

**CITY OF HAYWARD
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT**

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DATE: August 14, 1997
TO: Economic Development Committee
FROM: Ann Bauman, Community and Economic Development Administrator *AB*
RE: Notification of Proposal to Amend EDC Bylaws

At the July 1997 EDC meeting, Councilmember Ward suggested that at the next meeting there should be discussion about changing the EDC meeting frequency from monthly to bi-monthly. Should the members decide take action on this at the September 15, 1997, it would entail amending the bylaws. Since amendments to the bylaws require a minimum 20 days advance notice, we are sending you this notification.

The proposal is to amend the bylaws as follows:

**ARTICLE VI
MEETINGS**

Section 601, Regular Meetings The regular meeting of this Committee shall be held ~~monthly~~ bi-monthly. These meetings shall follow such rules and regulations as shall be established by the Committee in order to comply with the Brown Act and other state or local requirements.

CITY OF HAYWARD

ECONOMIC DEVELOPMENT COMMITTEE

BYLAWS

ARTICLE I PURPOSE

SECTION 100. PURPOSE The purpose of this Committee is to advise the City Council on local economic development policy, drawing upon the experience and skills of councilmembers and business and community leaders to supplement the work of local government officials to increase the tax base and improve employment opportunities for local residents, and to serve as a review mechanism for ongoing City economic development efforts.

SECTION 101. RESPONSIBILITIES The principal responsibilities of this Committee are advisory to the City Council in economic development. The Committee shall make policy recommendations regarding, but not limited to, the Economic Development Program administered by the Department of Community and Economic Development.

ARTICLE II POWERS AND DUTIES

SECTION 200. POWERS & DUTIES The Economic Development Committee, as an advisory body to the City Council, shall have the power and duty to:

- (1) Adopt rules and regulations for the conduct of its business, for the time and place of its meetings, and any such rules and regulations shall be published and be made available to the public.
- (2) Inform themselves of their community's economic development goals and activities.
- (3) Assist in updating objectives and strategies for the ongoing economic development program.
- (4) Perform other related duties as directed by Council.

SECTION 201. EVALUATION RESPONSIBILITY

- (1) Evaluate the effectiveness of the City economic development program in addressing the economic development objectives adopted by Council in Resolution No. 86-052.
- (2) Prepare and deliver annual progress reports to Council on the economic development program.

- (3) Make programmatic and budget recommendations to Council regarding the economic development program.

SECTION 202. OUTREACH GOALS

- (1) Use community contacts to increase local business and community awareness of City economic development activities.
- (2) In cooperation with City staff, pursue opportunities for obtaining private sector involvement in the City's economic development efforts.

ARTICLE III MEMBERS

SECTION 300. MEMBERSHIP The Hayward Economic Development Committee shall consist of nine (9) members, three (3) of whom shall be sitting City Councilmembers and six (6) of whom shall be members of the local community.

SECTION 301. CITY COUNCILMEMBERS The Mayor, in his or her discretion, shall appoint the three (3) Councilmembers who will serve on the Committee.

SECTION 302. CITIZEN MEMBERS

A. Eligibility of Members. The six (6) citizen members of the Committee shall be persons who have shown themselves qualified, by evidence of previous experience and involvement in activities pertaining to the economic health of the community. In nominating and appointing these members, the City Council shall make every reasonable effort to insure that a cross section of the business and resident community is represented.

In order to be eligible for appointment to the Committee, a person shall either be a resident of the City of Hayward or do business in the City of Hayward. The citizen members of the Committee shall be appointed by the entire City Council.

B. Term Limitation. A term limitation of not more than two and one-half consecutive full terms of four years apiece is established for the citizen members of the Committee.

SECTION 303. ATTENDANCE

- (1) **DECLARING VACANCIES.** If a member of this Committee absents him or herself from three consecutive regular meetings or is absent for more than 25 percent of regular meetings, or is convicted of a crime involving moral turpitude, or ceases to be a resident of the City or to do business in the City, or ceases to be a City Councilmember, his or her office shall

become vacant and shall be so declared by the Council.

- (2) **EXCUSED ABSENCE.** This Committee shall not excuse or otherwise grant permission to its members to be absent from any regular meeting except for military leave for the purpose of military duty.
- (3) **ATTENDANCE.** Unless extraordinary conditions exist, the City Council shall remove all Committee members who have not attended at least 75 percent of the meetings of the Committee. After two consecutive absences or three non-consecutive absences from regular meetings, a letter will be sent by the City Clerk warning the absent member that one more meeting missed will be cause for removal from the Committee. If there is no response by the following meeting the Chair will send a letter to the City Council recommending the member's office become vacant and an appointment be made to fill the vacant office.

ARTICLE IV OFFICERS

SECTION 400. ELECTION OF OFFICERS The Committee will elect a Chair and a Vice-Chair at the last meeting of every fiscal year to serve a term of one year or until their successors have been elected. The Chair and Vice-Chair will be installed at the first meeting of every fiscal year. Elected officers may succeed themselves once.

ARTICLE V DUTIES OF OFFICERS

SECTION 500. DUTIES OF THE CHAIR The Chair shall preside at all the meetings of the Committee and shall report directly to the City Council on all recommendations of the Committee. He or she shall perform all duties incident to his or her office and such other duties as may be required by the Hayward City Charter, Hayward Municipal Code, City Council Resolution and these bylaws. The Chair shall appoint all subcommittees and shall be an ex-officio member of all subcommittees.

SECTION 501. DUTIES OF THE VICE-CHAIR The Vice-Chair, in the absence of the Chair, or in the event of his or her inability or refusal to act, shall perform all the duties of the Chair, and when so acting shall have all the powers of, and be subject to all the restrictions on, the Chair.

ARTICLE VI MEETINGS

SECTION 601. REGULAR MEETINGS The regular meeting of this Committee shall be held monthly. These meetings shall follow such rules and regulations as shall be

established by the Committee in order to comply with the Brown Act and other state or local requirements.

SECTION 602. SPECIAL MEETINGS A special meeting may be called at any time by the presiding officer of the Committee, or by a majority of the members of the Committee, by delivering personally, by telecopier (fax machine), or by mail written notice to each member of the Committee and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice shall be delivered personally or by mail and shall be received at least 24 hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by the Committee. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the City Clerk a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. Notice shall be required pursuant to this section regardless of whether any action is taken at the special meeting.

SECTION 603. QUORUM A quorum for a regular or special meeting shall be a majority of the entire membership of the Committee.

SECTION 604. VOTING Except to adjourn, the affirmative or negative vote of a majority of the membership present at either a regular or special meeting shall be necessary for it to take any action, provided, however, that a majority of the entire membership is present at the meeting. Each member of the Committee shall be entitled to one vote on all matters brought to a vote during a regular or special meeting at which the member is present.

ARTICLE VII AMENDMENT

SECTION 701. AMENDMENTS TO BYLAWS Proposed amendments of these bylaws may be submitted in writing by any Committee member by mail or at a regular or special meeting. A copy of the proposed amendments shall be furnished to each Committee member at least 20 days prior to adoption or rejection. Approval by a two-thirds (2/3) affirmative vote of the entire membership of the Committee shall constitute adoption of the amendment.

ARTICLE VIII SUBCOMMITTEES

SECTION 801. NOMINATING SUBCOMMITTEE The Nominating subcommittee shall consist of three Committee members. The Nominating subcommittee shall present to

the Committee its recommendations for Chair and Vice-Chair for the next fiscal year.

SECTION 802. OTHER SUBCOMMITTEES As deemed necessary, other Ad Hoc subcommittees may be appointed. These committees shall consist of three to five members.

Adopted: February 7, 1994