Summary Index
City of Santa Fe
MAYOR'S COMMITTEE ON DISABILITY

May 21, 2015

ITEM	ACTION TAKEN	PAGE(S)
CALL TO ORDER		
ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	1
APPROVAL OF MINUTES April 16, 2015	Approved	1-2
PUBLIC COMMENTS	None	2
NEW BUSINESS		
a) Integrated Pest Management (IPM) Presentation	Discussed	1
b) Priority of Various Public Rights-of-Way –	David Chapman	2-3
OLD BUSINESS		
a) MCD Sub-Committee Reports	Discussed	3-4
b) Overnight And Holiday Transportation for those who use Wheel Chairs	Aurore Bleck	4-5
c) Multiple Chemical Sensitivities Month Http://Homesick-Video.Com	S. O'Neal Wirtz	6-7
d) Transition Plan –	David Chapman	7-8
ITEMS FROM MEMBERS AND STAFF	Discussed	8
ADJOURNMENT & NEXT MEETING	Adjourned at 11:59 a.m. June 18, 2015	8

MINUTES OF THE
MAYOR'S COMMITTEE ON DISABILITY

SANTA FE, NEW MEXICO

May 21, 2015

A scheduled meeting of the Mayor's Committee on Disability was called to order by Marcia Bowman, chair, on this date at approximately 10:00 a.m. at Genoveva Chavez Community Center, 3221 Rodeo Road, Classroom 1, Santa Fe, New Mexico.

Roll call indicated a quorum as follows:

Members Present:
Marcia Bowman, chair
Ron Ortiz Dinkel, vice chair
Aurore Bleck
E. Meriam Jawhar (arrived later)
Dr. Charles Maynard
Mary McGinnis
Dave McQuarie
Sharon Wirtz

Members Excused:

Members Absent:
Nancy Pieters

Staff Present:
David Chapman, ADA Coordinator/Liaison

Others Present:

APPROVAL OF AGENDA
Mr. Ortiz Dinkel moved to approve the agenda as published. Ms. McGinnis seconded the motion, which passed by unanimous voice vote.

APPROVAL OF MINUTES – April 16, 2015
Page 5 paragraph 6: "Mr. McQuarie said the ADA specifically states that the surface will be concave", was clarified: "will be *truncated domes….*"
Page 7, paragraph 6: "He said he filed a complaint against them" was clarified: *filed a complaint against the NMDOT.*
Page 2, paragraph from the bottom: "Dr. Maynard mentioned the Armory's projector equipment is not easy to use and the Armory is old and smells" was changed to read: "*the Armory is old and musty.*"
Page 2, after approval of the minutes: "Chair Bowman explained that she and Mr. Chapman received a note from Susan *Abbot …*" instead of Abbot should be corrected to *Abod* throughout the minutes.
Page 3, Public Comments: Carol and Emma are students from Carroll University and Pacific University.
Page 4, paragraph 4: "Dr. Maynard asked if it is not possible to use yellow" and should say "if it is possible to not use yellow…"

Page 9, the reference to GCC was clarified to be Genoveva Chavez Community Center or GCCC.
Page 5, second paragraph, last sentence: "She said she has read that people who cannot see other colors can see yellow" was clarified: "...can *sometimes* see yellow."
Under Items from Members and Staff: "*Ms. Wirtz said she got the material data safety sheet and the product used is much better than the City occasionally uses on an emergency basis*" was asked to read: "Ms. Wirtz said she got the material data safety sheet for the herbicide product used and it is better than other herbicides the City occasionally uses. Also the next to the last sentence: "*She said there is a question that one of chemicals in the product could cause an allergic reaction, but she thought it is the best compromise*" was asked to read: "*...but she thought of it as a compromise.*"

Dr. Maynard moved to approve the minutes of April 16, 2015 as amended. Mr. Ortiz Dinkel seconded the motion, which passed by unanimous voice vote.

PUBLIC COMMENTS- None

Ms. Jawhar entered at the meeting.

While waiting for Mr. Wood the agenda was revised by consensus.

NEW BUSINESS:

b) Priority of Various Public Rights-of-Way – David Chapman

Mr. Chapman said he wanted the Committee to give him the rights of way for the priority list.

Mr. McQuarie said one priority is the walkway on Rodeo Road between Las Campanas and Los Pueblos and on the north side of Alameda between Don Gaspar and Shelby[?]

He said he was recently informed that the MPO (Metropolitan Planning Organization) Committee will do a project on public rights of way at bus stops. He said the Committee's packet should have had a letter from him to the MPO that reminded them to send the plans to the Plan Review Committee. He said he contacted Mark Tibbetts and got the impression that BTAC (Bicycle Trails Advisory Committee) is telling MPO what to do and "*they want to set up pedestrian access, but according to bicycles*". He said BTAC directed the MPO that the disabled should not use the trails behind the Santa Fe High School and should use the City sidewalks along Yucca and Siringo.

He said during one of the plan review meetings City staff was questioned about a project at the downtown bus stop at Sheridan. Staff said the Business Quality of Life Committee (BQL) had directed them how to do the work. He said when the BQ well was asked, he was told the committee just gave consent.

Chair Bowman said it is possible that what one Committee said and what someone else *thought* they said, are two different things.

Chair Bowman asked if the Plan Review Committee was supposed to be sent plans for signs. Mr. McQuarie replied they are to get anything that affects disability of a certain dollar amount. He said the signage never reaches that dollar amount, but out of courtesy they should still send it.

Mr. McQuarie thought that Mr. Chapman might not be aware that the public rights-of-way came about because the MCD put up $130,000 in 2011 and that was in the transition [plan]. He said it was dropped by City staff and he told them *"they will do it"*. He asked that MCD be kept in the loop, but they are not.

Ms. Jawhar said she was not clear what a public rights-of-way looks like. Mr. McQuarie explained that public rights-of-way is any area of the street or road that in town would be from one building on one side of the street to the building on the other side of the street. He said that includes the street, the sidewalk and/or any improvements or lack thereof. He said most important is where the public can travel.

Ms. Jawhar asked what would block a right of way. Mr. McQuarie replied it could be a property line and nine times out of ten, the property line is a building or a wall.

Ms. Wirtz asked about fire hydrants in the middle of sidewalks.

Mr. McQuarie explained that generally fire hydrants, signs, utility poles, etc. are street furniture and are located in the public rights-of-way for convenience of the utility company. He said apparently there are not strict regulations as to where they should be located, which is the reason hydrants are in the middle of the sidewalk.

The Committee discussed the location of fire hydrants, utility poles, etc. and areas where there are issues.

Chair Bowman asked Mr. Chapman to bring a list next month of what he and Mr. McQuarie consider high priority.

7. **OLD BUSINESS** (Revised Agenda Order)
   a. MCD Sub-Committee Reports

      - Plan Review – Dave McQuarie

Mr. McQuarie said there is only one plan review for Escandido Park and it is included in the packet. He said the area is nothing more than a drainage area for runoff. He said he mentioned what should and could be done, but it is not that important because it can never be anything more than drainage.

He said there is also the letter he mentioned regarding the MPO about what is required. He said he has an ongoing battle with Transit and the City engineers about certain signs that are mandatory according to ADA. He said according to the City Traffic Engineer none are required.

Chair Bowman confirmed that Mr. McQuarie had asked for the plan review for that reason.

Mr. McQuarie said a City staff member believes the signs inside the shelters are big enough and sufficient for the national symbol of accessibility. He thought the signs should be large enough for the majority of the public. The international symbol of accessibility is a wheelchair and the minimum size is 6 inches.

Mr. Chapman confirmed a date for the Plan Review Subcommittee to meet in June.

- Media - Dr. Maynard / Ms. Jawhar

Dr. Maynard said he is putting together a series of reports on disability access in Santa Fe. He said he needs to talk with Ms. Bleck and Ms. Jawhar, but should have it done by next week.

- Transportation – Mary McGinnis

Ms. McGinnis said the good news is that the hiring freeze has been lifted. She said Santa Fe Ride has had more on-time performance, but still has problems with being short of staff. She said Santa Fe Ride was late picking her up for her doctor's appointment, but compensated her for her ride, so she was happy.

Mr. Chapman noted that today is Ken Smithson's (in Transit operations) last day.

b) Overnight and Holiday Transportation for those who use Wheel Chairs – Aurore Bleck

Ms. Bleck said she talked to the Mayor about the accessible cab project and he reacted much the same as everyone. She said he asked what could be done for Santa Fe Ride users who might need transportation after hours, but she also talked to him about the taxi situation. She told the Mayor there is an unmet need and a large population that might not be used to public transportation and prefers hiring a taxi cab if they have a wheelchair or scooter. She said the Mayor wanted to know if the MCD is sending him a recommendation and she would like to do that.

She said also she had a meeting via telephone with the cab company owner, Matt Knowles. She said his major objection is cost. He buys used police cars. She said Mr. Knowles had spoken with his lawyer who previously told him he did not need accessible cabs. In her conversation with Mr. Knowles she talked about adequate equipment and personnel. She said she told him that the City has a right to pass an ordinance. She mentioned she has talked with the Mayor and sent information to her City Councilor who might bring up the issue. She said she suggested Mr. Knowles "double-brand" his shuttle van as accessible.

Ms. Bleck said Mr. Knowles asked Mr. Bulthuis in an email for statistics on the number of people that used overnight service when the service had been available; when the service ended, etc. She said Mr. Knowles mentioned that the City used to rent him a vehicle.

Ms. Bleck said she had a petition at the Community Day booth and got 60 signatures. She said that she also invited out-of-town visitors to sign, because this does affect visitors. She said her acupuncturist is willing to have the survey in his office also, because it affects his patients. She said on Community Day an Uber guy came by who said Uber has accessible cabs. She said she didn't think he knew what accessible means.

Mr. McQuarie said when the City took the para transit from City Cab, the City allowed the cab company to use City accessible vehicles in off hours. He said the agreement lasted about a year, but the need for an accessible vehicle was infrequent. He said he likes the idea so people wouldn't have to pay the cost to have an accessible vehicle in their inventory.

Ms. Bleck said she disagrees and thinks there is an unmet daytime need. She said anyone who calls and finds that a company doesn't have accommodation does not call back every day. They have to look at something else. She thought they should not let the cab company off the hook.

Ms. Jawhar suggested a public/private partnership arrangement where the City covers the insurance and the cab covers the mechanics and the driver.

Ms. Bleck said she thought something could be worked out. She said Mr. Knowles needs at least one accessible cab. She said she discussed the vehicles Santa Fe Ride has, but they are about $40,000 new. She said the City should push Mr. Knowles to get an accessible cab. She asked what the Committee should recommend to the Mayor; should the ordinance state a municipal certificate holder must have at least one [accessible vehicle]; or if it should be a percentage of vehicles, etc.

Mr. McQuarie said the Department of Justice (DOJ) is the only one with that power. The City or State does not have power to delimit the number. He said the City could approach the issue from the angle that the service needs to be provided and can ask the company how they plan to provide the service to retain their operator's license. He said if the City just says a vehicle has to be accessible that meets the DOJ and the City is been responsible for meeting the standards.

Ms. Bleck said instead of "*how many cabs, the City could say the City of Santa Fe defines full service, which is in the law as service that accommodates people who are ambulatory and who use wheelchairs and scooters*", to make sure the definition is clear.

Mr. McQuarie said the company would have to be able to provide an accessible cab within a reasonable amount of time, and one and a half hours is stipulated. Mr. Ortiz Dinkel added it is not just a reasonable amount of time, but a reasonable amount of time 24/7.

Ms. Bleck asked if the Committee would recommend that the City define what the Motor Carrier Act means and "*that full service means accommodation of people of different abilities, including people in wheelchairs and scooters and in a reasonable amount of time*".

Mr. McQuarie said originally the Santa Fe Para Transit had [[service] 24 hours a day, seven days a week, but cut back to match the bus times. The regulations state that is all they are required to meet. The City only has to provide transportation when the bus operates and they cannot charge more than twice what is charged by the bus. He said he is in favor of some sort of service, because people who rely on para transit have told him they can't go to their daughter's house for Thanksgiving or Christmas because there is no bus service. Ms. Bleck added there is also no service the week of Thanksgiving and no service for 51% of the time for those in wheelchairs.

Ms. Bleck offered to develop a draft and bring back to the Committee in June.

c) Multiple Chemical Sensitivities (MCS) Month – Http://Homesick-Video.Com - Sharon O'Neal Wirtz

Ms. Wirtz said that Ms. Abod wants to get her film *Homesick* shown, especially to the City and State staff. She said Ms. Abod talked with Dee Martinez and Anthony Alarid with the Governor's Commission on Disability (GCD) about screening her film for their July staff meeting when both Albuquerque and Santa Fe groups will attend. She said Ms. Abod will apply for the New Mexico Governors Commission on Disability Quality of Life Grant to help fund screening and distribution of the film throughout the State and other national disability groups.

Ms. Wirtz said the film was shown at the gathering of the National Council on Independent Living and the room was packed. She said a comment *was made that "people with MCS environmental sensitivities are still marginalized and denied access, even in the disability community."* Ms. Wirtz read a comment about the film: *"a powerful way to highlight people with MCS, ES and educate potential allies about the barriers they face and how to be more inclusive and accessible."*

Ms. Wirtz said this group really falls through the cracks. She said she can have the most accessible cab in the world, but a cab driver with a strong aftershave is a barrier in the way a flight of stairs is at the Capitol Building. She said, "The more that education happens, the more accessible places are," and because of the IPM ordinance the City buildings are now more accessible. She said the biggest problem for people with MCS is to find an accessible place to live and if you get sick, you lose your job, you lose your health insurance and you can't pay your mortgage or your rent. She said your requirements for a place to live become much more difficult.

Chair Bowman asked if Ms. Abod would also do a public screening.

Ms. Wirtz replied Ms. Abod had been able to do a couple of screenings in town with a grant. She said she thought Ms. Abod would not do anything formally. She said the task force had used money from a donation to print materials. She said there is money left and the funds were earmarked for educational purposes and might be able to be used for that [screenings].

a) Integrated Pest Management (IPM) Presentation- Robert Wood – Mr. Wood was not present.

Ms. Wirtz offered to provide information on the IPM since Mr. Wood was not present. She explained that an IPM task force was formed under the direction of Frank Montano, a former City Councilor. She said the task force met with the Parks Department, the University of Las Cruces, experts from the chemical companies and toxicologists, etc. She said an ordinance was passed about 12 years ago and has an exemption clause: when everything else has been tried and in an emergency, chemical means could be used. She said the exemption clause has become more lenient than it should be.

She said she stressed to the Mayor the importance of hiring the best person to fill the IPM Manager position. She said the position was filled, but the person left after a few months and the position is open again. She said the concern is that the position will remain open and that will give "pro-pesticide people" more leeway with the exemption clause.

Ms. Wirtz said a person from the MCS Task Force attended a Santa Fe River Commission meeting and discovered that Roundup was being used on the river property. The person was not aware of the ordinance. She said the Federal Highway [Department] finally decided to go with the ordinance and the federal streets such as St. Francis and Cerrillos are supposedly not sprayed. She said the ordinance emphasizes the use of cultural means (ladybugs on aphids, etc.), physical means (covering mouse holes, sealing food in tight bins, etc.), and things are safer for the public. She said the real concern is the workers. The workers are healthier if they are putting vinegar on vines, etc.

Ms. Wirtz said the Mayor made the statement at the environmental event at the Lensic that *"we must do the right thing even if it's more expensive."* She said she would like to draft a recommendation to the Mayor for the Committee to review, for the City to fill the position (IPM Manager) soon and hire the best qualified person available, etc. She said the most important thing to those with MCS is to eliminate pesticides and

exposure to them. Ms. Wirtz said she urged the Mayor to follow the letter of the law and the spirit of the law. She offered to bring a draft of the recommendation to the next meeting.

Mr. McQuarie said when Ms. Wirtz writes the letter to the Mayor, first stress that the Mayor and City Council direct staff to follow the law. He said secondly, he would like her to present the letter at City Council at the 7 p.m. Petition from the Floor and give a copy of the letter to all of the Councilors.

Ms. Wirtz said that Councilor Bushee is in favor and has worked with staff. She said she [Ms. Wirtz] also wants to recommend the position of IPM Manager be independent of the Parks Department. Currently the position is not on par with the Parks Director. She said there should also be more tolerance for weeds and bugs. She said in most cases pest control can be handled with a fly swatter or a shoe, etc.

d) Transition Plan – David Chapman

Mr. Chapman said he talked with Lisa Neie, the DOT FHWA (Department of Transportation Federal Highway Administration) and she has agreed the RFP for the Transition Plan will go out in September. He said also the MPO is moving ahead with the assessment of the bus stops and access to the stops, which aligns with the criteria needed for the Transition Plan. He said he will follow up with Keith Wilson for an update.

Chair Bowman asked about the effort to get Ms. Gish back. Mr. Chapman replied Ms. Gish is trying to get credit for internship through the university, but has run into obstacles. He said there has been no movement from the City side.

Mr. McQuarie said for Mr. Chapman's information, all the federal highway can do is transportation. He said the Transition Plan covers all buildings, parks and facilities of the City and the MCD hired a consultant to do a limited number of buildings in 2011. He said staff was to pick up the rest, but has not and he wonders about the civic center, the Railyard, the fire stations and parks in other places.

He said he forgot to put on the agenda that Mr. Chapman was supposed to give the Committee a report/update on John Romero and Rodeo Road. He said that intersection is on the 2013 Transition Plan and Mr. Romero was supposed to attend the MCD meeting last month and did not. He said Mr. Romero was also supposed to attend the meeting with him and Mr. Chapman and Ms. Neie and did not.

Mr. McQuarie said Mr. Romero has made his decision based on one safety study that came out the way he wanted it to. He said a few years ago the City Project Manager was asked why the City wasn't fixing the crossings on Old Pecos Trail and Mr. Romero was the one who stated that people could cross at the light. He said he takes that comment and Mr. Romero's actions on Rodeo Road that he has not changed his attitude about the disabled in 12 years.

Mr. McQuarie offered to write a letter to the City Manager and/or the Mayor *"that Mr. Romero is too good to come to our meetings and not only that, to go to a meeting set up by you [Mr. Chapman] with the Federal Highway Department and our traffic engineer."* Mr. McQuarie said Mr. Romero has failed to do his job and should be reprimanded.

Chair Bowman said she would be fine if Mr. McQuarie wants to write something personally, but she would not want the Committee to a reprimand anyone in the City.

Ms. McGinnis asked if Mr. Wood should be invited to come back.

Mr. Chapman said he is the former IPM manager and did present to the Committee previously.

Chair Bowman suggested that Mr. Chapman invite Mr. Wood to come to the next meeting if he is interested. She said the Committee will understand if he is not interested or feels he should not come because he is no longer the IPM manager.

ITEMS FROM MEMBERS AND STAFF

Mr. Chapman said now that the budget is done his hope is to hear about an intern or on his position.

Ms. Jawhar said she will get with Dr. Maynard to help support him with the media.

Mr. McQuarie asked that Mr. Chapman include an update on next month's agenda on the Rodeo Road/ Los Pueblos intersection final design. He said he understands Ms. Neie has requested the State Highway to make recommendations on that. He said she also mentioned that the City had been advised about 12 years ago to prepare a policy on T intersections. He said that has come up over and over and if he had known he would have pushed it on Rodeo Road, which is a T intersection. He said the City needs to adopt a policy.

Next Meeting: Thursday, June 18, 2015

ADJOURN:

Having completed the agenda and with no further business, the meeting adjourned at 11:35 p.m.

Approved by:

_____

Marcia Bowman, Chair

Submitted by:

Charmaine Clair

Charmaine Clair, Stenographer