

CITY OF MADERA

Bylaws of the Madera ADA Advisory Council

SECTION 1. Membership

The ADA Advisory Council of the City of Madera shall consist of members who shall be appointed by the City Council as provided herein. The total number of positions on the ADA Advisory Council shall equal the total number of positions on the City Council, inclusive of the elected Mayor. The composition of the ADA Advisory Council shall be as diverse as possible to include a cross-section of the community in the City of Madera (i.e. members representing general public, elderly, disabled, students) and shall be appointed for the terms of office provided herein, unless the appointment is made to fill an early vacancy on the ADA Advisory Council, in which case the appointment shall be for the unexpired term of the member who is replaced. Each member must be a resident of the City of Madera at the time of their appointment and while serving on the Council. All ADA Advisory Council member terms of office and filling of vacancies shall thereafter be as follows:

- A. The members of the ADA Advisory Council shall be appointed by individual members of the City Council subject to confirmation by the entire City Council. Each nominee shall be appointed upon the adoption of a resolution of appointment approved by at least a simple majority of the City Council. Any vacancy created by the resignation, removal, or end of the term of office of an ADA Advisory Council member shall be filled as outlined above. Should the Council member who made the original nomination no longer be serving as a Council member, then such nominations shall be made by a Council member who has not yet made his/her opportunity to nominate a person to serve on the ADA Advisory Council.
- B. Each ADA Advisory Council member shall serve a term of four (4) years or until the Council member who nominated such ADA Advisory Council member is no longer serving as a Council member, whichever period is less.

Members of the ADA Advisory Council shall serve without compensation. However, payment for any necessary expenses incurred in the conduct of pertinent business may be paid if previously authorized in writing by the City Administrator. Additionally, bus fares to and from ADA Advisory Council meetings may be paid by the City when included as a City budgeted item.

SECTION 2. Duties and Responsibilities

- A. The ADA Advisory Council serves in an advisory capacity to the City Council and staff on ADA matters. ADA Advisory Council duties shall include the following:

1. Promote pedestrian safety and access to all public streets.
2. Promote ADA compliance in all public buildings and facilities, services, programs and activities.
3. Promote inclusion of the disabled community in the City's emergency and disaster preparedness plans.
4. Develop disability awareness and educational outreach programs.
5. Work with various City of Madera Departments to ensure that all public buildings and facilities, remodeled and newly constructed, are in compliance with current laws guaranteeing access for all people with disabilities.
6. Promote affordable and accessible housing in the community.
7. Work collaboratively with the City of Madera on recommendations regarding unmet transit needs.
8. Ensure grievance procedures are followed and enforced as described in Section 6.

B. Attendance

1. The ADA Advisory Council shall meet one time per month on the third Tuesday of each month. Special meetings may be called by the chair or a majority of the ADA Advisory Council when necessary.
2. ADA Advisory Council members should attend all regular monthly meetings of the ADA Advisory Council. If an ADA Advisory Council member knows that he or she may not be able to attend a meeting, an effort should be made to contact the Secretary prior to the meeting.
3. In order for the ADA Advisory Council to function properly, attendance is required and three consecutive absences by the ADA Advisory Council member shall be deemed an automatic resignation. A significant pattern of absences may also be considered grounds for removal from the ADA Advisory Council. A significant pattern of absences may include such things as continually arriving late and/or leaving early from a majority of meetings, missing more than 4 meetings in any calendar year, or an ongoing inability to participate in ADA Advisory Council activities. This list is provided as an example only, and is not intended to be exhaustive.
4. If any member of the ADA Advisory Council wishes to discuss the removal of another member in accordance with Section 1 due to attendance, the member must notify the Secretary to include the item on the next ADA Advisory Council Agenda.

SECTION 3. Chairperson, Vice-Chairperson

- A. The officers of the ADA Advisory Council shall be a Chairperson and a Vice-Chairperson, who shall be members of the ADA Advisory Council elected by the ADA Advisory Council by a majority vote of a quorum annually in the month of January.

1. In the absence of the Chairperson and Vice-chairperson, the most senior member of the ADA Advisory Council shall call the ADA Advisory Council to order and conduct the meeting.
2. Secretary. There shall also be a Secretary designated by the City Administrator, who shall not be a member of the ADA Advisory Council. The person designated shall be vested with all powers and duties of the Secretary pursuant to these rules and regulations.

SECTION 4. Powers and Duties of Officers

- A. The Chairperson shall preside at all meetings of the ADA Advisory Council. The Vice-Chairperson shall have and perform the powers and duties of the Chairperson in the absence of the Chairperson.
- B. The secretary shall:
 1. Keep and record the minutes of all meetings of the ADA Advisory Council, and furnish a copy of the minutes of each regular and special meeting to each member of the ADA Advisory Council;
 2. Keep complete files of all communications and necessary records of the ADA Advisory Council;
 3. Prepare and coordinate the meeting agenda;
 4. Perform such other duties as the ADA Advisory Council may from time to time prescribe.

SECTION 5. Meetings and Actions

- A. Regular meetings of the ADA Advisory Council shall be held on the third Tuesday of every month at 2 p.m. at the City Hall of the City of Madera, or such other place as shall be determined in advance and announced by posting notice thereof on the official bulletin board at City Hall. Whenever a regular meeting date falls on a holiday, such regular meeting shall be held at the same hour on the following day.
- B. A Special meeting may be called at any time by the Chairperson at his/her discretion, and the Chairperson shall call a special meeting at the written request of three members of the ADA Advisory Council. Notice of special meetings shall be given by delivering personally or by mail or written notice thereof to each member of the ADA Advisory Council. The notice shall be delivered at least 24 hours in advance of the special meeting.
- C. A majority of the members of the ADA Advisory Council shall constitute a quorum for the transaction of business.

- D. The actions and decisions of the ADA Advisory Council at any time shall be expressed by a motion.
- E. The ADA Advisory Council shall determine action items and recommendations to be forwarded to the City Council. When action items or recommendations are to be forwarded to the City Council, the Secretary shall make the report. The Chairperson, or in the absence of the Chairperson, the Vice-Chairperson, or other member of the ADA Advisory Council appointed by the Chairperson, may be present at the City Council meetings when deemed advisable by the ADA Advisory Council.
- F. The order of business of the ADA Advisory Council shall be conducted from a written agenda prepared by the Secretary. The agenda shall express the time and location of the meeting and a brief general description of each item of business to be transacted or discussed. No action shall be taken on items not appearing on the agenda.

SECTION 6. ADA Advisory Council Responsibilities for Grievance Procedures

- A. The ADA Advisory Council shall review any ADA grievances forwarded which were not resolved to the satisfaction of the complainant.
- B. The ADA Advisory Council shall discuss and make a final recommendation to the City's ADA Coordinator for resolution of grievance(s).
- C. The final recommendation(s) of the ADA Advisory Council shall be forwarded to the City's ADA Coordinator for follow-up action and resolution.

SECTION 7. Bylaws Amendment Process

- A. Amendments to these bylaws may be recommended for presentation to the City Council for adoption if done by a majority of all the ADA Advisory Council members present thereof at any regular or special meeting when at least 10 days written notice of the proposed presentation of such amendment has been given to all members of the ADA Advisory Council, or when announcement of the proposed amendment was recorded in the minutes of the previous regular meeting of the ADA Advisory Council.
- B. Amendments may be authored and adopted by the City Council following the process outlined in Section 7.A.

SECTION 8. Bylaw Adoption Process

The original Bylaws of the City of Madera ADA Advisory Council were adopted by the City Council of the City of Madera at its regular meeting of May 17, 2006. Said Bylaws were

revised by the City Council at its regular meetings of March 19, 2008, November 3, 2010, and February 20, 2013.