January 28, 2015

TO: Commissioners, Director and Deputy Directors

FROM: Tom Ferch, Transportation Funding Coordinator

SUBJECT: ACHD Americans with Disabilities Act (ADA) Advisory Committee – Reappointment and Appointment of Volunteer Committee Members

February 11, 2015 Commission Meeting – Information Item

Executive Summary
The ACHD ADA Advisory Committee was established in January 2007 for the specific purpose of providing input to ACHD on accessibility related issues and to act as a liaison between the District, municipalities, interested organizations, other groups and the public. Members of the Committee include individuals who work for organizations that directly serve people with disabilities and the elderly. Other members could include other municipal government and governmental ADA representatives.

This memo requests the Commission to consider the reappointment of the six current ADA Advisory Committee members, with official action to occur in three weeks. In addition, staff is requesting that the Commission consider the appointment of Justin Skeesuck to the Committee at that same Commission meeting. The Commission is always encouraged to forward to Staff qualified candidates that are interested in serving on the ADA Advisory Committee.

Facts & Findings
Volunteer members of the Committee are appointed by the Commission for a term of two years and can serve unlimited terms as long as reappointed by the Commission. The Commission member of the Committee is appointed at the beginning of the calendar year by agreement of the Commission. Volunteer membership on the ADA Committee can be sought at any time. Membership and appointments are governed by the Committee bylaws (attachment 1).

At the end of 2014, the Committee lost Steve Achabal, a Rehabilitation Teacher at the Idaho Commission for the Blind and Visually Impaired, and Susan Bradley who worked for the National Federation of the Blind of Idaho.
The six volunteer Committee members requesting reappointments and the current Commission member are:

- **Dana Ard**, Treasure Valley Chapter President - National Federation of the Blind of Idaho
- **Dean Chatburn**, Senior Representative
- **Noll Garcia**, Citizen Advocate
- **Jim D. Hansen**, Commission President - Ada County Highway District
- **Rhonda Jalbert**, Capital Projects Manager - Valley Regional Transit
- **Steven Snow**, Executive Director - Idaho Council for the Deaf and Hard of Hearing
- **Todd Wilder**, Disability Advocate - Living Independent Network Corporation

For your consideration: **Justin Skeesuck** is the founder of “The Disabled Traveler.” Justin uses his more than 20 years of accessible travel experience to motivate, train and inspire people with disabilities how to navigate and overcome the many challenges they are faced in their lives and when traveling. Justin also advises tourism-centric organizations on how to develop accessible destinations and to market to the disabled community. (Justin Skeesuck Resume attached)

If appointed, Justin Skeesuck would join the existing six appointed members of the Committee. Committee bylaws indicate a minimum of six volunteer members is required.

**Fiscal Implications**
Members on the ACHD ADA Advisory Committee are unpaid volunteers. Per the Committee’s bylaws, members may receive reimbursement for reasonable travel expenses associated with committee meetings, including but not limited to expenses for accessible transportation and/or personal assistance. Other actual and necessary expenses may be allowed with the prior approval of the Director.

**Policy Implications**
The Committee acts in an advisory role to the District regarding accessibility issues. Members do not set official District policy. The Committee has played a key role in advising the District with regards to ADA ramp improvements, roundabout design, and recommending sites for Accessible Pedestrian Signals.

**Recommendation**
Consider the reappointment of the existing ACHD ADA Advisory Committee members and the appointment of Justin Skeesuck as a new member of the Committee. The actual action of reappointing and appointing will occur at the March 11, 2015 Commission meeting.

**Attachments:**
1. ADA Advisory Committee Bylaws
2. Justin Skeesuck Resume
ACHD Americans With Disabilities Act Advisory Committee By-Laws


Section 504 and Americans with Disabilities Act

Ada County Highway District (ACHD) is committed to ensuring that all its facilities, programs, services, and activities are accessible to people with disabilities. ACHD complies with disability access laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). The Americans with Disabilities Act Advisory Committee plays a vital role in providing input to ACHD.

Section 504 of the Rehabilitation Act of 1973 states that programs or activities that receive federal money (such as ACHD) cannot, solely by reason of disability, exclude a qualified disabled person from participation in, deny the benefits of, or subject the person to discrimination. Because of Section 504, ACHD must remove barriers and make reasonable accommodations for qualified individuals with disabilities.

The Americans with Disabilities Act of 1990 (ADA)

Title II requires that ACHD must make its facilities, programs, services, and activities accessible to members of the public who have disabilities.

By-Laws

The ACHD Americans with Disabilities Act Advisory Committee

ARTICLE I: Name

The name of said committee shall be the ACHD Americans with Disabilities Act Advisory Committee (hereinafter referred to as "the committee").

ARTICLE II: Form of Committee

The committee shall be a special purpose committee made up of volunteers who work for organizations that directly serve people with disabilities and the elderly, other municipal and governmental ADA representatives, one Citizen Advocate and one member of the Commission. The ACHD Board of Commissioners signed Resolution No. 800 officially creating the committee on January 17, 2007.

ARTICLE III: Purpose

The committee shall serve in an advisory capacity only to ACHD and the committee shall make recommendations to ACHD on issues of concern to
persons with disabilities. The function of the committee shall include, but not be limited to, the following ...

A. Assist ACHD in developing strategies for the sidewalk transition plan;

B. Make recommendations regarding access to all ACHD services and facilities for people with disabilities. Any recommendations or proposals advanced by the committee shall be advisory in nature, and shall be given due consideration by the appropriate district department for feasibility and implementation.

C. Make recommendations to ACHD departments regarding Section 504/ADA accessibility issues.

ARTICLE IV: Membership

Regular membership in this committee shall be open to any individual, without regard to ethnicity, religion, sex, national origin, age, disability, economic status or sexual orientation or any other classification protected by federal or state law. Appointments and terms shall are as follows...

A. Committee members shall serve terms of two years. The ACHD Commissioners shall appoint members. The committee members may serve as many terms as approved by the Commission. Anyone interested in serving on the Committee shall notify the ACHD Commissioners in writing.

B. Member Vacancy: A committee member position shall be deemed vacant when:

1. An appointee who has not yet been confirmed withdraws his/her application;

2. A member no longer continues to meet qualifications for appointment during the term of office; or

3. A member voluntarily resigns prior to the expiration of an appointed term; or

4. A member is removed by the ACHD Commission President, with the advice and consent of the ACHD Commission prior to the expiration of an appointed term.

C. Appointments should be representative of a wide variety of disability groups. Appointees shall have an interest, experience and a demonstrated commitment to issues pertaining to disability and access. Members must currently be representing organizations and/or businesses that serve Ada County residents.
The committee shall consist of a minimum of six volunteer members and one ACHD Commissioner.

D. The ACHD ADA Coordinator (non-employment) and an ACHD Staff Attorney will attend but are not voting members of the Committee

E. The committee shall make reasonable accommodations to enable the participation of its members and/or guests who are persons with disabilities.

F. There shall be no fee required for membership. Members may receive reimbursement for reasonable travel expenses associated with committee meetings, including but not limited to expenses for accessible transportation and/or personal assistance. Other actual and necessary expenses may be allowed with the prior approval of the Director. Verification and documentation of all expenses incurred must be submitted before reimbursement will be made.

G. Conflict of Interest: Committee members shall disqualify themselves from participation in any discussion and/or vote on any matter in which a committee member or his/her family has a financial interest (tangible gain) or a personal interest which would affect independence of judgment or action in the performance of the member's duties.

H. Members may not speak to the media or policy making boards on behalf of the committee without express permission of the committee. At no time shall volunteer committee members present or portray themselves to the media and or policy making boards as ACHD employees (excepting the ACHD Commissioner).

I. Member Resignation: A committee member may resign from committee membership by giving written notice to the chair. The notice shall specify an effective date of resignation, and whenever possible, should be submitted at least thirty days prior to the effective date of resignation.

J. Member Removal: The committee and officers may vote to recommend to the Commission that a member be removed for failure to participate in committee activities (participation criteria i.e. absence from meetings, etc. will be determined by the committee) or for behavior that negatively impacts the committee's purpose or reflects poorly on the district's mission to serve the community.

ARTICLE V: Meetings

A. Meetings: The committee shall meet every two months unless otherwise determined by a majority of voting members. The time, hour and place of these meetings shall be determined by a consensus of the committee. All meetings of the committee shall be called, noticed, held and conducted in accordance with the State of Idaho Open Meetings Law. In the event of the absence of the chairperson at the meetings, the vice-chairperson shall run the meeting. In the
event of the absence of the vice-chairperson, the secretary shall run the meeting. In the event of the absence of the secretary a committee member who receives the most votes by the committee shall preside over that meeting.

B. Additional Meetings: When deemed expedient, or at the request of the majority of the committee, the committee chairperson may call additional meetings of the committee to be held at such time and place as stated by the committee chairperson. Additional meetings shall be called, noticed, held and conducted in accordance with the State of Idaho Open Meetings Law.

C. Quorum: At any meeting, a quorum shall consist of a majority of the committee/subcommittee(s) members. No action item requiring the committee's vote shall be resolved in the absence of a quorum.

D. Voting:

1. The vote on all questions coming before the committee/subcommittee(s) shall be by voice vote, elevating hands, or other effective method. The chairperson of the committee shall vote in all cases, when present.

2. Upon request by any committee member, a vote will be tallied and recorded in the meeting minutes.

3. Attendance: Members are expected to attend all regular meetings, but two absences per year may be excused.

E. Minutes: Meeting minutes will be sent to the committee members, the ACHD Commissioners, and all affected ACHD departments at least ten (10) business days before the next meeting. All official records of the committee shall be kept at ACHD’s Adams Street office. Minutes will be posted on the ACHD web site and, upon request, will be made available for public inspection during regular business hours.

ARTICLE VI: Officers

A. Officers shall serve terms of one (1) year unless reappointed by majority vote of the committee.

B. The officers of the committee shall consist of a chairperson who shall be appointed by the ACHD Director and a vice chairperson and secretary, who shall be elected by the committee.

C. Officers - Duties

1. Chairperson
A. The chair shall preside over all regular committee meetings.

B. The chair shall formulate the agenda with input from members and staff.

C. The chair shall oversee the committee work plan.

D. The chair shall serve as the spokesperson for the committee.

E. The chair shall perform such other duties as required and approved by the committee.

2. Vice-Chairperson:

A. The vice-chair shall assist the chair in fulfilling his/her duties and shall serve as chairperson during the absence of the chairperson.

B. The vice-chair shall chair subcommittees on special subjects as designated by the committee.

C. The vice-chair shall ensure that all committee activities adhere to the committee bylaws.

D. The vice-chair shall also perform such other duties as required and approved by the committee.

3. Secretary:

A. The secretary shall assist the chair and vice-chair in fulfilling their duties and shall serve as chairperson during the absence of both the chairperson and vice-chairperson.

B. The secretary shall prepare the agenda formulated by the chair and take meeting notes/minutes.

C. The secretary shall also perform such other duties as required and approved by the committee.

D. Officer Resignation: A committee officer may resign from office by giving written notice to the chair. The notice shall specify an effective date of resignation, and whenever possible, should be submitted at least thirty days prior to the effective date of resignation.

E. Officer Vacancy: In the event the chairperson is unable to fulfill his/her duties or resigns in the middle of a term, the ACHD Director shall appoint a chairperson
to fill the unexpired term. In the event of a vacancy in any other officer position, the committee shall elect a committee member to fill the unexpired term.

ARTICLE VII: Recruitment, Appointment and Confirmation of Members

Committee vacancies and resignations will be filled in the following manner:

A. Current committee members may forward names of potential committee members for consideration.

B. Committee members will be appointed by the ACHD Commission President with the advice and consent of the ACHD Commissioners.

ARTICLE VIII: Subcommittees

Subcommittees - The chairperson shall have the authority to create subcommittees that may be deemed helpful to the work of the committee and the accomplishment of its purpose. Subcommittees shall cover issues relevant to the mission of the committee.

ARTICLE IX: Finances

The committee shall neither receive funds nor make disbursement of its own authority.

ARTICLE X: Support Services

The ADA Coordinator (non-employment) shall serve as coordinator of the committee. Mailing, telephone and other support services essential to the work of the committee will be provided by the ACHD’s Planning & Projects Department.

ARTICLE XI: Amendments

These bylaws may be amended by a majority vote at any meeting of the committee provided that notice of the proposed amendment(s) have been sent to all members ten (10) business days in advance of the meeting.
JUSTIN SKEESUCK

(619) 277 2585
justin@illpushyou.com
2532 W Wapoot Drive
Meridian, Idaho 83646

Profile
A motivational speaker, trainer and accessibility consultant, Justin's authentic, powerful, and hilarious storytelling provides insight on his 20+ years of accessible travel experience and what it's truly like to live with a physical disability.

Experience
Founder, The Disabled Traveler — 2010—Present
Justin Skeesuck is "The Disabled Traveler". He inspires and instructs people with disabilities how to successfully navigate and overcome the many challenges they are faced in their lives and when traveling.

In addition to working with the disabled community, Justin privately advises tourism-centric organizations on advanced business-building, world-class marketing and high-performance accessibility strategies.

Founder & Co-Creator, “I’ll Push You” — 2012—Present
“I’ll Push You: A 500 Mile Journey Between two Best Friends” is a documentary film about Justin Skeesuck and his best friend, Patrick Gray, where Patrick pushed Justin in a wheelchair 500 miles across Spain on the pilgrimage known as the Camino de Santiago. Please visit: illpushyou.com to learn more.

Founder, Seen+Noted — 1997—Present
Seen+Noted is an independent graphic design consultancy providing graphic design (both online & off-line) and advanced marketing strategies to start up through Fortune 500 companies.

Education
Point Loma Nazarene University, San Diego — Bachelor of Arts, Emphasis in Graphic Design, 1997

Skills
Keynote Public Speaking, Accessibility Coaching & Consulting, Disability Etiquette Coaching & Coaching, Marketing (to Disabled Community), Graphic Design (Online & Off-line), and Advanced Computer Skills.

References
Meredith Vieira, Hewlett-Packard, St. Luke's Hospital (Idaho), Northwest Nazarene University, Point Loma Nazarene University, Los Angeles Concierge Association.