

## PART 5: AMERICANS WITH DISABILITIES ACT ADVISORY COUNCIL

### § 2-6-5-1 SHORT TITLE.

Sections 2-6-5-1 et seq. may be cited as "Americans with Disabilities Act Advisory Council Ordinance."

### § 2-6-5-2 FINDINGS.

(A) In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Albuquerque will not discriminate against qualified individuals with disabilities in the provision of services, programs or activities; and

(B) The City of Albuquerque does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title II of the Americans with Disabilities Act (ADA); and

(C) The City of Albuquerque will make reasonable modifications to ensure that people with disabilities have an equal opportunity to enjoy all city programs, services and activities; and

(D) The City of Albuquerque seeks: to enhance the community by the contributions of persons with disabilities; to make a positive difference in their relationship with the community by working toward providing full access to facilities, programs, services, activities and employment; and to enable persons with disabilities to equally participate in the social and economic life of the city.

### § 2-6-5-3 MEMBERSHIP AND ORGANIZATION.

The ABQ ADA Council shall be comprised of 7 members, whom shall be individuals with disabilities. All efforts will be made to ensure cross-disability representation in the selection of ABQ ADA Council members.

(A) The mayor shall appoint the ABQ ADA Council members subject to the advice and consent of the City Council. Both the Mayor and individual City Councilors may recommend potential Board members to the Mayor.

(B) ABQ ADA Council members shall serve without compensation.

(C) The ABQ ADA Council shall select, by majority vote, two of the appointees as the chairperson and vice-chairperson of the Council.

### § 2-6-5-4 MEETINGS.

(A) The ABQ ADA Council shall meet monthly.

(B) Because of the special considerations of persons with disabilities, a member of the Council may participate in the meeting by means of a conference telephone, web based broadcast such as skype or other similar communications equipment and/or software when it is otherwise difficult or impossible for the member to attend in person, provided that each member participating by such methods can be identified when speaking, all participants are able to hear each other at the same time and members of

the public attending the meeting are able to hear any member of the Council who speaks during the meeting.

(C) The Council shall comply with all applicable policies, ordinances, resolutions, rules and regulations of the city.

#### § 2-6-5-5 DUTIES, RESPONSIBILITIES AND POWERS.

The mission of the ABQ ADA Advisory Council is to support the civil rights of, and full integration into, Albuquerque community life for all people with disabilities. The ABQ ADA Advisory Council shall:

- (A) Advise the Mayor and City Council on issues affecting people with disabilities.
- (B) Provide a public forum to identify, discuss, and address issues relevant to people with disabilities.
- (C) Report on accessibility problems around the city.
- (D) Provide information to the city's ADA Coordinator about disability concerns expressed by the public.
- (E) Provide information, educational opportunities and networking opportunities to all citizens with disabilities.
- (F) Establish criteria for prioritizing the remedial steps to address access needs within the community.
- (G) Develop operating procedures for the ABQ ADA Council.
- (H) Review city government program services and activity access for physical, sensory, or other impediments.
- (I) Review city codes with the city's Office of Diversity & Human Rights relating to disability rights and access.
- (J) Make recommendations to the Mayor and City Council regarding a community transition plan that addresses: barriers (non-structural) to city programs, services and activities and barriers (structural) to city facilities including parks and trails.
- (K) Create an Advisory Committee comprised of at least 3 developmentally disabled citizens, and/or their advocates, to provide input to the ABQ ADA Council to ensure their issues are being addressed.

#### § 2-6-5-6 TRAINING AND TECHNICAL ASSISTANCE.

The ABQ ADA Council will receive effective and ongoing training and technical assistance from the city's Office of Diversity and Human Rights to ensure that they understand the information they receive and are able to provide effective oversight of and make appropriate decisions regarding the City of Albuquerque's compliance with Title II of the Americans with Disabilities Act of 1990.