

CITIZENS' ADVISORY COMMISSION ON DISABILITIES

BYLAWS (Revised through 2-10-17)

ARTICLE 1 **GOVERNING OFFICIALS**

Section 1.

The Governing Officials of the Citizens' Advisory Commission on Disabilities (CACOD) shall be the City Council. The powers of the City Council shall consist of, but not limited to, the following:

1. Appointment of members of CACOD.
2. Approval of program plans and priorities.
3. Approval of program proposals and budgets.
4. Enforcement of compliance with all conditions of grants.
5. Final determination on all policies, programs and procedures as related to the _____ City of Long Beach.

Section 2.

The governing powers outlined in Article 1, Section 1, are not subject to concurrence, etc., or modification by any other local official of authority unless pursuant to a delegation of powers by the Governing Officials.

Section 3.

CACOD functions under the regulations of City Ordinances Nos. C-5705 and C-7184 of the Long Beach Municipal Code. (Currently Nos. 2.18 and 2.33)

ARTICLE II **ROLE AND PURPOSE**

Section 1.

The duties of the Commission shall be as follows:

1. To act in an advisory capacity to the Mayor, City Council and City Manager or their designated representative(s) on specific topics requiring input in dealing with the concerns and/or issues affecting people with disabilities.
2. To assemble and disseminate to the Mayor, City Council, City Manager and the agencies which serve people with disabilities information on issues affecting people with disabilities in the pursuit of employment, health services, housing, transportation, recreation, and other life activities as identified by the Commission.
3. To act on its own initiative to make recommendations to the Mayor, City Council and City Manager on corrective measures designed to eradicate artificial barriers to a full and productive life for people with disabilities.
4. To facilitate coordination, cooperation and communication between existing and proposed services for people with disabilities.
5. To carry out such studies as may be assigned to by the Mayor, City Council or City Manager, and which are accompanied by adequate City resources and support.
6. To provide expertise or issues affecting people with disabilities as requested by the various departments of the City with the approval of the Mayor, City Council and/or City Manager.
7. To report, from time to time, to the Mayor, City Council and City Manager its findings.

Section 2.

The Citizens' Advisory Commission on Disabilities shall have a full opportunity to participate (advisory capacity) in the development and implementation of all programs and projects designed to serve the disabled population within the City of Long Beach, to best stimulate and take full advantage of capabilities for self-advancement and assure that those programs and projects are otherwise meaningful.

Section 3.

The Citizens' Advisory Commission on Disabilities shall be so established and organized so that those citizens participating in the programs will be able to influence the character of such programs as they affect their interests, and regularly participate in their planning and implementation.

Section 4.

CACOD shall present an annual written report of its activities for the past year to the Mayor, City Council and City Manager and may also make appropriate recommendation. Reports must include name, objectives and functions, number of meetings held, attendance record of all members, number of public meetings conducted, the amount of money, if any, expended in support of the body, list of City personnel who assist the body, records of correspondence to City officers, etc. Each report shall address whether CACOD should be abolished, modified or continued.

The annual report shall be compiled by the Executive Members and submitted to the CACOD Commissioners by the second Thursday of each May. In the May CACOD meeting of each year, the Commissioners will review the submitted annual report, and make suggestions for revisions. The finalized version of the annual report will be voted and approved upon by the Commission, then submitted to the Staff Liaison by the second Thursday in June of each year. The Staff Liaison will then present said report to the Mayor, City Council and City Manager.

ARTICLE III **MEMBERSHIP**

Section 1.

The Citizens' Advisory Commission on Disabilities shall consist of nine members. Six members shall be citizens from the City, and the remaining three members shall be representatives from public and private agencies, which provide services to disabled citizens in the City. As used in this Chapter, the term disabled person means a person having a physical or mental impairment which substantially limits such person from functioning in one major life activity or more, or a person who has a record of such impairment or who is regarded as having such an impairment. As used in the Chapter, major life activity means any mental or physical function or activity, which, if impaired, creates a substantial barrier to employment, housing, recreation, transportation, health service, or other life activity as identified by the Commission. Vacancies shall be filled in the same manner as original appointments.

Section 2.

Each CACOD member shall also serve on at least one standing or special committee.

Section 3.

Any member of the Commission may be removed by the Mayor with the consent and approval of the City Council according to Ordinance no. C-5705. It will be the responsibility of CACOD to notify the Mayor, City Council and City Manager when violations occur.

ARTICLE IV

MEETING AND RULES

Section 1.

The regular meetings of CACOD will be held on the second Thursday of each month at a designated location except when in conflict with holidays. Time and location of CACOD committee meetings will be set by a majority vote of CACOD.

Section 2.

Special meetings may be called by the Chairperson or by any three (3) members of CACOD. Written notice of any such special meeting shall; (a) set forth the time and place of such meeting; (b) state the business to be conducted at such meeting; and, (c) be served on each CACOD commission member at least twenty-four (24) hours prior to the meeting. Any matter which might properly be considered by CACOD at a regular meeting may be considered at such special meeting; provided, however, that only such business as originally stated in the notice may be considered at the special meeting.

Section 3.

A majority of appointed CACOD members shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time to a day certain.

Section 4.

Robert's Rule of Order Newly Revised shall constitute the parliamentary rules for the transaction of the CACOD business. Where there is a conflict between Robert's Rules and Bylaws, the Bylaws shall have precedent.

Section 5.

The Chairperson of CACOD shall be entitled to cast a vote on all matters brought before the Commission for which other Commissioners are entitled to cast a vote.

Section 6.

All regular and special meetings shall be open to the public in accordance with the California Government Code, Section 54950 (Ralph M. Brown Act).

Section 7. Deleted

Section 8.

The Commissioner may be removed by a majority vote of all members of the Commission for the following causes:

- 1) Excessive Absences or Tardies within a 12 month period. Excessive Absence and/or Tardiness shall be deemed as "neglect of duty" as referred to in LBMC § 2.18.050 for the purposes of CACOD. Excessive Absence shall be deemed as any absence from the monthly CACOD meeting that exceeds the two excused absences permitted per 12 month period. Tardiness is defined as arriving at the CACOD meeting after it has started. Excessive Tardiness is defined as any tardy that exceeds the two permitted tardies per 12 month period. Two tardies shall constitute one the excused absences permitted during the 12 month period. A Commissioner who will be late or absent from any meeting shall contact both the Staff liaison and the Chairperson at least 24 hours prior to the meeting in order for it to be deemed excused. In the event that a Commissioner exceeds the allotted excused absences or tardies, it shall be reported by the Chairperson in the following Commission meeting. At the discretion of the Commissioners, a two-thirds (2/3) vote can be cast to request the removal of said Commissioner on the grounds of "neglect of duty";

- 2) Absence from three (3) consecutive meetings without official permission expressed in the official minutes;
- 3) Incompetence, malfeasance, misfeasance, neglect of duty, or conviction of a crime involving moral turpitude; and
- 4) Refusal to resign from an advisory body when no longer a resident of the City.

ARTICLE V **OFFICERS**

Section 1.

The officers of CACOD shall be elected by the members at the June general meeting and shall take office in July. The Nominating Committee shall be appointed in May and present the slate at the June meeting. Additional nominations will be taken from the floor at the June meeting prior to the election. Such officers shall consist of Chairperson, Vice-Chairperson, and Secretary. Each officer shall serve for a period of one year in such capacity or until the expiration of his/her term, and no officer shall serve more than TWO successive terms in the same office. Any officer may be removed from his/her position for cause at any time by a two-thirds(2/3) vote of a quorum at any regular or special meeting called for the purpose of removing such officer.

Section 2.

The Chairperson shall be the presiding officer of CACOD. The Chairperson shall be responsible for the management of the affairs of CACOD and shall see that all orders and resolutions of the Commission be carried out. The Chairperson shall be an ex-officio member of all sub-committees, without voting rights.

Section 3.

The Vice-Chairperson shall perform such duties as may be prescribed by CACOD or the Chairperson. In the absence of the Chairperson, the Vice-Chairperson shall perform all the duties of the Chairperson. The Vice-Chairperson shall succeed to Chairperson in the event of the death, resignation or removal from office of the Chairperson.

Section 4.

The Secretary shall attend all meetings of CACOD and keep or cause to be kept the minutes of such meetings. The Secretary shall assure that the minutes of each meeting are distributed to each CACOD member at least seven (7) days in advance of each meeting. The Secretary shall perform such other related duties as may be prescribed by CACOD or the Chairperson.

ARTICLE VI **COMMITTEES**

Section 1.

Committees are recommending bodies to CACOD. Recommendations of Committees must be presented to the full Commission in order for action to be taken. The standing Committees of CACOD shall consist of two groups: 1) Youth, Employment and Programs; and 2) Accessibility, Transportation and Services. Committee members are appointed by the Chairperson of CACOD and approved by the Commission. The Chairperson and the Secretary of each Committee is elected by the Committee. A Commissioner may only chair one (1) Committee at a given time and shall not chair the same Committee for longer than two (2) consecutive years. The Chairperson of CACOD may not serve as a Committee Chair, and the Vice-Chairperson of CACOD may serve as Committee chair only of the Executive Committee. Exceptions to this must be approved by the CACOD membership. Duties of Committees are determined: (a) within the Committee; (b) suggestions from the Chairperson and Vice-Chairperson of CACOD; (c) from CACOD as a body; and, (d) from citizen requests.

Section 2. Deleted.

Section 3.

Committees shall meet on the second Thursday of each July to compile their Committee Planning Calendar for upcoming Commission Year. This Committee Planning Calendar shall be submitted to the CACOD secretary by the Committee secretary by the second Thursday of August each year. The CACOD secretary will then compile an aggregate CACOD Planning Calendar for the CACOD operational year.

ARTICLE VII
NOTICES

Section 1.

Notice of meetings to the members shall be in writing and delivered by United States mail to the members at their respective addresses as given in the records. Notice by mail shall be deemed given when deposited in the United States mail, postage prepaid.

Section 2.

Whenever any notice is required to be given under the provision of law, or these Bylaws, a waiver thereof, in writing, signed by the person entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE VIII
INDEMNIFICATION OF OFFICERS AND COMMISSION MEMBERS

Section 1.

The City of Long Beach, as a governing official, shall indemnify any CACOD member against expenses actually and necessarily incurred by him/her or paid in satisfaction of judgments in connection with the defense of any civil or criminal action suit or proceeding in which he/she is made party by reason of being or having been a member of officer, except in relation to matters as to which he/she shall be adjudged in such action, suit or proceeding to be liable for gross negligence or willful misconduct in the performance of duty.

ARTICLE IX
AMENDMENTS

Section 1.

These Bylaws may be altered, amended or repealed, or new Bylaws may be adopted by a two-thirds (2/3) vote of the appointed members of CACOD at a regular meeting, provided that the amendment or provision has been submitted in writing at a previous regular meeting of the Commission. Notice of the proposed amendment or amendments, altered or repealed section or sections of the Bylaws must be given in writing to each member at least seven (7) days prior to the meeting at which the proposal is to be considered.

Section 2.

Altered, amended, repealed, or new Bylaws take effect upon approval of the members.