

Exhibit A

THE SANTA ANA ENVIRONMENTAL AND TRANSPORTATION ADVISORY COMMISSION

BY-LAWS

ARTICLE I – THE COMMISSION

SECTION 1. Name of Commission. The name of the Commission shall be the Santa Ana ENVIRONMENTAL AND TRANSPORTATION ADVISORY COMMISSION.

SECTION 2. Duties of the Chair. The chair shall be an officer of the Commission and preside at all the meetings of the Commission, authorize calls for any special meetings subject to the availability of Public Works Agency staff, and execute all documents authorized by the Commission.

SECTION 3. Duties of the Vice-Chair. The vice-chair shall be an officer of the Commission and perform the duties of the chair in the absence or incapacity of the chair; and in the case of the resignation or death of a chair, the vice- chair shall perform duties as are imposed on the chair until such time as the Commission shall elect a new chair.

SECTION 4. Recording Secretary. The City Manager or his or her designee shall appoint an employee to serve as Recording Secretary of the Commission, who shall issue notice of all regular and special meetings, and shall perform such duties as are generally associated with that office.

SECTION 5. Additional Duties of Commission Officers. The officers of the Commission shall perform such other duties and functions as may from time to time be required by the Commission, the Santa Ana Municipal Code, the bylaws, or rules and regulations of the Commission.

SECTION 6. Appointment/Removal. Commission Members shall be subject to appointment and removal in accordance with Section 2-326 and Section 2-554 of the Santa Ana Municipal Code and shall serve terms in accordance with the same.

ARTICLE II – COMMISSION OFFICERS

SECTION 1. Selection and Term of Officers. The Commission shall have two elected offices: Chair and Vice Chair. The chair and vice-chair shall be elected as prescribed in Section 2-328 of the Santa Ana Municipal Code.

SECTION 2. Absence of Chair and Vice-Chair. In the event that both the Chair and Vice Chair are absent from the same meeting of the Commission, the Commission shall, as the first order of business, nominate a member to serve as Chair pro tem for the meeting.

ARTICLE III – MEETINGS

SECTION 1. Time and Place.

- A. Regular Meetings. Regular meetings of the Commission are held monthly, but no more than twice per month, and are held on the second Tuesday of the month, held at Room 1600, City Hall Annex, 20 Civic Center Plaza, Santa Ana, at 4:00 p.m., or, in the event that Room 1600 is not available, in a suitable available alternate location as decided by the Commission. In the event any regular meeting falls on a holiday, the regular meeting may be held on the next business day at a time designated by the chairperson. A regular meeting may be adjourned to a time and place designated by the chairperson, or cancelled at the direction of the Executive Director of the Public Works Agency with appropriate notice.
- B. Special Meetings. Special meetings may be called at the direction of the Chairperson, or by a majority of the Commission members subject to the availability of Public Works Agency staff.

SECTION 2. Quorum. More than one half of the members, but at least four (4), shall constitute a quorum for the purpose of conducting the Commission business and exercising its powers and, for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained.

SECTION 3. Order of Business. At the regular meetings of the Commission, the following will be the order of business:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comments (Agenda Items)
5. Consent Calendar
6. Business Calendar
7. Work Study Session (if any)
8. Public Comments (Non Agenda Items)
9. Staff Member Comments
10. Commission Member Comments

SECTION 4. Ad-Hoc Commissions. The Chair, in consultation with the Commission, may appoint ad-hoc committees created for a specific task on an as-needed basis to study a specific topic or subject and return to the full Commission with a recommendation.

SECTION 5. Commission Member Absences. Absence of a commission member from a meeting shall be governed by Section 2-326 of the Santa Ana Municipal Code. Notification to the Recording Secretary of non-attendance by either e-mail, telephone or through message relayed by staff or other Commission member may be deemed as an “excused absence” after consideration and vote of a majority of the Commission. Failure to give notification of non-attendance as described herein shall be deemed as “unexcused.”

SECTION 6. Abstentions and Conflicts of Interest. No member of the Commission shall abstain from any vote unless disqualified. If a member of the Commission feels that he/she is disqualified from voting, the member shall openly state the fact and the nature of the disqualification, and then leave the room during the matter's debate and vote.

SECTION 7. Discussion. Each Commission member may speak for five minutes on an agenda item, if he/she desires. Once all Commission Members have had the opportunity to speak, a Commission Member may speak again when recognized by the chair.

SECTION 8. Brown Act Compliance. All proceedings of the Commission shall be conducted in accordance with the Ralph M. Brown Act (California Government Code Section 54950 *et seq.*), as amended from time to time.

SECTION 9. Parliamentary Procedures. The current edition of Robert's Rules of Order Newly Revised shall be the authority on all questions of parliamentary procedure, unless in conflict with the Santa Ana Municipal Code, the laws of the State of California or these bylaws.

SECTION 10. Amendment of Bylaws. The Bylaws of the Commission shall be amended only with the approval by a supermajority, but at least four (4), of the members of the Commission at a regular or special meeting, but no such amendment shall be adopted unless at least seven (7) days written notice thereof has been previously given to all members of the Commission. Such notice shall identify the section(s) of the bylaws proposed to be amended.

ARTICLE IV – ACTION ON ITEMS

SECTION 1. Manner of Voting and Decision. The voting on Commission agenda items shall be entered upon the minutes of such meeting with the ayes and the noes and any abstentions set forth with specificity. No action shall be taken by the Commission unless it is concurred upon and adopted by the affirmative vote of the majority of Commission members present. Any member who voted with the majority on any action may move for reconsideration of such action only at the same meeting.

SECTION 2. Order of Voting. When a motion has been made and seconded, the members of the Commission supporting the motion shall indicate their votes verbally or by a show of hands.

SECTION 3. Processing of Motions. A motion shall be made and seconded. Any debate, if any, would then follow. If it is likely there may be confusion as to the motion, the chair should ask the Recording Secretary to read from his/her notes. A motion may be withdrawn by the mover at any time before its consideration.

SECTION 4. Motion by Chair. The chair has the right to make or second motions and, in his/her absence, when the vice-chair is acting in the same capacity, he/she has the same right, using discretion and tact as to recognition of other members.

SECTION 5. Priority of Motion. When a motion is before the Commission, no motion shall be entertained except (1) to adjourn, (2) to fix hour of adjournment, (3) to lay on the table, (4) for the previous question, (5) to postpone to a certain day, (6) to refer, (7) to amend, and (8) to postpone indefinitely. These motions shall have precedence in the order indicated.

SECTION 6. Motion to Approve or Deny. The vote is affirmative when a motion to approve the matter before the Commission is approved by the majority of Commission members present. In the event a motion to deny fails to carry, the chair shall call for a motion to approve.

SECTION 7. Tie Vote. In the event of a tie vote on a motion, the Commission shall be deemed to have made no decision, and the Minutes shall reflect the tie vote.

SECTION 8. Vote Required on Other Motions. The vote required to decide motions in the affirmative shall be the confirming vote by the majority of Commission members present.

SECTION 9. Appeal of Decision. Any decision or ruling of the chair may be appealed to the Commission by request of any member and seconded by another. The chair shall then call a vote to see if the chair's decision shall be upheld.

SECTION 10. Motion to Reconsider. Any member who voted with a majority may move a reconsideration of any action at the same meeting or the immediately next succeeding meeting. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made without unanimous consent.

ARTICLE V - CONDUCT OF PUBLIC HEARINGS

SECTION 1. Matters to be Considered. The Commission shall hold public hearings as mandated by law. As to each public hearing, the chair shall state the matter before the Commission, and open the public hearing. Staff presents a report, and then the chair shall then recognize any members of the public wanting to speak with regard to the matter.

SECTION 2. Time Limit to Address Commission. No person addressing the Commission shall speak more than three (3) minutes unless the meeting chair allows the speaker more time. All persons addressing the Commission shall be recognized by the chair.

SECTION 3. Closing the Hearing. After all speakers have been heard, the chair shall declare the hearing closed. A closed hearing may be reopened only on motion and vote as hereinafter provided. After close of the hearing, members of the Commission may publicly discuss the matter before them and may ask questions of persons who have spoken before the Commission. Upon conclusion of the discussion, the chair shall ask for a motion declaring the decision of the Commission. The motion shall be made and seconded. Prior to a vote, the motion may be discussed by members of the Commission.

ARTICLE VI – POWERS AND DUTIES OF THE COMMISSION

SECTION 1. As more fully described by Section 2-555 of the Santa Ana Municipal Code, the duties of ETAC shall consist of acting in an advisory capacity to the City Council, in the study, review, and recommendation with regard to the removal, planting, replanting or disposition of public trees along city streets in the public right of way.

SECTION 2. As more fully described by Section 2-555 of the Santa Ana Municipal Code, the duties of ETAC shall also consist of acting in an advisory capacity to the City Council, in the study, review, and recommendation with regard to transportation issues, streetscape issues, and general water and wastewater policies.