



The Commission on Persons with Disabilities, established by Ordinance, consists of up to seven members. The Commission's duties are to provide information and make recommendations regarding issues relevant to the disabled community to the City Council and to receive information regarding the disabled from the community at large. To support the integration and participation of persons with disabilities, the Commission works to foster attitudes and promote behaviors that respect and value people with disabilities throughout the community. The Public Works Department staffs the Commission.

# CITY OF ALAMEDA

## COMMISSION ON PERSONS WITH DISABILITIES

### BYLAWS

#### I. GENERAL PROVISIONS

- a. These Bylaws shall be known as, "Bylaws of the Commission on Persons with Disabilities, City of Alameda." A copy of these Bylaws and amendments thereto shall be filed in the City Clerk's Office for examination by the public.
- b. These Bylaws, and any amendments thereto, shall be effective on the date of the adoption hereof and shall govern the conduct of the Commission on disability Issues.
- c. These Bylaws may be amended hereafter by a 2/3 vote of the Commission on Persons with Disabilities except for the rules of membership and purpose of the Commission, which require City Council action.

#### II. PURPOSE OF THE COMMISSION

The purpose and authority of the Commission on Persons with Disabilities was approved by the City Council at the Council meeting on August 17, 2004. The purpose of the Commission is to provide information and recommendations to the City Council regarding disability issues in support of the City's interest in equal access for persons with disabilities to remain an integral part of the community. The Commission receives information regarding those with disabilities and life within the City of Alameda. In no event shall the authority of the Commission on Persons with Disabilities subvert, duplicate, or lessen the authority, duties, and responsibilities of existing City Committees, Commissions, Boards, and City Manager.

#### III. MEMBERSHIP

- a. Appointment. The Commission on Persons with Disabilities shall consist of up to seven (7) voting members appointed by the City Council.
- b. Term of Office. Members shall serve four (4) year terms, with the terms of five (5) members expiring two years before the terms of the other four (4) members. Members shall serve a maximum of two full terms plus any unexpired term. The Chair and Vice-Chair, selected by the Commission, shall each serve for a one (1) year term or until successors are appointed.

- c. Maintenance of Membership. Persons appointed members shall continue to serve except for:
  - i. Expiration of their term and appointment of their successor.
  - ii. Voluntary resignation
  - iii. Failure to attend 75% of meetings held during any 12-month period, whether excused or not excused.
  - iv. Members who are no longer residents of the City.

In accordance with the above, the Chair is authorized to communicate with individual members whose absences exceed the 75% standard to seek their resignation if they cannot attend the prescribed number of meetings and, if unsuccessful, to remind them that one subsequent missed meeting will mean an automatic dismissal from the Commission.

#### IV. OFFICERS

The officers of the Commission shall be:

- a. Chair: who shall preside at all meetings of the Commission, call special meetings, appoint committees, and perform other proper duties of a presiding officer. Except as otherwise authorized by the Commission, the Chair shall sign all correspondence, reports and other instruments approved by the Commission and perform other activities as directed by a majority of the Commission.
- b. Vice-Chair: who shall perform the duties of the Chair in the absence or incapacity of the Chair; and in the case of the resignation or other permanent absence of the Chair, the Vice Chair shall perform such duties as are imposed on the Chair until such time as the Commission shall select a new chair.
- c. The Chair and Vice-Chair shall be elected by the Commission from its membership at the first meeting of each year when the Commission is fully constituted.
- d. City Staff Liaison: The ADA Coordinator, or other City staff as appointed by the Public Works Director shall serve as Staff to the Commission on Persons with Disabilities. The Staff shall keep a written record of all business transacted by the Commission, notify members of meetings, maintain the official records of the Commission, and perform such other duties as the Commission may direct. City Staff Liaison of the Commission shall supply the Commission members with such information and make such recommendations as deemed necessary to carry out the purposes of the Commission and to properly administer its affairs.
- e. Additional Duties. The officers of the Commission shall perform such other duties and functions as may be required from time to time by the Commission.

## V. MEETINGS

- a. Regular Meetings. The Commission shall meet every other month on the second Wednesday of the month. In compliance with the Brown Act, all meetings shall be open and public. An agenda will be prepared and posted one week prior to the regular meeting.
- b. Special Meetings. Special meetings may be called by the Chair or by a majority of Commission members if determined to be necessary for discharge of the Commission's responsibilities. Staff shall poll Commission members and attempt to arrange a date and time convenient to all. A minimum of 48 hours' notice shall be given to each Commission member, unless Commission members have unanimously consented to date and time of the special meeting. If all Commission members agree to date and time of a special meeting, the public will be given a minimum of 24 hours' notice, consistent with Brown Act requirements.
- c. Meeting Location. Meetings shall be held in the City Hall Council Chambers or other appropriate location that is accessible by public transit and is American with Disabilities Act (ADA) accessible. When the City Hall Council Chambers are unavailable and in exceptional circumstances, the Commission may change this meeting location by notice on its agenda.
- d. Adjournment. Meetings adjourn no later than 8:30pm. By a simple majority vote, the Commission may extend the meeting to an additional specified amount of time.

## VI. AGENDA

- a. Order of Business
  - v. Roll Call
  - vi. Non-Agenda Public Comment
  - vii. Minutes
  - viii. Regular Agenda Items
  - ix. Commission Communications
  - x. Staff Communications
  - xi. Adjournment
- b. Placement of Items on Meeting Agenda by Commission Members. Any Commission Member may place items on any regular or special agenda pertaining to the Commission's jurisdiction for discussion or action by the Commission. All Member requests for items to be placed on a meeting agenda must be received by the Staff Liaison at least ten (10) working days prior to the scheduled meeting date. Legal holidays and weekends will not be considered regular working days. The Staff Liaison shall accept

both written and verbal requests.

## VII. MINUTES

- a. General Policy Statement on Minutes of Meeting. It is the general policy of the Commission on Persons with Disabilities to prepare draft minutes of the deliberations of the Commission. These minutes will include speakers on every question and the basic position taken on the issue addressed. Minutes must be finalized and adopted by the majority of Commission members to be regarded as an official record of the Commission Persons with Disabilities.
- b. Method of Documentation. In general, the minutes will be summary only, and not verbatim recordation of all discussions during Commission meetings. However, any Commission Member may request through the presiding officer the privilege of having a written abstract of said Member's statement on any subject under consideration by the Commission entered in the minutes. If the Commission consents thereto, such statement shall be entered in the minutes.
- c. Public Comment. Any member of the public during Oral Communications may request that corrections or deletions be made to the minutes. These requests may be acted upon by the Commission on Persons with Disabilities with appropriate review and deliberation and in accordance with the Brown Act.

## VIII. RULES OF ORDER

The following definitions and rules shall govern the proceedings and order of business of the Commission:

- a. Motions. The acts of the Commission shall be expressed by motion. No motion shall have any validity or effect unless passed by the affirmative votes of a majority of the members present, provided the members constitute a quorum of the Commission. A tie vote is a negative decision of the Commission. All motions and a point of order shall require a second.
- b. Public Discussion
  - xii. Description of Item. Prior to public discussion or Commission deliberation, the presiding officer or other person designated thereby shall describe the item or business before the Commission.
  - xiii. Permission. Any person addressing the Commission shall first secure the permission of the presiding officer.
  - xiv. Not a Debate. Public discussion should not be used to elicit a

debate between Commission members and the public. Speakers should not be interrupted unless they are out of order.

- xv. Time Limits. No one shall speak for more than three (3) minutes without permission of the Chair.
- xvi. Pending motion. When a motion is pending before the Commission, no person other than a Commission Member shall address the Commission without first securing the permission of the Commission to do so.
- xvii. Public Discussion. Public Discussion shall precede Commission deliberation.
- xviii. Further Discussion. No discussion shall be permitted without approval of the Commission after a motion which would terminate further deliberation has been adopted.

c. Commission Deliberation.

- xix. Presiding Officer May Deliberate. The presiding officer may deliberate from the chair; subject only to such limitations of deliberation as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a Member of the Commission by reason of acting as the presiding officer.
- xx. Conflict of Interest. In situations where there is a conflict of interest, members of the Commission on Persons with Disabilities are required to abstain from voting on the item and participating in the decision-making process.
- xxi. Getting the Floor – Improper References to be Avoided. Every Member desiring to speak shall address the Chair, and upon recognition by the presiding officer, shall confine themselves to the questions under deliberation, avoiding all personalities and indecorous language.
- xxii. Interruptions. A Member, once recognized, shall not be interrupted when speaking unless it be to call said Member to Order, or as herein otherwise provided. If a Member, while speaking, is called to order, said Member shall cease speaking until the question of order is determined, and if in order, said Member shall be permitted to proceed.
- xxiii. Remarks of Commission Member – When Entered in Minutes. Any Commission Member may request, through the presiding officer, the privilege of having a written abstract of said Member's statement on any subject under consideration by the Commission entered in the minutes. If the Commission consents thereto, such a statement shall be entered in the minutes.
- xxiv. Motion to Reconsider. A motion by a Member to reconsider any action taken by the Commission may be made only on the date such action was taken. It may be made either immediately during the same session; or at a recessed or adjourned session thereof.

Such motion must be made by one of the prevailing side, and may be made at any time and have precedence over all other motions or while a Member has the floor; it shall be debatable. Nothing herein shall be construed to prevent any Member of the Commission from making or remaking the same or other motion at a subsequent meeting of the Commission or a motion to rescind.

- xxv. Motion to Table. A motion to lay on the table shall preclude all amendments or deliberation of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon a motion of a Member voting with the majority.
- xxvi. Motion to Call for Question or Continue to a Date Specific. A motion to call for the question or continue the matter to a specific date shall preclude all amendments to or deliberation of the subject under consideration and is not debatable.
- xxvii. Statement of Position. When a motion to call for question or table is adopted, each Member of the Commission may briefly state his/her position on the matter before roll call or call for the next item of business.
- xxviii. Privilege of Closing Deliberation. The Commission Member moving the adoption of a motion shall have the privilege of closing the deliberations or making the final statement.
- xxix. Division of Question. If the question contains two (2) or more divisible propositions, the presiding officer may, and upon request of a Member shall, divide the same.
- xxx. Second Required. All motions and a point of order shall require a second.
- xxxi. Voting. A majority vote of members in attendance at a properly called meeting shall be necessary for any action of the Commission. Four (4) voting members of the Commission shall constitute a quorum. If a motion fails to receive the required number of votes to pass or fail, the request of any Commission member would cause the item to be carried over to the next meeting.
- xxxii. Forms of Action. The Commission may act by motion or resolution. All motions shall be recorded in the minutes verbatim. All resolutions shall be in writing and the title shall be recorded verbatim in the minutes as well as the vote thereon.
- xxxiii. Miscellaneous. All other matters not covered by these rules shall be decided by a majority of the Commission. Robert's Rules of Order may be used as a guide.

## IX. ATTENDANCE

It shall be the responsibility of each Commission Member to notify the Staff Liaison 24 hours prior to meeting, who shall thereupon notify the Chair, of an inability to attend a scheduled Commission meeting or the

need to leave early.

## X. PREEMPTION

- a. The applicable City of Alameda's policies, resolutions and ordinances and state and federal laws shall prevail where a conflict exists between any of them and these Bylaws.