

# Memorandum



**Date:** May 5, 2015

**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Sunset Review of County Boards for 2015 – Commission on Disability Issues

Agenda Item No. 1(F)2

---

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2015 Sunset Review of County Boards Report for the Commission on Disability Issues (CODI). CODI approved the attached report at its meeting on November 19, 2014 and has recommended the continuation of its board.

A handwritten signature in cursive script, appearing to read "Edward Marquez".

Edward Marquez  
Deputy Mayor

# Memorandum



Date:

To: Carlos A. Gimenez  
Mayor

From: Damian Gregory  
Chairperson, Commission on Disability Issues

Subject: Sunset Review of County Boards for 2015 – Commission on Disability Issues

---

Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2015 Sunset Review of County Boards Report for the Commission on Disability Issues (CODI) for transmittal to the Board of County Commissioners (BCC). CODI approved the attached report at its meeting of November 19, 2014.

It is recommended that the BCC approve the continuation of the CODI.

## BACKGROUND

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

The purpose of CODI is to serve in an advisory capacity to the Board of County Commissioners and the County administration, the community, and all agencies 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.

CODI serves a vital role in helping Miami-Dade County to comply with the Americans with Disabilities Act of 1990 and other related laws. No other Miami-Dade County board serves in this capacity.

A handwritten signature in cursive script, appearing to read "Damian Gregory".

---

Damian Gregory  
Board Chairperson

**SUNSET REVIEW QUESTIONNAIRE  
MIAMI-DADE COUNTY BOARDS  
2015**

**I. GENERAL INFORMATION**

1. Name of Board reporting: **COMMISSION ON DISABILITY ISSUES (CODI)**
  
2. Indicate number of board members, terms of office, and number of vacancies:  
Number of Board Members: **11 members**  
Terms of Office: **4 years to coincide with Commissioner's election with a maximum of 8 years to serve on Board.**  
Number of Vacancies: **2**
  
3. Identify number of meetings and members' attendance (Attach records reflecting activity from **Jan. 1, 2012** through **December 31, 2014**):  
Number of Meetings: **Jan.-Dec. 2013: 10; Jan.-Dec. 2014: 10**  
Number of Meetings with a Quorum: **Jan.-Dec. 2013: 7; Jan.-Dec. 2014: 8**  
Attendance Records: **See Attachment 1- Attendance Records 2013-14 (2 pages)**
  
4. What is the source of your funding?  
**Internal Services Department/ADA Office Operating Budget**
  
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 2- Miami-Dade Code ARTICLE XXXIV, Sec. 2-312 (4 pages)**
  
7. Include the Board's Mission Statement or state its 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.**
  
8. Attach the Board's standard operating procedures, if any.  
**CODI has no standard operating procedures.**
  
9. Attach a copy of the Board's By-Laws, if any.  
**See attachment 3- CODI By-Laws (6 pages)**

10. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, including a vote of the membership.

**MOTION: Alan Rigerman made the motion to accept the Sunset Review Report, which was seconded by Harry Horgan. Motion passed unanimously.**

**See Attachment 4 CODI November Monthly Meeting Minutes attached (5 pages)**

## **II. EVALUATION CRITERIA**

1. Is the Board serving the purpose for which it was created? (Please provide detailed information) **Yes, it serves as a voice for the disability community and as a sounding board for proposed changes to County programs and services that affect people with disabilities. Through partnership with the County, CODI strives to enhance access to County programs, services, activities and facilities, and to improve the quality of life of people with disabilities in the community.**
2. Is the Board serving current community needs? (Please provide detailed information) **Yes, CODI serves as a public forum for people with disabilities to bring their complaints and suggestions to the attention of the Board of County Commissioners and county administration. The input from the local disability community shapes programs, services, activities and facilities, making them more usable to the community. It also ensures the overall participation of people with disabilities in all aspects of community life.**
3. What are the Board's major accomplishments?  
**CODI planned and held an ADA anniversary celebration event.**
  - a. Last 24 months: CODI provided input on:
    - **The new Miami Science Museum**
    - **Elections: how to best accommodate people with disabilities to facilitate access to polling sites and the voting process**
    - **The para-transit transition plan and the new Transportation America Call Center**
    - **Metrorail and bus service issues**
    - **Transit Development Plan - MDT10Ahead**
    - **MDT's Use of Transportation Disadvantaged Funds**
    - **PHCD policy for placing people with disabilities in accessible housing units**
    - **Disabled Housing Set-Asides**
    - **Effective communications issues for deaf arrestees/inmates in correctional facilities**
    - **PROs Haulover Beach access project**
    - **STS Vehicle Pick Up and Drop Off Locations (Marlins Park and Sun Life Stadium)**
    - **Paratransit service issues**
    - **Barrier removal and sign placement at the Miami International Airport**
    - **Placement of people with disabilities at homeless shelters funded by the County**
    - **Accessible Parking at JMH and Public Health Trust**
    - **Accessible Parking at MIA and Port Miami**
    - **Rental vehicles at MIA**

**SUNSET REVIEW QUESTIONNAIRE  
MIAMI-DADE COUNTY BOARDS  
2015**

- Access/Safety Issues in Crosswalks and Highways
- Emergency Preparedness

b. Since established:

**CODI encouraged the County to purchase lift-equipped, accessible busses even before these were required by the ADA. CODI also persuaded the County to commence a para-transit transportation service for people with disabilities before it was mandated by federal law. CODI helped set priorities for the County's ADA Transition plan to remove architectural barriers in County facilities. CODI also provided input on A.O. 10-10, which details the obligations of county departments in complying with the ADA.**

4. Is there any other board, either public or private, which would better serve the function of this board?  
**There is no other board, either public or private, which would better serve the function of this board.**
5. 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)  
**The ordinance creating this Board should not be amended.**
6. Should the Board's membership requirements be modified?  
**The membership requirements of this Board should not be modified.**
7. What is the operating cost of the Board, both direct and indirect? (Report on FY 2013 and FY 2014)  
**The projected direct cost supporting CODI is \$39,127 and the indirect cost is \$1,104. The total cost is \$40,231.**
8. Describe the Board's performance measures developed to determine its own effectiveness in achieving its stated goals.  
**This Board has no performance measures.**

**ATTACHMENT 1**

**Commission on Disability Issues  
Attendance Table 2013**

CODI MEMBERS	J	F	M	A	M	J	J	J	A	S	O	N	D	Dist.	COMMISSIONER
Vacant 1/13 - 5/13 Damian Gregory 6/13 - 12/13	V	V	V	V	V	P	P	P	N	P	P	P	N	1	Barbara Jordan
Jackson David	P	P	P	P	Ea	P	P	P	O	P	P	P	O	2	Jean Monestime
Jose Granda	P	P	P	P	P	P	P	P		P	P	P		3	Audrey Edmortonson
Earl Oaks	P	P	P	P*	A	A	A	M	A	A	A	P*	M	4	Sally A. Heyman
Jose "Ernie" Martinez	P	P	P	P	P	P	P	E	E	P	P	P	E	5	Bruno A. Barreiro
Pedro Rodriguez	A	P	Ea	A	Ea	Ea	Ea	E	Ea	Ea	P	A	E	6	Rebeca Sosa
Harry Horgan	P	P	P	P	P	P	P	T	P	P	P	Ea	T	7	Xavier L. Suarez
Jesus Garcia	P	P	P	Ea	P	P	P	I	P	P	P	P	I	8	Lynda Bell
Ronald Fulton	P	A	P	P	A	A	P	N	P	P	P	Ea	N	9	Dennis C. Moss
Dr. Sam Kohlenberg 1/13 - 4/13 Vacant 5/13 - 12/13	A	A	A	A	V	V	V	G	V	V	V	V	G	10	Javier D. Souto
Denise Valkema 1/13 - 9/13 Vacant 10/13 - 12/13	V	V	V	V	V	V	V		V	V	V	V		11	Juan C. Zapata
Marilyn Larrieu	P	Ea	Ea	Ea	Ea	Ea	P		P	P	Ea	P		12	Jose "Pepe" Diaz
Alan Rigerman	P	P	A	P	P	P	P		P	P	P	P		13	Esteban Bovo, Jr.

**P = Present**  
**\* = participation via phone**  
**A = Absent**  
**Ea=Excused absence**  
**V = Vacant**

Commission on Disability Issues  
Attendance Table 2014

CODI MEMBERS	J	F	M	A	M	J	J	A	S	O	N	D	Dist.	COMMISSIONER
Damian Gregory	P	P	P	P	P*	P	A	N	P	P	P	N	1	Barbara Jordan
Jackson David	A	P	P	Ea	P	P	A	O	Ea	P	A	O	2	Jean Monestime
Jose Granda	P	P	P	P	P	P	P		P	P	P		3	Audrey Edmonson
Earl Oaks	P*	Ea	P	P*	P	P	A	M	P	P	P	M	4	Sally A. Heyman
Jose "Ernie" Martinez	P	P	P	P	P	P	P	E	P	P	P	E	5	Bruno A. Barreiro
Pedro Rodriguez Vacant 6/14 - 12/14	Ea	Ea	Ea	A	P	A	A	E	V	V	V	E	6	Rebeca Sosa
Harry Horgan	P	P	Ea	P	P	P	P*	T	Ea	P	P	T	7	Xavier L. Suarez
Jesus Garcia	P	P	P*	Ea	Ea	P	A	I	P*	P	Ea	I	8	Lynda Bell 1/14 - 10/14 Daniella Levine 11/14 - 12/14
Ronald Fulton	A	P	P	P	P	P	A	N	P	P	P	N	9	Dennis C. Moss
Vacant 1/14 - 12/14	V	V	V	V	V	V	V	G	V	V	V	G	10	Javier D. Souto
Vacant 1/14 - 8/14 Maria R. Orfila 9/14 - 12/14	V	V	V	V	V	V	V		Ea	Ea	V		11	Juan C. Zapata
Marilyn Larrieu	P	P	P	P	P	P	P		P	Ea	Ea		12	Jose "Pepe" Diaz
Alan Rigerman	Ea	P	P	P	P	P	P		P	Ea	P		13	Esteban Bovo, Jr.

P = Present

\* = participation via phone

A = Absent

Ea=Excused absence

V = Vacant

**Miami - Dade County, Florida, Code of Ordinance, PART III - CODE OF ORDINANCES; Chapter 2  
– ADMINISTRATION; ARTICLE XXXIV. COMMISSION ON DISABILITY ISSUES**

**ARTICLE XXXIV. COMMISSION ON DISABILITY ISSUES**

**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 ( $\frac{1}{2}$ ) 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 Municipal Code.

The terms of office of the members of the Commission shall begin on the day of appointment and expires 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.

# ATTACHMENT 4



## Miami-Dade County

**Commission on Disability Issues (CODI)**  
*Stephen P. Clark Center (SPCC)*  
**111 N.W. 1<sup>st</sup> Street, Miami, Florida 33128**  
**18<sup>th</sup> Floor, Conference Room 18-4**

	<b>Date:</b>	Wednesday, November 19, 2014	
	<b>Time:</b>	1:30 p.m. – 4:00 p.m.	
	<b>Call to Order Time:</b>	1:40 p.m.	
	<b>Meeting Adjourned:</b>	3:15 p.m.	
I.	<b>Opening and Attendance:</b> Attendance recorded. Call to Order. Copies of documents were distributed <i>Chairman Gregory emphasized the need for CODI members to inform the ADA Office whether they will attend meetings as soon as they receive meeting notices via email.</i>		
	District 1 <b>Commissioner Jordan</b>	<b>Damian Gregory</b> CODI Chairman, Employment Committee Chair	Present
	District 2 <b>Commissioner Monestime</b>	<b>Jackson David</b> Housing Committee Chair	Excused Absence
	District 3 <b>Commissioner Edmonson</b>	<b>Jose Granda</b> Access Committee Chair	Present
	District 4 <b>Commissioner Heyman</b>	<b>Earl Oaks</b>	Present
	District 5 <b>Commissioner Barreiro</b>	<b>Ernie Martinez</b>	Present
	District 6 <b>Commissioner Sosa</b>	<b>Vacant Appointment</b>	
	District 7 <b>Commissioner Suarez</b>	<b>Harry Horgan</b> 1 <sup>st</sup> Vice Chair & Outreach/Education Chair	Present
	District 8 <b>Commissioner Levine Cava</b>	<b>Jesus Garcia</b> 2 <sup>nd</sup> Vice Chair & Transportation Committee Chair	Excused Absence
	District 9 <b>Commissioner Moss</b>	<b>Ronald Fulton</b> CODI Secretary	Present
	District 10 <b>Commissioner Souto</b>	<b>Vacant Appointment</b>	
	District 11 <b>Commissioner Zapata</b>	<b>Maria Orfila</b>	Excused Absence
	District 12 <b>Commissioner Diaz</b>	<b>Marilyn Larrieu</b> Housing Committee Co-Chair	Excused Absence

	District 13 Commissioner Bovo	Alan Rigerman	Present
	Miami-Dade County Staff Present	<p><b>Heidi Johnson-Wright, ISD</b> ADA Coordinator</p> <p><b>Skarlex Alorda, ISD</b> ADA Office Support Specialist II &amp; Recording Secretary</p> <p><b>Shanika Graves, CAO</b> Assistant County Attorney</p> <p><b>Julio Martinez, PWWM</b> ADA Coordinator</p> <p><b>Marcos Ortega, MDT</b> ADA Coordinator</p> <p><b>Fernando Marquez, PROS</b> Architect 4</p> <p><b>Lucy Binhack, PROS</b> Disability Service Manager</p> <p><b>Deidre Gilbert, CAHSD</b> Disabled Services Specialist</p> <p><b>Jonathan Desvergunat, PROS</b> PFM4</p> <p><b>Ricardo Fernandez, MDAD</b> Landside Operations Supervisor</p>	
II.	Approval of Agenda	Chairman Gregory requested a motion to approve today's agenda. Alan Rigerman made the motion to approve, which was seconded by Harry Horgan. Motion passed unanimously.	
III.	Approval of CODI Minutes	Chairman Gregory requested a motion to approve the October 16, 2014 CODI Monthly meeting minutes. Motion made by Harry Horgan and seconded by Alan Rigerman. Motion passed unanimously.	
IV.	Old Business	<p><b>Effective Communications</b></p> <p>Ms. Johnson-Wright said the ADA Office received a letter from Mr. Granda (which she read aloud) stating that Mr. Granda would like to correct the votes he cast in the October 2014 CODI officer election. Because CODI members were speaking out of turn, he was mistaken about the votes he cast for the positions. Mr. Granda's letter stated that he also sometimes had difficulty following the ASL interpreters due to the general conduct and speaking out of turn of CODI members at meetings.</p> <p>Alan Rigerman stated that he discussed this topic with Commissioner Bovo, the Mayor and the Chair of the Miami-Dade Commission. He has concerns communications in violation of the</p>	

Sunshine Law. He is sending a letter to the Ethics Commission.

Ms. Johnson-Wright stated one of the obligations of the ADA Office – in its provision of administrative support to CODI -- is to ensure effective communications. This includes providing ASL interpreters and documents in accessible format, as well as the physical arrangement of conference rooms.

Mr. Rigerman asked Ms. Johnson-Wright to speak louder. He expressed concerns about CODI members speaking with permission of the chairman and waiting to speak through the chair.

Chairman Gregory said he was concerned about Mr. Granda's issues and wanted to address them. Mr. Granda said that, during the office election, everyone was talking at the same time and the voting was conducted too quickly.

Ms. Johnson-Wright asked Shanika Graves, Assistant County Attorney, to address CODI on the procedure for a re-election. Ms. Graves said that Mason's Rules should be followed as these were the rules followed by the BCC. Ms. Graves stated that any CODI member could make a motion for reconsideration. If this motion is seconded and is passed, then a motion should be made to as to whether there will be a new election for all of the officer positions. After this, standard election procedures would be followed.

Harry Horgan said he may have added to the confusion during the September 2014 Nominating Committee meeting. Mr. Martinez said that the new election should take place in January 2015, consistent with the CODI bylaws. Chairman Gregory said that the issue is whether Mr. Granda received effective communication or not which prevented him from voting as he had intended. A discussion ensued.

**MOTION:** Mr. Granda made a motion for reconsideration of the October officer elections. Motion second by Harry Horgan. Motion passed 4 to 3.

**MOTION:** Alan Rigerman made a motion for elections to be held in January 2015 as per the by-laws. Motion seconded by Harry Horgan. Motion passed unanimously.

Chairman Gregory stated that the re-election will be held at the next CODI monthly meeting on January 28, 2015. A discussion ensued regarding the membership of the Nominating Committee and when the committee will meet to assemble a slate of nominees.

Chairman Gregory said the members of the Nominating Committee will be:

- Harry Horgan
- Alan Rigerman
- Earl Oaks
- Ernie Martinez
- Damian Gregory

Nominating Committee Chairman Horgan stated the committee will meet Wednesday, January 7, 2015 at 1:30 p.m.

**ELECTIONS AND TERMS OF OFFICE (HEIDI JOHNSON-WRIGHT ADA COORDINATOR)**

Ms. Alorda passed out a copy of CODI'S by-laws. Ms. Johnson-Wright read Section 2, Article VI aloud into the record:

		<p><b>BY-LAWS of the Miami-Dade County Commissions On Disability Issues, Section 2 Article VI, Elections and Terms of Office:</b></p> <p><i>Officers shall be elected at the January meeting of the Commission. A slate of nominations shall be present by the Nominating committee at the December meeting. The Chairperson shall appoint a Nominating Committee at the November meeting. The election shall assume their duties immediately after the elections are over. He 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 re-elected.</i></p> <p><i>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.</i></p> <p><i>Elections shall be by the majority vote of the members of the Commissions 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.</i></p> <p>Ms. Graves advised that, according to the by-laws, the Nominating Committee is to meet in December. Chairman Gregory amended the Nominating Committee meeting dates from Wednesday, January 7, 2015 to Wednesday, December 10, 2014 at 1:30pm. In addition, asked Mr. Horgan if the meeting could be kept to an hour in length. Mr. Horgan agreed.</p> <hr/> <p><b>Barrier Removal Plan/Haulover Beach Project (Fernando Marquez &amp; Lucy Binhack)</b></p> <p>Miami-Dade PROS Transition Plan was originally drafted in 1990 when \$20 million in needed ADA upgrades were identified. In 2009, the plan was revised and the cost of the amount of remaining upgrades was estimated at \$14 million. An accessibility panel was assembled and five goals were identified:</p> <ul style="list-style-type: none"> <li>• <b>Goal 1:</b> Bring four geographically distributed pools to 100 percent ADA compliance.</li> <li>• <b>Goal 2:</b> Bring the parking and path of travel in the top 10 pools to 100 percent compliance. Barrier removal for restrooms and park offices will be in the permitting stage in December 2014.</li> <li>• <b>Goal 3:</b> Bring Haulover to 100 percent compliance. The accessible parking at the south and central area by the blue life guard building has been completed. The restrooms and the northern tunnel are still being addressed. The boardwalk is in construction and should be completed next week.</li> <li>• <b>Goal 4:</b> Address ADA Complaints.</li> <li>• <b>Goal 5:</b> Whenever possible, include ADA components in funded capital projects.</li> </ul> <p>Mr. Marquez said PROS will hold another meeting on its transition plan. He will bring the second part of the plan to CODI in January for input.</p>
V.	New Business	<p><b>SUNSET REVIEW 2015 (Ms. Johnson-Wright, MDC, ADA Coordinator) CODI Achievements</b></p> <p>Chairman Gregory recessed for five minutes while Ms. Alorda retrieved a portion of CODI's Sunset Review package. Ms. Johnson-Wright read the following into the record:</p> <p><i>What are the Board's major accomplishments? CODI planned and held an ADA anniversary celebration event.</i></p>

		<p>Last 24 months: CODI provided input on:</p> <ul style="list-style-type: none"> <li>• <i>The new Miami Science Museum</i></li> <li>• <i>Elections: how to best accommodate people with disabilities to facilitate access to polling sites and the voting process</i></li> <li>• <i>The Paratransit transition plan and the new Transportation America Call Center</i></li> <li>• <i>Metrorail and bus service issues</i></li> <li>• <i>Transit Development Plan - MDT10Ahead</i></li> <li>• <i>MDT's Use of Transportation Disadvantaged Funds</i></li> <li>• <i>PHCD policy for placing people with disabilities in accessible housing units</i></li> <li>• <i>Disabled Housing Set-Asides</i></li> <li>• <i>Effective communications issues for deaf arrestees/inmates in correctional facilities</i></li> <li>• <i>PROs Haulover Beach access project</i></li> <li>• <i>STS Vehicle Pick Up and Drop Off Locations (Marlins Park and Sun Life Stadium)</i></li> <li>• <i>Paratransit service issues</i></li> <li>• <i>Barrier removal and sign placement at the Miami International Airport</i></li> <li>• <i>Placement of people with disabilities at homeless shelters funded by the County</i></li> <li>• <i>Accessible Parking at JMH and Public Health Trust</i></li> <li>• <i>Accessible Parking at MIA and Port Miami</i></li> <li>• <i>Rental vehicles at MIA</i></li> <li>• <i>Access/Safety Issues in Crosswalks and Highways</i></li> <li>• <i>Emergency Preparedness</i></li> </ul> <p>MOTION: Alan Rigerman made the motion to accept the Sunset Review Report, which was seconded by Harry Horgan. Motion passed unanimously.</p>
VI.	Announcements	<p>Housekeeping Items:</p> <ul style="list-style-type: none"> <li>• Chairman Gregory said that the Office of the Chair of the BCC will recognize the contributions of Ann Kimble at the December 2014 or January 2015 BCC meeting.</li> </ul>
	Adjournment	Meeting adjourned at 3:15 p.m.
	Next CODI Meeting:	The next CODI meeting will be held January 28, 2015.