

(R-93-1985)

RESOLUTION NUMBER R- 282153

ADOPTED ON JUN 14 1993

A RESOLUTION ESTABLISHING COUNCIL POLICY NO.  
100-04 REGARDING AMERICANS WITH DISABILITIES  
ACT/CITY CONTRACTORS.

BE IT RESOLVED, by the Council of The City of San Diego,  
that Council Policy No. 100-04 regarding Americans with  
Disabilities Act/City Contractors be and is hereby established as  
set forth in the Council Policy filed in the Office of the City  
Clerk as Document No. RR- 282153.

BE IT FURTHER RESOLVED, that the City Clerk is hereby  
instructed to add the aforesaid to the Council Policy Manual.

APPROVED: JOHN W. WITT, City Attorney

By Sharon A. Marshall  
Sharon A. Marshall  
Deputy City Attorney

SAM:mrh  
05/28/93  
Or.Dept:Mgr.  
R-93-1985  
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CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

SUBJECT

AMERICANS WITH DISABILITIES ACT/CITY CONTRACTORS

POLICY  
NUMBER 100-04

EFFECTIVE  
DATE

BACKGROUND

The issue of accessibility, both architecturally and program-  
matically by people with disabilities, to public and private  
entities has been addressed by Section 504 of the Rehabilitation  
Act of 1973, and most recently by the Americans with Disabilities  
Act (ADA) of 1990. This broad reaching legislation addresses the  
right of people with disabilities to obtain equal access to  
services, programs, buildings, facilities, and employment.

PURPOSE

It is the intent of the City Council that the City of San Diego  
take a leadership role in addressing compliance with the ADA in  
the workplace. It is the purpose of this policy to establish the  
requirement that all City contractors, including but not limited  
to construction contracts, consultants, grantees, and providers of  
goods and services agree to comply with all applicable titles of  
the ADA.

POLICY

Section 1. Definitions

- A. "Qualified individual with a disability" means an individual  
with a disability who satisfies the requisite skill, experience,  
education and other job-related requirements of the employment  
position such individual holds or desires, and who, with or  
without reasonable accommodation, can perform the essential  
functions of such position.
- B. "Employee" means the employee of a contractor directly engaged  
in the performance of work pursuant to a contract as described  
in Section 2.
- C. "Contractor" means any person or entity who enters into an  
agreement with the City for the construction of capital  
improvements or the provision of goods or services. Contractor  
shall include, but not be limited to consultants, grantees,  
lessees and vendors.

DOCUMENT NO. RR-282153

FILED JUN 14 1993

OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

SUBJECT  AMERICANS WITH DISABILITIES ACT COMPLIANCE/ CITY CONTRACTORS	POLICY NUMBER 100-04
	EFFECTIVE DATE

Section 2. City Contractor Requirements

A. Every person or organization entering into a contractual agreement with or receiving a grant from the City of San Diego shall certify to the City of San Diego that it will comply with the ADA by adhering to all of the provisions of the ADA listed below.

1. Title I. Employment Mandates

"No contractor may discriminate against qualified persons with disabilities in any aspects of employment, including recruitment, hiring, promotions, conditions and privileges of employment, training, compensation, benefits, discipline, layoffs, and termination of employment."

2. Title II. State and Local Government

"No qualified individual with a disability maybe excluded on the basis of disability, from participation in, or be denied the benefits of services, programs, or activities by contractors or subcontractors providing services for the City."

3. Post a statement addressing the requirements of the ADA in a prominent place at the worksite.

B. Contractors shall include in each subcontract agreement, language which indicates the subcontractor's agreement to abide by the provisions of subdivisions (1) through (3) inclusive of Section 2A. Contractors and subcontractors shall be individually responsible for their own ADA employment programs.

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CITY CLERKS OFFICE  
SAN DIEGO, CA

#124

JUN 14 1993

Passed and adopted by the Council of The City of San Diego on .....  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING  
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By *Linda Ferguson* Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-282153* JUN 14 1993  
Number..... Adopted.....

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