



## Legislation Text

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### Report to Mayor and City Council

Tuesday, September 20, 2016

Discussion

#### **SUBJECT:**

**PROVIDE DIRECTION TO STAFF REGARDING AN ADVISORY BODY ON ISSUES CONCERNING PERSONS WITH DISABILITIES (CITY COUNCIL)**

#### **I. SUMMARY**

As a result of a civil rights compliance review conducted in 2014 by the U.S. Department of Housing and Urban Development (HUD), the City of Carson was found to be out of compliance in several areas. As a consequence, the City has been placed under a Voluntary Compliance Agreement with HUD, dated June 30, 2014. One major area of deficiency cited was the City's lack of mechanisms for dealing with the issues and concerns of its disabled population. This shortcoming can be addressed in one of two ways: the creation of an advisory body comprised of residents with disabilities to advise the City of programs, services, policies, and procedures affecting its disabled residents, or adding disability issues to the subjects under the purview of the existing Human Relations Commission. Staff seeks direction as to which option is preferred by the City Council.

#### **II. RECOMMENDATION**

ASSIGN the subject of issues concerning persons with disabilities to the existing Human Relations Commission, and CREATE positions on the Human Relations Commission for persons with disabilities.

#### **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate.

#### **IV. BACKGROUND**

As a result of a civil rights compliance review by the Office of Fair Housing and Equal Opportunity of the U.S. Department of Housing and Urban Development (HUD) conducted in 2014 (a followup to a review initially conducted in 2011), the City of Carson was found to be out of compliance in several areas related to Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and Section 109 of the Housing and

Community Development Act of 1974. As a consequence, HUD has placed the City under a Voluntary Compliance Agreement dated June 30, 2014. One major area of noncompliance cited was the City's lack of mechanisms for dealing with the concerns and issues of persons with disabilities.

Another action on this meeting's agenda is the adoption of an updated Citizen Participation Plan, which is intended to serve several purposes, among them facilitating the input of persons with disabilities in the development of the City's Community Development Block Grant programs. The identified shortcoming can be further addressed by creating a mechanism by which City government can be advised on programs, services policies and procedures affecting its disabled residents. Staff has identified two options for doing so: a) addressing disability issues among the duties and functions of the existing Human Relations Commission, or b) creating a separate body to advise City government on these issues.

A separate body, ideally composed of residents affected by a physical, mental, or visual disability, appeared to be the model employed in most cities researched by staff. If employed in Carson, it is suggested that such a body be composed of from five to nine members. However, given that the City of Carson currently has some 22 appointed boards and commissions, it may be more appropriate to task an existing commission to address these responsibilities.

One alternative is to place disability issues under the purview of the existing Human Relations Commission. The duties and functions of that Commission, as per Section 2766 (a) of the Carson Municipal Code, include:

"To advise and consult with the City Council, City Administrator, and the commissions, boards, and officers of the City on all matters involving discrimination on the basis of race, religion, national origin, culture, economic status, age, or sex;"

Noticeably absent from those duties and functions are the issues of disabled residents. Should Council choose to assign disability issues to the Human Relations Commission, its effectiveness in that area might be enhanced by requiring a certain number of members of the Human Relations Commission be residents with disabilities. Presently, the Human Relations Commission is comprised of nine members (seven general members and two youth members) along with three alternate members.

## **V. FISCAL IMPACT**

Depending upon how many additional advisory board positions are created (whether through expanding the size of the Human Relations Commission or creating a separate disability advisory body, General Fund impact of \$420.00 per year for each such position created (based on a board/commission meeting stipend of \$35.00 per meeting and 12 meetings per year).

## **VI. EXHIBITS**

None.

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