

From: Carnevale, Jason <Jcarnevale@counsel.lacounty.gov>
Sent: Wednesday, January 22, 2014 4:57 PM
To: De Jesus, Emma
Cc: Vega, Michelle; Williams, N'nette; Kerr, Twila; Rangel, Rhonda
Subject: RE: Commission on Disabilities ByLaws

Emma,

I've come up with some proposed language for the Ordinance governing the Commission. Obviously, the more changes we make to the Ordinance, the more complicated this process becomes, and the greater potential for problems, so I've tried to keep this simple.

In my opinion, the two areas we need to address in the Ordinance are the issue of Alternates, and the related issue of how many Commission members constitute a quorum.

Here's what I've come up with as proposed changes to the existing ordinance:

3.28.035 Alternate Members

One (1) alternate may be appointed by the Board of Supervisors for each member who has been appointed by the Board pursuant to section 3.28.020. Each alternate shall serve for, and in the absence of, each regular member. An alternate shall have all rights and responsibilities of the regular member in whose stead the alternate is serving.

3.28.040 Term of Service – Removal

[to be added] The board may remove any member or alternate at any time.

3.28.090 Operating Procedures

[to be added] A majority of the members who have been appointed shall constitute a quorum of the Commission.

1) The first section is a brand new section, and it establishes that the Board of Supervises may appoint 1 alternate for each current existing member on the Board. This way, if any regular member is unable to attend a meeting, the alternate can appear, and act in the place of that regular member. This includes voting rights, and any other duties and responsibilities the regular member would have at the meeting.

2) The second section adds the phrase "or alternate at any time". The existing section allows the Board to remove any member at any time. This revision would allow the Board the same power to remove alternates as well.

3) The third section revises the existing 3.28.090 to define how many members constitute a quorum. Even though the Commission is to consist of 18 members, I know that not all of these 18 spots have been filled at this time. So, this would define quorum as a majority of the members who have been appointed.

Los Angeles County, California, Code of Ordinances >> Title 3 - ADVISORY COMMISSIONS AND COMMITTEES >> Chapter 3.28 COMMISSION ON DISABILITIES >>

Chapter 3.28 COMMISSION ON DISABILITIES

Sections:

- 3.28.010 Created.
- 3.28.020 Membership—Qualifications.
- 3.28.030 Membership—Representation.
- 3.28.040 Term of service—Removal.
- 3.28.050 Compensation.
- 3.28.060 Meetings.
- 3.28.070 Officers.
- 3.28.080 Departmental representatives.
- 3.28.090 Operating procedures.
- 3.28.100 Duties.
- 3.28.105 Authority to raise funds.
- 3.28.110 Sunset review date.

3.28.010 Created.

There is created a Los Angeles County commission on disabilities, hereinafter in this chapter referred to as the "commission."

(Ord. 12276 § 1 (part), 1980: Ord. 11138 § 1 (part), 1975: Ord. 4099 Art. 69 § 1630, 1942.)

3.28.020 Membership—Qualifications.

- A. The commission shall consist of 18 members appointed by the board. In selecting members for the commission, the board shall seek individuals, insofar as possible, based on the following criteria:
 - 1. Members should themselves be people with disabilities, or be sensitive to the needs of people with disabilities.
 - 2. Members should have demonstrated leadership in their professions and have an interest in and knowledge of the needs of people with disabilities.
 - 3. Members should have the desire and ability to serve the overall needs of all people with disabilities.
 - 4. Members should have policy-making authority in the field which otherwise qualifies them for membership.
- B. The board may request recommendations for persons to be appointed to the commission from organizations representing the various disciplines to be included on the commission, and from individuals known to each supervisor who possess the qualifications desired in commission members.
- C. For the first two terms of office, the member representing the category described by subsection Q of Section 3.28.030 shall be nominated by the supervisor for the Fifth Supervisorial District. Each such term of office shall be for two years. Thereafter, the

appointment of said member shall be rotated to the next supervisorial district in ascending order every four years.

- D. The member representing the category described by subsection R of Section 3.28.030 shall be between 16 and 24 years of age.

(Ord. 98-0047 § 1, 1998: Ord. 91-0053 § 1, 1991: Ord. 86-0083 § 1, 1986: Ord. 12276 § 1 (part), 1980: Ord. 11888 § 1 (part), 1979: Ord. 11138 § 1 (part), 1975: Ord. 4099 Art. 69 § 1631, 1942.)

3.28.030 Membership—Representation.

Insofar as possible, members appointed to the commission should represent the following disabling conditions, service providers, or categories:

- A. Blind;
- B. Deaf or hearing impaired;
- C. Mute or speech impaired;
- D. Developmentally disabled;
- E. Wheelchair users;
- F. Ambulatory with difficulty;
- G. Energy limited;
- H. Emotionally disturbed;
- I. Psychology profession;
- J. Legal profession;
- K. Medical profession;
- L. State Department of Rehabilitation;
- M. Deaf before language acquisition (age three);
- N. Partially sighted;
- O. Parent of a child with a disability;
- P. Learning disabled;
- Q. Little People;
- R. Youth (16 to 24 years of age).

(Ord. 98-0047 § 2, 1998: Ord. 91-0053 § 2, 1991: Ord. 86-0083 § 2, 1986: Ord. 12276 § 1 (part), 1980: Ord. 12134 § 1, 1980: Ord. 11888 § 1 (part), 1979: Ord. 11138 § 1 (part), 1975: Ord. 4099 Art. 69 § 1632, 1942.)

3.28.040 Term of service—Removal.

At the first meeting of the commission, the members shall so classify themselves by lot that the term of six members shall expire on June 30, 1977, and the term of six members shall expire on June 30, 1978.

Thereafter, each member shall serve for a term of two years and until his successor is duly appointed and qualified. In no event shall the member representing youth pursuant to subsection R of Section 3.28.030 serve past the date of the member's 24th birthday. The board may remove any member at any time.

Tenure is also subject to the provisions of Section 5.12.050 of this code.

(Ord. 98-0047 § 3, 1998: Ord. 11138 § 1 (part), 1975: Ord. 4099 Art. 69 § 1633, 1942.)

3.28.050 Compensation.

Each member of the commission shall be paid for each meeting of the commission attended, the compensation to be as provided from time to time by the county salary ordinance.

(Ord. 11138 § 1 (part), 1975: Ord. 4099 Art. 69 § 1635, 1942.)

3.28.060 Meetings.

The commission shall be convened monthly upon the call of the chairperson, except that the first meeting shall be convened on the call of the executive officer-clerk of the board of supervisors.

(Ord. 11138 § 1 (part), 1975: Ord. 4099 Art. 69 § 1637, 1942.)

3.28.070 Officers.

The commission shall elect a president, vice president, and such other officers as it deems appropriate. The commission shall determine the term of said officers and the procedures and methods by which they may be elected.

(Ord. 2007-0117 § 1, 2007: Ord. 11138 § 1 (part), 1975: Ord. 4099 Art. 69 § 1638, 1942.)

3.28.080 Departmental representatives.

The directors of the county departments of health services, mental health, public social services, chief administrative officer, human resources, internal services, and superintendent of schools each shall appoint one representative from their department to attend and participate in the meetings of the commission without a vote. The board hereby directs the directors of all other affected county departments to aid and cooperate in every way with the commission.

(Ord. 94-0094P § 7, 1994: Ord. 86-0028 § 13, 1986: Ord. 12134 § 2, 1980: Ord. 11138 § 1 (part), 1975: Ord. 4099 Art. 69 § 1636, 1942.)

3.28.090 Operating procedures.

The commission shall enact bylaws or similar procedural guidelines, which may include provisions relating to the election of officers, their terms of office, methods for voting, the structure of committees, and such other rules, procedures and regulations the commission may desire.

(Ord. 11138 § 1 (part), 1975: Ord. 4099 Art. 69 § 1639, 1942.)

3.28.100 Duties.

The commission shall:

- A. With the assistance of county departments and others, advise the board on the unique needs of people with disabilities, including, but not limited to, the areas of health, employment, education, public attitudes, barriers, and recreation;
- B. Conduct studies and make recommendations to the board for improvement of policies, systems and procedures in any areas the commission feels are necessary, in the best interest of people with disabilities;
- C. Cooperate with organizations seeking to improve services to people with disabilities, promote activities for people with disabilities, and advise the board on the efforts and activities being made for people with disabilities by other government agencies and private organizations;
- D. Evaluate the adequacy of existing laws and proposed legislation related to people with disabilities from the county's point of view, and suggest necessary legislation which the county may wish to sponsor;
- E. Study and report on matters referred for such review by the board of supervisors;
- F. Distribute scholarships to recipients deemed appropriate by a majority of the Commission, when funds are available in the determination of a majority of the Commission. Recipients may include, but are not limited to, high school, college, or trade school students with a

disability who seek to further their education. Any receipt or distribution of funds pursuant to section shall be done in coordination with and pursuant to any procedures established by the Executive Office of the Board of Supervisors.

(Ord. 2007-0117 § 2, 2007; Ord. 12276 § 1 (part), 1980; Ord. 11138 § 1 (part), 1975; Ord. 4099 Art. 69 § 1639, 1942.)

3.28.105 Authority to raise funds.

The Commission shall have authority to raise funds in order to subsidize and enable any scholarships distributed pursuant to section 3.28.100 (F). Fundraising activities may include benefits, solicitations for donations, campaigns, or any other type of charitable event which has been approved by the Chief Executive Office.

(Ord. 2007-0117 § 3, 2007.)

3.28.110 Sunset review date.

The sunset review date for the commission shall be April 1, 2015.

(Ord. 2011-0070 § 1, 2011; Ord. 2006-0022 § 1, 2006; Ord. 2000-0040 § 1, 2000.)

Once the Commission is able to maintain a quorum at its meetings, we can look into revising the Bylaws in order to deal with specific issues which have been raised such as conduct at meetings, speaking times for members of the public, etc. The problem of course is, that without quorum, we can't vote on any changes to the Bylaws. So the Ordinance must come first.

Jason C. Carnevale
Deputy County Counsel

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500 W. Temple Street
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From: De Jesus, Emma [mailto:EDeJesus@bos.lacounty.gov]
Sent: Tuesday, July 30, 2013 3:40 PM
To: Carnevale, Jason
Cc: Vega, Michelle; Williams, N'nette; Kerr, Twila; Rangel, Rhonda
Subject: RE: Commission on Disabilities ByLaws
Thank you for speaking with the Commission and addressing their By-Laws and Ordinance concerns regarding quorum.

As discussed, the Commission President, Janet A. Neal with the Executive Committee would like to pursue a change in the Ordinance regarding possible appointment of alternates to assure a quorum. Michelle Vega, 5th District Deputy is also interested in assisting the Commission with this process. She can be reached at 213-974-5555.

Until such time as advised, the only amendments that will be proposed for consideration to the Commission will be the minor Chair to President changes and the Nomination Committee processes within the By-Laws.

Thank you.

Emma De Jesus
Head Board Specialist
edejesus@bos.lacounty.gov
213-974-1431

From: Carnevale, Jason [mailto:Jcarnevale@counsel.lacounty.gov]
Sent: Wednesday, July 17, 2013 12:46 PM
To: De Jesus, Emma
Subject: RE: Commission on Disabilities ByLaws

Emma,

I had the chance to review the proposed by-laws. I've made some changes to the proposed amendments, but we need to discuss the quorum issue.

Jason C. Carnevale
Deputy County Counsel

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From: De Jesus, Emma [mailto:EDeJesus@bos.lacounty.gov]
Sent: Wednesday, July 10, 2013 12:04 PM
To: Carnevale, Jason
Cc: Sinclair, Roy; Williams, N'nette; Peoples, Twila; Rangel, Rhonda
Subject: RE: Commission on Disabilities ByLaws
Good morning Mr. Carnevale,

I have attached the Commission on Disabilities' By-Laws with the suggested amendments in RED.

Your Secretary has confirmed your attendance for the Commission on Disabilities meeting of July 17,

2013 at 1:00 p.m.

Thank you.

Emma De Jesus
Head Board Specialist
edejesus@bos.lacounty.gov
213-974-1431

-----Original Message-----

From: De Jesus, Emma
Sent: Tuesday, June 18, 2013 5:58 PM
To: 'Carnevale, Jason'
Cc: Sinclair, Roy; Williams, N'nette; Peoples, Twila; Rangel, Rhonda
Subject: RE: Commission on Disabilities Ordinance and ByLaws

Thank you for your response.

We understand that your time is valuable. We will include the ordinance and bylaws review in the July meeting.

Thank you.

Emma De Jesus
Head Board Specialist
edejesus@bos.lacounty.gov
213-974-1431

-----Original Message-----

From: Carnevale, Jason [mailto:Jcarnevale@counsel.lacounty.gov]
Sent: Tuesday, June 18, 2013 5:26 PM
To: De Jesus, Emma
Subject: RE: Commission on Disabilities Ordinance and ByLaws

Emma,

I don't think Wednesday the 19th will work for me. My SAPC meeting is off-site in Alhambra, and it's scheduled for 2PM. In order to make it on time, I need to be leaving here about 1:15. I can definitely make your July meeting, however.

Jason C Carnevale
Deputy County Counsel

From: De Jesus, Emma [EDEJesus@bos.lacounty.gov]
Sent: Thursday, June 13, 2013 2:52 PM

To: Carnevale, Jason
Subject: RE: Commission on Disabilities Ordinance and ByLaws

Our regularly scheduled meetings are held at 1:00 p.m. on the third Wednesday of every month in room 374A.

Emma De Jesus
Head Board Specialist
edejesus@bos.lacounty.gov
213-974-1431

From: Carnevale, Jason [mailto:jcarnevale@counsel.lacounty.gov]
Sent: Thursday, June 13, 2013 2:52 PM
To: De Jesus, Emma
Subject: RE: Commission on Disabilities Ordinance and ByLaws

Do we know what time the meeting will be on Wednesday?

Jason C. Carnevale
Deputy County Counsel

602 Kenneth Hahn Hall of Administration
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From: De Jesus, Emma [mailto:EDeJesus@bos.lacounty.gov]
Sent: Thursday, June 13, 2013 2:48 PM
To: Carnevale, Jason
Cc: Sinclair, Roy
Subject: RE: Commission on Disabilities Ordinance and ByLaws I tried to retrieve this email, but I guess you were still able to open it.

However, knowing you have not had a chance to review the ordinance or bylaws, the Commission has opted to take this matter up in August. The President has requested your presence at the meeting to

address and questions that the Commission may have at that time.

I have attached all the amendments that have been made to the Commission's Ordinance.

Thank you for your attention.

Emma De Jesus
Head Board Specialist
edejesus@bos.lacounty.gov<mailto:edejesus@bos.lacounty.gov>
213-974-1431

From: Carnevale, Jason [mailto:jcarnevale@counsel.lacounty.gov]
Sent: Thursday, June 13, 2013 2:34 PM
To: De Jesus, Emma
Cc: Sinclair, Roy
Subject: RE: Commission on Disabilities Ordinance and ByLaws

Emma,

I have my monthly meeting scheduled with SAPC for 2PM, but I would be free anytime before 1:30.

Jason C. Carnevale
Deputy County Counsel

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From: De Jesus, Emma [mailto:EDeJesus@bos.lacounty.gov]
Sent: Thursday, June 13, 2013 11:16 AM
To: Carnevale, Jason
Cc: Sinclair, Roy
Subject: RE: Commission on Disabilities Ordinance and ByLaws I am sorry for the short notice once again,

The meeting is scheduled for Wednesday, June 19, 2013 (next Wednesday). Now if you cannot be available, they can make the suggestions and I can present it to you for your review and recommendations.

Please advise.

Emma De Jesus
Head Board Specialist
edejesus@bos.lacounty.gov<mailto:edejesus@bos.lacounty.gov>
213-974-1431

From: Carnevale, Jason [mailto:jcarnevale@counsel.lacounty.gov]
Sent: Thursday, June 13, 2013 11:08 AM
To: De Jesus, Emma
Cc: Sinclair, Roy
Subject: RE: Commission on Disabilities Ordinance and ByLaws

Emma,

This is the first time I've heard about this. I'd make myself available for the meeting once I've had a chance to take a look at it. When's the meeting?

Jason C. Carnevale
Deputy County Counsel

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From: De Jesus, Emma [mailto:EDeJesus@bos.lacounty.gov]
Sent: Thursday, June 13, 2013 9:32 AM
To: Carnevale, Jason
Cc: Sinclair, Roy
Subject: FW: Commission on Disabilities Ordinance and ByLaws Good morning Jason,

I wanted to inform you that the Commission on Disabilities is looking to make some revisions to their Ordinance and ByLaws. They are looking to amend their Ordinance/Bylaws regarding quorum and nominating process.

I don't know if you wanted to make yourself available at the meeting for any questions.

Please advise.

Emma De Jesus

Head Board Specialist

edejesus@bos.lacounty.gov<mailto:edejesus@bos.lacounty.gov>

213-974-1431