

Memorandum



Date: May 3, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Sunset Review of County Boards for 2011 – Commission on Disability Issues

Agenda Item No. 1(F)5

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2011 Sunset Review of County Boards Report for the Commission on Disability Issues. The Commission on Disability Issues approved the attached report at its meeting on December 22, 2011 and has recommended the continuation of its board.

A handwritten signature in black ink, appearing to read "Wendi Norris", written over a horizontal line.

Wendi Norris, Director
General Services Administration

cno04911

Date: January 5, 2011
To: George M. Burgess
County Manager
From: Jose "Ernie" Martinez
Chairperson, Commission on Disability Issues
Subject: Sunset Review of County Boards for 2011 – Commission on Disability Issues

Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2011 Sunset Review of County Boards Report for the Commission on Disability Issues for transmittal to the Board of County Commissioners (BCC). The Board approved the attached report at its meeting of December 22, 2010.

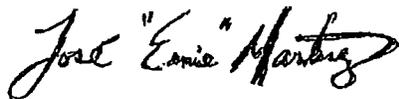
It is recommended that the BCC approve the continuation of the Commission on Disability Issues.

BACKGROUND

The Commission on Disability Issues was created in July 23, 2002 by Ordinance 02-133.

The purpose of the Board is to serve in an advisory capacity to the Board of County Commissioners and, upon request the County administration, the community, and all agencies and persons in Miami-Dade County, Florida in respect to all matters pertaining to the status of persons with disabilities, including but not limited to discrimination against persons with disabilities, employment of persons with disabilities, vocational training to persons with disabilities, establishment of residential facilities in the community for persons with disabilities, transportation needs of persons with disabilities and attitudes towards persons with disabilities in the community, and to make reports and recommendations to these bodies in respect to such matters.

The Commission on Disability Issues serves a vital role in helping Miami - Dade County to comply with the ADA and in welcoming people with disabilities. No other Miami - Dade Board serves in this capacity.



Jose "Ernie" Martinez
Board Chairperson

**SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2011**

I. GENERAL INFORMATION

1. Name of Board reporting:
Commission on Disability Issues

2. Indicate number of board members, terms of office, and number of vacancies:
Number of Board Members: **12 (13 seats but one seat is vacant)**
Terms of Office: **4 years to coincide with Commissioner's election**
Number of Vacancies: **1 – however there is a new
Commissioner from District 8 who may choose to either
keep the present member or appoint a new member.**

3. Identify number of meetings and members' attendance (Attach records reflecting activity from Jan. 1, 2009 through December 31, 2010):
Number of Meetings: **22**
Number of Meetings with a Quorum: **22**
Attendance Records: **See attachment attendance sheet for 2009 and 2010**

4. What is the source of your funding?
The budget of the Office of ADA Coordination

5. Date of Board Creation:
July 23, 2002

6. Attach a copy of the ordinance creating the Board (Please include all subsequent amendments).
See Attachment:
Ordinance 02-133 (3 pages)

7. Include the Board's Mission Statement or state its 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 equality within the community at large.

8. Attach the Board's standard operating procedures, if any.
There are no standard operating procedures.

9. Attach a copy of the Board's By-Laws, if any.
By-Laws are attached (6 pages)

10. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, including a vote of the membership.
See Attachment: **Minutes from the December 22, 2010**

II. EVALUATION CRITERIA

Is the Board serving the purpose for which it was created? (Please provide detailed information) **Yes, this is an official advisory board to the Board of**

County Commissioners on disability issues. Their official opinions helps the County comply with the ADA and helps the County be a place where people with disabilities are able to access County services.

1. Is the Board serving current community needs? (Please provide detailed information)
Yes, this advisory board gives voice to people in the community with disabilities by serving as a place where they can go to have their issues and concerns heard and addressed.

2. What are the Board's major accomplishments?
Last 24 months
 - a. **Providing advice on the County's para-transit RFP-709 for the new para-transit contract**
 - b. **Collaborating with Miami-Dade Transit to improve fixed route service by providing more accessibility to people with disabilities**
 - c. **Providing advice on the access design of the multi-million dollar Marlins Baseball Park**
 - d. **Collaborating with the Airport to make it more user-friendly to people with disabilities**
 - e. **Collaborating with Public Works to improve sidewalk repairs and curb cuts.**
 - f. **Training County staff on disability needs and etiquette**
 - g. **Supporting the County ordinance to increase penalties to taxi cab drivers who don't pick up people with service animals**
 - h. **Collaborate with Employee Relations to initiate an internship program for people with disabilities**

Since established

- a. **Instrumental in establishing the need for the Accessible Taxi Cab Ordinance**
- b. **Provided recommendations on standards for audible pedestrian signals**
- c. **Provided advice to the County regarding criteria for accessibility to the new Bus Way and to probable destinations**
- d. **Provided recommendations on the Adrienne Arsht Center**
- e. **Recommended to the County hiring practices which promote the hiring of people with disabilities - helped establish the Reasonable Accommodation Fund**

**SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2011**

3. Is there any other board, either public or private, which would better serve the function of this board? **No, not aware of any other board which serves this function.**

4. Should the ordinance creating the Board be amended to better enable the Board to serve the purpose for which it was created? (If "Yes", attach proposed changes)
No, the ordinance should not be amended at this time.

5. Should the Board's membership requirements be modified?
No, the Board's membership requirements should not be modified.

6. What is the operating cost of the Board, both direct and indirect? (Report on FY 2009 and FY 2010)
FY 2009 - \$40,000 with 25% of fringe benefits
FY 2010 - \$37,000 with 25% of fringe benefits

7. Describe the Board's performance measures developed to determine its own effectiveness in achieving its stated goals.
The Commission on Disability Issues has no performance measures.

Jose Martinez, Chair First Vice Chair: Ronald Fulton Second Vice Chair: Jackson David Secretary Treasurer:
Denise Valkema

| MEMBER | Initial date of appoint | TERM END | J 1 0 | F 1 0 | M 1 0 | A 1 0 | M 1 0 | J 1 0 | J 1 0 | A 1 0 | S 1 0 | O 1 0 | N 1 0 | D 1 0 | District | COMMISSIONER |
|--------------------------------|-------------------------|----------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|----------|---------------------------------|
| John Miller | 3/1/05 | 3/1/13 | P | E | P | P | P | P | P | P | P | P | E | P | 1 | Barbara Jordan |
| Dr. Manoel Olivera | 2/17/09 | 2/17/17 | P | P | P | P | E | E | E | P | P | E | P | V | 2 | Dorrin D. Rolle/ Jean Monestime |
| Jose Granda | 11/20/08 | 11/20/16 | P | P | P | P | P | P | E | P | P | P | P | P | 3 | Audrey Edmonson |
| Sandra Hix | 12/15/09 | 12/15/15 | P | P | E | P | P | P | P | P | P | P | P | P | 4 | Sally A. Heyman |
| Jose Martinez | 6/14/06 | 6/14/14 | P | P | P | P | P | P | P | P | P | P | P | P | 5 | Bruno A. Barreiro |
| Pedro Rodriguez | 4/6/10 | 4/6/18 | V | V | V | P | E | E | E | P | P | P | P | E | 6 | Rebeca Sosa |
| Jackson David | 3/4/08 | 3/4/16 | E | E | P | E | P | P | P | P | P | P | E | P | 7 | Carlos J. Gimenez |
| Damian Gregory / Paul Edwards* | 5/4/10 | 5/4/18 | P | P | V | V | P | P | P | E | P | P | E | P | 8 | Katy Sorenson/Lynda Bell |
| Ronald Fulton | 4/13/04 | 4/13/04 | P | P | P | P | P | E | P | P | P | P | P | P | 9 | Dennis C. Moss |
| Dr. S. Kohlenberg | 8/11/2005 | 8/11/13 | P | P | P | P | E | P | P | P | P | P | P | P | 10 | Javier D. Souto |
| Denise Valkema | 1/20/04 | 1/20/12 | P | P | P | P | P | P | E | P | P | P | P | P | 11 | Joe A. Martinez |
| Marle Schmidt | 11/19/02 | 11/19/10 | E | P | P | E | P | E | E | P | E | P | E | E | 12 | Jose "Pepe" Diaz |
| Alan Rigerman | 1/23/08 | 1/23/16 | P | P | P | E | P | P | P | P | P | P | P | P | 13 | Natacha Seijas |

P - Present E- Excused V-Vacant

OFFICE OF ADA COORDINATION:

Heidi Johnson-Wright, ~~Ilene~~ Hyams, Daniel Howe

Standing Committees

Transportation: Chairs: Denise Valkema and Sandra Hix

Access: Jackson David

Outreach/ Education: Jackson David

Membership/ Nominating: Chair: Dr. Sam Kohlenberg Co-Chair Sandra Hix

Housing: Chair: Ronald Fulton and Pedro Rodriguez

*This member will stay until the new commissioner decides on the appointment.

Elizabeth McNally, Chair First Vice Chair: Denise Valkema Second Vice Chair: Secretary Treasurer: Ronald Fulton

| MEMBER | Initial date of appoint | TERM END | J 0 9 | F 0 9 | M 0 9 | A 0 9 | M 0 9 | J 0 9 | J 0 9 | A 0 9 | S 0 9 | O 0 9 | N 0 9 | D 0 9 | District | COMMISSIONER |
|------------------------------|-------------------------|------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|----------|-------------------|
| John Miller | First 9/12/02 | 11/30/2008 | P | P | P | P | P | P | N | E | E | E | N | E | 1 | Barbara Jordan |
| Manoel Olivera | | | V | P | E | E | E | E | O | E | P | P | O | E | 2 | Dorin D. Rolle |
| Jose Granda | | | P | P | P | P | P | P | | P | P | P | | P | 3 | Audrey Edmonson |
| Elizabeth McNally/ Vacant | | | P | V | V | V | V | V | M | V | V | V | M | V | 4 | Sally A. Heyman |
| Jose Martinez | First 2/3/04 | | P | P | P | P | P | P | E | P | P | P | E | P | 5 | Bruno A. Barreiro |
| Marilyn Larrieu/ Vacant | | | E | P | V | V | V | V | E | V | V | V | E | V | 6 | Rebeca Sosa |
| Jackson David | First 3/7/08 | | P | P | P | P | E | E | T | P | E | P | Y | E | 7 | Carlos J. Gimenez |
| Damian Gregory | First 11/6/02 | 10/31/2006 | P | P | P | P | P | P | I | P | P | P | I | E | 8 | Katy Sorenson |
| Ronald Fulton | 1/27/05 | 11/30/08 | P | P | P | P | P | P | N | P | P | P | N | P | 9 | Dennis C. Moss |
| Dr. S. Kohlenberg | 8/11/2005 | 10/31/2006 | P | P | P | P | E | P | G | P | E | P | G | E | 10 | Javier D. Souto |
| Denise Valkema | First 1/20/04 | 10/31/2004 | E | P | E | P | P | E | | P | P | P | | P | 11 | Joe A. Martinez |
| Marie Schmidt | First 11/19/02 | 10/31/2006 | P | E | E | E | P | E | | P | E | E | | P | 12 | Jose "Pepe" Diaz |
| Alan Rigerman' | First 2/2008 | | P | E | P | P | E | P | | P | P | P | | P | 13 | Natacha Seijas |

P - Present E- Excused V-Vacant

OFFICE OF ADA COORDINATION:

Heidi Johnson-Wright, Ilene Hyams

Standing Committees

Access Transportation: Chair: Denise Valkema

Membership: Chair: Marie Schmidt

Employment: Co-Chair: Damian Gregory

Housing: Co-Chair: Ronald Fulton – Dr. Sam Kohlenberg

Alliance for Human Services: Chair: Marilyn Larrieu

ARTICLE XXXIV. COMMISSION ON DISABILITY ISSUES*

***Editor's note:** Ord. No. 77-23, nonamendatory of the Code, has been included as Art. XXXIV at the editor's discretion.

Cross references: Discrimination, Ch. 11A.

Sec. 2-311. Short title.

This article, enacted under and pursuant to the provisions of the Home Rule Charter of Government for Miami-Dade County, Florida, shall be known and may be cited as the "Miami-Dade County Commission on Disability Issues."

(Ord. No. 77-23, § 1, 4-19-77; Ord. No. 94-04, § 1, 1-18-94; Ord. No. 02-133, § 1, 7-23-02)

Sec. 2-312. Commission on Disability Issues established.

The Miami-Dade County Commission on Disability Issues is hereby created and established. The commission shall consist of thirteen (13) members appointed by the Board of County Commissioners.

(Ord. No. 77-23, § 2, 4-19-77; Ord. No. 79-90, § 1, 10-16-79; Ord. No. 94-04, § 2, 1-18-94; Ord. No. 02-133, § 2, 7-23-02)

Sec. 2-313. Qualifications of members.

Members of the Commission shall be individuals who have demonstrated their dedication to issues affecting persons with disabilities or representatives of organizations or agencies dedicated to the advancement of persons with disabilities. At least fifty (50) percent of the members of the Commission shall be persons with disabilities as defined from time to time in the Americans with Disabilities Act. In the event that the percentage of Commission members with disabilities falls below fifty (50) percent, all succeeding appointees shall be persons with disabilities until persons with disabilities constitute a majority of Commission membership. Members of the Commission shall work in or be permanent residents of Miami-Dade County. Members, while serving, shall not become candidates for election to any public office.

(Ord. No. 77-23, § 3, 4-19-77; Ord. No. 79-90, § 2, 10-16-79; Ord. No. 94-04, § 3, 1-18-94; Ord. No. 02-133, § 3, 7-23-02)

Annotation—CAO 77-37.

Sec. 2-314. Appointments and terms of office.

All appointments to the Commission shall be for a term which begins on the day of appointment and expires when the appointing Commissioner's term of office expires or the appointing Commissioner leaves office. A Commissioner who has appointed a Commission member may at any time, with or without cause, remove the member. A member of the Commission may be removed pursuant to the provisions of any general county ordinance relating to advisory boards or by the Board of County Commissioners when the member's absenteeism is generally excessive or the continued membership of the individual would be detrimental to the Commission on Disability Issues as determined by a majority of that Commission. The Commission on Disability Issues will make its determination by a formal motion and vote and the chairperson shall certify said vote to the Clerk of the Board of County Commissioners who shall place the matter on the next available agenda.

When any vacancy occurs on the Commission, the remaining members of the Commission shall recommend up to three (3) persons to the Commissioner responsible for recommending an appointment to that vacancy. That Commissioner shall either recommend to the Board of County Commissioners one of the individuals on the list or the commissioner shall request a new list of three (3) people either including or excluding, at the Commissioner's discretion, specific names from the original list. The Board of County Commissioners shall fill the vacancy from the names submitted.

Terms of office for CODI members shall run from the day of appointment by the Commission and expire when the appointing Commissioner's term of office expires or the appointing Commissioner leaves office. Notwithstanding any other provision of the Code, 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. If a seat remains vacant for more than thirty (30) days then any Commissioner may fill the vacancy. The positions vacated or expiring shall be filled by the Board of County Commissioners in the manner stated above.

(Ord. No. 77-23, § 4, 4-19-77; Ord. No. 79-90, § 3, 10-16-79; Ord. No. 94-04, § 4, 1-18-94; Ord. No. 02-133, § 4, 7-23-02)

Sec. 2-315. Organization of the Commission.

The members of the Commission shall elect a Chairperson, two (2) Vice-Chairpersons and a Secretary. Fifty-one (51) percent of the current members of the Commission shall constitute a quorum necessary to hold a meeting and to take any action provided that at least one-half (1/2) of the Commission's members have been appointed. The Chairperson shall set date, time and place of the meetings of the Commission, but special meetings may be called upon with agreement by fifty-one (51) percent of the members of the Commission. There shall be at least eight (8) meetings a year. Minutes shall be kept of all meetings of the Commission, under the supervision of the Secretary. All meetings shall be open to the public. Members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their official duties, upon approval by the County Commission. The Chairperson, the two (2) Vice-Chairpersons and the Secretary shall constitute the Executive Committee.

(Ord. No. 77-23, § 5, 4-19-77; Ord. No. 79-80, § 4, 10-16-79; Ord. No. 94-04, § 5, 1-18-94; Ord. No. 02-133, § 5, 7-23-02)

Sec. 2-316. Prerogatives and powers of the Commission.

The Commission shall have the following prerogatives and powers:

- (a) To serve in an advisory capacity to the Board of County Commissioners and, upon request, the County administration, the community, and all agencies and persons in Miami-Dade County, Florida, in respect to all matters pertaining to the status of persons with disabilities, including but not limited to discrimination against persons with disabilities, employment of persons with disabilities, vocational training for persons with disabilities, establishment of residential facilities in the community for persons with disabilities, transportation needs of persons with disabilities and attitudes towards persons with disabilities in the community, and to make reports and recommendations to these bodies in respect to such matters.
- (b) To serve as liaison between the Board of County Commissioners and persons with disabilities of the community, and to consult with representatives of said bodies from time to time as requested and necessary in order to carry out the Commission's functions.
- (c) When feasible and desirable, to institute studies and to have studies made of all existing County institutions, facilities, services and programs dealing with or affecting persons with disabilities, and to consider the future needs of Miami-Dade County in respect to such institutions, facilities, services and programs.
- (d) To institute studies and to have studies made in respect to, but not limited to, discrimination against persons with disabilities in employment, education, transportation, and architecture; the problems involving the establishment of a residential center for persons with disabilities; the treatment, recreational service and other facilities for persons with disabilities; and the problems of attitudinal barriers toward persons with disabilities.
- (e) To formulate and recommend plans and programs for the coordination of the activities of all governmental entities and nongovernmental agencies dealing with problems of persons with disabilities.
- (f) To serve as a resource facility to persons with disabilities and to those interested in advancing the welfare of persons with disabilities.
- (g) To seek and accept appropriations or funds from interested persons and entities in order to carry out studies and activities for the advancement of persons with disabilities.
- (h) To perform any other activities as may from time to time be assigned to the Commission by resolution of the Board of County Commissioners.
- (i) To prepare and submit an annual report on the studies and activities of the Commission to the Board of County Commissioners.

(Ord. No. 77-23, § 6, 4-19-77; Ord. No. 02-133, § 6, 7-23-02)

Sec. 2-317. Limitations of powers.

The powers and jurisdiction of the Commission shall be purely advisory, voluntary and persuasive. The Commission shall not have any power or authority to subpoena or compel the attendance of witnesses. The Commission shall have no power to appoint County officers or employees or to make policy decisions, or to manage, control or administer institutions or programs relating to persons with disabilities in Miami-Dade County.

(Ord. No. 77-23, § 7, 4-19-77; Ord. No. 02-133, § 7, 7-23-02)

Sec. 2-318. Staff support.

The Office of Americans With Disabilities Act Coordination shall coordinate, support and provide liaison services for the Commission on Disability Issues.

(Ord. No. 77-23, § 8, 4-19-77; Ord. No. 79-90, § 5, 10-16-79; Ord. No. 94-04, § 6, 1-18-94)

**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
Amended: October 28, 2009

ARTICLE I
NAME

The name of this Commission is the Miami-Dade County Commission on Disability Issues. This Commission was established by the Miami-Dade 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 Miami-Dade 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 Miami-Dade 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 Miami-Dade 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 Miami-Dade Board of County Commissioners.
- h) To prepare and submit an annual report on the activities of the Commission to the Miami-Dade 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 Miami-Dade Board of County Commissioners. Each member of the Board of County Commissioners shall appoint one member to the Commission. Membership qualifications will comply with Article 1B, Section 2-11.38 of the Miami-Dade County Municiple Code.

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. 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 and diversity, the majority of appointed members must have a disability and membership will strive to represent the diversity of Miami-Dade County.

A member of the Commission may be removed without cause by a 3/4 vote of the entire membership of the Miami-Dade Board of County Commissioners or by the

appointing Commissioner. The Commission on Disability Issues 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 on Disability Issues. 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 Miami-Dade 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 on Disability Issues, 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 Miami-Dade County Commissioner. The Miami-Dade Commissioner shall recommend approval of this applicant to the Miami-Dade 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 Miami-Dade 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 Miami-Dade 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 on Disability Issues 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.

Draft MINUTES
COMMISSION ON DISABILITY ISSUES
December 22, 2010

The CODI Meeting was called to order by Mr. Martinez, Chairman at 1:46 pm. Roll call was done.

Attendance: J. Martinez, J. Miller, J. David, S. Hix, A. Rigerman, S. Kohlenberg, R. Fulton, D. Valkema, J. Granda and P. Edwards.

The agenda and the minutes from the October 2010 and the November 2010 were approved.

Access Committee: Mr. David, Chair, reported that he had a meeting on December 9th. Service animals and signs at parks were discussed. It was stated that at three parks there were signs that said "no dogs allowed." The committee would like the signs to read "no pets allowed except service animals." Mr. David said one park was in the municipality of Pinecrest; Ms. Hyams asked if the other parks were Miami-Dade parks? Mr. David said he would give Ms. Hyams the address of the two other parks. Mr. New from the Miami Beach Disability Advisory board has asked for CODI's support in addressing an inaccessible walkway which is located in Miami Beach at 11 Lincoln Road.

Transportation Committee: Ms. Valkema, Co-Chair, reported that there are four people including herself on the committee: Sandra Hix, Ernie Martinez, John Miller, and Denny Wood. She went on to say that Ms. Gonzalez, ADA Coordinator for Transit, had looked into elevator call buttons on Metro-Rail stations and had found them to be compliant with regulations. She will check the call buttons on the elevators at the Metro-Mover stations. The question of English proficiency of the para-transit drivers was discussed and the subject will be further discussed at the next Transportation meeting. Ms. Valkema said that Mr. Wood had sent a long list of transit issues to her and she would be working with Ms. Hix and Ms. Hyams to see how and when they might be able to be addressed. Ms. Gonzalez had sent her a three month performance record of the elevators and escalators at Transit stations. Ms. Hix, Co-Chair of the committee, also said that she feels that riders are not going to the Riders meetings held by Miami-Dade Transit because the meeting is held at an inconvenient time and that the meeting is too short being only one hour in duration. The next CODI Transportation committee meeting will be January 10th from 2:00-4:00 pm.

Housing Committee: Mr. Fulton, Co-chair, said there must be enforcement to keep affordable housing affordable and that there still is a need for accessible and affordable housing. David Raymond, Director of the Homeless Trust had come to the last Housing meeting. Mr. Fulton hopes to invite Mr. Raymond to a monthly CODI meeting.

New Business: SUNSET REVIEW

A motion was made by Alan Rigerman and seconded by Paul Edwards to accept the Sunset Review questionnaire and to recommend to the Board of County Commissioners that the Commission on Disability Issues continue as an advisory board. Motion was passed unanimously.

| | | |
|-------------|----------------|-----|
| District 1 | John Miller | Yes |
| District 3 | Jose Granda | Yes |
| District 4 | Sandra Hix | Yes |
| District 5 | Jose Martinez | Yes |
| District 7 | Jackson David | Yes |
| District 8 | Paul Edwards | Yes |
| District 9 | Ronald Fulton | Yes |
| District 10 | Sam Kohlenberg | Yes |
| District 11 | Denise Valkema | Yes |
| District 13 | Alan Rigerman | Yes |

The ADA office and the Chair of CODI, Mr. Martinez, had worked on the Sunset Review Questionnaire together. Prior to the meeting, the CODI board had been given the Review Questionnaire for them to review and comment. However it was felt that the entire board would like to participate in the development of the answers to future questionnaires. **A Motion was made by Paul Edwards and seconded by Sandra Hix that for in October of 2012, CODI would like to begin the review of the documentation. If staff has not received the 2013 Sunset Review questionnaire by then, CODI would like to work off of the 2011 Sunset Review. The Motion was passed unanimously.** The Chair suggested that an Ad Hoc committee be formed and Paul Edwards, John Miller, Ernie Martinez and Ron Fulton have agreed to sit on the committee. One of the first items to be discussed at the Ad Hoc committee is to make the Bylaws committee responsible for the Sunset Review questionnaire as suggested by Mr. Edwards.

There was discussion on having weekly meetings for CODI Outreach/Education and for CODI transit meeting. Mr. David will be Chairman of the Outreach/Education committee and Ms. Hix will be Chairman of the weekly Transit meeting. Every Tuesday from 4:00-4:30 there will be an Access/Outreach meeting and the Transit meeting will be from 4:30-5:00 both will be held at the Center for Independent Living. The Chairs of those meetings will be responsible for sending out information on the meetings and taking minutes. Ms Hyams will calendar the meetings on the County calendar. If any changes occur or there is a cancellation, Ms Hyams must be notified so she can remove the meeting from the Miami-Dade Calendar. It was stated that the regular monthly CODI Transportation meeting is still be held the first Monday of the month from 2:00-4:00 at the County and that the monthly Access meeting will still be on the second Thursday of the month at the location to be announced.

There was general discussion about the lack of riders at the Riders meetings. It was stated that there are three issues: the time of meeting- length of meeting- and the cost (\$6). Mr. Martinez asked Ms. Hix to address in the committee how CODI can improve the attendance at the Riders Meeting. It was suggested that Miami-Dade Transit needs to do a better job in advertising the meetings. Ms. Solla said that people can call into the meetings by using this number and code - 1-800-501-8979 code 2174951. It was also stated that much of the meeting is for people to complain about their individual issues; it would be better if information could be given out or if Riders might be involved in helping make policy. Mr. Edwards suggested to Ms. Hix that her committee might be able to make a recommendation to Transit on a different date and time for the meetings.

There was discussion on advertising for the CODI meeting. Mr. Rigerman said that advertising in the Neighborhood section for the Miami Herald under the Community Calendar. Mr. Edwards suggested that some of the student organizations might be interested in coming to meetings. Mr. Martinez asked about conferencing meetings. Ms. Hyams said that she is hoping to have an intern who might take on that project. Right now there are some options but they all involve money and the impact to the ADA budget has to be assessed. Mr. Martinez said he would try to get money.

There was discussion about the agenda. It was suggested that there is a place early on the agenda for announcements to be placed. It was also stated that Open Discussion on the agenda should be changed to Open Forum. That the Open Forum should be time certain at 3:00 and run for only 30 minutes. **A Motion was made by Paul Edwards and seconded by John Miller to have at the next two meetings an Open Forum; with a time certain at 3:00 going until 3:30pm with an allotment of 2 minutes per person. Motion passes unanimously.**

Mr. Rigerman asked if James Loffus the Director of the Miami-Dade Police Department or a member from his staff could be invited to one of the next CODI meetings so CODI members might be able to discuss the enforcement of various disability issues. **Motion made by Alan Rigerman and seconded by Paul Edwards to invite Director Loffus to the January CODI meeting to receive comments from CODI. Motion passed unanimously.** Mr. Martinez will call or email Director Loffus.

Meeting was adjourned at 4:00 pm.