

STAFF REPORT

DATE: August 28, 2023
TO: Sacramento Regional Transit Board of Directors
FROM: Carmen Alba, VP, Bus Operations
SUBJ: AMENDING AND RESTATING THE BYLAWS OF THE MOBILITY ADVISORY COUNCIL

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Approving revisions to the Bylaws of the Mobility Advisory Council (MAC) will update the Attendance Policy and clarify that while Meetings are Open to the Public, they are not subject to the Ralph M. Brown Act.

FISCAL IMPACT

There is no fiscal impact that will result from this action.

DISCUSSION

Sacramento Regional Transit District's (SacRT) Mobility Advisory Council (MAC) was formed in 2005 as a voluntary advisory body comprised of representatives from key agencies and organizations, as well as members of the general public, who are transit users and/or recognized for their advocacy and community service on behalf of the senior and disabled communities. The object and purpose of the MAC is to advise SacRT on system accessibility features and improvements, provide a communication link between SacRT and key stakeholder groups whose interests are representing persons with disabilities and seniors, and represent public transportation interests for persons with disabilities and seniors.

Attachment 1 contains draft revisions of the Bylaws, with all new language underlined and language proposed for removal stricken; a clean copy of the Bylaws is attached to the Resolution as Exhibit A.

Some of the key changes are summarized below:

Article III – MEMBERSHIP– Section 4.A Attendance Policy – was revised by adding “Attendance is defined as being present for more than half of the Regular and Special MAC meetings, as well as Standing Committee meetings either in person or virtually.”

Article V – MEETINGS – Section 4. Meetings Open to the Public - The Bylaws were revised to clarify that “As a citizens’ advisory group of the Sacramento Regional Transit District Board, MAC meetings are not subject to the Ralph M. Brown Act (Government Code §54950 et seq.) and its meetings do not have to comply with the requirements of the Ralph M. Brown Act. Notwithstanding the foregoing, the MAC will endeavor to ensure that its meetings are accessible to the public and it will provide notice of the date, time and location of its meetings so that the public can attend. If a meeting will be conducted entirely virtually, the MAC will endeavor to make the meeting accessible to the public to view the meeting virtually.”

The proposed changes are shown in Attachment 1.

Staff recommends approval of the revisions to the Bylaws of the MAC.

**Sacramento Regional Transit District
Mobility Advisory Council
BYLAWS**

ARTICLE I – NAME

The name of this organization shall be MOBILITY ADVISORY COUNCIL, hereinafter referred to as the “MAC” or “Council.”

ARTICLE II – MISSION AND PURPOSE

In accordance with Sacramento Regional Transit District’s (SacRT) commitment to compliance with the Americans with Disabilities Act (ADA) and mobility for persons with disabilities and seniors, the mission and purpose of the MAC, organized as an advisory council, shall be to:

1. Advise on system accessibility features and improvements;
2. Provide a communication link between SacRT and key stakeholder groups whose interests are representing persons with disabilities and seniors; and,
3. Represent public transportation interest areas for persons with disabilities and seniors.

The MAC will annually review and adopt a work plan to achieve the mission and purpose set forth above.

ARTICLE III – MEMBERSHIP

Section 1. Maximum Membership. The membership of the Council is limited to seventeen representatives.

Section 2. Membership Categories. Representation will be composed of the following categories

- A. Nine “Agency or Organizational Representatives,” who have direct affiliations with established agencies or organizations whose primary purpose is providing services or advocacy for persons with disabilities and seniors. The composition of Agency or Organizational Representatives should reflect a balance across various types of disabilities and organizations representing seniors.
- B. Eight “At-Large Representatives,” of which four are representatives of seniors and four are representatives of persons with disabilities. At-Large Representatives who serve as representatives of persons with disabilities should reflect a balance across various types of disabilities.

In selecting representatives, SacRT and the Council will strive to achieve balanced representation of service and advocacy interests as well as diversity in race, ethnicity, and gender. Preferably, Agency or Organizational Representatives and At-Large Representatives will be users of the RT fixed-route or paratransit systems.

Section 3. Membership Nomination and Selection Process. SacRT staff will obtain membership nominations as necessary to fill terms and vacancies and present them to the SacRT General Manager/CEO for confirmation. Nominations will be made through the recommendations of established agencies and organizations representing seniors or persons with disabilities throughout the SacRT service region. Such agencies and organizations will be identified on the MAC agency and organization representation list maintained and modified as needed by SacRT staff and approved by the SacRT General Manager/CEO. Individuals may nominate themselves as At-Large Representatives; however, letters supporting the nomination from established agencies or organizations as described above are encouraged. Employees of SacRT and its contractors directly involved in the provision of public transit services may not be members of the MAC.

If membership positions remain unfilled, the SacRT General Manager/CEO may direct that open Agency or Organizational Representative positions be filled by At-Large Representatives. The Council may also take action to recommend to the SacRT General Manager/CEO that open Agency or Organizational Representative positions be filled by At-Large Representatives.

The selection process for all confirmed nominees will include the review of written applications and, at the discretion of the SacRT General Manager/CEO, an oral interview. The interview panel will include the MAC Chair, Vice Chair, and the SacRT Staff Liaison to the MAC. Other MAC members may be included in the interview panel by the SacRT General Manager/CEO at their discretion. SacRT staff will compile the interview panel's recommended nominee list and present it to the SacRT General Manager/CEO. The SacRT General Manager/CEO will make the final selection of membership.

Section 4. Attendance Policy.

- A. MAC members are expected to attend a majority of all Regular and Special MAC meetings as well as their respective Standing Committee meetings each calendar year. Attendance is defined as being present for more than half **of the Regular and Special MAC meetings, as well as Standing Committee meetings either in person or virtually.** ~~meeting~~ A phone call, email or voicemail message prior to the meeting to SacRT staff, MAC Chair, or when appropriate, Standing Committee Chair, anticipating an absence from the meeting constitutes an excused absence.
- B. SacRT staff and the Executive Committee will evaluate members' attendance as needed. SacRT staff will provide attendance records to the Executive Committee for their review.
- C. Attendance patterns of MAC members that are cause for review and subject to removal from the MAC by the discretion of the SacRT General Manager/CEO include two consecutive unexcused absences and missing three or more

meetings, whether excused or unexcused, in a six-month period. Such attendance patterns will also result in the Executive Committee initiating a letter to the member requesting written reaffirmation, within ten business days of their commitment to meeting attendance expectations.

- D. The Executive Committee may make a recommendation to the SacRT General Manager/CEO that a member be removed from the MAC if the member: (1) does not respond to the Executive Committee's letter or indicates that they cannot meet the meeting attendance expectations or (2) reaffirms their commitment to the meeting attendance expectation, but has an additional absence, whether excused or unexcused, within a six-month period. The SacRT General Manager/CEO has the ultimate discretion for removing a member from the MAC.

Section 5. Resignations. Any member may resign by filing a written resignation with the SacRT General Manager/CEO.

Section 6. Term of Membership. The term of each member shall typically be for four years. Terms will begin on January 1 and end on December 31, four years' later. The General Manager/CEO will set terms, however, so that no more than one-half of the terms expire each year. Members may be considered for re-appointment through the established nomination and appointment process.

ARTICLE IV – OFFICERS

Section 1. Officers and Duties. The Officers of the MAC will be a Chair and a Vice Chair. These Officers will perform the duties prescribed by these Bylaws and by the parliamentary authority adopted by the MAC. The Officers may serve as liaisons to other SacRT advisory bodies and the SacRT Board of Directors.

- A. Chair. The MAC will elect from its membership a Chair who will preside at all meetings of the MAC. The MAC Chair or their designee will act as the primary spokesperson for the MAC and will perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Council.
- B. Vice-Chair. The MAC will elect from its membership a Vice Chair who, in the absence or inability of the MAC Chair to serve, will have all of the powers of the Chair and will perform all of those duties. The MAC Vice-Chair will perform such other duties from time to time as may be requested by the MAC Chair.

Section 2. Nomination Procedure, Time of Elections.

- A. Nominations. The Nominations Committee will be established biennially at the odd-year September meeting and will consist of three MAC members. The MAC Chair will appoint the Chair of the Nominations Committee at this meeting. The Chair of the Nominations Committee will then appoint two additional MAC members to serve on the Nominations Committee. The Nominations Committee serves a single purpose, is not perpetual, and will be dissolved once its specific task is completed.

The Nominations Committee is responsible for creating a slate of proposed Officers (MAC Chair and Vice-Chair) from the MAC membership, one per position. The Nominations Committee will poll each MAC member as to their interest in running for the MAC Chair or Vice-Chair or recommending another MAC member to be considered as a nominee for an Officer position. Nominees selected for the slate must agree to accept the nomination.

The Nominations Committee will create a slate according to the following:

1. If the nominee for the MAC Chair is a disability representative, then the nominee for the MAC Vice-Chair must be a senior representative. If the nominee for the MAC Chair is a senior representative, then the nominee for the MAC Vice-Chair must be a disability representative.
2. Each nominee must have been a member of the MAC for at least twelve consecutive months prior to their nomination.

The Nominations Committee will report its proposed slate of Officers at the MAC's odd-year October meeting and/or in the November meeting agenda package.

- B. Elections. The election of the Officers will be held at the odd-year November meeting. The MAC members at this meeting may also make nominations from the floor for any of the offices. If the elected MAC chair is a disability representative, then the elected Vice-Chair must be a senior representative. If the elected MAC Chair is a senior representative, then the elected Vice-Chair must be a disability representative. The elected Officers will begin their term of office at the January meeting of the following even-year.

Section 3. Ballot Election, Term of Office. The MAC Chair and Vice-Chair will be elected by an accessible ballot to serve for two years, or the balance of their MAC membership if less than two years. Those elected may serve beyond two years if successors have not been elected. The intent of the Council, when practicable, is to alternate the category of the member (senior or person with a disability) in the MAC Chair and MAC Vice-Chair each election, except when a current officeholder is eligible and willing to run for a second two-year term in the same position.

Section 4. Office Holding Limitations. The MAC Chair and Vice-Chair will not be eligible to serve for more than two consecutive two-year terms in the same office except that the SacRT General Manager/CEO may, in their discretion, allow a MAC Chair or Vice-Chair to serve one additional term. Individuals who have served two consecutive terms may be re-elected to office after a one-year absence from office.

Section 5. Removal. The MAC Chair or Vice-Chair can be removed from office upon a vote of two-thirds of the Council membership present at a Regular or Special meeting. The removal vote will be by an accessible ballot.

ARTICLE V – MEETINGS

Section 1. Regular Meetings. Regular Council meetings will be held monthly. Times and locations of Regular meetings will be set by resolution adopted by the MAC. A Regular meeting may be canceled by the MAC Chair or a majority vote of the MAC membership. The MAC's annual cycle of meetings will begin with the January meeting and conclude with the December meeting each year. The January meeting will include review of the annual work plan. SacRT staff will develop the annual work plan in consultation with the MAC.

Section 2. Standing Committee Meetings. All Standing Committee meetings will be scheduled and held as needed, but not less than once each calendar year for each committee. Times and locations of Standing Committee meetings will be set by the SacRT Staff Liaison in consultation with the Standing Committee Chairs. A scheduled Standing Committee meeting may be canceled by the Standing Committee Chair.

Section 3. Special Meetings. Special meetings may be called at any time by the MAC Chair or by a majority vote of the MAC membership. SacRT staff will provide written notice required for all Special meetings, with such notice posted at least 72 hours before the meeting.

Section 4. Meetings Open to the Public. **As a citizens' advisory group to the Sacramento Regional Transit District Board, MAC meetings are not subject to the Ralph M. Brown Act (Government Code §54950 et seq.) and its meetings do not have to comply with the requirements of the Ralph M. Brown Act. Notwithstanding the foregoing, the MAC will endeavor to ensure that its meetings are accessible to the public and it will provide notice of the date, time and location of its meetings so that the public can attend. If a meeting will be conducted entirely virtually, the MAC will endeavor to make the meeting accessible to the public to view the meeting virtually.** ~~MAG meetings will be conducted in public to the extent required by the Ralph M. Brown Act (Government Code §54950 et seq.). For meetings open to the public as required by the Ralph M. Brown Act, meeting agendas will be posted by SacRT staff in a public place and distributed to all members at least 72 hours before the meeting.~~

Section 5. Quorum. A majority of the members must be present at a meeting to constitute a quorum for the purposes of conducting business.

Section 6. Voting. Each member of the MAC has a single vote.

Section 7. Actions. All actions of the MAC will be by motion passed by a majority of the members present and voting.

Section 8. Adjournment. The MAC may adjourn any meeting to a time and place specified in the motion of adjournment.

ARTICLE VI – EXECUTIVE COMMITTEE

Section 1. Committee Composition. The Officers of the MAC, immediate past MAC Chair, and the Chair of each MAC Standing Committee will constitute the Executive Committee. In the absence of the Chair of a Standing Committee, the Vice Chair of that Standing Committee will serve on the Executive Committee, subject to availability. The immediate past MAC Chair will serve on the Executive Committee for one year following the end of their term of office in an advisory capacity. The Executive Committee will include the SacRT Staff Liaison, who will serve as Secretary to the Committee.

Section 2. Executive Committee’s Duties. The Executive Committee will have general supervision of the affairs of the MAC between regular meetings, make recommendations to the MAC, and perform such other duties as specified in these Bylaws. The Executive Committee will lead the development of the monthly meeting agendas. The Executive Committee will recommend ad-hoc committees and Special meetings as needed to carry out the annual work plan. The Executive Committee will be subject to the direction of the MAC, and the Executive Committee will not take any action that conflicts with actions taken by the MAC, or the annual work plan. The Executive Committee will meet every month on a day to be established by the Executive Committee and additionally as needed.

ARTICLE VII – OTHER COMMITTEES

Section 1. Standing Committees. Two Standing Committees will be established and will report to the MAC. The scope of work for the Standing Committees will be guided by the annual work plan for the MAC. The “Access/Infrastructure Standing Committee” will address physical access to SacRT services for persons with disabilities and seniors and the “Training, Communications, and Policies Standing Committee” will address program access to SacRT services for persons with disabilities and seniors. Standing Committees may recommend ad-hoc committees, task forces, and Special meetings to the Executive Committee as needed to carry out the annual work plan. These ad-hoc committees and task forces will be responsible for investigating, addressing, and making recommendations on specific emergent or critical specialty issues as needed. Ad-hoc committees and task forces will sunset immediately after their charge is completed. Each MAC member will serve on at least one Standing Committee.

Section 2. Standing Committee

A. Standing Committee Membership Chairs and Vice-Chairs: At the January meeting of odd numbered years, each member of the MAC will volunteer to serve a two-year term on at least one Standing Committee of their choice. The term of membership will begin immediately after a MAC member makes their selection. There are no term limits. Committee selection will be made prior to a vote for Chair and Vice-Chair of the Standing Committee.

B. Election of the Chair and Vice-Chair: The Chair and Vice-Chair of each Standing Committee will be elected for a 2-year term during the January meeting of the full MAC of each odd numbered year. Nominations will be made by members of each Standing

Committee and only members of the respective Standing Committee may vote for Chair and Vice-Chair. There are no term limits for Chair and Vice-Chair.

C. Duties of the Standing Committee Chair. Each Standing Committee Chair will preside at all its meetings. The Standing Committee Chair, or their designee, will act as the primary spokesperson for the respective MAC subcommittee and will perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Council.

D. Duties of the Standing Committee Vice Chair Each Standing Committee Vice- Chair who, in the absence or inability of the Chair to serve, will have all the powers of the Chair and may perform all the Chair's duties. The Standing Committee Vice Chair will perform other duties from time to time as may be requested by the Standing Committee Chair.

ARTICLE VIII – LIAISON WITH SACRT

There shall be an ongoing liaison between SacRT staff and the MAC. The SacRT General Manager/CEO will designate an SacRT staff person to serve as liaison. The liaison will prepare meeting notices, agendas, and minutes as required. The liaison will provide information, technical assistance, and facilitation assistance during all the MAC meetings.

ARTICLE IX – PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised will govern the MAC in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the MAC may adopt.

ARTICLE X – AMENDMENT OF BYLAWS

These Bylaws may be amended or repealed at any time by majority vote of the SacRT Board of Directors after consultation with, or by recommendation of, the MAC. A recommendation to the SacRT Board of Directors for amendment of these Bylaws is achieved by a two-thirds vote of the MAC members present at any Regular MAC meeting, provided that notice of such proposed amendment has been presented in substance or completed text in writing to the MAC Chair and read by the Chair or their designee at a Regular MAC meeting prior to the time the proposed amendment is voted upon.

ARTICLE XI – TERM OF COUNCIL

The MAC will remain in existence until discharged by action of the SacRT Board of Directors.

Date Amended: **August 28, 2023** ~~May 10, 2024~~

RESOLUTION NO. 2023-08-085

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

August 28, 2023

AMENDING AND RESTATING THE BYLAWS OF THE MOBILITY ADVISORY COUNCIL

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the amended and restated Bylaws of the Mobility Advisory Council (MAC), as set forth in Exhibit A, are hereby approved.

PATRICK KENNEDY, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary

**Sacramento Regional Transit District
Mobility Advisory Council
BYLAWS**

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meetings, whether excused or unexcused, in a six-month period. Such attendance patterns will also result in the Executive Committee initiating a letter to the member requesting written reaffirmation, within ten business days of their commitment to meeting attendance expectations.

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- B. Vice-Chair. The MAC will elect from its membership a Vice Chair who, in the absence or inability of the MAC Chair to serve, will have all of the powers of the Chair and will perform all of those duties. The MAC Vice-Chair will perform such other duties from time to time as may be requested by the MAC Chair.

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Section 6. Voting. Each member of the MAC has a single vote.

Section 7. Actions. All actions of the MAC will be by motion passed by a majority of the members present and voting.

Section 8. Adjournment. The MAC may adjourn any meeting to a time and place specified in the motion of adjournment.

ARTICLE VI – EXECUTIVE COMMITTEE

Section 1. Committee Composition. The Officers of the MAC, immediate past MAC Chair, and the Chair of each MAC Standing Committee will constitute the Executive Committee. In the absence of the Chair of a Standing Committee, the Vice Chair of that Standing Committee will serve on the Executive Committee, subject to availability. The immediate past MAC Chair will serve on the Executive Committee for one year following the end of their term of office in an advisory capacity. The Executive Committee will include the SacRT Staff Liaison, who will serve as Secretary to the Committee.

Section 2. Executive Committee's Duties. The Executive Committee will have general supervision of the affairs of the MAC between regular meetings, make recommendations to the MAC, and perform such other duties as specified in these Bylaws. The Executive Committee will lead the development of the monthly meeting agendas. The Executive Committee will recommend ad-hoc committees and Special meetings as needed to carry out the annual work plan. The Executive Committee will be subject to the direction of the MAC, and the Executive Committee will not take any action that conflicts with actions taken by the MAC, or the annual work plan. The Executive Committee will meet every month on a day to be established by the Executive Committee and additionally as needed.

ARTICLE VII – OTHER COMMITTEES

Section 1. Standing Committees. Two Standing Committees will be established and will report to the MAC. The scope of work for the Standing Committees will be guided by the annual work plan for the MAC. The "Access/Infrastructure Standing Committee" will address physical access to SacRT services for persons with disabilities and seniors and the "Training, Communications, and Policies Standing Committee" will address program access to SacRT services for persons with disabilities and seniors. Standing Committees may recommend ad-hoc committees, task forces, and Special meetings to the Executive Committee as needed to carry out the annual work plan. These ad-hoc committees and task forces will be responsible for investigating, addressing, and making recommendations on specific emergent or critical specialty issues as needed. Ad-hoc committees and task forces will sunset immediately after their charge is completed. Each MAC member will serve on at least one Standing Committee.

Section 2. Standing Committee

A. Standing Committee Membership Chairs and Vice-Chairs: At the January meeting of odd numbered years, each member of the MAC will volunteer to serve a two-year term on at least one Standing Committee of their choice. The term of membership will begin immediately after a MAC member makes their selection. There are no term limits. Committee selection will be made prior to a vote for Chair and Vice-Chair of the Standing Committee.

B. Election of the Chair and Vice-Chair: The Chair and Vice-Chair of each Standing Committee will be elected for a 2-year term during the January meeting of the full MAC of each odd numbered year. Nominations will be made by members of each Standing

Committee and only members of the respective Standing Committee may vote for Chair and Vice-Chair. There are no term limits for Chair and Vice-Chair.

C. Duties of the Standing Committee Chair. Each Standing Committee Chair will preside at all its meetings. The Standing Committee Chair, or their designee, will act as the primary spokesperson for the respective MAC subcommittee and will perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Council.

D. Duties of the Standing Committee Vice Chair Each Standing Committee Vice- Chair who, in the absence or inability of the Chair to serve, will have all the powers of the Chair and may perform all the Chair's duties. The Standing Committee Vice Chair will perform other duties from time to time as may be requested by the Standing Committee Chair.

ARTICLE VIII – LIAISON WITH SACRT

There shall be an ongoing liaison between SacRT staff and the MAC. The SacRT General Manager/CEO will designate an SacRT staff person to serve as liaison. The liaison will prepare meeting notices, agendas, and minutes as required. The liaison will provide information, technical assistance, and facilitation assistance during all the MAC meetings.

ARTICLE IX – PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised will govern the MAC in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the MAC may adopt.

ARTICLE X – AMENDMENT OF BYLAWS

These Bylaws may be amended or repealed at any time by majority vote of the SacRT Board of Directors after consultation with, or by recommendation of, the MAC. A recommendation to the SacRT Board of Directors for amendment of these Bylaws is achieved by a two-thirds vote of the MAC members present at any Regular MAC meeting, provided that notice of such proposed amendment has been presented in substance or completed text in writing to the MAC Chair and read by the Chair or their designee at a Regular MAC meeting prior to the time the proposed amendment is voted upon.

ARTICLE XI – TERM OF COUNCIL

The MAC will remain in existence until discharged by action of the SacRT Board of Directors.

Date Amended: August 28, 2023