

# BY-LAWS OF THE MINNEAPOLIS ADVISORY COMMITTEE ON PEOPLE WITH DISABILITIES

Revised 03/2006

## ARTICLE I PURPOSE, POWERS AND DUTIES

SECTION 1. PUPPOSE - The purpose of this **15 member** Committee shall be to expand opportunities for all children and adults with a disability throughout Minneapolis, without regard to disability or other protected class status, and to advocate policies and programs which will promote the independence of persons with a disability and protect their right to participate fully in society.

SECTION 2. POWERS AND DUTIES - The Committee shall have the following powers and duties:

- (A) To advise and otherwise aid the Mayor and City Council; appropriate city agencies, including but not limited to the Departments of **Civil Rights, Community Planning & Economic Development**, City Coordinator, Inspections, Public Works, Human Resources, including Civil Service and the Minneapolis Police and Fire Departments, City Clerk, Park and Recreation Board, Public Housing, City Attorney; the State Legislature; and the public on matters pertaining to public policy and the administration of programs, services and facilities for persons with a disability in Minneapolis;
- (B) To encourage and assist in the development of coordinated, interdepartmental goals and objectives and the coordination of

programs, services and facilities among all city departments and private providers of services as they relate to persons with a disability;

- (C) To serve as a source of information to the public regarding all services, programs, ordinances and legislation pertaining to persons with a disability;
- (D) To review and make comment to the Mayor, city departments, the City Council and State Legislature, and the public concerning adequacy of city programs, plans and budgets for services to persons with a disability and for funding under the various state and federal grant programs;
- (E) To research, formulate and advocate plans, programs and policies which will **address** the needs of persons with a disability;
- (F) To support economic, recreational and social opportunities for people with disabilities;
- (G) To educate the public regarding the concerns and **issues** of people with disabilities;
- (H) To review and make comment on the ADA compliance of the City of Minneapolis and to work closely with the ADA Coordinator.
- (I) To develop long and short range goals and objectives on an annual basis;
- (J) **To increase the participation of people with disabilities in public activities sponsored by the City of Minneapolis; and**
- (K) **To increase awareness on the accomplishments of people with disabilities.**

## ARTICLE II APPOINTMENT TO COMMITTEE

**SECTION 1. VACANCY** -When a vacancy occurs in its membership, the Committee will prepare a notice of vacancy including a brief description of the position(s), the time left of the term and other information.

**SECTION 2. TERMS** - Each member shall be appointed by the Mayor with the approval of the City Council for a term of two (2) years. Ex-Officio members shall serve on the Committee until such time as the department designates a different individual to represent it.

**SECTION 3. ATTENDANCE** - Article II, Section 3 Attendance – Four (4) absences during a twelve-month period **will** be cause for dismissal. Dismissal shall be automatic after the fourth absence unless the committee member in question meets with members of the Executive Committee and discusses the individual situation and commitment of the committee member. The Communication Coordinator or his/her designee shall notify the member of the need for a meeting with the Executive Committee after the third absence in a twelve-month period. The Executive Committee can reinstate or dismiss the member. If the member disagrees with the decision of the Executive Committee he or she can appeal to the full committee at the next regularly scheduled meeting. Failure to attend the next scheduled meeting for an appeal results in an automatic dismissal.

**SECTION 4. REMOVAL OF MEMBER** - A member may be dismissed for making unauthorized public statements on behalf of the Committee, for malfeasance, or for nonfeasance. Any member charged with the above may object as provided in Article III, Section 7.

**SECTION 5. MEMBER RESPONSIBILITIES** - It shall be the responsibility of members to:

- (A) Attend and participate in meetings of the Committee;
- (B) Actively serve on at least one standing subcommittee or other authorized committee. At their discretion, members may also serve on one or more task forces;

- (C) Be responsible for knowing current Committee policies and positions regarding issues of concern to disabled people in Minneapolis and for knowing Committee history, structure and current activities so as to effectively represent the Committee to the public;
- (D) Advise the Committee staff about the implementation of Committee objectives and activities and, as appropriate and feasible, participate in the implementation of such objectives and activities; and
- (E) To conduct themselves so as not to cause financial risk to the Committee.

If it appears there has been a violation of paragraph (E), the procedures detailed in Section 7 of this article shall be followed.

**SECTION 6. CONFLICT OF INTEREST** -The Minneapolis Advisory Committee on People with Disabilities adheres to all state laws and rules and local ordinances that may pertain to the avoidance of conflict of interest. The Committee makes decisions that substantially affect financial or organizational interest within the disability field. The actions of the Committee must be as free from conflict of interest as possible. A conflict of interest exists when a member of the Committee participates in a Committee action that directly affects that members' financial or organizational interest. A Committee action that directly affects a member's organizational interests is one that will likely affect the operation, services or programs of an organization or agency when the Committee members serve on the governing board of that organization or agency.

In order to avoid conflict of interest problems, Committee members who have or think they may have a conflict of interest shall declare that there is or may be a conflict of interest. Where a conflict of interest may exist, the Committee member may request a determination from the Committee. Where a conflict of interest is determined to exist, Committee members shall abstain from voting and shall be recorded as abstaining when votes are taken.

The following are examples of the types of "Financial or organizational interest" that may exist:

The Committee member or a member of the Committee member's family is an officer of the organization, serves on a committee that governs the organization, or serves on the Board of any organization of which the financial interest are directly affected by decisions of the Committee.

The Committee member or a member of the Committee member's family is employed by or is a consultant paid by any of which the financial interests are directly affected by decisions of the Committee.

If it appears there has been a violation of this section, the procedures detailed in Section 7 of this article shall be followed.

**SECTION 7. DISPOSITION** - When the Committee Chair has reason to believe that a Committee member has violated the provisions of Article III, Section 4, Article III, Section 5, paragraph (E), or Article III, Section 6, the Chair shall call a special meeting of the Executive Committee to take place in no less than ten (10) working days. The Chair shall then contact the member in question by registered mail, requesting the member to appear before the Committee or respond in writing to explain the actions which it is investigating. The Chair shall also furnish the member with copies of all materials relevant to the investigation. The Committee's task shall be to determine whether a violation has occurred and, if so, to decide on appropriate disposition. Following the meeting, if it is requested by the member in question, the Committee shall provide an additional period of time before making a final determination in, order to allow the member to respond to new information that arose at the meeting. This period of time shall not be less than 30 days. Additional meetings may be held if necessary.

At the first Committee meeting following the Executive Committee's final determination, the Committee shall report its findings to the Committee and recommend an appropriate disposition, which may include a request to the Mayor for the member's removal from the Committee. The Committee

shall make its final decision on the disposition of the issue by a simple majority vote of the Committee membership.

## **ARTICLE IV COMMITTEE MEETINGS**

**SECTION 1. SCHEDULE** - The Committee shall meet at least once a month to conduct its business and **update** goals, objectives and policies to give direction to the activities of the staff, standing committees and task forces **and to advise the Mayor, City Council and city departments.**

**SECTION 2. NOTICE OF MEETING** - Written notice, or notices in an accessible format shall be sent to all members stating the place, day and hour of all regular meetings of the Committee. **These notices shall be emailed**, mailed or personally delivered to each Committee member not less than ten days prior to the date of the meeting. In the case of a recess to another day, all Committee members shall be notified of the place, day and hour of the reconvened meeting.

**SECTION 3. SPECIAL MEETINGS** - Special meetings of the Committee shall be called anytime upon request of the Chair, or a majority of the members of the Executive Committee or upon a written request to the Chair by any five members of the Committee and the meeting shall be called by the Chair within ten calendar days of the receipt of the request. Notice for a special meeting shall include the purpose of the meeting and be given to all members of the Committee no less than forty-eight hours before the meeting.

**SECTION 4. QUORUM** - A quorum shall consist of 50% plus one members of the Committee who are present and voting. Members dismissed under Article III, Section 7 are not included in calculating the quorum.

**SECTION 5. DECISION MAKING** - All decisions of the Committee must be approved by a simple majority of the members present and voting, unless otherwise provided in these by-laws.

**SECTION 6. PARTICIPATION** - All meetings of the Committee shall be open meetings and guests shall be welcome to attend and participate at the discretion of the Chair.

**SECTION 7. PROCEDURES** -The most recent edition of Roberts Rules of Order shall govern the conduct of business in all cases in which they are applicable and not inconsistent with these by-laws. Where there is a conflict between any provision of these by-laws and Robert's Rules of Order, these bylaws shall prevail.

## ARTICLE V DUTIES OF OFFICERS

**SECTION 1. OFFICERS** - The officers will be one chairperson, a vice chairperson, a communication coordinator, a finance coordinator and one position at large. All members of the Committee are qualified to hold office. Officers shall serve **two**-year terms.

**SECTION 2. ELECTIONS** - The officers shall be elected at the second regular meeting of the calendar year.

**SECTION 3. LENGTH OF TERMS** - Officers shall serve **two**-year terms and may not serve in the same position for more than three (3) consecutive terms.

**SECTION 4. COMMITTEE CHAIRPERSON** -The Committee Chair shall preside at all meetings of the Committee and Executive Committee and shall be an ex-officio member of all subcommittee and task forces. In addition, the Chair shall:

- (A) Act as the spokesperson for the Committee at public meetings and functions;
- (B) Develop agendas for Committee and Executive Committee-meetings;
- (C) Assure the orientation of new Committee members and encourage their most meaningful involvement in Committee activities;
- (D) Present to the Mayor, City Council and Committee members, an annual report summarizing Committee activities and

recommendations for the upcoming year;

- (E) Monitor the implementation of Committee policies and objectives; and
- (F) Monitor the involvement of members in Committee activities, communicate with them and urge active involvement when appropriate, and recommend action by the Mayor as appointing authority when needed.

**SECTION 5. COMMITTEE VICE-CHAIR** - The Vice-Chair shall aid the Chair in the performance of the Chair's duties and, in the absence of the Chair, shall preside at meetings of the Committee and Executive Committee. If the Chair is unable to serve, the Vice-Chair shall assume the Chair's duties. The Vice-Chair shall be a member of the Executive Committee.

**SECTION 6. COMMUNICATION COORDINATOR** - The Communication Coordinator shall collect and respond to all correspondence, shall keep attendance records and shall provide a legislative update. The Communication Coordinator shall bring pertinent information to distribute at the monthly meeting and shall bring important or critical information to the immediate attention of the Chair and Vice Chair. If the Vice Chair is unable to serve, the Communication Coordinator shall assume the-Chair's duties. The Communication Coordinator shall be a member of the Executive Committee.

**SECTION 7. FINANCE COORDINATOR** - The Finance Coordinator shall be responsible for all fiscal matters relating to the Committee and shall prepare an annual budget. The Finance Coordinator shall assume the duties of the Chair when the Vice Chair and Communication Coordinator are unable to perform the duties of the position. The Finance Coordinator shall be a member of the Executive Committee.

**SECTION 8. MEMBER AT LARGE** - The Member at Large shall act as a liaison between the Committee members and the Executive Committee, and shall also act as a liaison between subcommittee chairs and the Executive Committee. The Member at Large shall assume the duties of the Chair when the Vice Chair, Communication Coordinator and Finance

Coordinator are unable to perform the duties of the position. The Member at Large shall be a member of the Executive Committee.

## ARTICLE VI EXECUTIVE COMMITTEE

**SECTION 1. MEMBERS** - The Executive Committee shall consist of the Chair, Vice Chair, Communication Coordinator, Finance Coordinator and one Member at Large. The Executive Committee shall consist of no fewer than five (5) persons.

**SECTION 2. DUTIES** - The Executive Committee shall function as the governing body of the Committee between Committee meetings and shall make annual recommendations to the Committee for new policies- It is empowered to take action on behalf of the Committee when such action is required between Committee meetings and deliberation by the full Committee is not feasible. All Executive Committee actions shall be subject to ratification by the full Committee at the next regular meeting.

**SECTION 3. TERMS** - Members of the Executive Committee shall serve for a term of **two**-year.

**SECTION 4. ATTENDANCE** - Executive Committee members shall make every effort to attend Committee meetings. Members absent from two consecutive meetings shall receive a written notice from the Committee Chair prior to any subsequent meetings advising them of this fact and alerting them of possible Council action if they continue to be unable to attend meetings. If they are then absent from the next Executive Committee meeting, the Chair shall recommend action to the full Committee.

**SECTION 5. PROCEDURE** - Decisions of the Executive Committee shall be made by a simple majority of the members present and voting.

**SECTION 6. QUORUM** - A quorum shall consist of 50% of the voting members of the Executive Committee, plus one.

**SECTION 7. NOTICE OF EXECUTIVE COMMITTEE MEETINGS** Notice of Executive Committee meetings shall be provided to

all Committee members no later than 48 hours in advance of the scheduled meeting time.

## ARTICLE VII ELECTION PROCEDURE

**SECTION 1. DATE** - The election of officers shall take place at the second regular Committee meeting in February.

**SECTION 2. PRESIDING OFFICER** - The current Chair shall preside through the entire election process. The election of each office shall be completed before proceeding to elect the next office.

**SECTION 3. ORDER OF ELECTIONS** - The order of election shall be: Chair, Vice Chair, Communication Coordinator, Finance Coordinator and Member at Large. All positions are **two**-year terms and an officer may not serve more than three (3) consecutive terms in the same position. No officer may hold more than one position at a time.

**SECTION 4. NOMINATIONS** - Nominations for an office may be made by any Committee member present at the meeting. Nominations do not require a second. After nominations are closed, each candidate will be allowed a maximum of three minutes for a speech. After all candidates have completed their speeches, a question and answer period will follow with a maximum time limit of five minutes. The question and answer period shall involve all candidates.

**SECTION 5. ELECTIONS** - Election shall be by hand, voice or written ballot. If a written ballot is selected, then the ballots must be signed by the voting member. Written ballots will be kept on file for a period of three months. The new officers shall take their positions immediately after all offices have been elected. Election shall be by simple majority of the Committee member present and voting. There shall be no absentee ballots or proxy voting.

**SECTION 6. VACANCY** - Any vacancy in a Committee office shall be filled by a special election at the first regular Committee meeting after the vacancy occurs.

## ARTICLE VIII SUBCOMMITTEES AND TASK FORCES

**SECTION 1. STANDING COMMITTEES** - The Minneapolis Advisory Committee on People with Disabilities shall have standing subcommittees. Their purpose is to identify issues, to make recommendations for Committee policy or action and, as appropriate, to participate in the implementation of Committee decisions and activities affecting children or adults with a disability. Each subcommittee shall determine its own manner of meeting, organization, activities and like matters.

**SECTION 2. TASK FORCES** - As the need arises, the Committee may establish special structures called task forces for the purpose of investigating or taking action on specific issues within Committee-established policies or goals. These task forces are limited to acting on the issues for which they were created and within the time frame established, for the assignment.

**SECTION 3. COMMITTEE AND TASK FORCE CHAIRS AND VICE-CHAIRS** - Each subcommittee or task force of the Committee shall elect its Chair from among its own membership. At its discretion, a subcommittee or task force may also elect a Vice-Chair at the time it elects its Chair. Election shall be by a simple majority of the members present and voting. Committee Chairs shall be elected annually at the third regular committee meeting in March. Each task force Chair shall serve for the life of the task force. A committee or task force may remove its Chair for cause by a simple majority of the membership of the committee or task force.

If a vacancy should occur in the position of standing subcommittee or task force Chair or Vice-Chair, the Subcommittee or Task Force shall elect a replacement to serve for the remainder of the unexpired term.

**SECTION 4. COMMITTEE AND TASK FORCE MEMERBERSHIP**- The Committee Chair shall, at the second meeting of the year, identify the standing subcommittees and existing task forces and ask for volunteers to serve on the subcommittees and task forces. Terms on the committees shall be for one year.

Membership on subcommittees and task forces may include individuals who are not Committee members, but who have expertise that will help the task force carry out its function. Committee members shall actively serve on one subcommittee or task force. All members of a subcommittee or task force shall have the right to vote in that subcommittee or task force whether or not they are a Committee member.

If a vacancy should occur among the members of a standing committee or task force, the Committee Chair, after consulting with the appropriate subcommittee or task force Chair, may appoint a replacement to serve for the remainder of the unexpired term subject to the approval of the Committee during its next regular meeting.

## **ARTICLE IX STAFF**

**SECTION 1. STAFF** - The Committee may hire a staff person when funds are available either through city funds or grants. The staff person shall provide administrative support for the Committee and assistance to implement Committee mandates, policies, objectives and other functions as authorized by the Committee.

**SECTION 2. DIRECTIVE TO STAFF** - Directives to staff shall be by Executive Committee and shall be channeled through the Chair.

## **ARTICLE X. FISCAL MATTERS**

**SECTION 1. FISCAL YEAR** - The fiscal year shall be the fiscal year observed by the City of Minneapolis.

**SECTION 2. RECEIPT OF FUNDS** - The Committee may, by majority vote, accept any gift, grant or loan given for the purpose of assisting the Committee to carry out its powers and duties. Upon acceptance, the Committee Chair shall receive the funds subject to the terms of the offer.

**SECTION 3. FISCAL PROCEDURES** - The Committee shall conduct its fiscal activities as prescribed by the laws of the State of Minnesota and City of Minneapolis.

## ARTICLE X1 STATEMENT OF ACCESS

**SECTION 1. ACCESS TO WRITTEN MATERIALS** - All material created for the Committee or on behalf of the Committee shall be made available in alternative formats such as, large print, Braille, audiotape or computer disk. Public Service Announcements,- information intended for public dissemination and committee recruitment efforts will use alternative formats and a variety of multimedia messages.

**SECTION 2. PHYSICAL ACCESS** - All functions conducted by the Committee or on behalf of the Committee shall be held in accessible facilities as defined by the Americans with Disabilities Act (ADAAG) or Chapter 1341 of the Minnesota Building Code, whichever is more restrictive.

**SECTION 3. ACCESS TO SPOKEN INFORMATION** - Certified sign language, oral or tactile interpreters shall be provided upon request for regular meetings and meetings of subcommittees and task forces. When special events, social events or public hearings are organized by or on behalf of the Committee, certified sign language interpreters will automatically be provided.

## ARTICLE X11 BY-LAW AMENDMENT/SUSPENSION

**SECTION I. AMENDMMMENTS** - Suggested amendments to these by-laws must be presented in writing at least ten working days prior to a regular or special Committee meeting. Ratification shall require a two-thirds majority vote of the voting members present.

**SECTION 2. SUSPENSION** -The by-laws may be suspended by a three-quarters majority vote of the Committee members present.