

**CITY OF SAN JOSE**  
**SMALL BUSINESS DEVELOPMENT COMMISSION**  
**BY-LAWS**

1. PURPOSE

The purpose of the City of San Jose's Small Business Development Commission (Commission) is detailed in Municipal Code section 2.08.4330 (Function, Powers and Duties).

2. GENERAL

The Commission will conduct business in accordance with these By-Laws, the City of San Jose Municipal Code, the Consolidated Board, & Commission Policies and other applicable laws.

3. MEMBERSHIP

Commission will consist of 13 members selected after review by the Project Diversity Screening Committee. Final selection of Commission members will be accomplished by the City Council.

4. MEETINGS

a. Regular Meetings

Regular Commission meetings shall be held on the second Wednesday of each month.

b. Special Meetings

Special meetings may be called by the Commission Chair or upon the request of three (3) Commission members. Meetings will be held in accordance with the Brown Act.

c. Quorum/Attendance

As required by Section 2.08.4340 (Quorum) of the City of San Jose Municipal Code, a quorum for meetings shall be a majority seven (7) of the total number of member seats (13) filled or vacant. Motions shall be passed by a majority vote of the members present.

The City Council's attendance policy at Boards, Commissions and Committees as paraphrased below and documented in Sections 2.08.050 (Seat deemed vacant when) and 2.08.060 (Absence from meetings – Reappointment), shall apply to this Committee:

When establishing its boards and commissions, City Council considered attendance at committee meetings extremely important where unexcused absences will result in an automatic resignation.

Reasons for excused absences:

- illness of the member
- illness or death of member's family
- authorized commission business

Reasons for automatic resignation:

- three (3) unexcused absences from any three (3) consecutive regular meetings
- unexcused absences from greater than 20% of regular meetings, (three/3) in any one calendar year

d. Conduct of Business/Open Meetings

Robert's Rules of Order shall be used to conduct all Commission and sub-committee business. All Commission meetings shall follow the provisions of the Brown Act and adopted Sunshine Reforms.

e. Placing Items on the Agenda

Items which require action from the full Commission should be placed on the Agenda by the Sub-Committee Chair through the full Commission Chair. If Commission materials will be required for the agenda item, the Commission member should have the items placed on the agenda no later

than ten (10) days prior to the next Commission meeting or bring prepared materials to the meeting.

## 5. OFFICERS

The officers of the Commission shall be the Chair and the Vice-Chair.

- a. Commissioner officers shall be nominated in October and elected at the November meeting and will take office in January. Positions of Chair and Vice-Chair will be open to all members. Members need to be present to accept nomination, nominate, and vote. The Chair and Vice-Chair will be elected by simple majority vote. There are no term limits for the offices of Chair and Vice-Chair.
- b. The Commission may elect such officers from time to time as business may require.
- c. Any Commission officer may be removed by a majority vote of total of Commission membership at any regular or special Commission meeting.
- d. The Chair shall preside at all the meetings of the Commission and exercise the powers usually exercised by such an official and shall perform such other duties as required by the law, these By-Laws, and as may be designated by the Commission.
- e. In the absence of the Chair, the Vice-Chair shall perform all the duties outlined in 5d above. Other Commission members may represent the Commission in the community at the discretion of the Chair as allowed by City Policies.
- f. In the absence of the Chair and the Vice-Chair, any Commission member may call the meeting to order and a Chair Pro Tempore may be elected to conduct the meeting.

## 6. COUNCIL LIAISON

Liaisons to the Commission shall be appointed by the Mayor and will serve as the City Council representative to the Committee.

## 7. COMMITTEE LIAISON(S)

Commission members can be appointed by the Chair to serve as liaisons. Liaisons to other City Commissions and /or Committees shall be appointed upon the request of that Commission or Committee or outside agency. Liaisons from other City Commissions and/or Committees as well as outside groups shall be encouraged. The Commission shall request others groups to appoint such liaisons if the Commission determines it is warranted.

8. PRINCIPLE ACTIVITIES

The Small Business Development Commission shall have the powers, functions, and duties as allowed by Section 2.08.4330.

9. SUB-COMMITTEES

Sub-Committees may be established pursuant to Section 2.08.100 of the City of San Jose Municipal Code to research, analyze, and recommend policies and/or actions to the full Commission that are of interest to the City of San Jose.

a. Sub-Committee Membership

Although Commission members are not required to serve on sub-committees, such participation is strongly encouraged. At least one Commission member shall be a member of any sub-committee.

b. Non-Committee Members on Sub-Committees

The San Jose Municipal Code, Section 2.08.030 provides that the Committee may establish sub-committees which may contain non-member(s) of the Committee. The number of such non-Commission member(s) shall not exceed three (3) per sub-committee. Non-Commission members shall be proposed to and elected by a majority of the full Commission. Non-Commission members shall have full voting rights with Commission members at Sub-Committee meetings only.

c. Sub-Committee Meetings

Sub-Committees shall meet monthly on an as needed basis in accordance with the Brown Act. Additional meetings for special purposes may be held when appropriate.

d. Resource Persons

The Sub-Committee may invite community members who are experts in various contract or business related issues to serve as committee resource persons. These resource persons could be called upon to inform the Sub-Committees, when appropriate, on key issues. These persons would not be Sub-Committee members.

e. Quorum

No quorum is required for Sub-Committees meetings.

f. Standing Sub-Committees

The Committee may create additional standing Sub-Committees when required.

g. Ad-Hoc Sub-Committees

Ad-Hoc Sub-Committees may be created when required by a majority vote of the Commission. Such a sub-committee would generally have a limited purpose and exist for a finite period of time. Ad-Hoc Sub-Committees may also extend membership to Non-Committee Sub-Committee members.

10. COMMISSION CO-SPONSORSHIP OF EVENTS

The following are guidelines the Commission enacted in order to determine whether or not to sponsor an event;

- a. The Commission will consider sponsorship from organizations and agencies. The name of the organization, its general purpose, authorized contacts, mailing address and telephone number, if any, shall be provided.
- b. Requests must be made in a timely manner.
- c. As Co-Sponsor, the Committee reserves the right to participate in the organizing of the event.

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- d. The name of any speaker/representative shall be listed with as much relevant biographical data as possible.
- e. Any supporting documents, such as proposed or final program brochure, proposed or final advertising flyer, etc., should be made available to the Commission. Inclusion of such material in the Commission's meeting agenda packet is recommended, but not required.

### 11. BY-LAWS AMENDMENT

Amendments to the By-Laws may be proposed by any Commission member.

- a. All proposals must be submitted in writing to the Chair to be agendaized at the next Commission meeting, and mailed with the Agenda packet for the next Commission meeting.
- b. Commission members shall review and/or discuss the proposed amendments as agendaized, then shall vote on them at the next Commission meeting.
- c. By-Law amendments shall become effective immediately upon the adoption by the Commission, unless otherwise provided in the amendment.