



**BYLAWS OF THE PASO ROBLES
DOWNTOWN PARKING ADVISORY COMMISSION
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ARTICLE I - THE COMMISSION

Section 1: Name

The name of the commission shall be the Paso Robles Downtown Parking Advisory Commission (hereinafter referred to as the "Commission"). The Commission serves with certain delegated decision-making authority as specified herein, and as an advisory body to the City Council.

Section 2: Purpose and Establishment

a. The Commission serves at the pleasure of the City Council as a means to aid the City Council in gathering public input on the operation, continued development, and management of the Paso Robles Downtown Parking program, by providing advice to the City Council and by making decisions in those areas delegated by the City Council.

b. The Commission shall be and remain established following the adoption of these Bylaws unless otherwise abolished by an affirmative vote of the majority of the City Council.

Section 3: Membership

a. Membership Categories and Qualifications. Persons needing to park in the Downtown and persons having a demonstrated interest in the Downtown need to be represented on the Commission. As a result, to be eligible to serve on the Commission, a person must qualify under one of the following two categories:

- 1) Downtown Stakeholder: To qualify under this category, the person shall own property in the downtown, operate and occupy leased premises in the Downtown for either private enjoyment or commercial gain, or otherwise have a demonstrated interest in Downtown business, its promotion, development, and continued success. At least four of the Commission members shall be Downtown Stakeholders.
- 2) Community Resource: To qualify under this category, the person shall be a regular user of parking in the Downtown or adjacent areas, or possess skills and expertise in a field that is determined to be of benefit to the productive operation of the Commission.

b. Affiliation. No member shall be appointed by virtue of his or her affiliation with or to represent any specific group, organization, or special interest. All members shall serve for the good and benefit of the City, the Downtown, and all Downtown users.

c. Residency. Persons who are not residents of the City of Paso Robles may be appointed to the Commission if they are a Downtown Stakeholder or Community Resource as defined above, so long as a majority (four or more) of the Commission members are residents of the City.

d. Open Membership. Criteria and selection for membership shall not discriminate based upon sex, race, religion, creed, color, national or ethnic origin, or any other classification protected by law.

e. Total Membership and Term of Appointment. The total membership of the Commission shall be seven regular members. Alternate members may be appointed by the Council if desired. A member's regular term of appointment shall be two years. Appointees shall have staggered terms.

- 1) Members of the existing Parking Advisory Committee shall be automatically become Commissioners. Over time, as terms expire or vacancies arise, the size of the Commission will be gradually reduced to a permanent size of seven members.
- 2) At its inaugural meeting, the Commissioners shall decide which three members are occupying positions the terms of which shall expire in January 2021 and which four

- members are occupying positions the terms of which shall expire in January 2022.
- 3) No person shall be eligible for appointment for more than three consecutive terms, exclusive of prior appointment to fill an unexpired term of office.
 - 4) Persons who have served three full consecutive terms may be reappointed following a one-term absence.
 - 5) Appointees may serve on only one Council-appointed Advisory Body or Commission at a time.

Section 4: Authority and Responsibilities

The assigned duties and authorities of the Commission are to:

- 1) Solicit and receive public input and comment with respect to parking and mobility in the Downtown and in surrounding areas;
- 2) Initiate, request to be initiated, and review surveys, metrics, and other information related to the need for, availability, and use of parking resources in the Downtown;
- 3) Anticipate future needs and options; and
- 4) Formulate recommendations on standards, metrics, operations, and management of the Downtown Parking program, as well as needed or desired improvements and other changes.

Section 5: Ethics, Conflict of Interest, and *Ex Parte* Communication

- a. Member Code of Ethics. Each Commissioner shall adhere to the Code of Ethics (Exhibit A) and such other policies that apply to City staff, the City Council, and members of City Commissions or Committees.
- b. Conflict of Interest. Commissioners shall be subject to the conflict of interest rules set forth in the Political Reform Act (Gov. Code § 81000 *et seq.*) and its implementing regulations (2 Cal. Code Regs. § 18110 *et seq.*), Government Code section 1090 and the common law.
- c. *Ex Parte* Communication. Commissioners shall report on any *ex parte* communication with any member of the City Council, commission, and public regarding any *quasi-judicial* matter pending, or reasonably expected to come, before the Commission.

Section 6: Termination of Membership.

Membership on the Commission shall terminate in the event that:

- a. The member no longer meets the eligibility criteria or other requirements specified in Article 1, Section 3 for membership on the Commission; or
- b. The member has exceeded the number of unexcused absences as set forth in Section 9 of Article III of these Bylaws; or
- c. The member shall have served three consecutive full terms.
- d. Violation of the Code of Ethics, violation of other City policies, or Violation of State laws including the Brown Act.

Section 7: Removal of Members.

A member shall be removed automatically for the reasons in Section 6a, b, or c. A member may be removed by an affirmative vote of a majority of the City Council, if, after a hearing, the Council finds and determines that any one of the grounds for termination specified in Section 6d of this Article I exists.

Section 8: Resignation

A Commission member may resign at any time by giving written notice to the Chairperson, who shall forward such notice to the assigned City staff person, who shall inform all appropriate City staff, members of the Commission, and the City Council. Any such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

Section 9: Filling of Vacancies

In the event of a vacancy on the Commission, the City Council shall select an individual to fill such vacancy as soon as reasonably practicable. New members must meet the qualifications set forth in Section 3 of Article I.

Section 10: Remuneration

Members shall serve without pay except for reimbursement for travel expenses to meetings outside of the City. Such expenditures shall be subject to pre-approval by City management.

ARTICLE II - OFFICERS

Section 1: Officers

The officers of the Commission shall consist of a Chairperson and a Vice Chairperson, who shall be elected in the manner set forth in this Article II, and a Secretary, who shall be the lead City staff member supporting the Commission.

Section 2: Chairperson

The Chairperson shall preside at all meetings of the Commission, The Chairperson may sign documents necessary to carry out the business of the Commission.

Section 3: Vice Chairperson

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the death, resignation, or removal of the Chairperson, the Vice Chairperson shall assume the Chairperson's duties until such time as the Commission shall elect a new Chairperson.

Section 4: Additional Duties

The officers of the Commission shall perform such other duties and functions as may from time to time be required by the Commission, these Bylaws, or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

Section 5: Election

The Chairperson and Vice Chairperson shall initially be elected from among the members of the Commission at its first regular meeting following adoption by the City Council of these Bylaws. Thereafter, the Chairperson and Vice Chairperson shall be elected annually at its first meeting of the calendar year, from among the members of the Commission. Such officers shall hold office for one year following their election and until their successors are elected and in office. Any such officer shall not be prohibited from succeeding him or herself, but no person shall be elected as an officer for more than three consecutive one-year terms.

Section 6: Removal of Officers

Upon an affirmative vote by a majority of the members present at a regular or special meeting of the Commission at which a quorum is present any officer may be removed from office, and a successor elected pursuant to Section 7 of this Article II.

Section 7: Vacancies

Should the offices of the Chairperson or Vice Chairperson become vacant, the members shall elect a successor from among the Commission members at the next regular or special meeting, and such office shall be held for the unexpired term of said office.

ARTICLE III - MEETINGS

Section 1: Regular Meetings

The Commission shall meet quarterly at a time convenient for the Commission, or as needed, at the Paso Robles Library/City Hall Conference Center, 1000 Spring Street, Paso Robles, CA. An alternative meeting place may be designated if duly noticed by prescribed procedure. A notice, agenda, and other necessary documents shall be delivered to the members, personally, electronically, or by mail, and posted in accordance with the Brown Act (Gov. Code § 54950 et seq.).

Section 2: Special Meetings

Special meetings may be held upon the call of the Chairperson or an affirmative vote by a majority of the members present at a regular or special meeting of the Commission at which a quorum is present, for the purpose of transacting any business designated in the call. A notice, agenda, and other necessary documents shall be delivered to the members, personally or by mail, and posted in accordance with the Brown Act (Gov. Code § 54950 et seq.). At such special meeting, no business other than that designated in the call shall be considered.

Section 3: Adjourned Meetings

Any meeting may be adjourned to a date, time, and place specified in the order of adjournment. Commission members absent from the meeting at which the adjournment decision is made shall be notified by the Chairperson of the time and place of the adjourned meeting. Agendas for adjourned meetings shall also be prepared and posted in accordance with the requirements of the Brown Act.

Section 4: All Meetings to be Open and Public

All meetings of the Commission shall be open and public to the extent required by law. All persons shall be permitted to attend except as otherwise provided by law.

Section 5: Posting Agendas/Notices

The Commission Secretary or their authorized representative shall post an agenda for each regular or special meeting. Such agenda shall contain the time and location of the meeting as well as a brief description of each item of business to be transacted or discussed at the meeting. Agendas shall be posted in a location accessible to the public 24 hours a day at the Paso Robles City Library/City Hall facility and on the City's website at least 72 hours in advance of each regular meeting and at least 24 hours in advance of each special meeting.

Section 6: Right of Public to Appear and Speak

At every regular meeting, members of the public shall have an opportunity to address the Commission on matters within the Commission's subject matter jurisdiction. Public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for general public comment; public input and comment on matters on the agenda shall be heard when the matter regularly comes up on the agenda. The Chairperson may limit the time allocated for each individual speaker as well as the total amount of time allocated for public discussion on particular issues.

Section 7: Agenda and Non-Agenda Items

- a. City Staff, any member of the Commission and may submit such agenda, recommendations, and information items as are reasonable and proper for the conduct of the business affairs and policies of the Commission. Such items are submitted to the City staff member assigned to the Commission for inclusion into the published agenda.
- b. Matters brought before the Commission at a regular meeting that were not placed on the agenda of the meeting shall not be acted upon by the Commission at that meeting unless action on such matters is permissible pursuant to the Ralph M. Brown Act (Gov. Code §54950 et seq.). Those non-agenda items brought before the Commission that the Commission decides to consider, and where action at that meeting is not so authorized, shall be placed on the agenda for a future meeting.

Section 8: Quorum

The powers of the Commission shall be vested in the members thereof in office from time to time. Four of the Commission members then in office shall constitute a quorum for the purpose of conducting the Committee's business, exercising its powers, and for all other purposes, but less than that number may adjourn or continue a meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the members present and eligible to vote at a regular or special meeting at which a quorum is present shall be required for approval of any matters brought before the Commission.

Section 9: Excused and Unexcused Absences

A member's absence from a regular or special meeting shall be excused if, prior to the meeting from which said member will be absent, said member notifies the Chairperson of his or her intent to be absent and the reasons therefore; provided, however, that a member shall be entitled to only two excused absences within 12 consecutive calendar months. At each meeting, after the roll has been called, the Chairperson shall report to the Commission the name of any member who has provided notice of his or her intent to be absent and the reason for such absence. If a member shall be absent without the consent of the Commission from two meetings, whether regular or special, within 12 consecutive calendar months, such member's seat on the Commission shall be terminated.

Section 10: Order of Business

All business and matters before the Commission shall be transacted in conformance with practices established by the City Council.

Section 11: Minutes

Action minutes of all Commission meetings shall be drafted by City staff, forwarded to the City Council for information, and approved by the Commission. Approved minutes shall be filed in the official book of minutes of the Commission.

Section 12: Recommendations to City Council

Recommendations and reports by the Commission to the City Council shall be prepared in writing by assigned staff and approved by the City Manager.

ARTICLE IV - REPRESENTATION BEFORE PUBLIC BODIES

The Chairperson, the Vice-Chairperson in the Chairperson's absence, or another member of the Commission may make official representations on behalf of the Commission before the City Council on behalf of the Commission.

ARTICLE V - COMMITTEES

The Commission may establish any standing and/or special committees it deems necessary consistent with, and to fulfill, its stated purpose as established in Article I, Section 2 of these Bylaws.

ARTICLE VI - AMENDMENTS

These Bylaws may be amended upon an affirmative vote by majority of the City Council.

EXHIBIT A CODE OF ETHICS

PREAMBLE

The residents and businesses of Paso Robles are entitled to have fair, ethical, and accountable local government. Such a government requires that:

- ▶ Public officials comply with both the letter and spirit of the laws and policies affecting operations of the government;
- ▶ Public officials be independent, impartial, and fair in their judgment and actions;
- ▶ Public office be used for the public good, not for personal gain; and
- ▶ Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Paso Robles City Council has adopted this Code of Ethics to encourage public confidence in the integrity of local government and its operation.

PUBLIC INTEREST

Advisory Body and Commission Members will work for the common good of the people of Paso Robles and not for any private or personal interest, and they will endeavor to treat all persons, claims, and transactions in a fair and equitable manner.

Advisory Body and Commission Members shall comply with the laws of the nation, the State of California, and the City in the performance of their public duties.

CONDUCT

Advisory Body and Commission Members are expected to exercise a duty of care in carrying out their responsibilities, which includes devoting sufficient time to carefully review and fully understand the matters that come before them.

Advisory Body and Commission Members shall act with civility towards all and shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of others.

Advisory Body and Commission Members shall perform their duties in accordance with the processes and rules of order established by the City Council.

Advisory Body and Commission Members shall inform themselves on public issues; listen attentively to public discussions before the body; and focus on the business at hand.

Advisory Body and Commission Members shall base their decisions on the merits and substance of the matter at hand.

Advisory Body and Commission Members shall publicly share substantive information that is relevant to a matter under consideration that they may have received from sources outside of the public decision-making process.

CONFLICT OF INTEREST¹

Advisory Body and Commission Members shall not use their official positions to influence government decisions in which they have a financial interest, or where they have an organizational responsibility or personal relationship that would present a conflict of interest under applicable State law.

In accordance with the law, members shall timely file with the City Clerk a Statement of Economic Interests (Form 700) and, if they have a conflict of interest regarding a particular decision, refrain from participating in that decision, unless otherwise permitted by law.² Advisory Body and Commission Members shall participate biennially in Ethics Training seminars as required by state law.

Advisory Body and Commission Members shall not take advantage of services or opportunities for personal gain, by virtue of their public office, which are not available to the public in general. They shall refrain from accepting gifts, favors, or promises of future benefits that might compromise their independence of judgment or action or give the appearance of being compromised.

Advisory Body and Commission Members shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.

Advisory Body and Commission Members shall not use public resources (such as City equipment, staff and facilities) not available to the public for private gain or personal purposes.

No Advisory Body or Commission Member shall appear before the body on which that member serves to advocate on behalf of or to represent the private interests of third parties.

Advisory Body and Commission Members shall represent the official policies and positions of the Advisory Body if authorized by the Advisory Body. When presenting their personal opinions and positions, members shall explicitly state they are doing so in their personal capacity, and not as a representative of the Advisory Body or the City.

Advisory Body and Commission Members shall refrain from using their position to unduly influence the deliberations or decisions of City commissions, boards or committees.

POLICY ROLE

Advisory Body and Commission Members shall respect and adhere to the Council-Manager structure of Paso Robles City government as provided in State law and the Municipal Code.

Advisory Body and Commission Members shall support the maintenance of a positive and constructive environment for residents, businesses, and City employees.

COMPLIANCE & ENFORCEMENT

Advisory Body and Commission Members themselves are primarily responsible for ensuring they understand and meet the ethical standards set forth herein.

¹ State laws governing conflicts of interest are written to ensure that actions are taken in the public interest. These laws are complex and fact dependent. Advisory Board Members should notify the City Manager if they have a question about the conflict of interest rules or should consult with the Fair Political Practices Commission for guidance in advance.