

Exhibit A

CITIZENS' TRANSPORTATION SALES TAX COMMISSION

BYLAWS

(Approved by City Council: April 11, 2023, Resolution No. 2023-169)

(Amended by City Council: June 10, 2025, Resolution No. 2025-197)

Article I. Definitions

Section 1.01 The City Council established a Commission known and designed as the Citizens' Transportation Sales Tax Commission.

Section 1.02 As used in these Bylaws, unless a different meaning clearly appears from the context:

(a) "Member" shall mean a member of the Citizens' Transportation Sales Tax Commission.

(b) "Commission" shall mean the Citizens' Transportation Sales Tax Commission.

Article II. Duties

Section 2.01 Pursuant to MMC 8-10.101(a):

"A Citizen's Transportation Sales Tax Commission, hereinafter "Commission," is hereby established for the purpose of providing oversight of the collection and spending of tax revenue from any local transportation sales tax. For purposes of this chapter, a "local transportation sales tax" is defined as a sales tax imposed on City residents for purposes of generating funds to specifically fund the City's transportation plan; any local tax used to fund general services in the City is not a "local transportation sales tax." The first such Commission shall be appointed by the Council no later than ninety (90) days from the effective date of the passage of any local dedicated tax imposed for transportation purposes. The Commission shall regularly meet and make recommendations to the Council to provide oversight of any transportation tax then in effect."

Section 2.02 Pursuant to MMC 8-10.101 (b):

"The duties of the Commission shall include, but not be limited to, the following:

(1) Reviewing the annual work plan and priorities for revenue derived from any transportation sales tax then in effect;

- (2) Analyzing and commenting on any proposed items in the City budget that would lessen the City's its commitment to road and street funding from sources of revenue other than any transportation sales tax then in effect;
- (3) Reviewing any policies, standards or similar measures that the City uses to set priorities for where revenues from any transportation sales tax then in effect are to be spent;
- (4) Reviewing any proposals for the City to use bond or similar financing secured by revenues from any transportation sales tax then in effect;
- (5) Reviewing any policies, standards or similar measures that the City uses to determine whether work funded by the tax shall be done "in-house" or through outside contracts; and,
- (6) Reviewing any other matter the Council deems appropriate related to any local transportation sales tax. The Council shall appropriate adequate funds for the work of the Commission."

Article III. Membership of Commission

Section 3.01 Pursuant to MMC 8-10.102:

"The Commission shall consist of nine (9) qualified electors residing within the City and shall be appointed by the City Council by resolution pursuant to the provisions below:

- (a) Be a citizen of Modesto
 - (1) one (1) citizen from each City Council District;
 - (2) three (3) at large citizens from anywhere within the city limits.
- (b) Strong consideration shall be given to composing the Commission of representation from:

- (1) a bona fide local taxpayer's association with tax-exempt status under the relevant provisions of the Internal Revenue Code;
 - (2) a bona fide local nonpartisan political organization, with tax-exempt status under Section 501(c)(3) of the Internal Revenue Code, dedicated to encouraging informed and active participation in government;
 - (3) a bona fide Modesto Neighborhood Associations or organizations with similar purposes with tax-exempt status under Section 501(c)(3) of the Internal Revenue Code;
 - (4) a bona fide association representing business such as a chamber of commerce;
 - (5) a member from a large business located in the City;
 - (6) a member from a small business located in the City;
 - (7) a bona fide labor union with members residing in the City; and,
- (c) No member of the Commission shall be a relative by blood or marriage within the second degree of the Mayor, a member of the Council, any Charter officer, or any department head or deputy department head.
- (d) No member of the Commission shall be an employee of the City nor any bargaining unit for employees of the City, nor be a person who receives compensation from the City or from bargaining units of the City in any manner, except retirement benefits.
- (e) No member of the Commission shall be a lobbyist or other person with business before the City that represents an economic interest in excess of the limit for material financial effect as established by state law.

- (f) Members of the Commission shall serve without compensation.
- (g) Each Commissioner shall be appointed to a four-year term unless the appointment is to fill a vacancy.

Section 3.02 All Members must complete a Statement of Economic Interest (Form 700) and AB 1234 ethics training by April 1 of each year and when assuming or leaving Commission membership.

Article IV. Terms of Office

No Commissioner shall serve more than three consecutive four year terms on the Commission.

Article V. Attendance at Meetings

Section 5.01 Timely attendance at meetings is expected and necessary to carry out the mission of the Commission. It shall be the responsibility of each Member to know the dates and times of all Commission meetings. If a Member knows he or she will not be able to attend a regularly scheduled meeting, it shall be his or her responsibility to notice the Commission Secretary at least forty-eight (48) hours in advance of the meeting, in order for the absence to be recorded as an excused absence.

Section 5.02 The minutes of each meeting will list those Members in attendance, those who are excused and those who are unexcused.

Article VI. Officers and Their Duties

Section 6.01 The Commission shall elect from among its membership a Chairperson, and a Vice Chairperson. The term of office shall be one year.

Section 6.02 All officers shall exercise all privileges of membership, including the making of motions, seconding and debate.

Section 6.03 The Chairperson shall preside at all meetings, shall appoint, with the consent of the Commission, all ad-hoc Commissions, and shall ensure that the bylaws, rules and regulations as adopted by the Commission are properly enforced.

Section 6.04 The Vice Chairperson shall assist the Chairperson in his/her duties and in the absence of the Chairperson shall perform all duties usually performed by the Chairperson.

Section 6.05 The Commission Secretary shall be a City staff member, appointed by the Community & Economic Development Department, to serve as secretary to the Commission. The Commission Secretary shall keep a record of the minutes of all Commission meetings and such other duties as are usually performed by a secretary. An audio recording shall be made at all meetings, retained pursuant to the City's record retention policies, and shall be made available to all Commissioners by request.

Article VII. Meetings

Section 7.01 Regular meetings of the Commission shall be held not less than at least quarterly, at Tenth Street Place, 1010 Tenth Street Modesto, California.

Section 7.02 Special meetings shall be called by the Chairperson as necessary, in consultation and coordination with the Commission Secretary.

Section 7.03 Meetings may be cancelled by agreement of the Chairperson and Vice Chairperson in coordination with the Commission Secretary.

Section 7.04 Notices of all meetings, including agendas, shall be given to all Members of the Commission, to the City Clerk, to the City Manager, and to all others as provided by law.

Section 7.05 All meeting agendas will be posted at Tenth Street Place.

Section 7.06 All meetings shall comply with the requirements of the Ralph M. Brown Act.

Section 7.07 A quorum is necessary for the Commission to transact any business. A quorum is a majority plus one of appointed members.

Section 7.08 All meetings of the Commission shall be open to the public and shall be held at a public facility, which is accessible in accordance with the regulations of the Americans with Disabilities Act.

Article VIII. Order of Proceedings

Section 8.01 The Standard Code of Parliamentary Procedure shall be the guide for the parliamentary procedures in the conduct of Commission meetings.

Section 8.02 The order of proceedings of all meetings shall be as follows, subject to majority vote of the members present:

- (a) Roll Call
- (b) Declaration of Conflict of Interest
- (c) Public Comment Period
- (d) Consent Items
- (e) Old Business
- (f) New Business
- (g) Commission Comments & Reports
- (h) Matters Too Late For the Agenda
- (i) Adjournment

Article IX. Amendments

Section 9.01 The Bylaws and any future amendments shall be subject to the approval of the City Council and shall not and are not intended to go beyond any of the powers and duties given to the Commission by the City Council nor contradict MMC 8-10.

2981909.4