

**ORDINANCE NO. 2017-12-4449**

**AN ORDINANCE MODIFYING MUNICIPAL CODE PART II, CHAPTER 2, ARTICLE III, DIVISION 4, TO AMEND THE EQUAL OPPORTUNITY AND ACCESSIBILITY ADVISORY BOARD'S PURPOSE AND DUTIES.**

**WHEREAS**, The Governing Body of the City of Arkansas City, Kansas, on June 6, 2016, approved Ordinance No. 2016-06-4409, combining the Human Relations Commission and the Accessibility Advisory Board into the Equal Opportunity and Accessibility Advisory Board, and amending Municipal Code to so reflect; and

**WHEREAS**, the Equal Opportunity and Accessibility Advisory Board has spent all of 2017 reviewing its purpose and duties as set forth in Arkansas City Municipal Code Part II, Chapter 2, Article III, Division 4, and now desires to recommend amendments to said purpose and duties after diligent discussion; and

**WHEREAS**, the Governing Body of the City of Arkansas City, Kansas, wishes to eliminate duplicative provisions of Municipal Code governing boards, and thus desires to amend Municipal Code to so reflect.

**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, Kansas, 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. - EQUAL OPPORTUNITY AND ACCESSIBILITY ADVISORY BOARD**

**Sec. 2-134. - Creation and membership.**

- (a) The equal opportunity and accessibility advisory board shall consist of no less than five and no more than seven voting members. Members shall serve terms of three years.
- (b) The members of the equal opportunity and accessibility advisory board 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 who are relatives or primary caretakers of persons with disabilities. Those with experience in working with the disabled or with expertise in accessibility issues will be given preference for appointment.

**Sec. 2-135. - Duties of chairperson.**

The chairperson, or the vice chairperson in the absence of the chairperson, is responsible for the appointment of appropriate committees, and the preparation of an annual report to be presented to the board of city commissioners regarding the activities and concerns of the board.

**Sec. 2-136. - Purpose and duties.**

The 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 *as a clearinghouse for community concerns as outlined in this division* and its duties shall be ~~as follow~~:

- (1a) To help *to* 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 *its* environs;
- (2b) To help *to* 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;
- (3c) To act as an agency with *the* 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;
- (4d) To present such community problems to the appropriate elected or appointed officials, or the ~~appropriate civic groups, businesses or union representatives~~ *Kansas Human Rights Commission or other appropriate local or state agency*, and ~~to~~ ask that such problems be examined and that the board be advised of any actions taken;
- ~~(5) To make certain that the intention of the 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;~~
- (6e) To enlist ~~and encourage~~ the resources of individuals and groups toward the improvement of intergroup relations, *and encourage community support and understanding by the general public of the board's concerns*;
- (7f) To ~~encourage community support and understanding by the general public of the board's concerns and, where appropriate, support legislation, where appropriate, that is~~ designed to reduce or eliminate discriminatory practices and group or individual prejudices;
- (8g) 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;
- (9h) To evaluate *public* projects and activities, ~~both public and private~~ *review plans for city construction projects with potential accessibility issues prior to implementation*, and ~~to~~ advise city staff on matters related to accessibility;
- ~~(10i) To provide technical assistance to the city on matters related to the disabled population and serve as an advocate for citizens with disabilities;~~
- ~~(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;~~
- (13j) To serve as a resource on policy and/or procedure for members of the board of city commissioners and for city staff;
- (14k) To review federal and state regulations and guidelines on accessibility, and to report its findings to the appropriate city department, division or ~~body~~ *board*; and
- (15l) To review and revise the city's American with Disabilities Act Transition Plan as needed and make recommendations for its implementation.

**SECTION TWO:** The Governing Body of the City of Arkansas City, Kansas, 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 THREE: 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 ORDAINED** by the Governing Body of the City of Arkansas City, Kansas, on this 19th day of December, 2017.

Dan Jurkovich, Mayor

ATTEST:

Lesley Shook, City Clerk

APPROVED AS TO FORM:

Tamara L. Niles, City Attorney