

ORDINANCE 23- 15

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE PINELLAS COUNTY CODE BE AMENDED BY REVISING CHAPTER 70, ARTICLE V OF SAID CODE; RELATING TO THE PINELLAS COUNTY COUNCIL FOR PERSONS WITH DISABILITIES; PROVIDING ALTERNATES FOR NON-BOARD APPOINTED MEMBERS; PROVIDING FOR A LOWER QUORUM; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, that:

SECTION 1. Chapter 70, Article V of the Pinellas County Code is hereby amended to read as follows:

Sec. 70-401. Title.

This article will be known and may be cited as the “Pinellas County Council for Persons with Disabilities Ordinance”.

Sec. 70-402. Purpose and intent.

- (a) It is the intent of the Pinellas County Board of County Commissioners (“board”) to create the county council for persons with disabilities (“council”) for the purpose of providing to the board, through the Pinellas County’s Office of Human Rights (“PCOHR”) policy advice regarding issues of accessibility to Pinellas County (“county”) facilities, programs and services; policy advice on issues of discrimination in housing, employment, and places of public accommodation throughout the county; and information of interest to persons with disabilities.
- (b) The council, through the PCOHR, will bring forward information to the board or any of its departments, agencies, or bureaus, issues or matters of concern to persons with disabilities for potential action.

Sec. 70-403. Membership of council.

- (a) The council will consist of a total of 13 members. Seven members must be individually appointed by each member of the board, and one member each will be appointed by:
 - (1) The board of directors of the Disability Achievement Center;
 - (2) The board of directors of Parc center for disabilities;
 - (3) The board of directors of Florida Gulf Coast Paralyzed Veterans of America;
 - (4) The board of directors of the Boley Centers;
 - (5) The board of directors of the Family Network on Disabilities; and
 - (6) The board of directors of the Area Agency on Aging of Pasco-Pinellas, Inc.

- (b) Members of the council must be permanent residents of Pinellas County, Florida.
- (c) Except for the initial appointment, council members serve at the pleasure of their appointing authority for a term of two years from the date of appointment. The initial term will be two years for the seven members appointed by each of the board members, and three years for the appointments made by the appointing authorities other than the board. Members may hold successive terms upon reappointment. Each member, regardless of the manner in which the member was appointed, may be removed by the board without cause. Any vacancy in the membership of the council will be filled for the unexpired portion of the term, in the same manner as an appointment for a full term.
- (d) Each member's background, education and experience must qualify said member to carry out the duties and responsibilities vested in this council by this division.
- (e) Members must elect a chair, a vice-chair, a secretary, and such other officers deemed necessary to conduct meetings. Officers will serve for a term of one year, and may hold successive terms upon re-election.
- (f) All members will serve without compensation.
- (g) Members who are appointed by appointing authorities other than the board, are hereby authorized to appoint an individual to serve as an alternate member of the council in the absence of the person by whom they were appointed. The designation of each alternate member must be made in writing signed by the member making the appointment and must be recorded in the minutes of the council. An alternate member will have full authority to act in the absence of the member who appointed them, including but not limited to voting on any issue which may come before the council; provided, however, the member of the council will be bound fully by action taken in their absence. An alternate member will be appointed for a temporary duration only and will not be recognized as a permanent member of the council.

Sec. 70-404. Administrative responsibility.

- (a) The PCOHR will provide administrative support to the council.
- (b) The PCOHR and the county attorney's office will be responsible for ensuring compliance with the Florida Sunshine Laws, F.S. ch. 286, et seq., and Public Records Law, F.S. ch. 119, et seq.

Sec. 70-405. Powers and responsibilities.

The council will serve in an advisory capacity:

- (a) To bring informational items of matters important to persons with disabilities to the board, through the PCOHR.
- (b) To serve as consultants on issues of accessibility relating to the construction or improvement of county facilities, parks, and infrastructure.
- (c) To present information to the board or any of its departments, agencies, or bureaus, through the PCOHR, issues or matters of concern to persons with disabilities for potential action relating to:

- (1) Issues of accessibility to facilities, programs or services of county government;
 - (2) Discrimination due to disability in employment, housing, or places of public accommodations throughout the county;
 - (3) Assisting the county in identifying and obtaining grant funding that will provide greater accessibility to all facets of civic life to persons with disabilities; and
 - (4) Assisting the county, and particularly the PCOHR, in providing training, education and outreach relating to the rights of persons with disabilities. Sec. 70-406. Meetings.
- (a) The council may meet on a quarterly basis, should there be business to be conducted, or matters to be addressed.
 - (b) Five members of the council will constitute a quorum.
 - (c) Special or emergency meetings of the council may be called by:
 - (1) The chair of the council; or
 - (2) Any one of the following officials: the county administrator, the county attorney, or the director of the PCOHR.

Sec. 70-407. Public meetings; notice.

Meetings of the council will be open to the public. The chair will set the time, date, and place of the meetings of the council. Minutes must be kept of all meetings and will be under the supervision of the secretary.

SECTION 2. Severability. If any Section, Subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

SECTION 3. Areas Embraced. Pursuant to Section 2.01 of the Pinellas County Charter, this Ordinance shall be effective in the incorporated as well as unincorporated areas of the County.

SECTION 4. Inclusion in Code. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Pinellas County Code and that the sections of this Ordinance may be renumbered or relettered and the word “ordinance” may be changed to section, article or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5. Filing of Ordinance; Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the ordinance with the Department of State.