

**SUMMARY OF ACTION
MAYOR'S COMMITTEE ON DISABILITY
CITY COUNCIL CHAMBERS
200 LINCOLN AVENUE
Thursday, March 17, 2016, 10:00 am**

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**MAYOR'S COMMITTEE ON DISABILITY
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Thursday, March 17, 2016, 10:00 am**

1. CALL TO ORDER

The meeting of the Mayor's Committee on Disability was called to order at approximately 10:00 am, on Thursday, March 17, 2016, at the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico

2. ROLL CALL

MEMBERS PRESENT

Marcia Bowman, Chair
Aurore Bleck, Vice Chair
Dave McQuarie
Meriam Jawhar
Coby Livingstone
Julie Tambourine

MEMBERS ABSENT

Mary McGinnis, Excused
Michael Wirtz, Excused
Nancy Pieters, Excused

OTHERS PRESENT

Oscar Rodriguez, Chief Financial Officer, City of Santa Fe
Elizabeth Martin, Stenographer

3. APPROVAL OF THE AGENDA

MOTION A motion was made by Mr. McQuarie, seconded by Ms. Bleck, to approve the agenda as presented.

**4. APPROVAL OF MINUTES
February 18, 2016**

Chair Bowman asked for any changes to the minutes of February 18, 2016.

Mr. Bleck said on page 4 it should be affected with an a. On page 6, it is stripling, not stripping, page 7 under taxi it is Katherine not with a C, on page 9, Mr. Wirtz said Multiple Chemical Sensitivity Task Force,

Chair Bowman said on page 8, Ms. McGinnis meant presenters.

Ms. Tambourine said on page 7, the 3rd paragraph, manager threw her out of the cafeteria because she had service dogs. They did have patches on. The patches are the same that are on service vests.

MOTION A motion was made by Ms. Bleck, seconded by Ms. Tambourine, to approve the minutes as amended.

VOTE The motion was passed unanimously by voice vote.

5. PUBLIC COMMENTS

None

6. NEW BUSINESS

A) 5 YEAR CAPITAL IMPROVEMENT PLAN FY 2015/16

Mr. Chapman introduced Mr. Oscar Rodriguez, City Financial Officer. Mr. Chapman said the City is going through a serious deficit. Fortunately, they hired someone up to the task and who has the experience to get us out of this mess. Mr. Rodriguez has a BA from Harvard and an MA from MIT and has come here today to talk with us about the City's 5 Year Capital Improvement Plan for FY 2015/16.

Chair Bowman said thank you for joining us.

Mr. Rodriguez said thank you for having me. He wanted to give a brief explanation of what the 5 Year Capital improvement Plan is, then engage the Committee in conversation. This is the first capital budget the City has ever produced. It contains all the things the City intends to build next year and years after. It is a standard basic document and planning tool and our humble first attempt. The document you have before you is a very comprehensive list. It includes projects, when they will start, the cost and the funding source. We used to just carry forward lists. This stops that. From now on projects have to be re-approved every year. The beginning of the document summarizes everything for you. We are looking at spending \$200 million over five years in capital improvement. This year is \$60 million. Next year is \$27 million with the drop due to the deficit.

Mr. Rodriguez said operations and maintenance is a chapter by itself. It is there purposefully to show the Council how they used to do it.

Ms. Jawhar asked are you from New Mexico.

Mr. Rodriguez said yes, southern New Mexico. Here in northern New Mexico

tourist money pays for a lot of things. Over the last twelve years GRT has been going down. People still want things and are finding it strange that they have to pay taxes for it. The City has taken on more than they could afford. We have 120,000 population in county. It takes 150,000 people to sustain GCCC for instance. That project is not sustainable.

Ms. Jawhar asked is any of this money acquired through the Bonds.

Mr. Rodriguez said some of this is. The school district has their own resources.

Ms. Jawhar said when you said, paid for through taxes, could it be put in a Bond.

Mr. Rodriguez said yes it could but a Bond is debt. You pay for it over 25 to 30 years. There is pressure not to raise taxes so Bonds are used. We are not going to be doing things like that again. By not doing this anymore we have to fill in the blanks for costs. You will see as you review this document what we are spending on streets and other things. This provides a platform for the community to see where their projects are and what the City is going to pay for. Hopefully in the conversations we have people will see the way to push for their project is to get it in this document. This is not a wish list. This is going to be done with the money that is available. If something is to be added, something has to come out. These are the City priorities.

Ms. Jawhar asked are all of these brick-and-mortar.

Mr. Rodriguez said and heavy equipment. The operating budget is different.

Ms. Jawhar said she loved his approach. You are clear in explaining this.

Mr. Rodriguez said the idea is to get it into a format where anyone who sees it can figure it out.

Mr. McQuarie said he could appreciate that he seems to be between a rock and a hard place. In reading this over, he senses that Mr. Rodriguez is relying on the integrity of the staff. That does not seem good. As an example, on page 14 there is improvement on a street that they were supposed to submit plans for review to our Committee and they never have. On page 17, the ADA information is for 2014. The last three weeks their mission has changed completely. It is a Federal requirement that any time you are doing curbs you have to put ramps in. They did a 2015 overlay and have not done ramps.

Mr. Rodriguez said hopefully now you have them all in one document. Instead of chasing every project after it is out there, now you have all the projects in one place. You can send your recommendations to the Council and the Department. He asked the Committee to think about defining a process by which the projects that are here get the ADA clearance. He is not prepared to talk about that now but you could look at other

communities who do it well. You can recommend to us that extra input and then sign off. Before the project gets on this document an ADA evaluation must be done. We are just starting this project. The Council just approved this in January. It will come to you every year now.

Mr. Chapman asked how does the legislative funding appear on the CIP.

Mr. Rodriguez said it will appear on here only when finally funded. The ICIP that goes to the State is a wish list. Anyone who has an idea and can get the legislature to listen to them gets their project on that list knowing it may not go anywhere. This is an actual budget, only the things that have money behind them get on this Plan.

Ms. Jawhar said you have a list of unfunded items. They are needs where there is no money for them.

Mr. Rodriguez said yes, the soccer stadium is on there because the City has spent some money on it. We wanted it to be clear that it is not going to be funded further at this time. It would take \$13 million.

Ms. Bleck asked on the southside the bus terminal, what will happen if we lose the spot where we are located now.

Mr. Rodriguez said that is in here in part. It is not the great big project that was contemplated in the beginning.

Ms. Bleck said if they move the terminal over where there are no bathrooms people will just pee right there.

Mr. Rodriguez said there are several pieces to that. The biggest participant in this project is the Police Department. It is tied to a major renovation project. Half of the project is not on here. It is ongoing and not resolved. Hopefully this will become a more detailed document.

Ms. Tambourine said thank you for coming and sharing this information with us.

Ms. Jawhar said you were very clear.

Mr. Chapman said the Legislature in 2015 appropriated \$227,700 for the soccer field. When you hear about that being done it is not City money. It is costly for the City because we use the City people and don't receive anything from the state to administer the monies. They feel that the City benefits for having the study done. He just received the agreement from the State on this so you will see it moving forward.

Mr. Rodriguez said in the future, those kind of projects will have to go in this document.

Mr. Rodriguez said he encourages the Committee to work on an effort where these go to this Committee.

Mr. Chapman said ADA requires the need to go through this Committee's Plan Review Committee. We don't always get those plans.

Mr. McQuarie said anytime you have any public works project and expenditure the plans are to be submitted to the Committee for review. Right now it stands where certain entities within the City staff do not believe that is right. They feel it infringes on their kingdom.

Mr. Rodriguez said hopefully, that era will end now.

Mr. McQuarie said he personally will now have something to back him up when he says where is the documentation. In the past, there has been nothing to back it up with.

Mr. Rodriguez said he hopes this helps your job then. It is all in one place. It will help the process. You can understand the magnitude now. Again, he encouraged the Committee to find a way to prioritize some projects or find another process for this. Maybe start an ADA certification process. They could define what gets an ADA certification. Some engineer or consultant looks at them and the engineer has to include that certification before building. This is just my introduction to you. Next month you will get this again and it will be a draft for approval by the Council.

Chair Bowman said thank you so much. It is so good to know we have someone who understands finances well in the City.

Mr. McQuarie asked how does the Council feel about this. Are they on board with your ideas or are they not.

Mr. Rodriguez said they approved this process. They are going along with it. The conditions are great for reform.

Ms. Jawhar said of course, they will accept anything remotely reasonable to make a public statement that they are paying attention.

Mr. McQuarie said he is hopeful that they will follow through.

Mr. Rodriguez said democracy is what rules.

Mr. McQuarie said several years ago the City Manager at that time said the trouble with our staff was that they want to have a kingdom.

Mr. Rodriguez said he did not see it that way.

Mr. Chapman said the Governing Body will have excellent input and analysis from Mr. Rodríguez to make the hard decisions. At staff meetings he continues to reiterate that we have to work together on this. He can only provide them the options and information as they make the decisions.

Mr. McQuarie said we had a fractured City Council back then and it was very political.

Mr. Rodriguez said the conditions are set for reform to take place.

Everyone said thank you.

B) TRANSIT CHANGES UPDATE

Mr. Chapman reported that the City and NCRTD have agreed to initiate a feasibility study to figure out if it makes sense to merge Santa Fe Trails with the North Central Regional Transit District. The article in the New Mexican said that the cost of the study is \$150,000 with the City and the NCRTD pitching in \$15,000 each with the remainder being paid for by the New Mexico Department of Transportation. He is not sure of the timeline for the study or the status of the Request for Proposal that will go out but as soon as he hears anything he will let the Committee know.

Mr. Chapman said this is a very important development and it is going to impact para transit. Transportation is under Public Works now and they are talking about putting the transit systems under the NCRTD.

Ms. Bleck asked do we know anything about the NCRTD's experience hiring staff. Do they have large vacancy rates. It is possible that this could be an improvement.

Mr. Chapman said they handle rural transportation.

Ms. Bleck said they do have a blue bus that is para transit. We have the Transportation Advisory Board and it has done a lot to improve para transit. We have momentum and have made strides in the areas of complaints and staffing. If we could continue to have some sort of City entity oversight that would be great.

Mr. McQuarie said the one item he hears about most is if it is taken over by rural transit what will be the affect of the employee's pension. What are their immediate benefits and what about sick time and vacation time. There are a lot of questions to be answered. A lot of that will be dealt with by the Union.

Mr. Chapman said they are doing feasibility studies. NM DOT is putting in money as well.

Ms. Bleck said they would benefit as well. They would gain access to our facilities.

Mr. Chapman said they would keep the transit center going on Rufina. The biggest concern is employees. He hopes it is good for them. The City has good benefits for us.

Ms. Bleck said we have lost drivers who are going to them to work.

Mr. Chapman said the feasibility study should vet it out. He will stay abreast of what is going on and will report back.

Ms. Bleck said the structure set up is already different. Transit used to be separate but now it is under Public Works.

Mr. Chapman said Mike left. He retired and moved to Arizona.

7. OLD BUSINESS

A) MCD SUBCOMMITTEE REPORTS

PLAN REVIEW

Mr. McQuarie said the last thing the Plan Review Committee reviewed was one plan involving Gonzales School and a consultant that designed a walking trail around it. It looked pretty good. The only point was that it crosses Alameda. The representative from City was there and answered my question. He said the answer is off the project limit or scope of work. The representative advised them that it has to be the same width before, during and after. To verify, he contacted technical assistance with ADA and he was right. The City is still liable for anything crossing Alameda. They are not providing the minimum requirements for access. He asked for technical advice on it. The advice was since they are not providing minimum access they are liable. The current job they are doing is under review on a DOT ADA complaint. The case is not closed yet. It is a public access issue. The City staff took the directive that says you will do to maximum extent feasible. He used that and reformed it to what he wants.

Mr. McQuarie said he was unable to find a plan review report for April 22, 2014. That is a City document. We should have it. Staff said if he had any questions to please call them. He did and he did not get return calls.

Ms. Livingstone asked who the staff person was.

Mr. McQuarie said it was an email from James Martínez, Project Manager.

Mr. McQuarie said in your packet you have a copy of a letter he sent to the City Manager asking for the policy on public access on various intersections and so forth. He has requested this over and over again since 2004. He is named in the request for the City Manager asking him to give a speech to this Committee and give us a set of plans ahead of time.

Mr. Chapman said he had a meeting with Ike Pino and John Romero. John is planning to be here to make a presentation. He should have provided you with James' telephone number. He is sorry about that.

Mr. McQuarie said he did not hold him at fault for not getting back to him. It seems staff does not respond unless they really want to.

Ms. Bleck said she assumes it was because Mr. Chapman was doing his two or three jobs.

Ms. Tambourine said City staff has been pretty tied up with the budget issues.

TRANSPORTATION ADVISORY COMMITTEE

Ms. Bleck reported that Ike Pino came to the last meeting to inform them of the changes. The subcommittee was discussed and it was decided that if anyone brings up an ADA complaint the ADA subcommittee would hear their appeal. It will meet regularly based on need. She thinks this Committee needs to keep going no matter what happens with the NCRD possibility so that we have a local overseer.

Chair Bowman agreed and said it was good that Mr. Pino attended the meeting.

MEDIA

Ms. Tambourine said she would go and meet the reporter who stopped by the meeting. She passed out copies of the petition regarding the Salvador Perez pool, which is incorporated herewith into these minutes as Exhibit "1". Because of what is going on with the City budget, they asked me to wait until next week to meet with them on this. It has not gone to City Council yet. The person who started this petition decided not to go to Council because the Parks Department is trying to work it out. The pool is warmer now.

Ms. Tambourine said she would like to bring up another incident at the Community College regarding discrimination issues with service dogs on campus. People with disabilities have gone through mediation with the college on this. She has ongoing issues that she has had to seek medical attention about.

Ms. Tambourine said she registers voluntarily with security when she comes on campus with her service animals and tells them where they will be. She had done this on a Tuesday recently. She went to law class and in the middle of the class, a security employee came in and cussed at her and said they did not see a vest on the animals. The instructor said they were service animals. She was very embarrassed and got physically ill in class. She had to leave. Her Doctor wrote a letter saying this is life threatening to her and that she may have to drop out of class at the Community College. She depends on the funds she receives for attending school. She is a 4.0 student majoring in Sustainable Technology and Legal Studies. Another consequence of this is that her dogs are undergoing major re-training because of these incidents. The dogs do not want to go into public buildings because they sense a danger to her. Her dogs do wear a patch. It is the same patch that you sew on to a vest. Even with the patches she is being accosted. It is happening to others as well. There needs to be serious action at the school. She will report next month about what she does regarding this.

Chair Bowman said Media is about what we are doing to publicize our work. Do you have something along those lines to report.

Ms. Tambourine said she understands now that she should bring up the items she was talking about under Items From The Committee.

Chair Bowman said yes.

Ms. Tambourine reported that the City has discontinued free memberships for people with disabilities at the recreation centers. She found that out when she went to sign up for her membership and could not. Recently the Veterans were given discounted memberships for any members and free memberships for disabled veterans. Did the City come to this Committee and run this by you before they made this decision.

Chair Bowman said no.

Ms. Tambourine said they should have.

Chair Bowman said she did not think there was anything in their charter that would require that but it would have been a nice courtesy.

Mr. Chapman said it is not in the Resolution.

Ms. Tambourine said you would think that would be something that would come to us. She would like to ask for the support of the Committee for a Resolution she is working on that would reinstate this. She is gathering information on the cost to the City. She was told by Liz Roybal that it is cost prohibitive. She was also told that they used parking placards to admit people previously. She explained that using those was not appropriate. People are given them on a temporary basis a lot of times and they do not turn them back in when they recover. She is going to suggest they use better

criteria such as a social security benefit statement. There is not that much cost. All the disabled Veterans get access. There are also low income benefits that provide for access for those at poverty level. Will the Committee support me on this.

MOTION A motion was made by Ms. Tambourine, seconded by Ms. Jawhar, to support that free passes be reinstated.

DISCUSSION

Mr. McQuarie asked free passes to where.

Ms. Tambourine said to the City recreation facilities. We had that before.

Mr. McQuarie said that is a subject that was brought up before this Committee before and two times we have voted no. We said that we did not want to be involved in that until there was better control of who is eligible. If they want a free pass they are available if you show economic need. There are some disabled people who do not want to ask for it or have it as a benefit.

Ms. Tambourine said you do have to ask for the pass. If you do not want one then you don't ask for one. She has a Doctor's authorization saying that she has to do four hours of physical therapy at home every day. She is working on making sure there is uniform criteria for qualification. She is proposing using the benefit statement to show you are disabled.

Ms. Jawhar said she does not receive disability but will always have a brain injury. If that was the case, someone like her would not have proof.

Ms. Tambourine said she is working on that too. We may need a place for exceptions.

Ms. Bleck said it seems like the low income status takes care of everyone with needs.

Ms. Tambourine said it does not include people who had high incomes before becoming disabled.

Chair Bowman said we are going round and round on something that may or may not happen. Why don't you bring back your proposed Resolution and we can look at that and decide if we want to approve that.

Ms. Tambourine said ok but it will take lots of work and time. She wants to be sure Liz Roybal is involved with this.

Chair Bowman said we have a motion on the table on this.

Mr. McQuarie called for the question.

VOTE The motion failed by a vote of 1 for, 2 abstentions (Ms. Livingstone and Ms. Jawhar) and 3 against.

TAXI UPDATE

Ms. Bleck reported that Jon Bulhuis was the only one with institutional knowledge on this issue. They are working on getting this to get up to speed.

PROW UPDATE

Mr. Chapman reported that he had scheduled a Kick Off Meeting for the City's Transition Public Right of Way (PROW) update for Wednesday, April 20, 2016. He has asked Dave McQuarie to attend. Also in attendance will be representatives from the City's Geographic Information Systems, the Engineering Division, the Streets and Drainage Division and from the Metropolitan Planning Organization and staff from KFH, the contractor that the City has hired to do this project.

8. ITEMS FROM MEMBERS AND STAFF

Mr. Chapman handed out a flyer on Community Day. He will put this on the agenda for the next meeting. He did go ahead and register the Committee for a table. We will discuss staffing for the table next month.

Mr. Chapman asked if this venue will work for future meetings. He wanted the Committee to know that the venue did not have anything to do with why we have three members absent.

Ms. Jawhar asked why the venue was changed.

Chair Bowman explained that it was regarding too much chlorine in the air at GCCC.

Ms. Jawhar said it works better for her.

Ms. Tambourine said this venue is better for her.

Chair Bowman said this is fine.

Mr. Chapman asked if it is the direction of this Committee for me to contact GCCC and tell them that we will not be meeting there anymore.

Everyone responded yes.

Ms. Jawhar said she wanted to apologize for her lack of attendance. She is having lots of physical things going on with her brain and too many things happening at once. She simply forgot. She is going to finally have her surgery on her knee and her job approved three weeks off for her. She will look at her calendar and email when she will not be here.

Chair Bowman said that will be fine.

Mr. McQuarie said he wanted to remind everyone that as members, they will be receiving a draft of the proposal on a policy for median access on April 3rd. It is very important that when you come to the next meeting you have read it and know it thoroughly. City staff is required to give you a copy.

Ms. Tambourine asked how will we get it. She does not have email.

Mr. Chapman said he will make sure everyone gets a copy.

Ms. Tambourine thanked the Chair for guiding her on where to make her comments. She was contacted to let this Committee know that PNM has requested to install smart meters in the Santa Fe area. Smart meters research shows that they have emissions and can effect those with disabilities severely. It is something to be aware of. The contact person on this issue is Arthur Firstenberg. His number is 505-471-012. He can inform you about upcoming public meeting regarding this.

Ms. Bleck said don't we already have some meters like hat.

Chair Bowman said yes we do.

Ms. Livingstone said she is in favor of robust discussions but she usually has to be out of the meeting at noon for her transportation.

Chair Bowman said she will not be in town starting on April 3rd, for ten days.

9. ADJOURNMENT

The meeting adjourned at 12:05 pm.

Marcia Bowman, Chair



Elizabeth Martin, Stenographer