

ORDINANCE NO. 2020-08-4515

AN ORDINANCE MODIFYING ARKANSAS CITY MUNICIPAL CODE PART II, CHAPTER 2, ARTICLE III, DIVISION 3, TO REMOVE THE RETIRED CITIZENS ADVISORY COUNCIL FROM MUNICIPAL CODE, AND 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 Governing Body of the City of Arkansas City, Kansas, on December 19, 2017, approved Ordinance No. 2017-12-4449, amending the Equal Opportunity and Accessibility Advisory Board's purpose and duties; and

WHEREAS, City staff have established that the Retired Citizens Advisory Council no longer serves the purpose or executes the duties laid out for it in Municipal Code Part II, Chapter 2, Article III, Division 3, and thus recommends that the Council be eliminated from Municipal Code, allowing it to continue as an informal citizen advisory committee for the Arkansas City Senior Citizens Center without the undue and unnecessary burdens of recording minutes, reporting attendance, enforcing terms, and complying with the Kansas Open Meetings Act, which will free up City staff time; and

WHEREAS, the Equal Opportunity and Accessibility Advisory Board has, over the past three years, continued to review its purpose and duties regularly as set forth in Arkansas City Municipal Code Part II, Chapter 2, Article III, Division 4, and now desires to recommend further amendments to said purpose and duties after diligent and thorough discussion; and

WHEREAS, the Equal Opportunity and Accessibility Advisory Board held a special meeting on July 30, 2020, and voted unanimously to take over the duties of the Retired Citizens Advisory Council, many of which are duplicative in code; and

WHEREAS, the Governing Body of the City of Arkansas City, Kansas, wishes to continue eliminating duplicative provisions of Municipal Code and thus desires to amend Municipal Code to reflect all of the changes as stated above.

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

SECTION ONE: DELETION OF MUNICIPAL CODE PART II, CHAPTER 2, ARTICLE III, DIVISION 3.

The Governing Body of the City of Arkansas City, Kansas, hereby amends Part II, Chapter 2, Article III, Division 3 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through, new provisions in italics):

~~DIVISION 3. - RETIRED CITIZENS ADVISORY COUNCIL-RESERVED~~

~~Sec. 2-109. - Creation and membership.~~

~~The retired citizens advisory council shall consist of seven members. Members shall be drawn from diverse segments of the community, and selected for their objectivity, ability, and broad community interest regarding the retired and senior citizens of the city.~~

Sec. 2-110. – Duties.

The citizens retirement advisory council shall meet as often as required, in the chairperson's discretion, to perform the following duties:

- (1) Serve as liaison between the retired and senior citizens of the city and the board of city commissioners;
- (2) Act as an agency with the responsibility of analyzing the nature and scope of community problems in the general area of economic, recreational, educational, nutritional, transportation, and housing needs of the retired and senior citizens of the community;
- (3) Present the needs of the retired and senior citizens to the appropriate elected or appointed officials, or to the appropriate civic or business groups and to ask that these needs be examined and corrective action taken;
- (4) Enlist and encourage the resources of government, individuals and groups toward the improvement of the living standards of the retired and senior citizens; and
- (5) Encourage community support and understanding by the general public of the council's concerns for the community's retired and senior citizens, and, where appropriate, encourage local, state or federal legislation to improve the general welfare of the retired and senior citizens.

Secs. 2-10911—2-133. - Reserved.

SECTION TWO: 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 *community*, 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.~~
- (c) *Membership shall at all times include no fewer 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 shall be given preference for appointment.*

- (d) *Membership shall at all times include no fewer than two members who are at least 60 years of age. Those with experience in working with the retired and senior citizens of the city shall be given preference for appointment.*

Sec. 2-135. - Duties of chairperson.

In addition to general duties, 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. The board of city commissioners may elect to accept the monthly minutes of the board as a substitute for such an annual report.

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. *It also shall serve as a liaison between the retired or senior citizens of the city and the board of city commissioners.* The board shall act in an advisory capacity as a clearinghouse for community concerns as outlined in this division and its duties shall be *to*:

- (a) ~~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;~~
- (b) ~~To~~ help to ensure that each citizen, regardless of race, religion, color, age, sex, disability, language proficiency, ~~or~~ national origin *or any other protected class*, has an opportunity to develop according to his or her abilities without limitations;
- (c) ~~To~~ act as an agency with the responsibility of analyzing the depth and scope of community problems *or needs* in the general areas of community involvement and communications, accessibility, education, economic opportunity, recreation, racial inequality, *transportation, housing needs*, and concerns of the youth *and retired or senior citizens of the community*;
- (d) ~~To~~ present such community problems *or needs* to the appropriate elected or appointed officials, ~~or~~ the Kansas Human Rights Commission, or *another* appropriate local or state agency, *civic group or business group*, and ask that such problems *or needs* be examined and that the board be advised of any *corrective* actions taken;
- (e) ~~To~~ enlist the resources of *government*, individuals, and groups toward the improvement of intergroup relations *and living standards*, and encourage community support and understanding ~~by the general public~~ of the board's concerns;
- (f) ~~To~~ support *local, state or federal* legislation, where appropriate, ~~that is designed~~ to reduce or eliminate discriminatory practices and group or individual prejudices *or improve the general welfare*;
- (g) ~~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;
- (h) ~~To~~ evaluate public projects and activities, review plans for city construction projects with potential accessibility issues prior to implementation, and advise city staff on matters related to accessibility;

- (i) To provide technical assistance to the city on matters related to the disabled population and serve as an advocate for citizens with disabilities;
- (j) To serve as a resource on policy and/or procedure for members of the board of city commissioners and for city staff;
- (k) To review federal and state regulations and guidelines on accessibility, and to report its findings to the appropriate city department, division or board; and
- (l) To *regularly* review and revise the city's American with Disabilities Act Transition Plan as needed, and make recommendations for its implementation.

Secs. 2-137—2-155. - Reserved.

SECTION THREE: The Governing Body of the City of Arkansas City, Kansas, hereby authorizes the Mayor and/or staff 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 ORDAINED by the Governing Body of the City of Arkansas City, Kansas, on this 18th day of August, 2020.

(Seal)

Karen Welch, Mayor

ATTEST:

Lesley Shook, City Clerk

APPROVED AS TO FORM:

Larry R. Schwartz, City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Ordinance No. 2020-08-4515 of the City of Arkansas City, Kansas, adopted by the Governing Body thereof on August 18, 2020, as the same appears of record in my office.

DATED: _____.

Lesley Shook, City Clerk