

**THE CITY OF SAN RAFAEL
AMERICANS WITH DISABILITIES ACT ACCESS ADVISORY COMMITTEE
BYLAWS**

ARTICLE I. NAME AND PURPOSE

Section 1.1. Name. The name of this body shall be the City of San Rafael Americans with Disabilities Act Access Advisory Committee, hereinafter referred to as the "ADA Advisory Committee," or the "Committee."

Section 1.2. Purpose. The ADA Advisory Committee provides valuable input in determining disability policy for the City of San Rafael. The ADA Advisory Committee provides input, advises the City on matters relating to people with disabilities, and is a primary public networking resource between persons with disabilities, disability service agencies, representatives from government agencies, and others. Members of the committee represent a broad cross-section of members of the community with disabilities, reflecting multiple disabilities, and the cultural and gender diversity of the wider disability community. The ADA Advisory Committee works in conjunction with the City of San Rafael.

Section 1.3. Committee Responsibility. The ADA Advisory Committee's authority is advisory only. The ADA Advisory Committee has no power to act on behalf of the City of San Rafael or any other entity. The ADA Advisory Committee's responsibilities shall be in accord with these Bylaws, as amended from time-to-time by the City Council.

The ADA Advisory Committee may:

1. Act as a liaison between the City and the disabled community living and doing business in the City of San Rafael;
2. Assist the City with ADA projects including, but not limited to the: Self Evaluation, Transition Plan, publicity, website content, training, and emergency planning for persons with disabilities;
3. Solicit public input on city-related ADA projects and programs and provides a public forum for individuals with disabilities and groups representing people with disabilities;
4. Facilitate community awareness and advocacy by identifying and articulating common concerns;
5. Advise and educate members of the disability community, City staff, and the public about disability rights and accessibility issues;
6. Provide input to the City for the removal of physical barriers in City facilities, on City

property, and the public rights-of-way based upon identified needs and budget;

7. Work to improve accessibility for persons with disabilities throughout the community;
8. Promote emerging state and national disability issues relevant to the City;
9. Provide input for prioritizing barrier removal projects that are funded in the Capital Improvement Plan. The Director of Public Works shall have the final decision over the approval and authorization of projects.
10. Provide input on Disabled Access Hardship Applications submitted to the Building Division on permitted projects. The Chief Building Official shall have the final decision over the Disabled Access Hardship Application.

The ADA Advisory Committee is **not** involved in:

1. ADA compliance related to private development applications, approvals, or enforcement other than Disabled Access Hardship Applications as described above. This responsibility is carried out by the Community Development Department.
2. Grievances under the ADA directed toward the City. Anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of San Rafael shall fall under the provisions of the City's grievance procedure.
3. Project review and approval. Existing Boards or Commissions (such as the Design Review Board or Planning Commission) that are established for public or private project review and approval, which includes full ADA compliance, shall remain with those Boards and Commissions.
4. City bids, contracts and agreements. The City has full responsibility to ensure that all approved bids, contracts and agreements are in full compliance under the ADA.

Section 1.4. Brown Act. All meetings of the ADA Advisory Committee shall be open and public, and all persons shall be permitted to attend any meeting of the ADA Advisory Committee, except as otherwise provided in Government Code Section 54952.

ARTICLE II. MEMBERSHIP

Section 2.1. Number of Members. The ADA Advisory Committee shall consist of seven (7) voting members, and one (1) non-voting City staff member who will act as the Committee Chairperson. The City staff member will typically be the City's ADA Coordinator, but in all instances shall be the person appointed by the City Manager.

Section 2.2. Eligibility. The seven (7) voting ADA Committee members shall consist of the following, each having the same duties and responsibilities:

1. Persons who are, or family members of, City of San Rafael residents with disabilities; and/or
2. Individuals residing in the City of San Rafael serving persons with disabilities in Marin County; and/or
3. Individuals residing in the City of San Rafael with expertise and/or affiliations with private or public organizations concerned with issues of accessibility and/or other issues of concern to persons with disabilities; and
4. One member of the Committee shall represent the San Rafael business community interest; and

Membership on the Committee shall not be limited based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age or sexual orientation. Every effort will be made to ensure that the membership is balance and diverse based of the eligibilities above.

Section 2.3. Voting Member Limitations. Voting membership is limited to two (2) members of each family. A “family” is defined as immediate relatives including spouses, parents and grandparents, children and grandchildren, brothers and sisters, mother in law and father in law, brothers in law and sisters in law, daughters in law and sons in law, and any adopted, half, and step relatives of similar relation to the above.

Section 2.4. Appointment of Committee Members. Voting Committee members shall be appointed by the City Council. Appointments shall be published on the website for the City of San Rafael in accordance with Government Code Section 54973, as amended from time to time.

Section 2.5. Terms of Appointment. Each Committee member shall serve a minimum term of four (4) years but not more than two terms. Every effort will be made to ensure that the terms are staggered, and not all of the appointments expire in the same year. A Committee member whose term is expiring should notify the Chairperson at least ninety (30) days before the end of his/her term whether he/she wishes to continue his/her membership.

Section 2.6. Resignation. All resignations from the ADA Advisory Committee shall be submitted in writing to the Chairperson. The resigning Committee member should provide as much notice as possible.

Section 2.7. Absence and Removal. Attendance at any regularly scheduled meeting is a necessary part of being an effective Committee member. If a member is unable to attend a regularly scheduled meeting, the member should notify the Chairperson at least twenty-four (24) hours in advance of a regularly scheduled meeting to have an excused absence. An unexcused

absence from three (3) consecutive ADA Committee meetings without notification to the Chairperson, or six absences (whether excused or unexcused) in any term, shall result in immediate review of Committee membership by the Committee. The Committee may vote to remove the absent Committee member and the position be declared vacant. Such voting may be on the same day as the review or at a future meeting. Previously dismissed Committee members may be eligible for reappointment to the Committee in accordance with Section 2.4.

Section 2.8. Vacancies. Vacancies, no matter how arising, shall be published on the website for the City of San Rafael in accordance with Government Code Section 54973, as amended from time to time.

Section 2.9. Compensation. Committee members serve without compensation.

Section 2.10. Duties of the Chairperson. The Chairperson shall preside over all ADA Advisory Committee meetings and shall be responsible for preparing agendas and meeting minutes. If the Chairperson is unable to attend a regularly scheduled meeting, the regularly scheduled meeting shall be cancelled and resumed at the next regularly scheduled meeting.

ARTICLE III. MEETINGS

Section 3.1. Time and date of Regular Meeting. Notification of meeting place, date, and time shall be rendered to the public through posting on the City of San Rafael website. Meetings shall be held quarterly on the first Wednesday of March, June, September and December at 2:00 p.m. at City Hall. If the regular meeting dates fall on a legal holiday, that meeting may be held on a date selected by the Committee at the regular meeting preceding the holiday.

Section 3.2. Agenda. Items may be placed on the agenda by the Chairperson or at the request of a member if approved by the Chairperson. The Chairperson will be responsible for preparing an agenda item cover sheet and for the initial presentation at the meeting. Items to be included on the agenda should be submitted to the Chairperson no later than two weeks before the scheduled Committee meeting. Agenda packets for regular meetings will be provided to the Committee members at least two (2) business days before the scheduled meeting.

Section 3.3. Special Meetings. Special meetings may be called by the Chairperson.

Section 3.4. Quorum. Four (4) voting members of the Committee shall constitute a quorum for the transaction of business at any regular or special meeting of the ADA Advisory Committee.

Section 3.5. Voting. A majority vote of those present and constituting a quorum shall be required to agree to any business of the Committee, including making any input that will be presented to the City Council, City Manager, Director of Public Works, or Chief Building Official provided that any Committee member who abstains due to a legal conflict of interest shall not be counted in determining the existence of a quorum or a majority vote.

Section 3.6. Public Participation. All meetings of the ADA Advisory Committee shall be open to the public. Meetings will be accessible to all, with accommodations for accessibility issues made upon request. Any person who disrupts the meeting may be asked to leave and be removed.

ARTICLE IV. ADOPTION AND AMENDMENT

Section 4.1. Effective Date. The Bylaws shall become effective immediately upon a majority vote of approval by the City Council.

Section 4.2. Amendments. These Bylaws may be amended by majority vote of the City Council at any regular meeting of the City Council. All proposed amendments to the Bylaws shall be made available to the membership at least ten (10) days prior to the meeting at which the City Council will vote on the proposed changes. The effective date of the amendment shall become effective immediately upon a majority vote of approval by the City Council.