for Metcalf, Nix, Pierce, Viramontes  
NOES: None  
ABSENT: Metcalf

  
Donald P. Freitas, Chair

This ORDINANCE was entered into at a meeting of the Contra Costa Transportation Authority held on October 18, 2006 and held in Pleasant Hill, California, and became effective forthwith.

Attest:   
Robert K. McCleary  
Executive Director

**CONTRA COSTA TRANSPORTATION AUTHORITY  
CITIZENS ADVISORY COMMITTEE (CAC)  
BYLAWS**

**November 29, 2006**

**1.0 NAME AND AUTHORIZATION**

The name of this organization shall be the Citizens Advisory Committee (CAC). The CAC was authorized and established pursuant to Ordinance 88-01 as amended.

**2.0 PURPOSE**

- 2.1. The purpose of the CAC is to provide citizen perspective, participation and involvement in Authority policy development and implementation.
- 2.2. Subject to the direction and concurrence of the Board of Directors of the Contra Costa Transportation Authority (the Authority), the CAC may engage in related activities as appropriate to the discharge of its responsibilities, and bring matters of public concern to the attention of the Authority. The CAC shall identify and educate themselves on transportation issues of regional, countywide, and local concern. The CAC shall report to the Authority on those issues deemed of importance to the CAC. The Authority may also assign issues to the CAC for its review, comment and recommendation.
- 2.3. The CAC shall provide recommendations to the Authority regarding matters of interest and concern to the community.

**3.0 MEMBERSHIP**

- 3.1. Each of the cities, towns, and the County of Contra Costa shall appoint one member to the CAC. In addition, three (3) members shall be appointed by the Authority as "at large" members. Members shall be selected to reflect community and business organizations and interests within Contra Costa County. Members shall not serve in a representative capacity with respect to their appointing authorities or any specific organization.
- 3.2. At the discretion of the respective appointing body, CAC members are subject to recall at anytime.
- 3.3. Members shall be appointed for four (4) year terms. There shall be no limit on the number of consecutive terms which a member may serve. To assure continuity, membership terms should be staggered and should overlap.
- 3.4. The CAC shall encourage prompt filling of vacancies.
- 3.5. Except as noted in Section 8.0 below, CAC members serve without any compensation.

## **4.0 OFFICERS**

4.1. The Officers of the CAC shall be a Chair and a Vice-Chair. Their duties shall be as follows:

4.1.1. Chair: Presides over CAC meetings; develops the monthly meeting agenda; appoints subcommittees and subcommittee chairs; and reports the CAC's actions and decisions to the Authority as appropriate.

4.1.2. Vice-Chair: Presides over the CAC meetings in the absence of the Chair; conducts the other duties of the Chair in his/her absence.

4.2. Election of Officers shall be made as follows:

4.2.1. Chair: The Chair's term of office shall be for one calendar year. The Chair shall be elected each year at the last meeting of the calendar year by a majority of the CAC members present and voting, and shall serve until replaced by a newly-elected chair. If the term of appointment of the Chair expires before the year is out, and that member does not seek or accept reappointment, the Vice-Chair will serve as Chair until the following January.

4.2.2. Vice-Chair: This officer shall be elected by a majority of the CAC members present and voting at the last meeting of the calendar year. The term of office shall be for one year. If the term of appointment of the Vice-Chair expires before the year is out and that member does not seek or accept reappointment, the Committee will hold an election for a Vice-Chair to serve out the remainder of the term.

## **5.0 MEETINGS**

5.1. The regular meetings of the CAC are generally scheduled for the fourth Wednesday of each month at 6:30 p.m. in the Authority offices at 3478 Buskirk Avenue, Suite 100, Pleasant Hill, California 94523.

5.2. The CAC meetings and subcommittee meetings are subject to the Brown Act.

5.3. A quorum is defined as a majority of currently appointed members.

5.4. Any member who is absent for four (4) of any twelve (12) regularly scheduled consecutive meetings shall be subject to termination. Any resulting vacancy shall be filled for a new four-year period. There are no provisions for alternates to serve as substitutes for CAC members who are unable to attend a CAC meeting.

5.5. The rules contained within the current edition of Robert's Rules of Order (Newly Revised) shall govern the CAC in all cases to which they are applicable and in which they are not inconsistent with these bylaws, the Authority's Administrative Code, the Authority's Office Procedures Guide, and any special rules of order the CAC may adopt.

## **6.0 SUBCOMMITTEES**

- 6.1. The Chair may establish Subcommittees and Ad Hoc Committees as necessary.
- 6.2. Each subcommittee shall consist of at least three (3) CAC members appointed by the CAC Chair and reappointed annually.
- 6.3. A Growth Management Compliance Checklist Review Subcommittee may be created, and its members appointed from the CAC membership by the CAC Chairperson with the concurrence of the full CAC. The subcommittee, if constituted, shall be charged with responsibility for reviewing and making recommendations to the Authority and any appropriate standing committee of the Authority with respect to Growth Management Checklists which have been submitted to the Authority by the Cities and the County in accordance with requirements of Ordinance 88-01 as amended and the applicable sales tax expenditure plan.
  - 6.3.1. Normally, the subcommittee's recommendations will be forwarded to the full CAC for review and recommendation for approval. In the interest of meeting timetables, however, the report and recommendations of the Growth Management Compliance Checklist Review subcommittee may be submitted directly by the Checklist Review subcommittee to the Authority and/or any appropriate Authority standing committee. In such event, the report and recommendation need not be reviewed or approved by the full membership of CAC.
  - 6.3.2. When the full membership of the CAC reviews reports and recommendations made by the subcommittee, such review shall comply with the Authority timetable for review of the Checklists.
  - 6.3.3. Questions or requests for additional information from a local jurisdiction shall be communicated from the CAC to local staff through Authority staff.

## **7.0 AMENDMENT OF BYLAWS**

Amendment of these bylaws requires a two-thirds (2/3) vote of the CAC members present and voting at any regular meeting of the CAC, and subsequent approval by the full Authority Board.

## **8.0 REIMBURSEMENT OF TRAVEL EXPENSES**

If authorized by the Authority, CAC members will be reimbursed for travel expenses incurred for transportation to and from regular and subcommittee meetings of the CAC. Such reimbursement shall be consistent with the Authority's Administrative Code and Office Procedures Guide. If applicable, payment will be issued quarterly based upon members' signed verification of mileage on a monthly Meeting Attendance Log.

## **9.0 COMMUNICATIONS AND REPORTING**

- 9.1. The primary channel of communication for the CAC shall be through written and oral reports from the Chair of the CAC to the Authority or its standing committee.
- 9.2. Reports from the CAC to the Authority should reflect the consensus of the CAC. If consensus has not been achieved, the Chair shall convey to the Authority that the CAC position reflects a majority vote, and the Chair shall acknowledge and convey minority opinions.
- 9.3. CAC members are encouraged to report back to their appointing Councils or boards on at least an annual basis and more frequently if warranted.

## **10.0 CONFLICT OF INTEREST**

- 10.1. There shall be no monetary gain by members of the CAC as a result of their membership and actions on the CAC.
- 10.2. CAC members shall recuse themselves from discussion and voting on issues in which they might have a financial interest or benefit.