

9/12/2012

111-O-12

AN ORDINANCE

Establishing the Americans with Disabilities Act Advisory Board

WHEREAS, the City of Evanston ("City") Department of Parks, Recreation and Community Services ("the Department") prepared the Americans with Disabilities Act ("ADA") Self-Evaluation and Transition Plan Update for Fiscal Year 2012 ("the Evaluation and Plan"); and

WHEREAS, in preparing the Evaluation and Plan, the Department gathered information from various other City departments relating to accessibility, and programs and services available to people with disabilities; and

WHEREAS, one of the purposes of the Evaluation and Plan is to affirm the City's ongoing commitment to the development and maintenance of programs, services, policies and facilities that are accessible to, and inclusive of, all citizens, including citizens with disabilities; and

WHEREAS, the Evaluation and Plan were presented to the Human Services Committee of the City Council on September 5, 2012; and

WHEREAS, in addition to recommending adoption of the Evaluation and Plan, City staff recommended creation of an advisory board to bring individuals from across the community, representing various disciplines and interests, together to aid the City in its ongoing commitment to accessibility and inclusion,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: Title 2 of the Evanston City Code of 2012, as amended (the "City Code"), is hereby further amended by enacting a new Chapter 12 thereof, to read as follows:

CHAPTER 12 – ADA ADVISORY BOARD

2-12-1: ESTABLISHMENT:

There is hereby established the Americans with Disabilities Act ("ADA") Advisory Board, hereafter called the ADA Advisory Board. Said Board shall consist of nine (9) members appointed by the Mayor with the advice and consent of the City Council, provided that four (4) members shall be appointed from the community at large, and one (1) member or representative from each of the following five (5) commissions or boards shall be appointed: Commission on Aging; Human Relations Commission; Plan Commission; Parks and Recreation Board; and Library Board. In making such appointments, the Mayor shall consider knowledge and familiarity with needs and issues concerning people with disabilities, practical experience in Evanston and elsewhere serving or assisting people with disabilities, practical experience in dealing with the sources of assistance for and resources available to people with disabilities, and knowledge and familiarity with the ADA and similar laws and regulations. Associate members may be added to the Board as necessary.

2-12-2: PURPOSE:

It is hereby found and declared by the City Council that in order to protect and promote the public health, safety, and welfare of all citizens, it is necessary to provide for an organizational structure to aid and advise the City in pursuing its ongoing commitment to make the City and its programs, services, and activities accessible to all individuals, including individuals with disabilities. It is further found that to pursue and achieve that commitment, there should be an advisory board so that citizens and groups can bring forth, discuss, and offer recommendations regarding accessibility and ADA-related issues, and assist the City with the production of ADA Self-Evaluation and Transition Plan Updates.

2-12-3: ORGANIZATION:

The Board shall select from its membership a Chair and Vice Chair on an annual basis. Such selection shall occur at the first meeting of the calendar year. Persons so selected shall serve for terms of one (1) year and may be reelected. The Board shall adopt rules for the conduct of its meetings and keep written minutes. All Board meetings shall be held in accord with the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*, as amended) and all records kept in accord with the Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*, as amended). The Board shall meet twice a year and at the call of the Chair and at such other times as may be provided by its rules. Five (5) members shall constitute a quorum. No meetings shall be conducted and no actions shall be taken

without a quorum present, except as provided in Section 4 of this Chapter. The Board shall have the right to establish Subcommittees and provide for their operation. The members of the Board shall serve without compensation.

2-12-4: SUBCOMMITTEES:

The Board may establish such Subcommittees as are necessary for the effective operation, to meet in accordance with the adopted rules and regulations.

2-12-5: POWERS AND DUTIES:

In carrying out its responsibilities and in meeting the purposes of this Chapter, the Board shall set priorities related to issues affecting citizens with disabilities.

The Board shall have the following specific powers and duties:

- (A) To be concerned with all matters of accessibility in the City;
- (B) To provide input and recommendations to the City regarding issues of accessibility and ADA compliance;
- (C) To assist the City in the production of ADA Self-Evaluation and Transition Plan Updates;
- (D) To comment, through the appropriate City Council standing committee, on issues of accessibility and issues of ADA-related programs, services, or compliance before the City Council;
- (E) To communicate with, and act as a resource to, other communities or agencies regarding ADA-related programs, services, or compliance;
- (F) To receive citizen input on accessibility issues;
- (H) To make appropriate recommendations to advance accessibility and inclusion in the City; and
- (I) To receive information regarding City services and programs for citizens with disabilities and accessibility and inclusion efforts undertaken by the City, and to make recommendations or suggestions for changes in direction.

2-12-6: STAFF:

The Board shall, on a regular basis, advise the City Manager of its needs for staff assistance, and it shall be the responsibility of the City Manager to provide such assistance to the Commission in accordance with budget approval.

2-12-7: PERIODIC REVIEW OF ACCOMPLISHMENTS:

The Board shall prepare an action report and present said report to the City Council through the Human Services Committee at the time of the biennial review. These action reports shall contain:

- (A) Accomplishments of the Board;
- (B) Future goals of the Board including any change in functions or goals of the Board;
- (C) Proposed programs of the Board for the following twelve (12)-month period; and
- (D) Staff needs.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: November 12, 2012

Adopted: November 26, 2012


Approved:

November 30, 2012

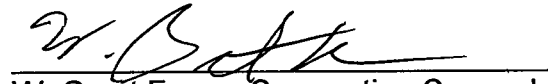
Elizabeth B. Tisdahl

Elizabeth B. Tisdahl, Mayor

Attest:


Rodney Greene, City Clerk

Approved as to form:


W. Grant Farrar, Corporation Counsel

