

ORDINANCE NO. 120065

Authorizing the City Manager to execute a settlement agreement with the United States of America under the Americans with Disabilities Act.

WHEREAS, the United States Department of Justice (“DOJ”) implemented a nation-wide program – Project Civic Access – to review local and state governments across the country for the purpose of assisting them in fully complying with the requirements of the Title II of the Americans with Disabilities Act of 1990 (“ADA”) and the regulations promulgated thereunder; and

WHEREAS, the City is but one of almost two hundred localities from all 50 states, the District of Columbia and Puerto Rico previously selected for inclusion in Project Civic Access since its inception in 1999; and

WHEREAS, the City welcomed its selection as it supports its obligations under the ADA and DOJ’s ongoing efforts to ensure that all Americans are afforded full access to civic life; and

WHEREAS, a team from DOJ’s Civil Rights Division, Disability Rights Section, recently visited Kansas City over a period of several days for the purpose of reviewing its compliance with the ADA’s Title II requirements; and

WHEREAS, that visit included a review of various programs, services, and activities, as well as public facilities built or altered since the ADA became effective and which therefore must comply with its requirements; and

WHEREAS, the City has, at every turn, cooperated fully with DOJ throughout its review of the City’s various programs, services, activities and public facilities; and

WHEREAS, the City has taken a number of steps since the ADA was enacted including designating an ADA coordinator, establishing the Mayor’s Committee for People with Disabilities, adopting a reasonable accommodations request and grievance procedures, updating its self-evaluation programs and services for accessibilities to employees and the public, adopting standardized language for reasonable accommodation requests for public meetings, and accessible forms of communication, such as TTY phone numbers, closed captioning, assisted listening devices, and sign language interpreters when requested by a citizen; and

WHEREAS, while the City has taken great strides and even exceeded its obligations under the ADA on occasion, there is always room for improvement; and

WHEREAS, DOJ has taken its findings and incorporated them into a settlement agreement that it presented for the City’s consideration; and

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WHEREAS, the settlement agreement reflects actions and physical modifications that the City is committed to making in furtherance of its ADA compliance; and

WHEREAS, DOJ regards these settlement agreements as a tool in assisting local governments as they work towards resolving any outstanding access issues; and

WHEREAS, the City will continue to work in full cooperation with DOJ until the terms of the settlement agreement have been satisfied; NOW, THEREFORE;

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is authorized to execute a settlement agreement with the United States of America under the Americans with Disabilities Act (such agreement being denominated DJ 204-43-195). The settlement agreement is approved in substantial form to that which is on file in the office of the Director of Public Works.

Approved as to form and legality:

Brian T. Rabineau
Assistant City Attorney