

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

ORDINANCE NO. 2024-XXX

**ORDINANCE OF THE CITY OF SAN LEANDRO CITY COUNCIL TO AMEND SAN LEANDRO MUNICIPAL CODE SECTIONS 1-3-100, 1-3-110 AND SUBSECTION (A) OF SECTION 1-3-115 TO ADD BICYCLE AND PEDESTRIAN ADVISORY COMMISSION AND TO ADD ARTICLE 18 BICYCLE AND PEDESTRIAN ADVISORY COMMISSION TO SAN LEANDRO MUNICIPAL CODE CHAPTER 1-3, BOARDS AND COMMISSIONS**

**WHEREAS**, the purpose of this Ordinance is to establish the Bicycle and Pedestrian Advisory Commission in the City of San Leandro; and

**WHEREAS**, the City Council desires to establish the Bicycle and Pedestrian Advisory Commission pursuant to this Ordinance.

**NOW, THEREFORE**, the City of San Leandro City Council does **ORDAIN** as follows:

**SECTION 1. RECITALS.** The Recitals above are true and correct and when applicable, incorporated herein by reference.

**SECTION 2. AMENDMENT OF CODE.** Sections 1-3-100, 1-3-110 and Subsection (a) of Section 1-3-115 of Title 1 of the San Leandro Municipal Code is hereby amended, and Article 18 to Chapter 1-3 is added to the San Leandro Municipal Code, to read as follows (additions in underline; deletions in ~~strikethrough~~):

**1-3-100 BOARDS AND COMMISSIONS CREATED.**

The following Boards and Commissions are hereby created:

- (a) Board of Appeals;
- (b) Board of Zoning Adjustments;
- (c) Handicapped Access Appeals Board;
- (d) Human Services Commission;
- (e) Arts, Culture and Library Commission;
- (f) Personnel Relations Board;
- (g) Planning Commission;

- (h) Recreation and Parks Commission;
- (i) Site Development Sub-Commission;
- (j) Youth Advisory Commission;
- (k) Rent Review Board;
- (l) Senior Commission; ~~and~~
- (m) Community Police Review Board; and
- (n) Bicycle and Pedestrian Advisory Commission.

**1-3-110 MEMBERS—DISTRICT REPRESENTATION.**

One elector from each Council Member District shall be appointed to each of the following Boards and Commissions:

- (a) Board of Zoning Adjustment;
- (b) Human Services Commission;
- (c) Arts, Culture and Library Commission;
- (d) Planning Commission;
- (e) Recreation and Parks Commission;
- (f) Senior Commission; ~~and~~
- (g) Community Police Review Board; and
- (h) Bicycle and Pedestrian Advisory Commission.

Except as provided in this Code, all other members of each such Board and Commission shall be an elector of the City and appointed at large. Two residents who are between the ages of 14 and 22 ("Youth Member") who are able to attend in-person meetings of the Community Police Review Board shall be appointed to the Community Police Review Board. These two youth members shall serve in an "ex-officio" capacity and therefore their votes shall not count towards Board action, their attendance shall not count for achieving quorum nor shall their attendance or lack of attendance at meetings of the Board have any impact on the Board's ability to meet quorum or majority vote requirements. Once these members reach the age of 23, they are no longer eligible to serve or eligible for

reappointment to these designated seats. Residents who are interested in appointment to the Youth Member designated seats shall complete an application that will be submitted to the City Clerk, who shall schedule a City Council Rules Committee meeting for the Committee to review the applications and, at the Council Rules Committee's discretion, interview the applicants for recommendation to the City Council for appointment. Any vacancy in these designated seats must be addressed by the Council in accordance with San Leandro Municipal Code Section [1-3-115](#). Three residents selected at large shall be appointed to the Youth Advisory Commission by each Council Member, at least one resident selected from each Council Member District, and the remainder may be selected at large. No change in Council Member District boundaries shall operate to disqualify an incumbent from office before the expiration of the term for which such member was appointed. The Bicycle and Pedestrian Advisory Commission shall consist of one (1) member from each of the six (6) Council Member Districts and one (1) Mayor's at large appointment.

### **1-3-115 MEMBERS—TERM OF OFFICE.**

(a) Members of the following Boards and Commissions who were appointed from a specific Council Member District pursuant to Section 1-3-110 of this Article ("District Members") may hold office for up to four (4) years, commencing on the date of appointment:

- (1) Board of Zoning Adjustments;
- (2) Human Services Commission;
- (3) Arts, Culture and Library Commission;
- (4) Planning Commission;
- (5) Recreation and Parks Commission;
- (6) Senior Commission; ~~and~~
- (7) Community Police Review Board; and
- (8) Bicycle and Pedestrian Advisory Commission.

Except as provided in this Code, the terms of District Members shall terminate upon the expiration of the regular term of the Council Member representing the Council Member District from which the District Member was appointed. As to the Community Police Review Board, the initial terms of Board members who are District Members from Districts 1, 3, 5, and the Mayor's at large appointment shall expire December 31, 2023 and the terms of District Members from Districts 2, 4, and 6 shall expire December 31, 2028.

Thereafter, all members of the Community Police Review Board may hold office for up to four (4) years. As to the Bicycle and Pedestrian Advisory Commission, the initial terms of Board members who are District Members from Districts 1, 3, 5, and the Mayor's at large appointment shall expire December 31, 2026 and the terms of District Members from Districts 2, 4, and 6 shall expire December 31, 2028. Thereafter, all members of the Bicycle and Pedestrian Advisory Commission may hold office for up to four (4) years. The City Council may fill a vacancy by appointment for the unexpired remainder of the term.

As to the Arts, Culture and Library Commission, the initial terms of Board members who are District Members from Districts 2, 4, and 6 shall expire December 31, 2028. Districts 1, 3, 5, and the Mayor's at large appointments shall expire December 31, 2026. Thereafter, all members of the Arts, Culture and Library Commission may hold office for up to four (4) years. The City Council may fill a vacancy by appointment for the unexpired remainder of the term.

## **ARTICLE 18 BICYCLE AND PEDESTRIAN ADVISORY COMMISSION**

### 1-3-1800 MEMBERSHIP.

The Bicycle and Pedestrian Advisory Commission shall consist of seven (7) members. The membership shall include one (1) member from each of the six (6) Council Member Districts pursuant to Section 1-3-110 of this Code. Each Commission member shall be appointed by the City Council and may be removed from the Commission without cause, notice, or hearing by the City Council under Section 1-3-105. The membership shall also include one (1) at large member who must be a resident of San Leandro. The selected members shall represent both bicyclist and pedestrian issues.

### 1-3-1810 POWERS AND DUTIES.

The vision of the Commission is San Leandro will be a connected community where walking and biking are fully integrated into daily life as safe, equitable, and enjoyable transportation options for people of all ages and abilities. The Commission shall advise staff and the Council on matters related to the status and conditions of biking and walking within the city. In discharge of this responsibility, the Committee shall:

- (a) Advise staff and the Council on the development and updates of the Transportation Element of the General Plan and the Bicycle and Pedestrian Master Plan;
- (b) Provide citizen oversight on the implementation of the San Leandro Bicycle and Pedestrian Master Plan;
- (c) Recommend to staff project development funding and priorities;
- (d) Assist staff in reviewing implementation plans;

- (e) Participate in outreach and educational efforts;
- (f) Provide comments to staff on pending legislation affecting bicycle and pedestrian travel within the City; and
- (g) Advocate for City projects that improve bike and pedestrian infrastructure.

**SECTION 4. ENVIRONMENTAL REVIEW.** The passage of this ordinance is not a project according to the definition in the California Environmental Quality Act and, therefore, is not subject to the provisions requiring environmental review.

**SECTION 5. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each of every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 6. EFFECTIVE DATE AND DURATION.** This ordinance shall take effect thirty (30) days after its final adoption.

**SECTION 7. PUBLICATION.** The City Clerk is directed to cause this ordinance to be published in a manner required by law.

Introduced by Councilmember \_\_\_\_\_ and passed to print on the XX<sup>th</sup> day of XXX 2024 by the following called vote:

Members of the Council:

AYES:	()
NOES:	()
ABSENT:	()

ATTEST: \_\_\_\_\_  
 Kelly B. Clancy, CMC  
 City Clerk