

**CITY OF MERCED
Development Services**

TO: Bicycle Advisory Commission
FROM: Michael Hren, Principal Planner
DATE: August 27, 2019
SUBJECT: Bicycle Advisory Commission Evolution

BACKGROUND

With the City Council's passage of the Active Transportation Plan (ATP), staff has sufficient direction to proceed with the process of evolving the Bicycle Advisory Commission to incorporate additional active transportation topics to its scope. As has been previously discussed, there is value in adding pedestrian and disability expertise to the Commission as well as in reaching out to local school representatives.

DISCUSSION

Some topics for consideration in updating the Ordinance that established the Commission include a broader jurisdiction of topics for the Commission to advise the Council on; addition of ex-officio positions to allow representatives from local schools and organizations familiar with disabilities and the needs of persons with them in our community; and changes to the meeting schedule.

Other topics to discuss related to this issue include the proposed name of the Commission, recruitment of an additional voting Commissioner and a second ex-officio Commissioner under the current Ordinance, and the Commission's interaction with other committees and commissions of the City.

ACTION

Provide staff with direction on proposed amendments to Ordinance 2323.

ATTACHMENTS

1. Ordinance 2323 Establishing the Bicycle Advisory Commission

ORDINANCE NO. 2323

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, ADDING
CHAPTER 2.52, "BICYCLE ADVISORY
COMMISSION," TO THE MERCED MUNICIPAL
CODE**

**THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN
AS FOLLOWS:**

SECTION 1. ADDITION TO CODE. Chapter 2.52, "Bicycle Advisory Commission," is hereby added to the Merced Municipal Code to read as follows:

**"Chapter 2.52
BICYCLE ADVISORY COMMISSION**

Section:

- 2.52.010 Purpose.**
- 2.52.020 Establishment.**
- 2.52.030 Terms.**
- 2.52.040 Meetings.**
- 2.52.050 Officials.**
- 2.52.060 Jurisdiction of the Commission.**

2.52.010 Purpose.

The purpose of the Bicycle Advisory Commission is to serve as an advisory body to the City Council on matters having to do with bicycle transportation within the City of Merced. In forming the Bicycle Advisory Commission, it is the intent of the City Council to improve conditions for bicyclists in the City of Merced, promote bicycling as a means of transportation with the associated benefits of improved air quality, improve safety conditions for bicyclists, and to help implement policy, programs, and bike routes for all ages.

2.52.020 Establishment.

A. Pursuant to Section 700 of the Charter, there is hereby established a Bicycle Advisory Commission which shall consist of seven (7) voting Members. At least two (2) voting Members of the Commission shall be from a recognized bicycle organization. All seven (7) voting Members must be qualified electors of the City of Merced.

B. A majority of the voting Members of the Commission shall constitute a quorum.

C. In accordance with Section 702 of the Charter, Members shall be appointed by at least four (4) affirmative votes of the City Council and subject to removal by motion of the City Council adopted by at least five (5) affirmative votes.

D. The City Council may appoint an additional two (2) Members to sit on the Commission as ex-officio, non-voting Members. Said ex-officio, non-voting Members may be non-City residents who live within the City of Merced's sphere of influence or persons who otherwise demonstrate a strong concern for bicycle-related issues within the City of Merced.

2.52.030 Terms.

A. In accordance with Section 702 of the Charter, the Bicycle Advisory Commission Members shall serve for a term of four (4) years and until their respective successors are appointed and qualified.

B. Notwithstanding subsection A of this Section, the Members of the Bicycle Advisory Commission shall on the first meeting following the establishment of the Commission, draw lots to determine the three initial members that will serve for a term of one (1) year and three-hundred-sixty-four (364) days.

2.52.040 Meetings.

Regular Bicycle Advisory Commission meetings shall be held on the fourth Tuesday of every even numbered month during normal City business hours or as otherwise set by Resolution of the City Council. The meetings shall be conducted in accordance with Section 704 of the Charter.

2.52.050 Officials.

A. In accordance with Section 704 of the Charter, the Members of the Bicycle Advisory Commission shall as soon as practical following the first day of July, organize by electing two (2) of the seven (7) voting Members to serve as chair and vice-chair at the pleasure of the Commission.

B. Notwithstanding subsection A of this Section, the Members of the Bicycle Advisory Commission shall on the first meeting held following the establishment of the Commission, elect a chair and vice-chair to serve until their successor is elected following the first day of July.

2.52.060 Jurisdiction of the Commission.

A. The Bicycle Advisory Commission shall have the responsibilities as provided below:

1. Review and advise the City Council, as directed by the City Council or requested by the staff, on the design of capital improvement projects, street improvements, and parking facility projects as they relate to bicycling, except for matters pertaining to pedestrian issues.
2. Review and advise the City Council, as directed by the City Council or requested by the staff, on changes and updates to the Bicycle Master Plan,

General Plan, Municipal Code and other policy documents which relate to bicycling.

3. Promote bicycling as a viable form of transportation.
4. Assist in the development and dissemination of bicycle safety awareness and education materials to the community.
5. Initiate requests to City staff from the community on issues of concern related to bicycling.
6. Such other duties as the City Council may proscribe”

SECTION 2. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 3. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. PUBLICATION. The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

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The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the 2nd day of February, 2009, and was passed and adopted at a regular meeting of said City Council held on the 17th day of February, 2009, by the following called vote:

AYES: **Council Members:** CORTEZ, CARLISLE, GABRIULT-ACOSTA, LOR, SPRIGGS, WOOTEN

NOES: **Council Members:** NONE

ABSTAIN: **Council Members:** NONE

ABSENT: **Council Members:** SANDERS

APPROVED:

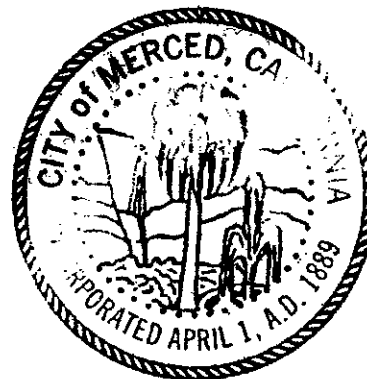


Mayor

ATTEST:
CITY CLERK

BY: 

Assistant/Deputy City Clerk



(SEAL)

APPROVED AS TO FORM:

 1-23-09
City Attorney Date