



Legislation Details (With Text)

File #: 16-0246 **Version:** 1 **Name:** 3/10/16 - Disability Commission Membership and Bylaws

Type: Resolution **Status:** Passed

File created: 3/10/2016 **In control:** City Council

On agenda: 3/10/2016 **Final action:** 3/10/2016

Enactment date: 3/10/2016 **Enactment #:** R-16-077

Title: Resolution to Clarify Membership Requirements and Approve Amended Bylaws of the Commission on Disability Issues

Sponsors: Kirk Westphal

Indexes:

Code sections:

Attachments: 1. CDI amended bylaws-1-20-16 track changes.pdf, 2. CDI amended bylaws-1-20-16 clean.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------|--------|
| 3/10/2016 | 1 | City Council | Approved | Pass |

Resolution to Clarify Membership Requirements and Approve Amended Bylaws of the Commission on Disability Issues

This resolution modifies the requirements of membership on the Commission on Disability Issues. Currently, the Commission has 13 members and no more than 4 are permitted to serve who do not have disabilities. This change will require that at least 9 positions will be reserved for persons with a disclosed disability.

The Commission recommends this change because some prospective members may have a disability that they do not wish to disclose. The current requirement implies that prospective members must disclose whether or not they have a disability. The revision allows up to 4 members who are not required to disclose whether they have a disability.

The change also refocuses the membership requirements on persons with disabilities rather than those without.

The Commission on Disability issues passed a resolution recommending that council adopt this change at its November 18, 2015 meeting.

This resolution also approves the Commission's amended bylaws reflecting this change, the change in membership approved by R-14-251, and other changes shown in the attached track changes version. The bylaws were approved by the Commission at their January 20, 2016 meeting. The amended bylaws have been reviewed by the City Attorney's Office, consistent with Council Resolution R-08-496.

Prepared and Reviewed by: Christopher Frost, Assistant City Attorney

Approved by: Tom Crawford, Interim City Administrator

Whereas, The Commission on Disability Issues is currently required to have no more than 4 members who do not have a disability as defined under the federal Americans with Disabilities Act;

Whereas, The Commission on Disability Issues understands and respects the wishes of some persons not to disclose whether they have a disability; and

Whereas, The Commission on Disability Issues recommends clarifying the membership requirements to focus on persons with disabilities;

RESOLVED, That the current requirement that no more than 4 members of the Commission may be appointed who do not have a disability as defined by the federal Americans with Disabilities Act be rescinded;

RESOLVED, That at least 9 of the 13 positions on the Commission on Disability Issues be reserved for persons who have a disclosed disability as defined in the federal Americans with Disabilities Act, 41 U.S.C. Section 12102, as amended;

RESOLVED, That no immediate change in the membership of the Commission is required, but these membership requirements shall be met gradually by appointing members with disclosed disabilities to replace members without disclosed disabilities upon expiration of their terms; and

RESOLVED, That City Council approve the attached amended bylaws of the Commission on Disability Issues.

Sponsored by: Councilmember Westphal