

SALT LAKE CITY  
BICYCLE ADVISORY COMMITTEE  
Minutes of the December 16, 2013 Meeting

Present from the Bicycle Advisory Committee were David Brooks, Denise Hunsaker, Jason Hamula, Jason Stevenson, Louis Melini, Mark Kennedy, Scott Lyttle, Shaun Jacobsen, Suzanne Stensaas, Syhalla Bales and Todd Hadden.

Absent from the Bicycle Advisory Committee were Tom Millar and Elicia Cárdenas.

Also present were Becka Roof, Colin Quinn-Hurst, Amy Pufahl, Dan Bergenthal, Katie Lewis and Chad Mullins.

The meeting held at the Transportation Division Office, 349 South 200 East, Salt Lake City, Utah, was called to order at 4:04 p.m. by Becka Roof.

Becka Roof welcomed all attendees and everyone introduced themselves.

Civility Pledge – Becka had the Committee members review and sign the Civility Pledges requested of them by the Mayor’s Office.

Public/Open Comment – Denise picked up some bicycle related handouts from another meeting for the BAC members. Becka handed out some information about the SLC Resident Transit Pass and gave the Committee a brief overview of what information is currently available.

**Motion:** Denise Hunsaker moved to approve the minutes of the November 18, 2013 meeting. Louis Melini seconded the motion. The motion passed unanimously.

Committee Communications & Open Meeting Requirements - Katie Lewis from the SLC Attorney’s Office said they have a statutory obligation to train all members of a public body about open and public meetings law. The basic principle of a public meeting is that it has to be open to the public with some exceptions for when those meetings can be closed.

The BAC is a public body whose members are appointed by the Mayor. A meeting is a specifically defined term which is, a meeting has to be a simple quorum or just a simple majority of the public bodies’ members. They have to be together for a specific purpose and that purpose is to discuss or receive comments from the public on or act on a matter in which they have jurisdiction. For the BAC anything that has to do with bicycling, transportation or what their charge is, that’s going to be considered a meeting if there is a quorum discussing those items or receiving public comment. Anytime there

is a quorum of BAC members discussing those issues it would be considered a meeting, and legally must be open and advertised to the public.

Meetings must be convened and called to order for the purpose of discussing the committee's business. If a quorum of the committee is at a purely social gathering this is not a public meeting so they do not have to put out an agenda and go through all of the public notification steps. However, committee business must not be discussed in that social setting.

There are certain notice requirements that must be followed for any public meeting. At least 24 hours before any public meeting the committee has to provide notice of their meeting, including the agenda with the date, time and place of the meeting. It has to be posted in a variety of locations including the principal office of the Committee and on the Utah Public Notice website.

The Committee also has to give an annual notice of the dates of their meetings. However, emergency meetings may be held that do not follow this advance-noticed schedule; for an emergency meeting, the committee must give the best notice practicable under the circumstances.

Each meeting agenda must have reasonable specificity to notify the public as to the topics being discussed; each topic item has to be listed as a separate agenda item. New topics that arise for discussion during the meeting, or brought by a member of the public, may be discussed at the meeting even if not on the agenda. However, the committee can't take final action on an item or topic unless it has been listed as an agenda item and included in the public notice. There is an exception at emergency meetings when a topic raised can be discussed but final action can't be taken on that item.

An open meeting can also include a workshop or a site visit. If you are discussing whatever your jurisdiction is and there is a quorum present you still need to follow the agenda requirements, post it and act as though it's a public meeting. It is recommended that the committee only take action in a regular meeting setting, not at a site visit.

Under some circumstances the committee can meet in a closed session only if you are meeting to discuss the character, professional competence, physical or mental health of an individual, discussing collective bargaining strategy sessions, pending or reasonably imminent litigation, strategy sessions to discuss the purchase, exchange or sale or lease of real property and discussion regarding employment of security personnel, security devices, cameras and investigative proceedings regarding the allegations of criminal misconduct. To enter into a closed meeting you have to convene an open meeting and then 2/3 of the quorum has to vote to approve closing the meeting. Some information from a closed meeting has to be disclosed and put into the minutes but no specifics are needed. The location of the closed meeting and the vote by name must be

in the minutes so there has to be a roll call vote of everyone who voted to close the meeting.

In every meeting regardless of whether it's open or closed you have to keep minutes. In an open meeting both written minutes and a recording must be kept unless you're going on a site visit in which case if one or the other is not practical you don't have to do it as long as there is no vote taken. The recording and minutes must include the date, time and place of the meeting and the names of the committee members who are present as well as the names of the committee members who are absent, the substance of all matters which were discussed and whether or not they were voted on and a record of the vote. The name of each person who is not a member who spoke publicly and any other information the committee requests to have included in the minutes. The recording has to be a complete and unedited recording that is properly labeled and kept.

The approved written minutes (not the recording) are the official record of the meeting so the Committee must approve their minutes and post on the State Public Notice website within three days of approval. During closed meetings the committee must keep a recording and may keep minutes of the closed meeting. The recording and any minutes if they are taken must also include the date, time, place of the meeting, and names of the committee members that are present, the names of all others that are present unless the names would infringe on some sort of confidentiality and those closed minute recordings are protected records under GRAMA.

After a closed meeting is done the person presiding over the meeting will sign a sworn statement affirming the sole purpose of closing the meeting was to discuss the matter and no other matter should be discussed in that closed meeting. The recording must be retained for at least one year and the minutes must be retained permanently for a closed meeting.

The city code allows a member to participate in a meeting electronically or by phone but for that to happen there has to be a majority of the quorum present at the physical location.

Members are allowed to communicate via facebook, e-mail or other social media but must be cautious not to participate in a discussion with a quorum of members regarding items in which they have jurisdiction or it becomes a violation of Utah's Open and Public Meetings Act.

The public is welcome to come to any public meetings unless that person becomes so disorderly that conducting the meeting is compromised.

Transportation Division staff post BAC agendas on the City's listserv, the State's Public Notice Website and in the Transportation Division office. This meets the legal requirements for notice.

Process for Nominations and Election of Officers - Becka sent around an outline of a possible way to select committee leadership along with some of the founding BAC documents. There will be a Chair, a Vice-Chair and a Secretary.

This outline offers a recommended process for selecting committee officers. Becka said she had received an email inquiry from a committee member prior to the meeting asking why she suggested such a formal process. She responded that the process is designed to have the committee identify the qualities they want in a leader and then be able to select someone who has those qualities rather than taking whoever volunteers first. It's a process through which everyone has an opportunity to submit a nomination. Those nominated are in the consideration process (without a chance to say no) while everyone expounds on the reason their candidate is the best. A person who has been nominated gets to listen as his or her fellow committee members tell why they think you are the best person to be in that position. If you are elected through this process, as a last step, you may opt out if you would like.

Jason Stevenson suggested they possibly add an ombudsman to their committee to respond to the public and be the eyes and ears of their group. Based on the prior committee documents, Becka said that the Chair will be largely involved in helping set the agenda and perhaps have other roles such as signing or helping draft letters the Committee may want to send. The Vice-Chair will have a role of serving as a representative on the Transportation Advisory Board and acting as the Chair when the Chair is unavailable. The Secretary will take the minutes. The Committee proceeded to brainstorm leadership qualities that they were looking for in their officers and are as follows:

Chair: Availability, Able to Facilitate Conversations, Visionary, Knowledge of other Cities, Public Ambassador, Responsive, Conflict Management skills, City Resident?

Vice Chair: Availability for both BAC and TAB meetings, Willing to be in-training for Chair, Previous Board Experience, Persuasive, Assertive, Knowledge of Transportation Ordinances, City Resident?

Secretary: Legible Spelling, Prompt OCD, Good with Names, Ability to Produce a Draft within Two Weeks, Protocol, Availability, E-Savvy

Becka told the Committee to let her know if they think of any other ideas. A couple questions arose which Becka said she would research: terms of office related to officer positions; whether the committee can exclude non-City residents from serving as officers; and what happens if an officer is removed for non-attendance of Committee meetings (three or more meetings unexcused).

To assist the committee in considering members for leadership, Becka led an exercise asking everyone what they would do with a “magic wand” to change one item about bicycling in Salt Lake City.

David suggested the Committee do something social to get a better sense of the group.

The group tentatively agreed to elect officers at the February meeting.

Green Lanes Project Application – Becka had previously sent a link to the Green Lanes Project website for the Committee’s review. In March of 2012 Salt Lake City applied to be part of the national Green Lanes Project and was ranked number 7 – first runner-up to the 6 that were selected. Salt Lake City will be applying for this again and Becka thinks it would be appropriate for the Bicycle Advisory Committee to write a letter in support of this application. She gave a brief overview of what this would mean for the City and the type of protected low-stress bicycling networks this could help create.

The application due date is January 14, 2014 so she recruited some volunteers to help draft a letter for the BAC to review and hopefully sign at their next meeting. This application is about gaining technical assistance and helping the city to tap into the best practices from across the country. The project does not provide much financial assistance, but is more about recognition and technical assistance.

Recently Salt Lake City has been very successful getting funding for the implementation of bicycle projects throughout the City from a variety of different sources and will continue to look for funds to support the implementation of these projects. Denise, Jason S., Suzanne, Lou and Mark will be working with Becka on a draft letter to present to the BAC at their next meeting.

The next meeting of the Board was scheduled for Monday, January 13, 2014 from 4:00 p.m. until 5:30 p.m. Tentative agenda items include: Committee Leadership, the Green Lane Project Application, the Bicycle Friendly Communities Application and an update on the Bicycle/Pedestrian Master Plan.

**Motion:** Suzanne Stensaas moved to adjourn the meeting. Todd Hadden seconded the motion. The motion passed unanimously. The meeting was adjourned at 5:43 p.m.

(A recording of the meeting will be available for one year)