

**PROCEDURAL RULES OF THE SAN MATEO COUNTY  
COMMISSION ON DISABILITIES**

***Rule 1 Authority and Purpose.***

These Procedural Rules of the San Mateo County Commission on Disabilities (hereafter the Commission) are adopted pursuant to San Mateo County Board of Supervisors Resolution No. 69276, which set forth the Standing Rules for County Boards, Commissions, and Advisory Committees. These Procedure Rules shall be submitted to the County Counsel for review and approval, and thereafter filed with the Clerk of the Board of Supervisors. These Procedural Rules may also be referred to as bylaws and shall be deemed to effective as of June 1, 2013.

***Rule 2 Members.***

**Section 2.1 General.**

The Commission was created by the Board of Supervisors Resolution 55400 adopted on September 10, 1991 and last modified by Resolution 65334, adopted on June 18, 2002.

**Section 2.2 Number.**

The Commission shall consist of 21 voting members.

**Section 2.3 Appointment.**

All members shall be appointed by the Board of Supervisors of San Mateo County, hereinafter the Board, and shall serve at the pleasure of the Board. Nominations for membership on the Commission shall be solicited by public announcement initiated by the Deputy Clerk of the Board of Supervisors. The Commission will assist with publicity. The Executive Committee of the Commission shall review applications for the Commission and forward recommendations to the Board as appropriate. If the Board of Supervisors requests that one or more representatives or members of the Commission serve on the Board's membership review panel or committee, then the Executive Committee shall identify and designate said persons. Said designees shall be selected from among members of the Executive Committee, members of the Commission and members of Commission staff.

**Section 2.4 Length and limitation of terms.**

Members shall serve terms of office of three (3) years. No member appointed by the Board may serve on the Commission for more than a total of twelve (12) years of full terms. This limitation does not include partial terms at the beginning or conclusion of a member's service.

**Section 2.5. Dates of Terms.**

Terms are for a fixed period. They shall begin on July 1 and end on June 30, three years thereafter. The fact that a member may be appointed or begin his or her service in the middle of a term does not affect the starting or ending dates of the term.

**Section 2.6 Resignation.**

Any member may resign effective on giving written notice to the Clerk of the Board of Supervisors or the President of the Commission, unless the notice specifies a later time for his or her resignation to become effective. The acceptance of a resignation shall not be necessary to make it effective.

**Section 2.7 Removal.**

Any member appointed by the Board may be removed from office at any time for any reason or without any reason by the Board.

**Section 2.8 Vacancies.**

Any vacancy on the Commission, however created, shall be filled for the unexpired term by the Board.

**Section 2.9 Action by the Board.**

Notwithstanding the foregoing, the qualifications, term and other conditions of Commission membership shall be as determined from time to time by action of the Board.

**Section 2.10 No Individual Authority.**

Individual commissioners may not present themselves as representing the Commission, unless approved, in advance, by the Commission. At no time should commissioners approach (as a representative of the Commission) any elected official prior to receiving an approved resolution.

**Section 2.11 Ex-officio members.**

The Board of Supervisors appoints individuals or agencies as ex-officio members of the Commission. Such ex-officio members shall be selected as determined by the Board of Supervisors. To the extent that the selection of ex-officio individual or agency members may be made by the Commission, such selection shall be by a resolution of the Commission. All ex-officio members, including any youth members, shall be non-voting members unless provided otherwise by the Board of Supervisors.

***Rule 3           Officers.***

The Officers shall be a President who shall preside at all General Meetings of the Commission and at all meetings of the Executive Committee, and a Vice-President who in the President's absence or inability to act shall preside at the meetings. There shall also be a Secretary who will be responsible for taking attendance and reading correspondence and other communications at General Meetings. If the President and Vice-President are absent or unable to act, the Secretary shall preside at the General Meeting. If the Secretary is absent or unable to act, the members present shall select one of the members present to act as President *Pro Tempore*, who, while so acting, shall have all of the authority of the President. The officers shall be elected annually at the General Meeting in June or at an adjournment of that meeting. The officers shall serve for one (1) year terms, but for no more than three (3) consecutive years.

***Rule 4           Meetings.***

**Section 4.1 General and Special Meetings.**

The date, time and place of General Meetings shall be established by resolution of the Commission. The Commission shall hold at least 10 General Meetings each calendar year. Special meetings shall be held at any time and accessible place at the call of the President, or a majority of the authorized number of members. In addition to any postings required by the Brown Act (see Section 4.3, below), at least 24 hours before a special meeting, the Staff Liaison shall cause the agenda for the meeting to be posted at the West entrance of the Health System Building at 225 37<sup>th</sup> Avenue, San Mateo. Business not set forth in the posted agenda shall not be considered by the Commission at such a special meeting.

**Section 4.2 Open and Public.**

Meetings shall be open and public and all persons shall be permitted to attend, except for closed sessions, as required and permitted by applicable law.

**Section 4.3 Notice.**

Notice of meetings shall be as specified in the Government Code §54950 et seq (the “Brown Act”).

**Section 4.4 Attendance and Participation.**

Regular attendance of Commissioners at all meetings of the Commission, and of committees on which they sit, shall be encouraged and expected of each member, whether a regular member or an ex-officio member. Members must attend the General Meetings of the Commission and of committees to which they are appointed, or serve as a liaison approved by the Executive Committee to other community groups, and shall contribute their time and special abilities as may be required for the benefit of the Commission. If a Member is unable to attend a meeting, he or she shall so inform the Staff Liaison giving the reason therefore. Failure to attend a meeting except in cases of emergency or extreme hardship, shall be treated as an unexcused absence. Two (2) unexcused absences during a six-month period shall be grounds for a request that the Board remove the Member. However, the participation of people with disabilities and/or their family members will be supported such that special circumstances may be considered at the discretion of the Executive Committee to allow absences to be excused if they are related to a person’s disability or health needs (e.g. hospitalization, paratransit, attendant care).

**Section 4.5 Quorum.**

A majority of the voting members of the Commission shall constitute a quorum for the transaction of business at any General Meeting or special meeting of the Commission. A majority of the voting members of a committee shall constitute a quorum for the transaction of business at any meeting of the committee. "Voting members" means the designated membership (i.e., for the Commission, the number of members set forth in Rule 2, section 2.2) less the number of vacancies.

**Section 4.6 Meeting Agendas.**

The Staff Liaison in consultation with the President or the Committee Chairpersons shall prepare an agenda for every meeting, which shall set forth a brief general description of each item of business to be transacted or discussed at the meeting and the time and location of the meeting. Each agenda for a General Meeting shall provide an opportunity for members of the public to address the Commission directly on items of interest that are within the subject matter jurisdiction of the Commission. At least 72 hours before a General Meeting, the agenda shall be posted in the Hall of Justice and Records, at a location designated by the Clerk of the Board of Supervisors. No action shall be taken at a General Meeting on any item not appearing on the posted agenda. The Agenda Requirements, and any exceptions thereto, shall be as provided in the Brown Act.

**Section 4.7 Conduct of Business.**

Subject to the provisions of the Brown Act, the items on the agenda shall be considered in order unless the President or Committee Chairperson shall announce a change in the order of consideration. Unless an agenda item identifies a particular source for a report, the President, Committee Chairperson or Staff Liaison shall present the item, after which members may comment, and then the topic shall then be open to public comment upon recognition of the speaker by the President or Committee Chairperson.

**Section 4.8 Resolutions.**

All official acts of the Commission shall be taken and authorized by resolution, adopted on motion, duly made, seconded and adopted by vote of the Members.

**Section 4.9 Voting.**

All resolutions of the Commission shall be adopted by the affirmative vote of a majority of the Members present and voting, constituting a quorum, except as otherwise provided by law or these bylaws.

**Section 4.10 Disqualification from Voting.**

A Member shall be disqualified from voting on any resolution relating to a transaction in which he or she has a financial interest, as required by law and the Conflicts of Interest Policy of the Commission. Except as required by law and the Conflicts of Interest Policy of the Commission, no Member shall be disqualified from serving as a Member or taking part in any proceedings of the Commission because of any financial interest of that Member.

**Section 4.11 Minutes.**

The Staff Liaison shall have the minutes prepared of each General Meeting, Executive Committee Meeting and ADA Compliance Committee meeting. The minutes shall be an accurate summary of the Commission's or committee consideration of each item on the agenda and an accurate record of each action of the Commission. At a subsequent meeting, the minutes shall be submitted for approval by a majority vote of Members in attendance at the meeting covered by the minutes. When approved, the minutes shall be kept with the record of proceedings of the Commission.

**Section 4.12 Closed Sessions.**

The Commission shall meet in closed session only as permitted by applicable law. The Commission shall report the actions taken at a closed session to the public as required by applicable law. A closed session minute book shall be established and maintained for minutes of all closed sessions which shall reflect only on the topics of discussion and decisions made at the session. The closed session minute book shall be kept confidential and not be a public record and shall be available only to the Members, except as otherwise required by applicable law.

### **Section 4.13 Public Records.**

All documents and records of the Commission, not exempt from disclosure by applicable law, shall be public records under the California Public Records Act (California Government Code Section 6250 et seq).

### ***Rule 5 Committees.***

All materials to be presented at committee meetings must be submitted 5 business days prior to meetings so that they can be reviewed by the Chair and included in the agenda.

All actionable items need to be brought to the appropriate committee and discussed for their merit. Action plans should come through the committee chair to the executive committee and then to the general meeting.

Any deviation from this communication flow creates challenges between the Commission and Aging and Adult Services, our community partners, and elected officials. It is the intention of this policy and procedure to ensure these longstanding relationships are managed so that information is shared in a timely and appropriate manner.

### **Section 5.1 Appointment.**

The Commission may by resolution, from time to time, create and appoint the members of such committees and liaisons as it deems necessary to carry out its purposes. Committee Chairpersons shall be selected by the President of the Commission.

### **Section 5.2 Standing Committees.**

The standing committees shall include:

- Executive Committee - composed of the elected officers, Committee Chairpersons and up to two (2) additional Commissioners as determined by the President.
- Americans with Disabilities Act (ADA) Compliance Committee
- Legislation and Advocacy and Outreach Committee
- Special Events Committee
- Youth and Family Committee

- Officer Nominating Committee – composed of no less than three (3) Members, but no more than five (5) Members. No Commissioner seeking election for an office shall be a member of the Nominating Committee. However, sitting officers not seeking election for an office are permitted to serve on the Nominating Committee. The Nominating Committee shall elect its own Chair.

**Section 5.3 Committee and Subcommittee Meetings.**

Meetings of committees and subcommittees shall be held at such times and places as are determined by the Commission. Special meetings may be held at any time and place as designated by the President, or Staff Liaison or a majority of the members of the committee or subcommittee. A majority of the authorized number of members of the committee or subcommittee shall constitute a quorum for the transaction of business.

**Section 5.4 Open and Public.**

Meetings of committees and subcommittees will be open and public.

***Rule 6 Conflicts of Interest Policy.***

A member of the Commission shall not make, participate in making, or in any way attempt to use the Member's position to influence a decision in which the Member knows or has reason to know the Member has a financial interest.

***Rule 7 Annual Work Plan.***

The Commission will develop an annual work plan, and submit an annual report to the Board of Supervisors.

***Rule 8 Oath of Office.***

Before beginning service, each Member will take an oath of office, to be personally administered by the Clerk of the Board of Supervisors or a deputy of said Clerk.

***Rule 9 Amendment of Procedural Rules***

Any amendment of these Procedural Rules must be by a resolution of the Commission at any meeting of the Commission.