

RESOLUTION No. 23-

A RESOLUTION OF THE SAN JOSE VISION ZERO TASK FORCE ADOPTING AND ESTABLISHING RULES FOR THE CONDUCT OF ITS MEETINGS PROCEEDINGS AND BUSINESS

WHEREAS, the San Jose Vision Zero Task Force has found it necessary and desirable to adopt Rules of Order for the conduct of its business, now therefore,

BE IT RESOLVED BY THE San Jose Vision Zero Task Force of the City of San Jose that the San Jose Vision Zero Task Force does hereby adopt Rules of Order for the conduct of its business, as follows:

RULES OF ORDER OF THE SAN JOSE VISION ZERO TASK FORCE

Preamble. These Bylaws are the procedural rules and regulations for the San José Vision Zero Task Force. The San José Vision Zero Task Force was created following the adoption of the Vision Zero Action Plan on February 11, 2020, by the San José City Council, which called for the formation of a task force. The purpose of the task force is to bring together community stakeholders and representatives from the County of Santa Clara, the City of San José, and other partners to help guide strategies to eliminate traffic fatalities and severe injuries among all road uses while increasing safe, healthy, and equitable mobility.

ARTICLE I **GENERAL PROVISIONS**

Section 100. **Name of Task Force**

The official body referred to in these Bylaws shall be known and referred to as the “San José Vision Zero Task Force” or, in the alternative, the “Vision Zero Task Force”.

Section 101. **Office of Vision Zero Task Force**

The official office and mailing address of the Vision Zero Task Force shall be:

City of San Jose – Vision Zero Task Force
Attn: Community Engagement Manager, Department of
Transportation
200 East Santa Clara Street
San José, CA 95113

Section 102. **Meeting Place of Vision Zero Task Force**

Except as otherwise may be provided by the Vision Zero Task Force from time to time, the regular meeting place shall be at San José City Hall, 200 East Santa Clara Street, San José, CA.

Section 103. **Number of Members**

The Vision Zero Task Force shall consist of seventeen (17) members and satisfy the following criteria:

Two (2) of the members must be current San Jose City Councilmembers appointed by the Mayor of San José;

Six (7) of the members must be decisionmakers from San Jose City Departments selected by the City Manager of San José, or their designee:

Five (5) of the members must be decisionmakers from various Santa Clara County Departments and recommended to the Vision Zero Task Force by a representative of Santa Clara County and nominated upon an affirmative vote of a quorum of the Vision Zero Task Force; and

Three (3) of the members must be representatives from non-governmental community stakeholder organizations recommended to the Vision Zero Task Force by a current member and nominated upon an affirmative vote of a quorum of the Vision Zero Task Force.

Section 104. **Term of Members**

With the exception of the two San Jose City Councilmembers appointed by the Mayor of San Jose, each member shall serve a term of one (1) year commencing at noon on the first meeting of the calendar year, and continuing to the first meeting of the succeeding year. With the exception of the Chair and Vice Chair, a member may be removed from the Vision Zero Task Force by a majority vote of the Vision Zero Task Force, at any time and for any reason, or upon the action of the Chair of the Vision Zero Task Force.

Section 105. **Designees**

Each member of the Vision Zero Task Force may elect to appoint a designee to serve as a member of the Vision Zero Task Force in the event the member is unable to attend a scheduled meeting. Each member must provide the Secretary with the name and contact information for their appointed designee. A designee shall only serve on behalf of one member of the Vision Zero Task Force and a member may only appoint one designee to serve in their place at a time.

Section 106. Vacancies on the Vision Zero Task Force

A San Jose Vision Zero Task Force member may be deemed to have vacated their membership with the Vision Zero Task Force if they, or their appointed designee, fails to attend two (2) consecutive meetings of the Vision Zero Task Force. If a Vision Zero Task Force member voluntarily elects to no longer participate as a member of the Vision Zero Task Force, they must notify the Secretary of their intention of cease participation with the Task Force.

ARTICLE II
OFFICERS
CHAIR AND VICE CHAIR

Section 200. Enumeration of Officers

The officers of the Vision Zero Task Force shall be a Chairperson and a Vice-Chairperson.

Section 201. Appointment of Officers

The Mayor of San José shall appoint the two San José City Councilmembers to the Vision Zero Task Force and appoint each to serve as either the Chairperson or the Vice Chairperson.

Section 202. Term of Office of Chairperson and Vice Chairperson

- a. The Chairperson and Vice Chairperson, shall be appointed by the Mayor for terms which run concurrently with the current term of the appointed City Councilmember. At the conclusion of the term for either the Chairperson or the Vice Chairperson, the Mayor shall appoint a City Councilmember to fill the vacancy. The Mayor is permitted to reappoint a City Councilmember elected to a new term to fill the vacancy.

- b. If any Officer(s) should cease to be member(s) of the Vision Zero Task Force prior to the expiration of their term of office, a vacancy shall be deemed to have occurred in the specific office. The Mayor shall appoint a successor City Councilmember to fill the vacancy in the specific office with the term running concurrently with the current term of the newly appointed City Councilmember.

Section 203. Powers and Duties of Chairperson

The Chairperson shall have the following powers and duties:

- a. Preside at all meetings of the Vision Zero Task Force.
- b. Perform such other duties as may be required either by the City Council.
- c. Remove a member, other than the Vice Chair, from the Vision Zero Task Force without a majority vote of the Vision Zero Task Force.

Section 208. Powers and Duties of Vice-Chairperson

The Vice-Chairperson shall have the following powers and duties:

- a. All powers and duties of the Chairperson in the event of the absence or disability of the Chairperson.
- b. Perform such other duties as may be required either by the City Council.

Section 209. Chairperson Pro Tempore

In the event of the absence or disability of the Chairperson and Vice-Chairperson, at any meeting or hearing of the Vision Zero Task Force, the Vision Zero Task Force shall elect one of its members as Chairperson pro tempore to preside over such meeting.

Section 210. Chairperson Pro Tempore, Powers and Duties

The Chairperson Pro Tempore shall have and perform all powers and duties of the Chairperson in the event of, and only during the absence or disability of the Chairperson and Vice-Chairperson.

Section 211. Appointment of Secretary

The Community Engagement Manager of the Director of Transportation, or an authorized representative, shall be the Secretary of the Vision Zero Task Force. The Secretary shall keep all records and minutes of the Vision Zero Task Force at City Hall.

Section 212. Powers and Duties of Secretary

The Secretary shall have the following powers and duties:

- a. The Secretary shall attend all meetings of the Vision Zero Task Force, and keep a record of minutes of all that transpires at such meetings.

- b. The Secretary shall attest all minutes of all meetings of the Vision Zero Task Force which shall have been approved by the Vision Zero Task Force, and the Secretary shall have custody of the same.
- c. The Secretary shall keep and have custody of all books, records and papers of the Vision Zero Task Force, and certify true copies thereof whenever necessary.
- d. The Secretary shall perform such other duties as required by ordinance or resolution of the City of San José.

ARTICLE III **DUTIES**

Section 300. **Duties and Responsibilities**

The Vision Zero Task Force shall have the following powers and duties:

- a. Tender its advice to the San José City Council with respect to policy matters under consideration by the City of San Jose relating to the implementation of Vision Zero efforts, or other efforts aimed at reducing traffic fatalities; and
- b. Review the status of all Vision Zero efforts.

ARTICLE IV **MEETINGS**

Section 400. **Ralph M. Brown Act.**

All meetings of the Vision Zero Task Force shall comply with the Ralph M. Brown Act ("the Brown Act", Govt. Code Section 54950 *et seq.*).

Section 401. **Regular Meeting**

Regular meetings of the Commission shall be held quarterly, **or as needed**, and agendized by the Secretary. Notice shall be given of each Vision Zero Task Force meeting in accordance with the Brown Act.

Section 402. **Special Meetings**

- a. Special meetings of the Vision Zero Task Force may be called at any time by the Chairperson, or by a majority of members, whenever in their opinion the business of the Vision Zero Task Force requires it. The notice of a special meeting shall specify the time, place, and the business to be conducted or transacted at the meeting. No other business shall be considered at the special meeting. The notice

shall be filed with the Secretary in his/her office. The Secretary shall cause a copy of the notice to be served upon each member of the Vision Zero Task Force at least twenty-four (24) hours before the time of the meeting specified in the notice, or for such greater period of time as may be required by law or set forth by City policy, rules or regulations, either by personal delivery or by mail. Each member shall, for mailing purposes, file his/her name and address with the Secretary.

- b. Written notice may be dispensed with for any member who at or prior to the time the meeting convenes files with the Secretary a written waiver of notice. The waiver may be given by fax or electronic mail. Written notice may also be dispensed with for any member who is actually present at the meeting at the time it convenes.
- c. The written notice shall be posted at least twenty-four (24) hours prior to the special meeting, or for such greater period of time as may be required by law or set forth by City policy, rules or regulations, in a location that is freely accessible to members of the public.

Section 403. **Continued Meetings**

Subject to the requirements of law, meetings of the Vision Zero Task Force, whether regular or special, may be adjourned by the Vision Zero Task Force to reconvene at a time to be specified by the Commission at the time it adjourns. In such event, no other official notice need be given of the time at which such adjourned meeting will reconvene, unless required by law. Any such reconvened meeting shall, in such a situation, be considered a continuation of the prior meeting.

Section 404. **Quorum**

A quorum to do business shall consist of nine (9) members of the Vision Zero Task Force, or their designee, but a lesser number may constitute a quorum for the purpose of adjourning a meeting or adjourning a meeting to a stated time and place. In the absence of all the members of the Vision Zero Task Force from any meeting, the Secretary of the Vision Zero Task Force may adjourn the meeting or adjourn the meeting to a stated time and place.

Section 405. **Procedure**

Except as otherwise provided by the Vision Zero Task Force or the rules and regulations adopted by the City of San José, the procedure to be followed by the Vision Zero Task Force at its meetings shall be that set forth in Rosenberg's Rules of Order. The Vision Zero Task Force may act by motion, but an affirmative vote of at least a majority of the quorum present shall be necessary for all decisions of the Vision Zero Task Force except in matters of adjournment.

Section 406. **Voting**

No action shall be taken by the Vision Zero Task force except by affirmative vote of a simple majority of those voting, as long as there is a quorum present. All voting by Vision Zero Task Force members shall be by voice or hand vote and the record of each members vote shall be entered by the Secretary in the record of the Vision Zero Task Force proceedings. Any negative vote or abstention Upon request of any member of the Vision Zero Task Force, a roll call vote shall be taken on any matter upon which a vote is called, and shall be recorded by the Secretary in the record of the Vision Zero Task Force's proceedings.

Section 407. **Order of Business**

The order of Business shall be set by the Secretary. The Vision Zero Task Force may at any time alter the order of business at any meeting; and said order of business shall be altered to the extent necessary to comply with the provisions of Article IV hereof relating to hearing procedures.

Section 408. **Matter of Agenda**

Notification of matters to be presented to the Vision Zero Task Force shall ordinarily be given or delivered to the Secretary at least seven (7) days in advance of the Vision Zero Task Force meeting.

ARTICLE V
CONSISTENCY WITH OTHER LAW

Section 500. **Consistency with Other Law**

To the extent that the above rules and regulations differ from or are inconsistent with the provisions of the San José Municipal Code or State or Federal law, the appropriate provision of law will prevail.

ARTICLE VI
AMENDING VISION ZERO TASK FORCE BYLAWS

Section 600. **Provision for Amending Bylaws**

- a. These Bylaws may be amended by an affirmative vote of two-thirds of the members of the Vision Zero Task Force, at a regularly scheduled Vision Zero Task Force meeting.

- b. At least two (2) weeks prior notice of the intent to amend these Bylaws shall be provided to the Vision Zero Task Force.
- c. Notice of the intended changes to these Bylaws shall be provided to all active members of the Vision Zero Task Force, and to the public as required by law and/or City policy, but such notices shall be provided no later than the notice of intent to amend these Bylaws.

Bylaws of the San José Vision Zero Task Force adopted and made effective on this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

Chairperson

Secretary