

ORDINANCE NO. 2016-06-4409

AN ORDINANCE MODIFYING MUNICIPAL CODE PART II, CHAPTER 2, ARTICLE III, DIVISIONS 4 AND 8, TO COMBINE THE CITY HUMAN RELATIONS COMMISSION AND ACCESSIBILITY ADVISORY BOARD INTO THE EQUAL OPPORTUNITY AND ACCESSIBILITY ADVISORY BOARD.

WHEREAS, current Municipal Code establishes two separate advisory boards, the Human Relations Commission and the Accessibility Advisory Board; and

WHEREAS, these boards have related and occasionally overlapping goals and functions; and

WHEREAS, the Governing Body desires to combine the two boards to avoid duplication of efforts.

NOW, THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: AMENDMENT TO MUNICIPAL CODE PART II, CHAPTER 2, ARTICLE III, DIVISION 4.

The Governing Body of the City of Arkansas City hereby amends Part II, Chapter 2, Article III, Division 4 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through, new provisions in italics):

DIVISION 4. - ~~HUMAN RELATIONS COMMISSION~~ *EQUAL OPPORTUNITY AND ACCESSIBILITY ADVISORY BOARD*

Sec. 2-134. - ~~Creation; membership; officers.~~

- (a) The ~~city human relations commission~~ *equal opportunity and accessibility advisory board* shall consist of *no less than five and no more than nine* ~~seven~~ voting members, ~~each with a term of three years~~ *appointed by the mayor with the consent of the board of city commissioners. Members shall serve staggered terms of three years.* In the event a vacancy shall occur during the term of any member, the successor shall be appointed to the unexpired term.
- (b) The members of the ~~human relations commission~~ *equal opportunity and accessibility advisory board* shall be ~~appointed by the mayor, with the approval of the board of city commissioners, upon recommendation of the human relations commission.~~ *Members shall be drawn from diverse segments of the public, and selected for their objectivity, ability and broad community interest. Membership shall at all times include no less than two members with a disability, or a relative or primary caretaker of a person with a disability. Those with experience in working with the disabled and those with expertise in accessibility issues will be given preference for appointment.*
- (c) The officers of the ~~human relations commission~~ *equal opportunity and accessibility advisory board* shall be a chairperson, ~~vice chairperson,~~ *vice chairperson* and secretary, who shall be the city manager or his designee. ~~The chairperson and vice chairperson shall each serve for a one year term or until their successors are elected.~~
- (d) ~~The chairperson, or the vice chairperson, in the absence of the chairperson, is responsible for the conduct of the meetings, the appointment of appropriate committees and preparation of an annual report to be presented to the board of city commissioners on the activities and concerns of the commission.~~ *The board shall elect one of its members as chairperson for the term of one year or until a successor is elected by the board. The chairperson shall preside at all meetings of the board. The board shall elect, in the same manner and for the same term, one of its members as vice chairperson, who shall act as chairperson in the absence of the chairperson.*

Sec. 2-135. - Meetings.

- (a) The ~~human relations commission~~ *equal opportunity and accessibility advisory board* shall meet once ~~during every quarter year~~ *a month* at such time and place designated by the chairperson or by special call of the chairperson, or upon written request signed by a majority of the members of the ~~human relations commission~~ *board*. *If there is no business before the board in a given month, the chairperson may elect to cancel that month's meeting.*
- (b) *The chairperson, or the vice chairperson in the absence of the chairperson, is responsible for the conduct of the meetings, appointment of appropriate committees, and preparation of an annual report to be presented to the board of city commissioners on the activities and concerns of the board.*

Sec. 2-136. – Purpose and duties.

The ~~human relations commission~~ *equal opportunity and accessibility advisory board* shall ensure the benefits of the Americans with Disabilities Act and Title VI of the Civil Rights Act to citizens of the city. The board shall act in an advisory capacity and its ~~purpose~~ *duties* shall be as follows follow:

- (1) To help preserve and further the good name of the city by fostering and promoting amicable relations among individual citizens and various groups of citizens in the city and environs;
- (2) To help ensure that each citizen, regardless of race, religion, color, age, sex, disability, *language proficiency* or national origin has an opportunity to develop according to his *or her* abilities without limitations;
- (3) To act as an agency with responsibility of analyzing the depth and scope of community problems in the general areas of community involvement and communications, *accessibility*, education, economic opportunity, recreation, racial inequality, and concerns of the youth;
- (4) To present such community problems to the appropriate elected or appointed officials, or the appropriate civic groups, ~~businesses,~~ *businesses* or union representatives, and to ask that such problems be examined and that the ~~human relations commission~~ *board* be advised of *any* actions taken;
- (5) To make certain that the intention of the ~~human relations commission~~ *board* is not to defuse *the* political responsibility of elected or appointed officials, but to act as a clearinghouse for community concerns as outlined in this division;
- (6) To enlist and encourage the resources of individuals and groups toward the improvement of intergroup relations; ~~and~~
- (7) To encourage community support and understanding by the general public of the ~~human relations commission's~~ *board's* concerns and, where appropriate, support legislation designed to reduce ~~and~~ *or* eliminate discriminatory practices and group or individual ~~prejudices.~~ *prejudices;*
- (8) *To advise and make recommendations to the board of city commissioners on such matters related to accessibility as, from time to time, may be referred to the board;*
- (9) *To evaluate projects and activities, both public and private, and to advise city staff on matters related to accessibility;*
- (10) *To provide technical assistance to the city on matters related to the disabled population;*
- (11) *To review city plans for construction projects with potential accessibility issues prior to implementation;*

- (12) *To serve as an advocate for citizens with disabilities;*
- (13) *To serve as a resource on policy and/or procedure for members of the board of city commissioners and for city staff;*
- (14) *To review federal and state regulations and guidelines on accessibility, and to report its findings to the appropriate city department, division or body; and*
- (15) *To review and revise the city's American with Disabilities Act Transition Plan as needed and make recommendations for its implementation.*

SECTION TWO: AMENDMENT TO MUNICIPAL CODE PART II, CHAPTER 2, ARTICLE III, DIVISION 8.

The Governing Body of the City of Arkansas City hereby amends Part II, Chapter 2, Article III, Division 8 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through):

~~DIVISION 8. – ACCESSIBILITY ADVISORY BOARD~~

~~Sec. 2-255. – Creation, membership, officers, meetings.~~

- ~~(a) The accessibility advisory board shall ensure the benefits of the Americans with Disabilities Act inure to citizens of the city.~~
- ~~(b) The board shall consist of seven members appointed by the mayor, with the consent of the board of city commissioners, appointed for a three year term. Membership shall at all times include no less than four members with a disability, or a relative or primary caretaker of a person with a disability. Those with experience in working with the disabled and those with expertise in accessibility issues will be given preference for appointment.~~
- ~~(c) The board shall elect one of its members as chairperson for the term of one year. The chairperson shall preside at all meetings of the board. The board shall elect, in the same manner and for the same term, one of its members as vice chairperson, who shall act as chairperson in the absence of the chairperson.~~
- ~~(d) The board shall meet at least semi-annually, and at other times when it deems necessary.~~

~~Sec. 2-256. – Duties.~~

~~The accessibility advisory board shall have the following duties:~~

- ~~(1) Advise and make recommendations to the board of city commissioners on such matters related to accessibility as, from time to time, may be referred to the board.~~
- ~~(2) Evaluate projects and activities, both public and private, and to advise city staff on matters related to accessibility.~~
- ~~(3) Provide technical assistance to the city on matters related to the disabled population.~~
- ~~(4) Review city plans for construction projects with potential accessibility issues prior to implementation.~~
- ~~(5) Serve as advocates for citizens with disabilities.~~
- ~~(6) Serve as resources on policy and/or procedure for members of the board of city commissioners and for city staff.~~

~~(7) Review federal and state regulations and guidelines on accessibility and to report its findings to the appropriate city department, division or body.~~

~~(8) Review and revise the city's American with Disabilities Act Transition Plan as needed, and make recommendations for its implementation.~~

~~Secs. 2-257 — 2-275. — Reserved.~~

SECTION THREE: The Governing Body of the City of Arkansas City hereby authorizes the Mayor and/or City Manager of the City of Arkansas City to take such further and other necessary actions that are required to effectuate the intent and purposes of this Legislative Enactment.

SECTION FOUR: PUBLICATION; EFFECTIVE DATE. This ordinance, or a summary thereof, shall be published one time in the official City newspaper, and shall take effect and be in force from and after said publication.

PASSED AND RESOLVED by the Governing Body of the City of Arkansas City, Kansas, on this 7th day of June, 2016.

Duane L. Oestmann, Mayor

ATTEST:

Lesley Shook, City Clerk

APPROVED AS TO FORM:

Tamara L. Niles, City Attorney