

# **HOLLISTER BUSINESS ADVISORY COMMISSION (BAC) BYLAWS**

## **ARTICLE I - THE COMMISSION**

Section 1. Name: The name of this body is the “Business Advisory Commission”.

Section 2. Composition: The Business Advisory Commission (“BAC” or “Commission”) shall be composed of five (5) members, all of whom must be owners of a brick-and-mortar business within the city. At least one (1) member is recommended to be a downtown business owner.

Section 3. Term of Office: The term of office of the members of the Commission appointed by individual Council Members shall be the same as the term of the appointing Council Member. Any vacancy by a member appointed by a council member shall be filled by the council member whose district the member represents, or in the case of the mayor’s appointment, the appointee shall be a resident of any district. Applicants from another district may be appointed if there are no applicants from the Council Member’s district. All nominations for appointment are subject to approval by the City Council.

Each Commissioner serves at the pleasure of the Council Member who appointed them and a Commissioner may be removed at any time, with or without cause by a vote of the City Council.

Section 4. Commissioner Attendance: Commissioners are expected to attend all meetings of the Commission. Attendance and ongoing participation by the Commission members are critical to the Commission’s success. Any member of the Commission who has two (2) unexcused absences during a regular meeting, special meeting, or commission-sanctioned events within one calendar year shall constitute an automatic resignation. Attendance records shall be kept, and members shall be informed by letter when he or she has reached two unexcused absences from regular meetings and/or special meetings. Absences will be excused and recorded in the Commission minutes if the Chairperson or City staff is notified of a Commissioner’s absence in advance of the meeting.

Section 5. Resignations: A Commissioner wishing to resign before the expiration of his or her term shall submit to the City Clerk a written resignation that states the effective date of the resignation. If said written resignation fails to state the date the resignation shall be effective, then the resignation shall be effective upon receipt of the written resignation by the City Clerk. If a Commissioner states verbally or in any other form that the Commissioner is

resigning but fails to provide to the City Clerk said written resignation notice, then resignation shall be effective upon adjournment of the next regularly scheduled Commission meeting, or upon the expiration of 31 calendar days, whichever is sooner.

Section 6. Duties of Commission: To advise the City Council on all matters affecting businesses within the City of Hollister. Act as an advisory body to the City Council. Making recommendations to the City Council on any matter within the City's jurisdiction that will enhance the capability of Hollister businesses to succeed, such as the formulation of policies that may affect their management, operation, or financial stability.

Enhance communication with, increase opportunities for, improve the economic viability of, and enrich the overall business climate for businesses within the City of Hollister.

Promote the positive impact local businesses have throughout Hollister, including the contribution local businesses make to strengthening the city's fiscal resiliency.

Communicate written and oral recommendations directly to the Council Member who appointed them. Complete other related duties and/or assignments as directed by the City Council.

## **ARTICLE II - OFFICERS**

Section 1. Titles: The officers of this Commission are Chairperson, Vice-Chairperson, and Commission Secretary.

Section 2. Chairperson: The Chairperson will preside at meetings of the Commission.

Section 3. Vice-Chairperson: In the absence of the Chairperson, the Vice-Chairperson will preside at meetings of the Commission. In the absence of both the Chairperson and the Vice-Chairperson, if enough Commissioners are present to constitute a quorum the members present shall designate an Acting Chairperson for the meeting.

Section 4. Commission Secretary: The City Manager or designee is the Commission Secretary and will carry out the administrative details of the Commission, including keeping the records of Commission meeting, acting as Secretary at all Commission meetings, recording all votes, preparing the Commission meeting agenda and minutes, serving as technical advisor to the Commission, etc.

- Section 5. Election of Officers: Annually, at the regularly scheduled January meeting, the Commission will elect from among its members a Chairperson and Vice-Chairperson to serve for a term of two years. These positions are limited to two consecutive terms of office.
- Section 6. Vacancy of Chairperson or Vice-Chairperson: If the office of Chairperson or Vice-Chairperson becomes vacant, the Commission will elect a successor from its membership at the next regular meeting, and such election will be for the unexpired term of the office.

### **ARTICLE III - MEETINGS**

- Section 1. Meeting Time and Place: Business Advisory Commission meetings are held in the Council Chambers of City Hall, 375 Fifth Street, Hollister, California, quarterly at 6:00 P.M. on the third Wednesday of the following months: February, May, August, and November.
- Section 2. Alternate Meeting Times: Alternate meeting times and places are acceptable as long as public notice is given in accordance with the provisions of the Brown Act and other applicable laws.
- Section 3. Meeting Cancellation: Meetings shall be cancelled if there is not sufficient business to discuss or if a quorum of the Commission cannot be present at the meeting. Additionally, meetings occurring on a holiday for which the City is closed will be cancelled.
- Section 4. Special Meetings: Subject to the provisions of the Brown Act and other applicable laws, special meetings may be called at the discretion of City staff. Only those matters listed in the notice of special meetings may be discussed at the meeting.
- Section 5. Quorum: Three (3) Commissioners constitute a quorum for the transaction of business. Actions shall require a simple majority vote of those present who are not excluded from voting.
- Section 6. Order of Business: At the regular meeting of the Commission, business will be conducted in the following order:
- a. Call to Order
  - b. Pledge of Allegiance
  - c. Roll Call
  - d. Public Comment on Items not on the Agenda
  - e. Commission Business
  - f. Staff & Commissioner Reports

g. Adjournment

All official actions shall be entered in the minutes of each meeting as action minutes. Meeting minutes to be prepared by the Commission Secretary and are to be approved by the Commission at a regular meeting for which they are agendaized.

Section 7. Manner of Voting: Voting on matters coming before the Commission will be by voice vote unless a roll call vote is requested by a Commissioner or the Commission Secretary.

Section 8. Rules of Order: Rosenberg's Rules of Order will govern those aspects of Commission proceedings not specifically provided by these bylaws, the Brown Act or any other applicable state or local law.

Section 9. Setting of Agenda Items: Commissioners wishing to add an item to a future agenda may raise the topic at a regular meeting during the Staff and Commissioner Reports section of the agenda. If a majority of the Commission agrees to it, the item may be placed on a future regular meeting agenda item. Depending on the level of staff time required for an agenda item, City Manager approval may be required for the item to move forward.

Section 10. Public Comment: Any person wishing to speak on matters within the subject matter jurisdiction of the Commission may fill out a speaker's card prior to addressing the Commission and submit to the Commission Secretary.

Section 11. Agenda: An agenda will be prepared by the Commission Secretary and will be adhered to with the exception that items may be taken out of order for the convenience of those in attendance. The agenda will be posted and distributed to interested parties at least 72 hours in advance of all regular Commission meetings.

The Business Advisory Commission of the City of Hollister will operate its meeting pursuant to the Ralph M. Brown Act, Government Code 54950 et seq.

## **ARTICLE IV – AMENDMENTS TO BYLAWS**

Section 1. Procedure: The bylaws may be amended by the Commission with such a request approved by a majority of the Commission at a regular or special meeting provided that written notice of such amendment was given to Commissioners at least three (3) days prior to the meeting. A proposed

bylaw amendment may be introduced at one meeting and voted on at the same or subsequent meetings.