

BY-LAWS OF THE MIAMI-DADE COUNTY COMMISSION ON DISABILITY ISSUES

Adopted: June 13, 1978

Amended: December 12, 1978

Amended: January 8, 1980

Amended: March 7, 1995

Amended: January 8, 2002

Amended: September 28, 2007

ARTICLE I NAME

The name of this Commission is the Miami-Dade County Commission on Disability Issues. This Commission was established by the Board of County Commissioners on April 19, 1977 by Ordinance No. 77-23. The original ordinance was replaced by Ordinance No. 79-80 on October 16, 1979, then replaced by Ordinance No. 94-04 on January 18, 1994 and subsequently replaced by Ordinance No. 02-133 on July 23, 2002

ARTICLE II STATEMENT OF PURPOSE

To advise the Board of County Commissioners as to the issues and concerns facing people with disabilities and to recommend to it those ordinances and resolutions that address the issues that foster independence, empowerment, and equity within the community at large.

To be a forum for free and open discussion in which the needs and desires of all people with disabilities may be brought forward, discussed, and solutions sought for or determined.

To eliminate the barriers of prejudice and discrimination based on disability in employment, education, housing, transportation, etc. and all other aspects of daily living.

To inform, educate, and spread awareness among individuals, the general public, the private sector, and government entities as to the existence of local, state, and federal legislation that speaks to the issues of inclusion, independence, and empowerment for people with disabilities.

To motivate individuals with disabilities to participate in the accomplishment of the above and to take part in the decision-making process so that an ever increasing

number of people with disabilities may become more vigilant regarding their rights and responsibilities under the law.

ARTICLE III **PREROGATIVES AND POWERS**

The Commission shall have the following prerogatives and powers:

- a) To serve in an advisory capacity to the Board of County Commissioners, the County administration, County departments, the community, and all agencies in Miami-Dade County, Florida, with respect to all matters pertaining to issues affecting people with disabilities. These issues include, but are not limited to discrimination, employment, education and vocational training, establishment of residential facilities, transportation, housing, recreation, independent living, the elimination of architectural barriers, inclusion in programs, policies, and procedures and to make reports and recommendations to the appropriate entities regarding such matters.
- b) To serve as liaison between the Board of County Commissioners and the community of people with disabilities and to consult with representatives of organizations representing people with disabilities as requested and as necessary to carry out the functions of this commission.
- c) To institute and have studies made of all County facilities, services, institutions, and programs dealing with or affecting people with disabilities and to consider the future need of Miami-Dade County with respect to said facilities, services, institutions, and programs.
- d) To formulate and recommend plans and programs for the coordination of the activities of all governmental entities, non-governmental agencies, non-profit organizations and recipients of county funds that deal with the issues and concerns of people with disabilities.
- e) To serve as a resource to people with disabilities, service providers, family members, and other allies interested in the distribution of equitable services for people with disabilities.
- f) To seek and accept appropriations of funds from persons and entities in order to carry out studies and activities for people with disabilities.
- g) To perform any other activities as may be assigned to the Commission by the Board of County Commissioners.
- h) To prepare and submit an annual report on the activities of the Commission to the Board of County Commissioners.

SECTION 1
LIMITATIONS OF POWERS

The powers and jurisdiction of the Commission shall be solely advisory, voluntary, and persuasive. The Commission shall not have any power or authority to subpoena or compel the attendance of witnesses. The Commission shall not have any power to appoint County officers or employees or to make policy decisions, or to manage, control, or administer institutions or programs relating to people with disabilities in Miami-Dade County.

SECTION 2
STAFF SUPPORT

The Office of the Americans with Disabilities Act Coordination shall supply staff support and shall act as liaison between the Commission and the County.

ARTICLE IV
MEMBERSHIP AND QUALIFICATION

The Miami- Dade County Commission on Disability Issues shall consist of thirteen (13) members appointed by the Board of County Commissioners. Each member of the Board of County Commissioners shall appoint one member to the Commission.

The terms of office of the members of the Commission shall begin on the day of appointment and expire when the appointing Commissioner's term of office expires or the appointing Commissioner leaves office. No member shall serve more than a cumulative total of eight (8) years on the Commission unless reappointed after a hiatus of two (2) years.

Appointed members of the Commission must be permanent residents of Miami-Dade County unless the Board of County Commissioners, by a two-thirds vote of its membership, waives this requirement; or shall work as a paid employee or as an unpaid volunteer in Miami-Dade County. Members shall not become candidates for election to any public office. Members of the Commission must be individuals who are willing to further the cause of civil rights for people with disabilities. Individuals need not have a disability, but for purposes of effective representation, the majority of appointed members must have a disability.

A member of the Commission may be removed without cause by a 3/4 vote of the entire membership of the Board of County Commissioners or by the appointing Commissioner. The Commission may request an appointing Commissioner to remove a Commission member provided that the recommendation for removal is approved by a majority vote

of the Commission. When any member of the Commission fails to attend two (2) consecutive meetings of the Commission without good cause or three (3) meetings without good cause, the Chairperson shall certify that fact to the Board of County Commissioners and such member shall then be deemed to have been removed from office and a vacancy created. "Good cause" is defined as an absence for medical reasons, business reasons, personal reasons or any other reason which the Commission, by a two-thirds (2/3) vote of the membership, deems appropriate. Attendance of a member at less than seventy-five percent (75 %) of the scheduled meetings, without excuse, shall be deemed a failure to attend.

When a vacancy of an appointed seat occurs on the Commission, the Membership Committee shall submit at least one (1) applicant for appointment to the respective County Commissioner. The Commissioner shall recommend approval of this applicant to the Board of County Commissioners or shall request a new list of up to three (3) people either including or excluding, at the Commissioner's discretion, the name of the applicant originally submitted. The Board of County Commissioners shall fill the vacancy from the names submitted.

Until an appointment to fill a vacancy occurs the member vacating may remain in the seat until the vacancy is filled by the Board of County Commissioners. If a seat remains vacant for more than thirty (30) days then any Commissioner may fill the vacancy subject to the procedures for recommending applicants as stated above.

ARTICLE V **EXECUTIVE COMMITTEE**

The officers of the Commission shall be a Chairperson, a First Vice-Chairperson, a Second Vice Chairperson, and a Secretary, and shall be called the Executive Committee.

ARTICLE VI **ELECTIONS AND TERMS OF OFFICE**

Officers shall be elected at the January meeting of the Commission. A slate of nominations shall be presented by the Nominating Committee at the December meeting. The Chairperson shall appoint a Nominating Committee at the November meeting. The election shall be the last item on the agenda and the newly elected officers shall assume their duties immediately after the elections are over. The Chairperson shall, as long as he or she remains a member in good standing, serve for a period not to exceed two years, unless re-elected. Each other officer, as long as he or she remains a member in good standing, shall serve for a period not to exceed two years, unless reelected.

Elections shall be held by the Chairperson opening the floor for nominations, starting with the office of the Chairperson. Voting shall be by other means than a secret ballot. Proxy votes shall not be accepted.

Election shall be by a majority vote of the members of the Commission present and voting. In the event that there is no majority vote for an office, then the two candidates receiving the highest number of votes shall go through a rerun election.

SECTION 1 **DUTIES OF THE OFFICERS**

The Chairperson shall preside at all meetings of the Commission. The Chairperson shall assign various members to Committees or Task Forces with due consideration as to the preference of each member.

The Chairperson shall present all reports to the Board of County Commissioners. The Chairperson shall be the only official spokesperson and representative for the Commission - other members of the Commission may speak on behalf of the Commission only with the written permission of the Chairperson, or with the approval of the majority of the Commission members, or at a public appearance which is planned for the participation of the entire Commission.

The First Vice-Chairperson shall perform the duties of the Chairperson in the latter's absence and the Second Vice-Chairperson shall perform such duties in the absence of the Chairperson and First Vice-Chairperson, unless a different assignment is made by the Chairperson. Both Vice-Chairpersons shall assist the Chairperson in the performance of his or her duties.

In the event the Chairperson can no longer perform the duties of office, the First Vice Chair will assume those duties until the next scheduled election.

ARTICLE VII **STANDING COMMITTEES**

Each Commission member shall serve on one standing committee with the exception of the Executive Committee.

Immediately after accepting office, the Chairperson shall appoint a Membership Committee whose duty it will be to gather willing and qualified candidates to serve as members. Each time a vacancy occurs among the thirteen (13) appointed members of CODI the committee will present an applicant to the Commission for subsequent appointment by the Board of County Commissioners.

Each Committee shall meet at a time, date, and place to be determined by the Committee's Chairperson, such meetings to be announced and publicized.

Comprehensive reports of each Committee shall be provided in writing at least once a year with copies distributed with the minutes of the Commission meeting or at the request of the Chairperson of the Executive Committee.

ARTICLE VIII **MEETINGS**

The Commission shall hold regularly monthly meeting at least eight (8) times per year. A special meeting may be called upon written notice signed by not less than a majority of members serving at that time.

It shall be the responsibility of each member to attend all meetings of the Commission, and also all meetings of the Committees that member has been assigned. To be counted as present, a member must remain at a meeting for three-quarters (3/4) of the scheduled meeting time.

A quorum shall consist of fifty-one percent (51%) of the current membership provided that at least one-half (1/2) of the Commission membership has been appointed. In the event that more than one-half (1/2) of the Commission seats remain vacant then a quorum shall be constituted by two-thirds (2/3) of the currently appointed membership.

ARTICLE IX **PARLIAMENTARY AUTHORITY**

The parliamentary authority for this Commission shall be Roberts Rules of Order.

ARTICLE X **AMENDMENTS**

These By-Laws may be amended by a two-thirds (2/3) vote at any meeting of the Commission if two weeks notice of such amendment has been provided to each member.