

**SUMMARY OF ACTION
MAYOR'S COMMITTEE ON DISABILITY
CITY COUNCIL CHAMBERS
200 LINCOLN AVENUE
THURSDAY, OCTOBER 20, 2016**

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**MAYOR'S COMMITTEE ON DISABILITY
CITY COUNCIL CHAMBERS
200 LINCOLN AVENUE
THURSDAY, OCTOBER 20, 2016**

1. CALL TO ORDER

The meeting of the Mayor's Committee on Disability was called to order by Aurore Bleck, Vice Chair, at 10:00 am, on Thursday, October 20, 2016, at the City Council Chambers, 200 Lincoln avenue, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT

Aurore Bleck, Vice Chair
Dave McQuarie
Michael Wirtz
Nancy Pieters
(Vacancy)
(Vacancy)

MEMBERS ABSENT

Marcia Bowman, Chair, Excused
Merian Jawhar, Excused
Julie Tambourine, Excused

OTHERS PRESENT

Mayor Javier Gonzales
William Sutton, Transportation Planner, KFH
Bill Adrian, Facilities Manager, First Presbyterian Church
Daniel Fernandez, Architectural Access Specialist, Governor's Commission on Disability
Dominic Fernandez, Governor's Commission on Disability
David Chapman
Elizabeth Martin, Stenographer

3. APPROVAL OF AGENDA

MOTION A motion was made by David McQuarie, seconded by, Michael Wirtz, to approve the agenda as presented.

VOTE The motion passed unanimously by voice vote.

**4. APPROVAL OF MINUTES
SEPTEMBER 15, 2016**

Mr. McQuarie said on page 6, paragraph 3, it should say "due to wrong wording."

Ms. Bleck said on the first page, first line, it should be Mayor's with an apostrophe, item 3, first paragraph take out "with the city", it is hired period. On page 6, paragraph between motions, it should be affected, page 8, 3rd paragraph, it should be "in the burrows."

MOTION A motion was made by Nancy Pieters, seconded by David McQuarie, to approve the minutes as amended.

VOTE The motion passed unanimously by voice vote.

5. PUBLIC COMMENTS

Mr. Adrian said the County is looking at a \$40 million expansion of their facilities on Grant. Our church is on Grant and has been there for 150 years. He has been talking to the City and County about a crosswalk. We have a greater need to have a safe crosswalk for our members to get to the Church. He came today to learn more about the work of this Committee and to meet Mr. Sutton who is looking at all the intersections.

Mr. McQuarie said he was involved with putting in crosswalks on Grant and Garfield. The reason at Grant that we did not put a crosswalk was it would have been behind a stop sign. That is a no no. The crossing at the point where Grant and Griffin meet was never put in nor was a curb cut. He can't see why the City did not do that. They were supposed to.

Mr. Adrian said he met with John Romero. The City is going to change the traffic flow into Grant. They expect 300 to 500 additional pedestrians going between their buildings. They are going to change the intersection of Griffin and Grant to accommodate a crosswalk there. It is a long range discussion.

Mr. McQuarie said there must be a curb cut on Garfield and John Romero does not like it. Legally there should be one. If there is not one and anyone ever gets injured he will testify in court.

Mr. Adrian said 80 years ago the Church, working with the City, gave some land to the City in lieu of sidewalk taxes. That led to the current configuration that is there

now. We have an opportunity now to make a change there.

Mr. McQuarie said when you get ready the plans have to come before this Committee for review.

Mr. Adrian said there was one public meeting held and there will be 2 more. Spears and Horn is the architect working with the City. There is more information on the websites for the County and City. Citizen input is taken there. He will share the request that this Committee get information with the County.

Mr. McQuarie said he should notify this Committee and the Governor's Commission on Disability.

Mr. Adrian said he will speak with the Governor's Commission representative after this meeting to coordinate. The church is a neutral party.

Thank you for listening.

Ms. Bleck thanked Mr. Adrian for coming and updating them.

6. NEW BUSINESS

A. SANTA FE PROW TRANSITION PLAN UPDATE

Mayor Gonzales thanked the Committee for all the work they do.

Mr. Sutton handed out a summary of where they are in the survey they are doing. He reviewed the hand out which is incorporated herewith into these minutes as Exhibit "1".

Mr. Sutton said we are still picking up additional curb ramps. The map shows what has been surveyed to date. We are encountering a lot more issues than we expected. Due to that, our report will be completed in February instead of January. ADA regulations are stringent. Our biggest challenge is differentiating what is not compliant and what is functional or not and what is a priority. We are using 4 factors to assess that. Compliance, functional, not functional and minor or major issues. We are actively working on that. We anticipate prioritization will be established in the next couple of weeks. We are talking with Dave Chapman to finalize that.

Mr. Wirtz asked the photo with the brush, who is responsible to remove it.

Mr. McQuarie said the landowner.

Mr. Sutton said that is a large issue we have encountered, what is the property line. Lots not built on have major issues. Who maintains it.

Mr. Wirtz asked are the owners contacted to remove the brush.

Mr. Sutton said not at this point.

Mr. Chapman said if there is a complaint made with the City they do follow up with the property owner.

Mayor Gonzales said that is a key point in how we communicate with individuals who live with disabilities. That trigger to move a property owner to do something. Calling and registering a complaint is the process, then Code Enforcement sends a letter out. That gets the City's attention and puts the property owner on notice to do something. Some property owners do not have the financial wherewithal to do it based on City requirements. We have to look and see if there is a way to create assistance for property owners so that it can be done correctly.

Mayor Gonzales said he is assuming there are model cities out there recognized by ADA who have a program in place that measures the level of safe mobility within the city. Have we done any analysis on that. Does that exist. Can we find a class of peers out there to help us get there.

Mr. Sutton said some of the major cities have that.

Mayor Gonzales asked what programs have you seen that work.

Mr. Sutton said LA. They created a twenty year Plan and initiated a grass roots campaign with a website. They are doing what we are doing with surveys. It is a hot topic right now across the country.

Mayor Gonzales said he feels terrible for Dave and how the communication comes through public comment. The point about prioritization makes sense but ADA has rules in place for a reason. If that difference in sidewalk elevation is ok with a wheelchair, individuals on walkers could still find themselves in danger. It might be different in different neighborhoods. If there is an assisted living facility there, understanding how many people are on walkers, canes and wheelchairs might be a factor.

Mayor Gonzales said during the CIP process and when the Council considers it we need to be prepared to say how this deferred maintenance list fit into our CIP annual planning so that it does not get lost with the 100s of deferred maintenance items. It is an effort that the Council has to consider and prioritize.

Mr. Sutton said we are looking at repairing the major issues on the sidewalks.

We don't mean to trivialize issues at all. He is not sure how it fits into the CIP plan.

Mayor Gonzales said he suggests that this Committee make a recommendation to Council and the Public Works Committee who oversees the CIP Plan and makes recommendations. There has to be a regular nod or acknowledgment that these items are part of the CIP Plan this part of the Plan should be automatically a top priority. There is always a top 5. If it is up there at least it is acknowledged and when funding is available it is there and not lost with other projects. He is interested to see how staff works this in. It would be nice to see Santa Fe have a 20 year Plan to begin this process so that folks who have to rely on City infrastructure to be mobile can hold us accountable. As we get ready for the budget, the CIP program is part of it and the timing would be good to make your recommendation to Council.

Ms. Bleck said the Committee will be happy to do that.

Mayor Gonzales said this maintenance plan should also be included when we make our requests to the State Legislators. Infrastructure is always in there. After the report is finished we will have a document to show where the need is by Legislative District and they could choose to use some of their Capital to fix some of this. If we have something by the middle of January or end of January, it could be quickly submitted by this Committee. We can say we want to forward this to you to show you the critical repairs that are needed in your District. Would the report show costs.

Mr. Sutton said estimates from the City Engineer will be included. They are ballpark numbers.

Mayor Gonzales asked public impact fees, are they allowed for this.

Mr. Sutton said they are limited to roads.

Mayor Gonzales said allowable infrastructure, would it include this infrastructure.

Mr. Sutton said he is not sure on that.

Mr. McQuarie said he has asked that question in the past and has gotten 2 answers. Yes and no depending on who you ask.

Mayor Gonzales said as another recommendation to Council you can ask to answer the question of if it is an allowable cost for impact fees and to see if some percentage can be allocated to this maintenance. Throw that into the recommendation in addition to making sure this is part of the CIP Plan top priorities. Looking at how we can allocate a percentage of impact fees should be part of your recommendation. That is the only way we are going to overcome these issues, to have money in place.

Ms. Bleck said on the issues caused by the overgrowth of plants. The

homeowner is responsible. Could we have a Community Spirit Program or something like that. A lot of good hearted people would do it.

Mayor Gonzales agreed. The challenge is the that the City gets in the way of that due to the requirements to get up to City code design. He understands the reason for it but it is costly. In cases like this where is it a bunch of shrubs blocking the way, we could add it into the Santa Fe Beautiful program and get Parks to cut them down. Collaborations like that should not be hard to do.

Mr. McQuarie said the City did have a program under Councilor Dominguez to take care of sidewalks out in his area and it was very successful. Other than that in 16 years there has never been any other sponsored City program for anything like this. There should be and it should be delegated to Santa Fe Beautiful. Make Santa Fe Beautiful and Accessible. In his assessment going around town the City of Santa Fe is not accessible.

Mayor Gonzales said add to your recommendations to broaden the Santa Fe Beautiful Program to include creating better accessibility in neighborhoods and how the City Parks Department can help in that area. The community picks up trash and the Parks Department picks up the bags. Something similar could be worked out here. Can we work with Rotary Club who has offered to help adopt parks. We can say we want you to be our partner to make sure that in cases where there is overgrowth we partner to clean it up. There are options to consider by the Committee and requests that can go up. It should be part of how people view our City and how the community comes together to address issues that are there. On the money front the recommendation of inclusion in the CIP Plan and looking at the existing fee structure to allocate some to this can be included. That will allow us to have a revenue structure in our 20 year plan and have it be meaningful so you can see the results of what is happening in our community.

Mayor Gonzales said thank you for this opportunity to participate in your meeting. He has to get back to his office. Are there any Questions pending for him. Mr. McQuarie, you referenced a letter sent to us addressing ADA issues. Was it acknowledged.

Mr. McQuarie said it was never acknowledged. It was a letter from our Chair.

Mayor Gonzales asked what was the request of him.

Mr. McQuarie said the Chair requested to know what the status is of the ADA Agreement with the City Manager on the 2013/14 curb cut projects and the 2010 Transition Plan and why have they not been addressed. There were grievances.

Mayor Gonzales asked Mr. Chapman to get him a list of requests so he can get them to the City Manager.

Ms. Bleck said there were also requests for public records regarding the pest management issues.

Mayor Gonzales said he thinks all those have been released. He will check on that. If the Committee can give him the letter, he will follow up on it.

Mr. Wirtz gave the letter to the Mayor.

Mayor Gonzales said he will take it where it needs to go.

Ms. Bleck said we are going to come to you soon to talk about our Resolution. Because of all the issues about pest management we feel it would be good to have in the Resolution for the Committee that we get to approve those plans.

Mayor Gonzales said making sure the Committee is able to comment could be added. Also that people are able to review, comment and make reflections on it.

Mr. McQuarie said we are aware that we must go before the Public Works Committee, Finance Committee and Council to make changes in our Resolution. He hopes that when we present it to those Committees and Council they will look at it favorably.

Mayor Gonzales said he shares Mr. McQuarie's hope. The key is to get this in front of them and he believes they will act favorably. This maintenance plan as well. We need to elevate it where they understand the need and offer some solutions for revenues. He would like to see that come out of this Committee. Fees and CIP. Focus on the revenue side as well. You will give them the cake with the icing and not just another request for money. You will also go through opportunities for revenue. Also as part of it you will be requesting help from the Santa Fe Legislators. Submit this survey from the Committee to the Legislators so they can see what in their district needs repair. You have the possibility of getting annual capital money to put in the community. You can be that voice and advocate that they get some state money in as well. Maybe work to set up some appointments up with Legislators at the Roundhouse.

Mayor Gonzales said thank you.

Ms. Bleck thanked the Mayor.

Mr. Chapman said we will invite you to our annual luncheon.

Ms. Bleck thanked Mr. Sutton for his presentation.

Mayor Gonzales left the meeting.

B. MCD RESOLUTION REVISION

Mr. Chapman handed out the red lined version of the Resolution with revisions. This version is incorporated herewith to these minutes as Exhibit "2".

Mr. Wirtz said he met with Mr. McQuarie and Mr. Chapman to come up with these recommended changes. They strengthen the language and add Integrated Pest Management. We also recommend changing the wording regarding residency for Committee members.

The Committee reviewed the recommended changes in the Resolution.

Ms. Pieters said is the change of language recommended referring to 25 miles from the edge of the City. She suggested removing the word "radius."

Mr. McQuarie said on line 10 change "must" to "shall."

Ms. Bleck suggested that under Duties and Responsibilities, line 14, add "environmental hazards." Also take out number 3 and on page 3 add a specific item for Integrated Pest Management. Ensure is too broad.

Mr. McQuarie said it might be better to say review. We only have the power of review.

Ms. Bleck said on line 24 add a specific item for it and add "environmental hazards" to line 13, number 1. The wording should be "chemical treatments or applications on City owned or leased property including those regulated under the 2003 Pest Management Program.

Ms. Bleck said on F add health of a "community person including those with disabilities."

Mr. McQuarie said delete "health of" and make it "of a person."

Ms. Bleck said if we say health the only time we would do anything is if they came to us.

Mr. McQuarie said he wants the word health deleted because we are not doctors. We need to stick with generalities. Like the hummingbird statute. That is not a health issue it was a desire. We don't want to limit ourselves to any one specific aspect. Just say "ensure the impact" of persons with disabilities.

Ms. Bleck said say "impact persons with disabilities."

Mr. Wirtz said he is having difficulty with this one. He is temporarily able bodied and that excludes him.

Ms. Bleck said remove item F. Put the chemical treatment language in as F.

Ms. Bleck said we need to run this by the Mayor.

Mr. Chapman said he will do that.

Mr. McQuarie said this has to go before the City Public Works Committee and the Finance Committee. At that time members of the public can speak as well. He will speak against what is being recommended. Why is Integrated Pest Management, of all the programs in the City, the only one mentioned individually.

Ms. Bleck said take out the integrated pest wording.

Mr. Wirtz said no way.

Mr. Wirtz said on page 3, line 8 and 9, don't limit the impact to persons with disabilities.

Ms. Bleck said it was agreed to remove lines 19 and 20 along with adding the item with her wording.

Mr. McQuarie said he would like to have the final draft read to him today or get a copy of the proposed changes before he agrees to it.

The Stenographer read the agreed upon changes to the Committee as follows:

- Page 2, line 10, remove "must" and insert "shall."
- Page 2, line 11, remove "a" and "radius"
- Page 2, line 15, insert "environmental hazards."
- Page 2, remove lines 19 and 20.
- Page 3, make lines 8 and 9 item G. Also add a comma after "program" and after "cost".
- Page 3, on lines 8 and 9 insert the following language as item F: " Any chemical treatments or applications on City owned or leased property including those regulated under the 2003 Pest Management Program."

MOTION A motion was made by Mr. McQuarie, seconded by Mr. Wirtz, to bring a draft of the Resolution reflecting these changes to the next meeting for approval and a vote to give us time to see it in writing and review it.

VOTE The motion passed unanimously by voice vote.

C. MCD RECRUITMENT

Ms. Bleck said we have 2 vacancies and Marcia is leaving in January.

Mr. Wirtz said he has contacted a woman who was on the Parks Advisory Committee who wants to be on this Committee. Marjorie Young. He will give her contact information to Mr. Chapman. Her interest is multiple sensitivity.

Ms. Bleck said we lost both of our persons with vision issues and we have no one young to address issues such as cyber bullying and other issues that young people face today. We also talked about having a Veteran. She talked to Mary yesterday and she is good. She will talk to some people with vision issues about being on this Committee.

Mr. McQuarie said when we recommend members they must have a Santa Fe address. We are violating City regulations if they don't. Also the Chair and Vice Chair must be voted on by all members. We need to do that by January.

7. OLD BUSINESS

A. MCD SUBCOMMITTEE REPORTS

PLAN REVIEW

Mr. McQuarie said they reviewed the Sheridan Bus Center. His report is incorporated herewith into these minutes as "Exhibit 3." He was not impressed by what occurred. We made our statements to them about what is and is not acceptable. We are concerned about getting to the bus.

MEDIA

Ms. Bleck said she went on Jim Parkers radio show. They talked about what the Mayor's Committee does and about the brochure.

Mr. Chapman brought the posters for National Disability Employment Awareness month. They will be posted by Aurore and Miriam. He will meet with Miriam and will give her half.

TRANSPORTATION

Ms. Bleck said they continue to have issues with drivers. They think they have hired a new para transit driver. Most issues are with applicants not having the ability to pass background checks. They are trying to get more drivers. On time performance, it went down. Para transit is down as well. They are very short handed. They are going to job fairs to try to recruit. She wonders how we view the use of medical marijuana and if that has changed in the background checks. They might have to look at that for hiring people.

Mr. McQuarie said they also reviewed the City Transit Plan. He read it over. They are in violation of State Law 66-7-101 NMSA 1978. In the law it specifies they will have a full Transit Plan submitted and they do not have a complete Transit Plan. They do not have signage or alternate bus locations. They are in violation of State Law. They were advised at the meeting of this.

Ms. Bleck said she wants to add to her Transportation report that Uber is getting sued. Disability is a Federally protected group and they are not providing disability transportation.

Mr. McQuarie said DOJ has filed a Friends of the Court statement.

8. INTEGRATED PEST MANAGEMENT UPDATE

Mr. Wirtz said last month when Dr. McCampbell presented she said she asked to have a meeting with the Mayor. There was one on September 29th. The idea was that he and Dr. McCampbell and one other would meet with the Mayor. As it turned out the full staff and attorney were there. It did not go well. The Mayor was supportive but it has gotten to the point now where 3 City Councilors are trying to erode the Ordinance to the point where they will be able to use the chemicals and pesticides on City landscapes and to control weeds. Our Coalition is in the process of deciding what to do. Victor said that by around the first of October he would have a plan to combat the weeds. Our Coalition is debating whether or not we and the 1,500 people we got signatures from will remain silent. We will wait for the report from Victor and then act upon which direction we go.

9. NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

This was talked about previously.

10. NCRTD AND SFT FEASIBILITY STUDY UPDATE

Mr. Chapman reported that they are still working on the survey. They cancelled the public meeting for October 25th and there are no updates on their progress on the website. Hopefully he will have more information to provide at the next meeting.

Mr. Chapman said also we need to think about where we may want to have our Christmas luncheon in December and fix the date at next meeting.

Ms. Bleck said we need to get a date from the Mayor of when he is available.

Mr. Chapman said in past we get a date and then ask the Mayor if the date is ok. If we want to do that now, it looks like 17th of December is our meeting date.

Mr. McQuarie said we normally have our luncheon on our December meeting date in lieu of the meeting.

Ms. Bleck said check with Mayor and see if that works for him.

Mr. Chapman said he will do that.

11. ITEMS FROM MEMBERS AND STAFF

Ms. Bleck said Coby, in her letter of resignation, said to give her regards to the Committee.

Mr. McQuarie said all members need to think about who you want as Chair and Vice Chair.

12. NEXT MEETING, NOVEMBER 17, 2016

13. ADJOURN

The meeting adjourned at 11:55 am.

Aurore Bleck, Vice Chair



Elizabeth Martin, Stenographer