

1 **CITY OF HOMER AMERICAN WITH DISABILITIES ADVISORY BOARD**
2 **BYLAWS**

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4 **ARTICLE I – NAME AND AUTHORIZATION**
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6 This organization shall be called the Americans with Disabilities Act (ADA) Advisory Board, established
7 via Ordinance 22-53(A), existing by virtue of the provisions of Chapter 2.70 of the Homer Municipal Code,
8 and exercising the powers and authority and assuming the responsibilities delegated under said Code.
9 The following bylaws were adopted on XXXXXXX and shall be in effect and govern the procedures of the
10 ADA Advisory Board.

11
12 **ARTICLE II – PURPOSE**
13

14 Section 1. Act in an advisory capacity to the City Manager and City Council on Title II Regulations of the
15 Americans with Disabilities Act within the City of Homer which covers programs, activities, and services
16 of public entities.

17
18 Section 2. Develop grievance procedures to outline the process of providing for prompt and equitable
19 resolution of complaints alleging any action that would be prohibited by Title II of the ADA Regulations.
20

21 Section 3. Develop and perform annual updates to maintain transition plan(s) for city facilities,
22 programs, parks, trails, play areas and campgrounds, listing any barriers that would limit accessibility
23 of its programs, activities or services to individuals; the methods to be utilized to remove those barriers
24 and schedules for taking necessary steps to achieve compliance.
25

26 Section 4. Perform reviews of any new programs, activities, and services offered by the City of Homer
27 and incorporate into existing transition plans.
28

29 Section 5. Annually review the City of Homer Comprehensive Plan and make recommendations
30 prioritizing accessibility.
31

32 Section 6. Consider any specific proposal, problem or project as directed by the City Council or the City
33 Manager and report or submit recommendations thereon directly to the City Council through the City
34 Manager.
35

36 **ARTICLE III – MEMBERS**
37

38 Section 1. The Board shall consist of six members and one Council member. Members shall be
39 nominated by the Mayor and confirmed by City Council. Not more than three members may reside
40 outside city limits. Public members will be appointed to serve for three-year terms to expire on August
41 31st of designated years. Council member will be appointed for their term elected.
42

43 Section 2. Notice of term expirations will be delivered to members by the City Clerk’s Office. Members
44 wishing to continue services upon the completion of a three-year term must submit a reappointment
45 application to the City Clerk’s Office, which is subject to review by the Mayor and confirmed by City
46 Council. There are no limits on the number of terms a member may serve.
47

48 Section 3. Members may not have alternates. If a position is vacated during a term, it shall be filled for
49 the unexpired term by an appointee selected by the Mayor and confirmed by City Council.
50

51 Section 4. A member's appointment is vacated under the following conditions:

- 52 • A member fails to qualify to take office within 30 days after their appointment;
- 53 • A member resigns;
- 54 • A member is physically or mentally unable to perform the duties of the office;
- 55 • A member is convicted of a felony or of an offense involving a violation of their oath of office; or
- 56 • A member has two consecutive unexcused absences, or misses half of all meetings within an
57 appointment year, whether excused or unexcused.
58

59 Section 5. The Mayor and City Manager may serve as non-voting, consulting members.
60

61 **ARTICLE IV – OFFICERS**

62
63 Section 1. A Chairperson and Vice-Chairperson shall be elected from among the appointed members
64 at the regular August meeting of the Board.
65

66 Section 2. Officers shall serve a term of one year from the August meeting at which they are elected,
67 and until their successors are duly elected. Officers may be re-elected in subsequent years.
68

69 Section 3. The Chairperson shall preside at all meetings of the Board, authorize calls for any special
70 meetings, execute all documents authorized by the Board, serve as ex officio/voting member of all
71 committees, and generally perform all duties associated with that office.
72

73 Section 4. In the event of the absence of the Chairperson, the Vice-Chairperson shall assume and
74 perform the duties of the Chair. If both the Chairperson and Vice-Chairperson are absent, and a quorum
75 of four members are present, the senior member shall assume and perform the duties and functions of
76 the Chair.
77

78 **ARTICLE V – CITY STAFF ROLES**

79
80 Section 1. The ADA Coordinator shall serve as a staff liaison to the Board. The staff liaison shall assist
81 the Chairperson in setting meetings, preparing agendas, and other documentary material, and
82 coordinating the acquisition of needed materials and training. The staff liaison shall submit reports
83 and recommendations for those agenda items requiring decisions or recommendations by the Board.
84 Other staff having experience, education, and professional training in a subject matter on the agenda
85 may provide input, reports and recommendations, or may provide supplemental information. The
86 information submitted may be oral, written or graphic, or some combination of all.
87

88 Section 2. The City Clerk shall designate a recording clerk to take minutes for the Board and serve as
89 the Board's parliamentary advisory pursuant to AS 29.20.380(10) and HCC 2.12.010, and assist the
90 Chairperson with the conduct of the meeting.
91

92 **ARTICLE VI – MEETINGS**

93

94 Section 1. Regular meetings shall be open to the public and held on the second Thursday of each
 95 month, excluding the months of January, March, September, and December at 5:00 p.m. in the
 96 designated location and shall be posted for public information as required by Homer City Code and
 97 Alaska State Statutes.

98
 99 Section 2. Special meetings and Worksessions may be called by the ADA Coordinator, Chair, or a
 100 majority of the Board. Notice of such meetings shall be posted in the same manner as that for regular
 101 meetings.

102
 103 Section 3. A quorum for the transaction of business at any meeting shall consist of four members. For
 104 purposes of determining the existence of a quorum, consulting members shall not be counted.
 105 Worksessions do not require a quorum, however, no action may be taken at a worksession; items on
 106 the agenda are for discussion only.

107
 108 Section 4. Any member who is unable to attend a meeting, whether regular or special, shall contact the
 109 Clerk in advance no later than two hours prior to the scheduled meeting time for excusal.

110
 111 Section 5. Meeting agenda deadline is at 5:00 p.m. the Wednesday preceding the meeting. Allowances
 112 will be made for holidays.

113
 114 Section 6. The order of business for the regular meetings shall include, but not be limited to, the
 115 following items, which shall be covered in the sequence shown, as far as circumstances permit. Agenda
 116 shall be posted for public information as required by Homer City Code and Alaska State Statutes.

117

CITY LOGO	NOTICE OF MEETING REGULAR MEETING AGENDA	DEPT. CONTACT INFO (City Clerk's Office)
NAME OF BODY		
DAY OF WEEK, DATE, AND TIME OF MEETING		
PHYSICAL LOCATION OF MEETING & MEETING ROOM		

- 123 1. CALL TO ORDER
- 124 2. AGENDA APPROVAL
- 125 3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA (3 minute time limit)
- 126 4. RECONSIDERATION
- 127 5. APPROVAL OF MINUTES
- 128 6. VISITORS/PRESENTATIONS (Chair set time limit not to exceed 20 minutes. Public may not comment
 129 on the visitor or the visitor's topic until audience comments. No action may be taken at this time.)
- 130 7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS
- 131 8. PUBLIC HEARING (3 minute time limit)
- 132 9. PENDING BUSINESS
- 133 10. NEW BUSINESS
- 134 11. INFORMATIONAL MATERIALS (No action may be taken on these matters, for discussion only.)
- 135 12. COMMENTS OF THE AUDIENCE (3 minute time limit)
- 136 13. COMMENTS OF THE CITY STAFF
- 137 14. COMMENTS OF THE COUNCILMEMBER (If one is assigned)
- 138 15. COMMENTS OF THE BOARD (includes Comments of the Chair since they are part of the board.)
- 139 16. ADJOURNMENT Next regular meeting is scheduled for _____. (Note any other worksessions,
 140 special meetings, committee meetings etc.) All meetings scheduled to be held in the Homer City

141 Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. (The meeting may
142 be scheduled for the Conference Room or virtually.)
143

144 Section 7. Per Resolution of the City Council (Resolution 06-115(A)), Public Testimony shall normally
145 be limited to three minutes per person. Exceptions may be provided for at the Chairperson's discretion
146 or by a majority vote of the members in attendance.
147

148 Section 8. Recorded minutes shall be made available by the City Clerk's Office to the Board prior to the
149 next meeting and a record of all voting will be included in the minutes of each meeting. Minutes shall
150 be available to the public as required by Homer City Code and Alaska State Statutes.
151

152 Section 9. Teleconference participation is allowed per the rules and limitations set forth in Homer City
153 Code 2.58.060.
154

155 **ARTICLE VII – GENERAL OPERATING PROCEDURES**

156

157 Section 1. The Board shall abide by the current edition of Robert's Rules of Order insofar as it is
158 consistent with the Board's bylaws, other provisions of Homer City Code, or standing rules. In all other
159 cases, bylaws, the code, or the standing rule shall prevail. This includes, but is not limited to, HCC 1.18
160 Conflicts of Interest, Partiality, and Code of Ethics; HCC 2.58 Boards and Commissions; HCC 2.70 ADA
161 Advisory Board; and the Open Meetings Act – AS 44.62.310-312.
162

163 Section 2. Each member, including the Chairperson, shall vote, and shall not abstain from voting,
164 unless such member claims a conflict of interest, or has an excused absence, in which event the
165 member shall be excused from voting. The member shall then state for the record the basis for the
166 abstention. Four affirmative votes are required to pass a motion. Voting will be by a roll call vote, the
167 order to be rotated; or by unanimous consent if no objection is expressed. Voting by proxy or absentee
168 is prohibited.
169

170 Section 3. Any rule or resolution of the Board, whether contained in these Bylaws or otherwise, may be
171 suspended temporarily in connection with business at hand; and such suspension to be valid; may be
172 taken only at a meeting at which at least four of the members of the Board shall be present, and two
173 thirds of those present shall so approve.
174

175 Section 4. Training sessions developed or arranged by the City Clerk and approved by the City Manager
176 shall be mandatory unless a member's absence is excused by the Chairperson. The City Manager
177 and/or City Clerk, in their discretion and in consultation with the City Attorney as needed, may develop
178 model procedures to be used as a guide for the Board.
179

180 **ARTICLE VIII – COMMITTEES**

181

182 Section 1. Committees of one or more members for such specific purposes as the business of the Board
183 will only become active upon approval of Council. A memorandum and resolution will go before
184 Council outlining the reason, tasks assigned and termination date. Committees shall be considered to
185 be discharged upon completion of the purpose for which it was appointed, and after its final report is
186 made to and approved by the Board.
187

188 Section 2. All committees shall make a progress report to the Board at each of its meetings.

189

190 **ARTICLE IX – BYLAW AMENDMENTS**

191

192 The Bylaws may be amended at any meeting of the Board by a majority plus one of the members,
193 provided that notice of said proposed amendment is given to each member in writing. The proposed

194 amendment shall be introduced at one meeting and action shall be taken at the next Board meeting.

195 Amendments to bylaws shall be effective upon approval of the amendments by City Council via

196 resolution.