

Fitzgerald_HSC_AdHoc_DisabilityCommissionDec2020Update

**Human Services Commission:
Ad-Hoc-Re-establish Commission for People with
Disabilities
Ad-Hoc Chair Christine Fitzgerald**

Background and rationale for Ad-Hoc

Preamble: Whereas There is not a current active City of San Jose Commission on People with Disabilities:

Whereas the needs, concerns and complaints are, at the current time being addressed through an appointed staff member with-in San Jose City Hall, there is no current dedicated Commission on Disabilities.

And where as the Human Services Commission is acting in part as “keeper of the keys”, and some members of the Commission have themselves or family members with disabilities

An on-going basis as Representative of the residence of San Jose, a commission for, by and of people with disabilities should be established as an independent Commission and should be composed of members of the community who have all manner of disabilities so all lived perspectives can more readily address concerns found throughout City Hall and beyond. Each member of this commission should also sit on one or more of the other commissions in order to provide perspectives to those commissions and to bring back these new insights to the Commission on

Disabilities.

To explore the re-establishment of such a commission the following steps will be taken to explore what has been done in other cities such as San Mateo, San Francisco, Sacramento as well as other cities throughout the United States of similar size as San Jose, to explore best practices, policies and procedures to ensure full participation, and adoption of by the Board of Supervisors.

Ad-Hoc Committee Update 12/17/2020:

To better understand what the community of San Jose would like to see covered through a Commission on Disabilities a survey will be conducted. A sample of such a survey follows this report.

The chair of this subcommittee has started this exploration through online research and contact with current members of such a commission in Sacramento, San Mateo and San Francisco.

San Mateo: Such inventory of such a commission of people with disabilities in the County of San Mateo are laid out as follows:

A Commission Chair, Vice Chair, staff lies on for the County that assists the commission on their sworn duties. The full commission consists of 21 members and is divided into three sub-committees to address such as legislative actions and policies, ADA compliance and community/social engagement in a variety of social and cultural events promoting the culture and history of people with disabilities.

This body was championed by Congresswoman

Anna Eshoo and reports back to the Board of Supervisors annually through a Representative. The Chair of this Sub-Committee learned that the San Mateo Commission frequently tasks members to sit on other commissions as a lies on for the Commission on People with disabilities and to report back to the commission as to what these other commissions found challenging. The San Mateo Commissioner admitted that this practice slowed the process down as there is not enough time of the actual meeting to fully hear from these members (currently meeting through Zoom) but will resume in person meetings once the Shelter in place” of the current pandemic has been lifted. It should also be noted that the Community Advocate of the Center for People with Disabilities [an independent living center - one of 24 throughout California] acts as an ex-official member of the Commission.

San Francisco: SF Mayor's Disability Council, is a council staffed by the Mayors 'Office on Disabilities and is comprised of X members.

- The “Mayor's Office on Disability, was re-organized by the Mayor in October 1998, to provide a better vehicle for public input.
- The Mission of the Mayor's Disability Council is to:
- Advise the Mayor of San Francisco on disability issues
- Work with the Mayor's Office on Disability to ensure ADA Compliance
- Provide a public forum to discuss disability issues

- The council meets on a regular basis in a fully accessible atmosphere and provides ASL interpretation and alternative formats of printed materials as a matter of course and is currently meeting virtually due to the pandemic.

Sacramento: The Chair of the Ad-hoc exploration on the restart of a Disability Commission for the City of San Jose was successful in contacting the Sacramento California Commission on Disability Access and was able to start the conversation and learn more about this governing body. They in turn were able to suggest a direction for the Chair to go in- subsequently, the chair was able to send out an email query to the Sacramento Disabilities Advisory Commission, and of the upcoming meeting schedule and will be attending the next meeting on December 2nd at 6 PM, by phone or in person, depending what the Chair finds out from her query. This commission was formed to : “(1) Serve as an advisory body to the City regarding compliance with federal and state disability laws, not including litigation or administrative proceedings to which the City is a party; (2) Review policies, programs and activities within the city that affect persons with disabilities; (3) recommend procedures for city employees with disabilities to request and receive reasonable accommodations; (4) Provide information, referral and technical assistance to the city in matters pertaining to disability issues; and (5) Establish a liaison with the city's ADA coordinators to

assist with policies, procedures and programs as they relate to federal and state disability laws.”

San Jose: Where it should be Recognized that a new City Office for Equity and Racial Justice has been added into the City of San Jose’s 2020 budget, it should also be recognized that such a department house an ADA Coordinator, but that the City have a separate community Commission on Disability to serve as an advisory body to the Mayor’s office.

It is the lived experiences of those in the community who have disabilities that will use their talents, education, skills and firsthand knowledge to assist the Mayor’s office and Town Council ensuring that state and federal Section 504 of the 1973 Department of Rehabilitation Act and the Federally mandated Americans with Disabilities Act of 1990, is followed. This Commission on Disability will better enhance community engagement through full participation in local government.

In order to attain the Commission on Disability, the review of other such advisory commissions should take place and a reasonable period of time taken to formalize a course of action, practices and procedures to form and initialize such a commission into existence no less than a year out and no more than two years out.

A Commission on Disability should review and concern themselves on such things as: changes in housing practices, employment, education, community and civic

engagement (such as the introduction of outdoor restaurants, conveniences and other resources that impact the daily lives of people with disabilities. To name a sample of topics of concern.

Where it should also be recognized that many community-based organizations exist in San Jose and throughout Santa Clara County that assist people with disabilities, it is not their sole charge to act as council without some compensation for their expertise. A dedicated paid Representative within the Office of Racial Equity would go a long way to provide a greater representation of people with disabilities. Yet, it would not and could not provide a check to its balance. A dedicated advisory Commission on disabilities would provide such a check.

Example: The Commission on Disability would comprise of _____ members of the community Who would have a diverse selection of disabilities represented and would be Representative of the community in all aspects - race, creed, sexual orientation, gender identity, education, socio eco- nomic standing, employment, and all other aspects of their lives. In this way, the commission would be fully realized as being one with the community they serve.

Moreover, like any other condition, the members of this condition will not be paid, save for the board secretary, who is a paid staff member of the city of San José and

receivable salary as such. All standard practices of conditions will be enforced in this condition.

Should every city commission have a Disability Access seat, and the Commission on Disability be made-up of the people in those seats?