ORDINANCE NO. 2018-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GILROY
AMENDING THE ROLES AND RESPONSIBILITIES OF THE BICYCLE
PEDESTRIAN COMMISSION

WHEREAS, the City of Gilroy City Charter ("City Charter"), Article IX, entitled Boards and Commissions, Section 900 provides that the City Council may create by ordinance such advisory boards or commissions as in its judgment are required and may grant them such powers and duties as consistent with the provisions of the City Charter; and

WHEREAS, the City Council adopted Ordinance 2009-03 on March 16, 2009 establishing a Bicycle Pedestrian Commission ("Commission") consisting of five (5) members appointed by the City Council each to serve for a term of four (4) years; and,

WHEREAS, the City Council provided the Commission with particular powers and duties, and now wishes to amend those powers and duties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GILROY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I

There shall be a Bicycle Pedestrian Commission ("Commission") consisting of five (5) members appointed by the City Council. The members shall serve for a term of four (4) years and until their respective successors are appointed and qualified. No person shall serve more than two (2) consecutive full terms on the Commission.

Each January the Commission shall elect one of its members as Chair and one member as Vice-Chair. The Chair shall preside over the meeting, and in the absence of the Chair, the Vice Chair shall preside over the meeting.

The Commission shall hold regular meetings at least once a month and such special meetings as the Commission may require.

The Commission shall have the power and duty to:
(a) Act in an advisory capacity to the City Council and City Administrator in all matters pertaining to bicycle and pedestrian matters;

(b) Study problems, activities and concerns of bicyclists and pedestrians; hold forums on these problems, and recommend programs, policies and procedures to the City Administrator and City Council which the Commission finds necessary and/or desirable;

(c) Work with other City commissions and City Council in providing input on bicycle and pedestrian issues in the community;

(d) Annually determine Commission goals and objectives and report these to the City Council and City Administrator, and

(e) Perform such other duties related to bicycle and pedestrian matters as may be proscribed by the City Council not inconsistent with the provisions of the City Charter and/or this City Code, and

(f) Review the annual capital improvement plan for bicycle and pedestrian facilities and make recommendations to the City Administrator and City Council, and

(g) Formulate and recommend to the City Council and City Administrator policies for the acquisition, development and improvement of all bicycle and pedestrian facilities; and

(h) Advise the City Council and the City Administrator with respect to offers of donations of money, personal property or real estate to be used for bicycle and pedestrian purposes.

SECTION II

The Commission may proscribe its own rules and regulations which shall be consistent with the City Charter and this Ordinance, and copies of which shall be kept on file in the office of the City Clerk, and with the secretary of the Commission, where they shall be available for public inspection.
SECTION III

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Gilroy hereby declares that it would have passed and adopted this ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION IV

This Ordinance shall be in full force and effect thirty (30) days after the date of its passage and adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GILROY

this 1st day of October, 2018 by the following vote:

AYES: COUNCILMEMBERS: BLANKLEY, BRACCO, HARNEY, LEROE-MUÑOZ, TOVAR, TUCKER and VELASCO

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

APPROVED:

[Signature]
Roland Velasco, Mayor

ATTEST:

[Signature]
Shawna Freels, City Clerk

-3-

ORDINANCE NO. 2018-14
I, SHAWNA FREELS, City Clerk of the City of Gilroy, do hereby certify that the attached Ordinance No. 2018-14 is an original ordinance, or true and correct copy of a City ordinance, duly adopted by the Council of the City of Gilroy at a regular meeting of said Council held on the 1ST day of October, 2018, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this 2nd day of October, 2018.

Shawna Freels, MMC
City Clerk of the City of Gilroy

(Seal)